

KENOSHA COUNTY BOARD OF SUPERVISORS

COUNTY BOARD CHAMBERS

COUNTY ADMINISTRATION BUILDING

January 6, 2004

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

Excused: Supervisors Boyer, Marrelli, Ruffolo, Larsen.

Present. 24. Excused. 4.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Kessler expressed the County Board's sympathy to Supervisor Gorlinski. Supervisor Gorlinski's mother died.

Chairman Kessler stated that on everyone's desk there is a copy of the second draft of the Tax Equity Study. If anyone needs more information please contact Dave Geersten, Finance Director at 653-2700.

Chairman Kessler stated that he had attended the dedication and ribbon cutting for Bio-Catt structure at Gateway Technical College.

Chairman Kessler stated that the first meeting with the Kemper Center is January 12, 2004 at 5:00 p.m. This meeting will be a tour of the entire facility.

Chairman Kessler stated that a comprehensive plan for the Des Plaines River Watershed. The plan consists of three volumes. Anyone interested in reading this information please contact him.

Chairman Kessler stated that the 7-County Meeting in Waukesha will be on January 21st. Dinner starts at 6:00 p.m. and the meeting will start at 7:00 p.m.

SUPERVISORS REPORTS

Supervisor Clark stated that the Tax Equity Phase One was undertaken and apparently there was an agreement of the parties to not release the study until they all signed off on it. On November 12th there was a request for that information and Dave Geersten did not release any information because he felt that it was a draft and then Nick Arnold released the information. In January the Village of Pleasant Prairie thought it necessary in one of their newsletters to talk about the Tax Equity Study and stated that the village and the city are paying more than they are getting. On January 27th there was a meeting held and Supervisor Noble, Carey-Mielke, Dave Geersten and himself attended. Representative Wirch also attended and he stated that something has to happen at the state level and it has been tried before and failed. He also talked about local intergovernmental agreements that should take place. You need to have all the parties at the table, together. At the conclusion of that meeting they were targeting a March 31st date to have a meeting of all who are involved in this issue. Michael Pollocoff, Village of Pleasant Prairie Administrator said that he would coordinate the meeting. It was then decided not to do anything until the Tax Equity Study Phase II came out. At that time he was told it would be done in June or July. He inquired frequently. After time went by and no answers he put a public record request in for that information. At no time was it ever said that this report is available to look at. After the public records request, and the denial, Supervisor Rose agreed with him that this should be a resolution brought to the County Board. The mayor talks about trust and he stated that he did not know if he could trust the County to make an agreement. The people that put us in office trust us to do what is right. Not having something resolved yet is not acceptable. Another problem is: How can you hire a consultant to come in and tell you what

to do and then say that nobody can release it until everybody has signed off on it. As of December 30th 93% of the \$90,000.00 has been billed, for a incomplete report. Someone is lying and someone needs to be held accountable. In his opinion Virchow Krause should finish the report, say what they have to say and get the report delivered.

Supervisor Singer stated that a deal has been made by the Menominee Nation and the Mohegan Tribe of Connecticut. 100% purchase of Dairyland Park.

Supervisor Smitz stated that on December 11th he attended the Kenosha County Safety Meeting and it was reported that we have had 837 deaths in the State this last year. The year before it was 805. Half the deaths could be prevented if people wore their safety belts. Also, one of the players on Westosha Central High School Volleyball Team has been picked freshman player of the year for the nation. This is really quite an honor.

Supervisor Elverman reported on the Highway & Parks Committee Meeting. Discussed was the Hwy KD Property. There is a farmer adjacent that is farming 40 acres of tillable land. He inquired about the KD property and is worried about drainage. Also, there is a portion of entry to The Kenosha County Snowmobile Alliance due to the lack of snow. Regarding the golf operation. There was a unaudited financial report that did not include the November revenues. The report showed that we had cut our deficit almost in half. More work needs to be done. He will put the November totals on everyone's desk next month. Another hot item is the residences on park properties. As a committee they have not received the appraisals of those properties. This item will not be dropped.

Supervisor Noble commented on the article in the Kenosha News that painted a picture about five supervisors clamoring for release of a half finished study on consolidating services. It sounded like they were five rogue supervisors. The fact of the matter is that they were told by the County Board Chairman that the study was complete and the report was coming in January. The resolution was in response to Chairman Kessler's report. How do we go from a report that was to be complete in June, finalized in October and now has "entire chapters" left blank. Each and every supervisor should be alarmed by this. It took eight years to get the final report for the Des Plaines River Watershed Study. If we are not diligent this report will take years. Two years is long enough. He demands an explanation for this delay and Chairman Kessler should get an answer from Virchow Krause & Company.

Supervisor Rose stated that since the study was put on everyone's desk tonight, he would like to withdraw Resolution 95 and asked Chairman Kessler to take leadership and authorize and convene in March an invitation to the City and Village of Pleasant Prairie to join with us and listen to Michael Ley, the person in charge of this study. 93% of the study has been paid so he is assuming that 93% of the work has been done. The whole issue of consolidation of services is being discussed at the national and state level. This is the time to discuss it.

Supervisor Gorlinski commented on the growth in the Town of Salem. He has had an opportunity to talk with some of the new residents in a subdivision along county road JF. West of RT 83. The speed limit is 55 mph. The people in these new subdivisions are asking that the speed limits be reviewed and perhaps in the future be reduced.

Supervisor Molinaro stated that there is a bus with five rogue supervisors running around and he is not on it! If there is room let him know. He hopes that Chairman Kessler's contact is directly with Virchow Krause & Company and not through County Administration or anyone else. Also, he is not in favor of eliminating the reviewing of bills over \$5,000.00 and now it appears that we paid 93% of a draft contract that has chapters missing. He suggests that the county not pay anymore.

Supervisor Ekornaas stated that the longer it takes to get this report done the more seriously you have to consider if it is a creditable report or not. The purpose of this study is to give objective answers to all questions. Having spent 15 years in the Administration of the Sheriff's Department he can tell you that the people that are running or governing a study can influence the outcome of the study a great deal.

Supervisor Carbone stated that we did not hire Virchow Krause. We came in after the City and Pleasant Prairie had already hired him. So he does not know how much we can demand of him.

Supervisor Kerkman stated that from the get-go he did not support the County financing this study. It is 'east ended directed'. There was a meeting in the town of Paris six months ago and people from the City, Pleasant Prairie, Towns and other villages attended. It gave Dave Geersten an opportunity to explain the facts that he had. We need a report but he would rather see the report made to all the municipalities. Hear all the questions and all the answers at the same time. Have the meeting at Highway 45 & 50.

Supervisor Molinaro asked that the signers on Resolution 95 be polled. Supervisors Carey-Mielke, Noble, Clark and Rose voted together to pull Resolution 95 from the agenda.

Supervisor Carey-Mielke stated that she concurs with everything that has been said tonight regarding the report. She has a constituency that has been spoon-fed a lot of half truths and they are demanding answers. Especially since the Village of Pleasant Prairie first stated that there was tax inequity in the village and the village was not getting their share.

Supervisor Pitts stated that the Council of Governments meets the last Saturday of January and this would be the right time to invite someone from Virchow Krause to attend and give a report. This is a broad study involving the whole county.

COUNTY EXECUTIVE APPOINTMENTS

APPOINTMENT 13

13. John J. O'Day to serve on the Kenosha County Human Services Board. Chairman Kessler referred Appointment 13 to Human Services Committee.

APPOINTMENT 14

14. Richard Willoughby to serve on the Kenosha County Human Services Board. Chairman Kessler referred Appointment 14 to Human Services Committee.

APPOINTMENT 15

15. Leonard Johnson to serve on the Kenosha County Human Services Board. Chairman Kessler referred Appointment 15 to Human Services Committee.

APPOINTMENT 16

16. Virgil Gentz to serve on the Kenosha County Traffic Safety Commission. Chairman Kessler referred Appointment 16 to Highway & Parks Committee.

APPOINTMENT 17

17. Shirley M. Boening to serve on the Kenosha County Library Committee. Chairman Kessler referred Appointment 17 to Finance Committee.

APPOINTMENT 18

18. D. Noel Sheer to serve on the Kenosha County Library Committee. Chairman Kessler referred Appointment 18 to Finance Committee.

NEW BUSINESS

Ordinances - first reading two required.

From Land Use Committee regarding:

ORDINANCE 42

42. Amendment to the Kenosha County Subdivision Ordinance Requiring Preliminary and Final Subdivision Plats to be Submitted in a Digital Format in Addition to Paper Copies currently being submitted for review and approval.

ORDINANCE 43

43. Proposed Amendment to the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Prohibiting Tower Signs Currently Permitted along I-94 Frontage Roads.
Ordinances - one reading.

ORDINANCE 41

41. John Zielinski Trustee, John Zielinski Revocable Living Trust, and Richard K. and Donna J. Forgue (Owners)/ Howard I. Haubrich (Agent), requesting rezoning from A-2 General Agricultural District to R-2 Suburban Single-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 Parcels #80-4-122-032-0102 and #80-4-122-032-0111 located in the northwest quarter of Section 3, Township 1 North, Range 22 East, Town of Somers be changed from A-2 General Agricultural District to R-2 Suburban Single-Family Residential District. For informational purposes only, these properties are located on the south side of County Trunk Highway "K" (60th Street) approximately ¼ mile west of the intersection of State Trunk Highway "31" (Green Bay Road).

John Zielinski Revocable Living Trust - #80-4-122-032-0111 - (Owner)

Richard K. and Donna J. Forgue - #80-4-122-032-0102 -(Owners)

Howard O. Haubrich - (Agent)

Description: Commencing at a point 219.52 feet east of the northwest corner and the north line of the northwest quarter of Section 3, in Town One North, Range 22 East of the following described thirty-five acre parcel, more or less, of land: The west thirty-five acres of the following described premises, to wit: Part of the northwest quarter of Section 3 in Town 1 North, Range 22 East of the Fourth Principal Meridian, more particularly described as follows: Commencing at the northeast corner of the northwest quarter of Section 3, Town and Range aforesaid; thence south along the east line of said quarter section 1329.00 feet and to the center of State Trunk Highway "31" (Green Bay Road); thence southwesterly along the center of said road to a point which is 1389.00 feet south of the north line of the quarter section and 12.00 feet west of the east line of said quarter section; thence west and parallel to the north line of said quarter section 1619.20 feet; thence north parallel to the east line of the quarter section 1389.00 feet to the north line of the quarter section; thence east along the said north line of the quarter section 1631.20 feet to the place of beginning, and containing 52 acres, more or less, lying and being in the County and State aforesaid; thence easterly along the north line of the northwest quarter of Section 3, Town 1 North, Range 22 East, 156.80 feet; thence southerly parallel with the west line of said parcel 1389.00 feet, and to the south line of said parcel; thence westerly along the south line of said parcel 313.60 feet; thence northerly parallel to the west line of said parcel 1389.00 feet and to the north line of the northwest quarter of Section 3, thence easterly along the northline of the northwest quarter of Section 3, Township 1 North, Range 22 East, 156.80 feet to the point of beginning.

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 Ordinance 41. Seconded by Supervisor Gorlinski.

Motion carried.

Resolutions - One reading.

RESOLUTION 94

94. From Legislative Committee regarding Supporting Assembly Bill 658.

WHEREAS, by Attorney General opinion, current law prohibits cities over 4,000 in population from creating a joint county-city law enforcement agency. See 60 OAG 85 (1971). Legislation is being brought forward which clarifies matters by expressly authorizing a city or a village to abolish its police department and enter into a contact with a county for law enforcement services.

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors does support legislation which would allow a city or a village to abolish its police department and enter into a contract with a county for the sheriff to provide law enforcement services for those services for those parts of the city or village that are located within the county, and

BE IT FURTHER RESOLVED, that the County clerk be directed to forward a copy of this resolution to the governor, our state representatives, the Kenosha County sheriff, and City and Village Clerks within Kenosha County.

Approved by:

LEGISLATIVE COMMITTEE

Ronald Johnson
Thomas Kerkman
Fred Ekornaas
Anita Faraone

It was moved by Supervisor Johnson to adopt Resolution 94. Seconded by Supervisor Kerkman.
Motion carried unanimously.

RESOLUTION 95

95. From Supervisors Joseph Clark, Terry Rose, Brenda Carey-Mielke, Anita Faraone and Douglas Noble regarding calling for the Release of the County Sponsored Tax Equity Study. (Possible suspension of rules for non-referral to committee)

Removed from the agenda by Supervisor Rose.

COMMUNICATION

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

Chairman Kessler referred Communication 29 to the Land Use Committee.

CLAIMS

57. Abbey Revolinski - fell on cart path.

58. Donna and Donald Swift - car accident.

Chairman Kessler referred Claims 57 & 58 to the Corporation Counsel.

It was moved by Supervisor Huff to approve the December 2nd minutes. Seconded by Supervisor Ekornaas.

Motion carried.

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

Meeting adjourned at 8:30 p.m.

Prepared by: Pam Young
Chief Deputy
Submitted by: Edna R, Highland
County Clerk