

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**OCTOBER 16, 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, Carbone, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Jackson, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Clark.

**CHAIRMAN'S ANNOUNCEMENT**

Chairman Rose reminded everyone about the public hearings of the Finance Committee regarding the budget.

**SUPERVISOR REPORTS**

Supervisor Elverman gave a report from the Administration Committee. The budget is very much in line and the biggest item is health insurance with a 1% increase for next year. They received a report on the Non-Rep pay plan evaluations of six people and all received positive evaluations.

Supervisor Carbone stated that the budget schedules for the budget hearings were put on everyone's desk.

Supervisor Singer reported that the parking lot by the Courthouse is complete. Building & Grounds will be having a meeting to go over the issues for the emergency center.

Supervisor Noble reported that at the Highway & Parks meeting many citizens spoke regarding Hwy C and the speed limit. This issue is being looked into.

**OLD BUSINESS**

Ordinance - second reading, two required.

**ORDINANCE 34**

34. From Supervisor O'Day regarding Creating Section 3.02 of the Municipal Code of Kenosha County Entitled "County Board Supervisory Nomination Papers".

The Kenosha County Board of Supervisors does hereby ordain that section 3.02 of the Municipal Code of Kenosha County be, and hereby is created to read as follows:

**3.02 COUNTY BOARD SUPERVISORY NOMINATION PAPERS**

Pursuant to Wisconsin Statute Section 8.10 (3m), the number of required signatures on nomination papers for the office of county supervisor for Kenosha County shall be not less than 50 or more than 200 electors. This ordinance shall take effect on November 15 following its enactment.

It was moved by Supervisor O'Day to adopt Ordinance 34. Seconded by Supervisor Ekornaas.

Roll call vote.

Ayes: Supervisors Rose, Rossow, Marrelli, Booth, Carbone, R. Johnson, O'Day, Singer, Wisnefski, West, Breunig, Ekornaas.

Nays: Supervisors Grady, Kessler, Huff, Kubicki, Arrington, Faraone, Michel, Nudo, Moore, Molinaro, Jackson, Noble, Roger Johnson, Haas, Elverman.

Ayes. 12. Nays. 15.

Motion lost.

**NEW BUSINESS**

Ordinance - one reading.

**ORDINANCE 35**

35. From Land Use Committee regarding John R. Husenica and Kristi Ann Theodore-Husenica (Owners), Jerry Ketterhagen (Agent) requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District 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 #30-4-220-203-0150 located in the Southwest quarter of Section 20, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District (39.38 acres). For informational purposes only, this property is located on the north side of County Trunk Highway "JB" (31<sup>st</sup> Street) approximately ¼ mile east of the intersection of 296<sup>th</sup> Avenue.

**John R. Husenica and Kristi Ann Theodore-Husenica - Owners**

**Description:** A parcel of land located in part of the East ½ of the Southwest ¼ of Section 20, Township 2 North, Range 20 East of the Fourth Principal Meridian, in the Township of Brighton, Kenosha County, Wisconsin, and being more particularly described as follows: Commence at the South ¼ corner of said Section 20; thence South 88°36'52" West along the south line of said Southwest ¼ Section 980.78 feet to the place of beginning of the parcel of land hereinafter described; thence continue South 88°36'52" West along said south line 334.17 feet; thence North 01°54'45" West 2605.08 feet to a point on the north line of said Southwest ¼ Section; thence North 87°52'26" East along said north line 334.16 feet; thence South 01°54'45" East 2609.40 feet to a point on the south line of said Southwest ¼ Section and the place of beginning. Containing 20.00 acres of land more or less. Subject to the rights of the public over the South 33 feet thereof for road purposes (31<sup>st</sup> Street).

In addition: Commence at the South ¼ corner of said Section 20; thence South 88°36'52" West along the south line of said Southwest ¼ Section 657.475 feet to the place of beginning of the parcel of land hereinafter described; thence continue South 88°36'52" West along said south line 323.31 feet; thence North 01°54'45" West 2609.40 feet to a point on the north line of said Southwest ¼ Section; thence North 87°52'26" East along said north line 323.44 feet; thence South 01°54'33" East 2613.58 feet to a point on the south line of said Southwest ¼ Section and the place of beginning. Containing 19.39 acres of land, more or less. Subject to the rights of the public over the south 33 feet thereof for road purposes (31<sup>st</sup> Street).

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

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 35. Seconded by Supervisor O'Day.  
Motion carried.

**ORDINANCE 36**

36. From Land Use Committee regarding Rastol Investments LLC requesting rezoning from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to R-1 Rural Residential 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 #35-4-121-293-0100 located in the southwest quarter of Section 29, Township 1 North, Range 21 East, Town of Bristol be changed from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to R-1 Rural Residential District (31.09 acres) and C-1 Lowland Resource Conservancy District (0.06 acres). For informational purposes only, this property is located on the south side of County Trunk Highway "45" approximately 0.17 miles south of the intersection of County Trunk Highway "JS" (107<sup>th</sup> Street).

**Rastol Investments LLC - Owner**

**Description:** Presented in Exhibit 1 attached.

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

SUBMITTED BY:  
LAND USE COMMITTEE  
Fred R. Ekornaas  
John J. O'Day  
Jennifer S. Jackson  
Roger Johnson  
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 36. Seconded by Supervisor Jackson.  
Motion carried.

**ORDINANCE 37**

37. From Land Use Committee regarding Larry Gitzlaff (Owner) requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District on part 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 part of Tax Parcel #80-4-222-102-0301 located in the northwest quarter of Section 10, Township 2 North, Range 22 East, Town of Somers be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District (10.42 acres). For informational purposes only, this property is located on the east side of County Trunk Highway "EA" (72<sup>nd</sup> Avenue) approximately ½ mile north of the intersection of County Trunk Highway "E" (12<sup>th</sup> Street).

**Larry Gitzlaff - Owner**

**Description:** All that part of the Southwest ¼ of the Northwest ¼ and the Northwest ¼ of the Southwest ¼ of Section 10, Township 2 North, Range 22 East, Town of Somers, Kenosha County, Wisconsin.

Commencing and beginning at the southwest corner of the Northwest ¼ of said Section 10; thence North 01°41'59" West along the west line of said Northwest ¼, 370.00 feet; thence North 89°23'14" East and parallel with the south line of said Northwest ¼, 849.08 feet; thence South 01°41'59" East and parallel with said west line, 526.27 feet to the centerline of Pike Creek as described in Warranty Deed dated December 30, 2004 and recorded in the Kenosha County Register of Deeds Office on January 5, 2005 as Document No. 1417860; thence the following courses along the centerline of said Pike Creek; South 86°59'39" West, 220.96 feet; South 85°59'39" West, 476.53 feet; North 82°00'21" West, 103.31 feet to the east line of C.T.H. "EA" - (72<sup>nd</sup> Avenue); thence North 01°42'49" West along said east line and parallel with and 50 feet east, as measured perpendicular to, of the west line of said Southwest ¼, 178.24 feet to the south line of said Northwest ¼; thence South 89°23'14" West along said south line, 50.01 feet to the point of beginning.

Containing in all 454,100 square feet (10.4247 acres) gross and 435,600 square feet (10.0000 acres) net of lands, more or less.

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

Submitted by:  
LAND USE COMMITTEE  
Fred R. Ekornaas  
John J. O'Day  
Jennifer S. Jackson  
Roger Johnson  
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 37. Seconded by Supervisor Roger Johnson.  
Motion carried.

**ORDINANCE 38**

38. From Land Use Committee regarding Kenneth A. Koch Living Trust, Ken Koch, Trustee requesting rezoning from A-1 Agricultural Preservation District, A-2 General Agricultural District, R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District in the Town of Wheatland.

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 #95-4-219-331-0100 and #95-4-219-331-0300 located in the northeast quarter of Section 33, Township 2 North, Range 19 East, Town of Wheatland be changed from A-1 Agricultural Preservation District, A-2 General Agricultural District, R-2 Suburban Single-Family Residential 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 parcels are located on the east side of 368<sup>th</sup> Avenue approximately 0.15 mile north of the intersection of 52<sup>nd</sup> Street.

**Kenneth A. Koch Living Trust, Ken Koch, Trustee (Owner)**

**Description:** Presented in Exhibit 1 attached.

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

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 38. Seconded by Supervisor Nudo.

Motion carried.

**ORDINANCE 39**

39. From Land Use Committee regarding Susan M. Riley and Kelly A. Wilson (Owners) requesting rezoning from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to A-1 Agricultural Preservation District, C-1 Lowland Resource Conservancy District and R-2 Suburban Single-Family Residential District and from R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District. Both parcels are located in the Northwest ¼ of Section 12, Town of Wheatland.

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 #95-4-119-122-0602 and #95-4-119-122-0650 both located in the Northwest quarter of Section 12, Township 1 North, Range 19 East, Town of Wheatland be changed as follows: Tax Parcel #95-4-119-122-0602 be changed from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to A-1 Agricultural Preservation District, C-1 Lowland Resource Conservancy District and R-2 Suburban Single-Family Residential District, and Tax Parcel #95-4-119-122-0650 be changed from R-2 Suburban Single-Family Residential 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 east side of County Trunk Highway "JI" (328<sup>th</sup> Avenue) at the intersection of 80<sup>th</sup> Street.

**Susan M. Riley - Owner**

**#95-4-119-122-0602**

**Kelly A. Wilson - Owner**

**#95-4-119-122-0650**

**Description:** Presented in Exhibit 1 attached.

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

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 39. Seconded by Supervisor O'Day.  
Motion carried.

**ORDINANCE 40**

40. From Land Use Committee regarding Land Use Committee (Sponsor), Wayne W. and Paul J. Wagner (Owners) requesting rezoning from R-1 Rural Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to R-1 Rural Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District in the Town of Wheatland.

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 #95-4-219-343-0701 located in the southwest quarter of Section 34, Township 2 North, Range 19 East, Town of Wheatland be changed from R-1 Rural Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to R-1 Rural Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District. This rezoning is considered a zoning map amendment to reflect actual field conditions. For informational purposes only, this property is located on the south side of 52<sup>nd</sup> Street approximately 0.34 miles west of the intersection of County Trunk Highway "KD" (352<sup>nd</sup> Avenue).

**Wayne W. and Paul J. Wagner - Owners**

**Description:** Presented in Exhibit 1 attached.

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

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 40. Seconded by Supervisor Jackson.

Motion carried.

Resolution - one reading.

**RESOLUTION 73**

73. From Building & Grounds and Finance Committees regarding the release of additional funds for the 45/50 Law Enforcement Center.

**WHEREAS**, the 2005 County Budget included \$1,100,000 for Safety Building remodeling, and

**WHEREAS**, the 2005 County Budget Resolution (Policy Resolution #1) stated that the Safety Building remodeling project be reviewed by the Buildings Committee and recommendation be brought to the County Board and,

**WHEREAS**, the 2006 budget including \$400,000 (excluding \$16,835 for equipment purchases) for the remodeling of the Medical Examiner's and

**WHEREAS**, the 2006 County Budget Resolution (Policy Resolution #2) authorized that \$100,000 of a \$1,100,000 appropriation for safety Building Remodeling be used for the purpose of determining building construction and operating costs of relocation certain functions including but not limited to Sheriff Patrol, 911 Dispatch, Emergency Management, Medical Examiner's Office, and

**WHEREAS**, the 2006 County Budget Resolution (Policy Resolution #2) stated that the Medical Examiner remodeling project be review by the Building and Grounds and Finance Committees, and that a final plan be approved by the County Board, and

**WHEREAS**, on January 30<sup>th</sup> 2007, a preliminary site location and office layout plan as presented to the Joint Committees of Building & Grounds, Judiciary & Law, Finance, Human Services, and Land Use, and

**WHEREAS**, the 2007 Resolution of Statement of Need and Authorization to Proceed (Resolution #114) authorized that an additional \$150,000 be authorized to be spent to provide additional planning dollars bringing the total authorized to be spent to \$250,000 of the original \$1,100,000 and designed a need to continue with the planning and development of a new office location at the property currently owned by Kenosha County commonly referred to as 45/50 and

**WHEREAS**, the total expenditures for said project are \$368,620 that include \$2,400 for the tower analysis by Graef Anhalt & Schloemer, \$18,894 for the site survey by R A Smith & Associates, \$9,520 for the soil analysis by Terracon Consultants, \$43,121 for schematic design by Zimmerman Design Group, \$129,365 for design development by Zimmerman Design Group, and \$6,712 for additional expenses incurred by Zimmerman Design Group (attached is expenditure detail).

**NOW, THEREFORE BE IT RESOLVED**, that based upon the total expenses incurred to date for the planning and development of a new office location at the property currently owned by Kenosha County commonly referred to as 45/50, an additional \$150,000 be authorized to fund additional planning services, bringing the total authorized funds for said services to \$400,000.

Submitted by:

BUILDING & GROUNDS	FINANCE COMMITTEE
David Singer	Robert Carbone
Mark Molinaro Jr.	Mark Wisnefski
Gabe Nudo	Anita Faraone
Roger Johnson	Joseph Clark
Mark Wisnefski	John O'Day

It was moved by Supervisor Singer to adopt Resolution 73. Seconded by Supervisor Carbone.

It was moved by Supervisor Molinaro to postpone Resolution 73. Seconded by Supervisor Huff.

Roll call vote on postponement.

Ayes: Supervisors Rossow, Huff, Arrington, Ron Johnson, Michel, Moore, Molinaro, West, Breunig, Haas, Elverman, Ekornaas.

Nays: Supervisors Rose, Grady, Kessler, Kubicki, Marrelli, Booth, Carbone, Faraone, O'Day, Singer, Nudo, Wisnefski, Jackson, Noble, Roger Johnson.

Motion lost.

Roll call vote on Resolution 73.

Ayes: Supervisors Grady, Rossow, Kessler, Huff, Kubicki, Carbone, Faraone, Ron Johnson, O'Day, Singer, Nudo, Wisnefski, Noble, Roger Johnson, Breunig, Elverman, Ekornaas.

Nays: Supervisors Rose, Marrelli, Booth, Michel, Moore, Jackson, West, Haas,

Abstain: Supervisors Arrington, Molinaro.

Ayes. 17. Nays. 8. Abstain. 2.

Motion carried.

COMMUNICATIONS

15. From George E. Melcher , Director of Planning & Development regarding future rezonings.

Chairman Rose referred Communication 15 to Land Use.

It was moved by Supervisor Arrington to Approve the October 2nd, 2007 minutes. Seconded by Supervisor Nudo.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:52 P.M.

Prepared by: Pam Young  
Chief Deputy  
Submitted by: Edna R. Highland

County Clerk