

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

March 17, 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, Kessler, Rose, Huff, Kubicki, Marks, Gentz, Modory, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Morton, Jackson, Clark, West, Roger Johnson, Breunig, Haas, Ekornaas.

Excused: Supervisors Hallmon, Noble, Elverman.

Present: 25. Excused: 3.

CITIZEN COMMENTS

Bob Danbeck, 7626 27th Avenue, Kenosha, stated the two county golf courses are probably the only two golf courses in SE Wisconsin that are not opened yet. Last year, as part of a group of 9 season pass holders, they spent over \$24,000 at the County's Courses. Several people that were part of that group have decided not to continue to use the County Courses because the county has raised some of their rates. He believes people should not have to pay for a reservation on a public course. No other courses in Kenosha County charges for reservations except for the two County Courses that are being managed now by a PGA Pro. In this economy, you don't raise rates in order to make money. Other courses are holding the line 100% on their rates. He felt Tami Wisnefski was doing a fabulous job managing both golf courses, yet she's gone. Now they hired someone from the outside who is treating these courses like a County Club. He would like to continue golfing two times a week at the county courses but can't because they're not being run correctly.

Jim Niccolai, 4006 5th Avenue, Kenosha, thanked the Board of Supervisors for their ongoing commitment to the Department of Health in Kenosha. He also urged Supervisors to approve the proposed contract for the Nurses & Health Professionals. By accepting the proposed contract it promotes the retention of quality staff and employees, which enhances the quality of care and ultimately consumer satisfaction.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Clark stated that Gateway Technical College Board has 3 openings. One is slotted for Kenosha, an employee position. Though, it could be employee or employer. Application packets are available in the County Clerk's Office and at the Gateway offices. Deadline for the application is 12 Noon April 7th. Interviews will be April 29th at 5 p.m. at the Burlington Gateway Campus. There is also a School Administrator position rotating every 3 years. The position rotates between Racine, Walworth & Kenosha Counties. He encourages Kenosha School districts to get on board and has notified several school administrators. 1988 was the last time Kenosha County was on the board as an Administrator, this applicant must be K12 certified.

He also addressed the issue of Supervisors carrying on conversations while other Supervisors are speaking and to be considerate of others while they are speaking.

SUPERVISOR REPORTS

Supervisor Huff reported that the Legislative Committee meeting has been changed to Monday 3/30 @ 7 p.m., 2nd Floor Conference Room. They have invited the State Representatives to attend, 4 have confirmed, to give an update of the State Budget. He read a letter from County Executive Kreuser to Representative Paul Ryan regarding a Federal Issue, Bill HR 7335, Amended Title 13 US Tax Code to allow certain local tax debt to be collected by reducing the Federal Tax refund for anyone who owes pass due tax to a local unit of government. This would make it legally enforceable for a tax intercept. It would allow for the ability to do a tax intercept on the Federal Level for County owed taxes. He urged everyone who has signed up for a County email address, to use this address, and that all County correspondence will go thru the County Email system.

In regard to the Mute Swan Issue - DNR has contacted them via writing and voicemail that they would not be attending because they have no new information or updates in regard to this issue.

Supervisor Ekornaas reported that Supervisor Johnson, County Executive Kreuser, George Melcher and himself attended the NACo Conference in Washington DC and would like to share a report of what was discussed. Secretary of Housing & Urban Development spoke of 3 goals: interest rates; the refinancing at a lower rate, help in staying in homes (not those who own investment properties), and bringing home payments down to 31% of family income. To use Government projects to get people back to work. Nothing to tell about the Housing Stimulus package, it is so new they don't really understand it yet. Secretary of Interior spoke about energy, creating CCC camps, a better life for Native Americans by creating projects to help them and dealing with water issues. Secretary of Energy spoke of the fact that 60% of our oil is from imports, their mission is to reduce our dependence on oil, create new industries, and pushing weatherization programs to eliminate waste. He received the definition of "Shovel Ready", it is that the planning and engineering is complete and the approval process of all agencies involved, that it is ready to go in 90 days of the grant being given. The purpose of the Recovery & Reinvestment Act is to get funds to people in need of them as quickly as possible. You can read about the Recovery & Reinvestment Act at recovery.com. There will be a Webinar on April 2nd. It also looks like the Fuel Bill Tax will not likely be passed this year. There was a lot of talk about a possible Vehicle Mileage Tax to come in the future to raise transportation revenue.

Supervisor Ron Johnson reported about his trip to the NACo Conference in Washington DC. He is a member of the Energy & Environmental Sub Committee of NACo. He attended a meeting of the Resolution Committee to be fully aware of what was going before the Committee meeting at which time they would need to act on the resolutions brought before them. The resolutions are all grouped by content. He attended several committee meetings, open session meetings, workshops and ended the conference with a Presidential Reception on Tuesday night. It was all very interesting and educational. He gave thanks for being allowed to attend the conference.

COUNTY EXECUTIVE APPOINTMENTS

32. Jeanne Sanchez-Bell to represent the City of Kenosha on the Kenosha County Board of Health.

33. Dr. Lane R. Earns to serve on the Kenosha County Workforce Development Board.

34. Jennie A. Tunkieicz to serve on the Kenosha County Workforce Development Board.

Chairman Clark referred County Executive Appointments 32 - 34 to Human Services.

NEW BUSINESS

Ordinances - one reading.

ORDINANCE 29

29. From the Land Use Committee regarding Central High School, District of Westosha requesting rezoning from R-3 Urban Single-Family Residential District, R-4 Urban Single-Family Residential District and C-2 Upland Resource Conservancy District to I-1 Institutional District and C-2 Upland Resource Conservancy District 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 Parcel #65-4-120-113-0100 located in the southeast quarter of Section 10 and the southwest quarter of Section 11, Township 1 North, Range 20 East, Town of Salem be changed from R-3 Urban Single-Family Residential District, R-4 Urban Single-Family Residential District and C-2 Upland Resource Conservancy District to I-1 Institutional District and C-2 Upland Resource Conservancy District. For informational purposes only, this property is located at the intersection of 81st Street and 248th Avenue.

Central High School (Owner)

Description: Part of the Southwest Quarter of Section 11 and part of the Southeast Quarter of Section 10, all in Township 1 North, Range 20 East of the

Fourth Principal Meridian, Township of Salem, County of Kenosha, State of Wisconsin and more particularly described as follows: Beginning at the west quarter corner of said Section 11; thence South 89°30'20" East along the north line of the Southwest Quarter of Section 11, 840.89 feet; thence South 19°47'00" West 498.31 feet; thence South 69°47'00" West 301.90 feet; thence North 20°13'00" West 187.80 feet; thence South 69°47'00" West 330.00 feet; thence North 19°46'41" West 61.56 feet; thence South 73°40'00" West 123.44 feet; thence North 16°20'00" West 22.00 feet; thence South 72°23'00" West 66.02 feet; thence North 16° 20'00" West 131.98 feet; thence South 72°23'00" West 265.43.feet; thence South 16°20'00" 16.50 feet; thence South 72°23'00" West 132.00 feet; thence North 16°20'00" West 527.51 feet to the north line of the Southeast Quarter Section 10; thence east along the north line of the Southeast Quarter of Section 10, 752.65 feet to the point of beginning, EXCEPTING THAT PART DESCRIBED AS FOLLOWS: Commencing at the west quarter corner; thence North 90°00'00" West 752.65 feet; thence South 16°20'00" East 527.51 feet; thence North 72°23'00" 132.00 feet; thence North 16°20'00" West 16.50 feet; thence North 72° 23'00" East 265.43 feet; thence South 16°20'00" East 131.98 feet; thence North 72°23'00" East 66.02 feet to the point of beginning; thence North 16°29'31" West 48.00 feet; thence North 73°30'29" East 123.44 feet; thence South 16°29'31" East 70.00 feet to a point on the north line of Lot 17 in Salem East Unit "A" Subdivision; thence North 73° 40'00" West along the north line of said Lot 17, 123.44 feet to a point on the east right-of-way line of 248th Street; thence North 16°29'31" West along the east right-of-way line, 22.00 feet to the point of beginning, all in the County Kenosha, Wisconsin. 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 29. Seconded by Supervisor Nudo.
Motion carried.

ORDINANCE 30

30. From the Land Use Committee regarding Land Use Committee (Sponsor), Herschel Jr. and Judith C. Thomas (Owners) requesting rezoning from A-1 Agricultural Preservation District, A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-1 Agricultural Preservation District, A-2 General Agricultural District and C-1 Lowland Resource Conservancy 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 #30-4-220-274-0300 located in the southeast quarter of Section 27, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District, A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-1 Agricultural Preservation District, A-2 General Agricultural 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 east side of State Trunk Highway "75" approximately 450' north of the intersection of County Trunk Highway "PH".

Herschel, Jr. and Judith C. Thomas (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 Ekornaas
Gabe Nudo
Kimberly Breunig

Gordon West
Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 30. Seconded by Supervisor Morton.
Motion carried.

ORDINANCE 31

31. From the Land Use Committee regarding Land Use Committee (Sponsor), Charles E., Jr. and Valerie L. Schroeder (Owners) requesting rezoning from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District and C-1 Lowland Resource Conservancy 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 #30-4-220-312-0100 located in the northwest quarter of Section 31, Township 2 North, Range 20 East, Town of Brighton be changed from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural 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 east side of 308th Avenue at the intersection of 45th Street.

Charles E., Jr. and Valerie L. Schroeder (Owners)

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

It was moved by Supervisor Ekornaas to adopt Ordinance 31. Seconded by Supervisor Breunig.
Motion carried.

ORDINANCE 32

32. From the Land Use Committee regarding American Land Development LLC (Owner) requesting an amendment to a previously approved (August 10, 2005) PUD Planned Unit Development Overlay 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 #35-4-121-122-0110 located in the northwest quarter of Section 12, Township 1 North, Range 21 East, Town of Bristol have the PUD Planned Unit Development Overlay District applied as an amendment to a previously approved (August 10, 2005) PUD Planned Unit Development Overlay District for Bristol Ridge Estates Subdivision. For informational purposes only, this property is located on the southwest corner of the intersection of State Trunk Highway "50" (75th Street) and 128th Avenue.

American Land Development LLC (Owner)

Description: Outlot 1 of CERTIFIED SURVEY MAP NO. 2473, recorded in the Kenosha County Register of Deeds office on June 15, 2005 as Document No. 1437056, and being part of the Northeast ¼, Southeast ¼, Southwest ¼ and Northwest ¼ of the Northwest ¼ and Northeast ¼ and Northwest ¼ of the Southwest ¼ of Section 12, and the Northeast ¼ and Southeast ¼ of the Northeast ¼ of Section 11, EXCLUDING THEREFROM road right-of-way as in CERTIFIED SURVEY MAP NO. 2640, all in Town 1 North, Range 21 East of the Fourth Principal Meridian, lying and being in the Town of Bristol, County of Kenosha and State of Wisconsin.

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 32. Seconded by Supervisor West.
Motion carried.

ORDINANCE 33

33. From the Land Use Committee regarding Andrew and Zoriana Kolomayets, Nikolay and Eva Senchishak, Katherine Senchyshak, et al. (Owners) requesting rezoning from A-1 Agricultural Preservation District, and C-2 Upland Resource Conservancy District to A-2 General Agricultural District, C-1 Lowland Resource Conservancy District and C-2 Upland 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 Parcels #35-4-121-274-0401, #35-4-121-274-0402 and #35-4-121-274-0100 located in the southeast quarter of Section 27, Township 1 North, Range 21 East, Town of Bristol be changed from A-1 Agricultural Preservation District and C-2 Upland Resource Conservancy District to A-2 General Agricultural District, C-1 Lowland Resource Conservancy District and C-2 Upland Resource Conservancy District. For informational purposes only, these properties are located on the west side of County Trunk Highway "MB" (152nd Avenue) approximately 400' north of the intersection of County Trunk Highway "CJ" (Horton Road).

Andrew and Zoriana Kolomayets, Nikolay and Eva Senchishak, Katherine Senchyshak, et al. (Owners)

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

It was moved by Supervisor Ekornaas to adopt Ordinance 33. Seconded by Supervisor West.
Motion carried.
Resolutions - one reading

RESOLUTION 132

132. From Supervisor Kimberly Breunig a regarding THINK Signs Posted in Kenosha County ion Lieu of Roadside Memorials.

Chairman Clark referred Resolution 132 to Highway & Parks Committee and Traffic Safety Commission.

RESOLUTION 133

133. From the Administration and Finance Committees a Resolution to approve the Successor Labor Agreement between the County of Kenosha and Kenosha County Federation of Nurses and Health Professionals, Local 5061.

WHEREAS, negotiations for a successor labor agreement between Kenosha County and Local 5061, were recently concluded, and

WHEREAS, the negotiations have culminated in a three-year labor agreement ending December 31, 2011; and

WHEREAS, Kenosha County is desirous of maintaining and promoting a sound and stable relationship with its employee organizations; and

WHEREAS, the Administration Committee and Finance Committee have reviewed said labor agreement;

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approve and adopt said labor agreement, the originals of which are herewith attached.

SUBMITTED BY:
Administration Committee Finance Committee
David Singer John O'Day
Mark Modory Terry Rose
Fred Ekornaas Mark Molinaro, Jr.

Shavonda Marks

David Singer

It was moved by Supervisor Moore to adopt Resolution 133. Seconded by Vice-chair Faraone.

Roll call vote.

Ayes: Supervisors Zerban, Kessler, Rose, Huff, Kubicki, Marks, Gentz, Modory, Ronald Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Morton, Jackson, West, Roger Johnson, Haas, Ekornaas.

Nays: Supervisors Clark, Grady, Faraone, Moore, Breunig.

Motion carried.

RESOLUTION 134

134. From the Judiciary and Law and Finance Committees regarding Kenosha County PreTrial Intensive Supervision Program XII.

WHEREAS, the Kenosha County Sheriff's Department had submitted a grant application to the WI Dept. of Transportation (DOT) requesting \$47,162 of funding to support the expenditures for the "2009 Kenosha County Sheriff's Department DUI Intensive Supervision Program" now in its 12th year, and

WHEREAS, the State DOT office recognizes the funding level for 2009 at \$47,162, and has given authority to **fund the first 6 months of the program at \$23,581**, and

WHEREAS, it is anticipated that the State DOT will present a second award prior to July 1st of 2009 at which time the Sheriff will request authority through a second resolution to continue the program through year end, and

WHEREAS, the total operating budget for the 2009 Intensive Sanctions program is funded by four sources: (1) State DOT grant \$47,162 , (2) anticipated Client Fees collected by Wisconsin Community Services, Inc. totaling \$82,565 (3) Sheriff's Dept. in-kind match of \$23,214, and (4) Sheriff's Department hard match of \$49,000 authorized in 2009 budget, for a total operating budget of \$201,941, and

WHEREAS, the project will be facilitated by the Wisconsin Community Services, Inc. out of Milwaukee, WI (WCS) for which a contract for services has been processed through Administration, and

WHEREAS, repeat DWI offenders will be screened by WCS, Inc. to receive intensive counseling treatment and supervision in lieu of incarceration in an effort to effectively deter repeat offenses, and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the partial award for \$23,581 and approve the Revenue and Expenditure line item modifications as per the attached budget modification form, which are incorporated herein by reference.

SUBMITTED BY:

Judiciary and Law Committee

William Michel, II

James Huff

Roger Johnson

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Michael to adopt Resolution 134. Seconded by Supervisor Huff.

Roll call vote passed unanimously.

RESOLUTION 135

135. From Human Services Committee a Resolution to approve the Re-Appointment of Mary Sue Lux to the Kenosha County Board of Health.

WHEREAS, pursuant to County Executive Appointment 2009-09-30, the County Executive has appointed Mary Sue Lux to serve on the Kenosha County Board of Health, and

WHEREAS, the Human Services Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Board of Health and is recommending to the County Board the approval of this appointment,

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors confirms the appointment of Mary Sue Lux to the Kenosha County Board of Health. Ms. Lux's appointment shall be effective immediately and continuing until the 4th day of February, 2014 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Lux will serve without pay. She will be succeeding herself.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Jeffrey Gentz

It was moved by Supervisor Kubicki to adopt Resolution 135. Seconded by Supervisor Rose.

Motion carried.

COMMUNICATION

17. From George E. Melcher regarding future rezonings.

Chairman Clark referred Communication 17 to Land Use.

CLAIMS

42. Paul Taulu - mail box damage.

43. Marcus J. Henry - mistreated while incarcerated.

44. Badger Mutual Ins. Co. - vehicle damage.

Chairman Clark referred Claims 42 - 44 to Corporation Counsel

It was moved by Haas to approve the February 24, 2009 minutes. Seconded by Supervisor Gentz.

Motion carried.

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

Motion carried.

Meeting Adjourned at 9:10 p.m.

Prepared by: Regi Bachochin

Deputy Clerk

Submitted by: Mary T. Schuch-Krebs

County Clerk