

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**SEPTEMBER 18, 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, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Present. 28

**RESOLUTION 58A**

58A. From Chairman Terry Rose regarding Youth in Governance; Appointment of Students to Kenosha County Committees.

It was moved by Supervisor Marrelli to adopt Resolution 58A. Seconded by Supervisor Molinaro.

Motion carried unanimously.

The students were acknowledged and will start serving on September 18, 2007 and ending on the second meeting in April, 2008.

**CITIZEN COMMENTS**

Several residents from the Town of Paris spoke in favor of Resolution 69 on tonight's agenda regarding the denial of RRAM Productions d/b/a Great Lakes Dragaway to rezone. The Town of Paris Plan Commission and the Town Board of Paris denied the rezoning request and citizens in the area spoke in opposition to the request at the Land Use Committee's public hearing. The noise and lights force neighbors to stay in-doors all the time and expanding the facility for motor cross races would just not be fair to the residents.

Randy Henning stated that he runs Great Lakes Dragaway. He has stopped running jets on Wednesday nights, by a gentleman's agreement with some people from the Town of Paris. There are no more touring professionals at the track. No more running of nitro cars and those are the nosiest. They now run a lot of cars that are street cars and have mufflers.

**CHAIRMAN'S ANNOUNCEMENTS**

Chairman Rose stated that for those who will be attending the WCA Convention a packet was placed on their desk. Also, NACo has nominated Ron Johnson from the County Board and Edna Highland, County Clerk to the NACo Steering Committee.

County Executive Allan Kehl gave his State of the County Address.

**SUPERVISORS REPORTS**

Supervisor Singer reported from Building & Grounds Committee. They will be receiving the study on the Emergency Government Center and a packet will be sent to everyone. There will be a Building & Grounds Committee meeting on September 26<sup>th</sup> at 7:15 P.M. and everyone is invited to attend. Also, the Molinaro parking lot is taking longer than thought.

Supervisor Rossow stated that the Kemper Center is having a fund raiser this Saturday night from 4-10 P.M.  
NEW BUSINESS

Ordinance - first reading, two required.

22. From Highway and Parks Committee to repeal and recreate Ordinance on speed limits on County Trunk Highway "B" from 0.5 miles north of State Trunk Highway 50 southerly to County Trunk Highway "AH" in the Town of Salem and Village of Silver Lake.

It was moved by Supervisor Molinaro to move Resolution 69 up on the agenda. Seconded by Supervisor Huff.

Motion carried.

**RESOLUTION 69**

69. From the Land Use Committee regarding denial of the request of RRAM Productions d/b/a Great Lakes Dragaway to rezone from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to PR-1 Park and Recreational District and C-1 Lowland Resource Conservancy District in the Town of Paris.

It was moved by Supervisor O'Day to adopt Resolution 69. Seconded by Supervisor Jackson.

Roll call vote.

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

Abstain: Supervisor Ekornaas.

Ayes. 27. Abstain. 1.

Motion Carried.

Ordinances - one reading.

**ORDINANCE 23**

23. From the Land Use Committee regarding Leonard A. Jr., and Carol A. Lois (Owners) requesting rezoning from A-1 Agricultural Preservation District to R-2 Suburban Single-Family Residential District in the Town of Wheatland.

It was moved by Supervisor Ekornaas to adopt Ordinance 23. Seconded by Supervisor Jackson.

Motion carried.

**ORDINANCE 24**

24. From the Land Use Committee regarding Land Use Committee (Sponsor), James R. and Nancy L. Mirek (Owners) requesting rezoning from C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District in the Town of Wheatland.

It was moved by Supervisor Ekornaas to adopt Ordinance 24. Seconded by Supervisor Roger Johnson.

**ORDINANCE 25**

25. From the Land Use Committee regarding Blair and Camille Haltom requesting rezoning from R-4 Urban Single-Family Residential District to B-2 Community Business District in the Town of Salem.

It was moved by Supervisor Ekornaas to adopt Ordinance 25. Seconded by Supervisor Nudo.

Motion carried.

**ORDINANCE 26**

26. From the Land Use Committee regarding Chester and Barbara Welzen requesting rezoning from R-1 Rural 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 Salem.

It was moved by Supervisor Ekornaas to adopt Ordinance 26. Seconded by Supervisor O'Day.

Motion carried.

**ORDINANCE 27**

27. From the Land Use Committee regarding Ronald Jankowski requesting rezoning from A-2 General Agricultural 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.

It was moved by Supervisor Ekornaas to adopt Ordinance 27. Seconded by Supervisor Jackson.

Motion carried.

**ORDINANCE 28**

28. From the Land Use Committee regarding Charles J. Goralczyk and Tanya A. Mai (Owners) requesting rezoning from R-11 Multiple-Family Residential District and C-1 Lowland Resource conservancy District to R-5 Urban Single-Family Residential District and C-1 Lowland Resource Conservancy District in the Town of Bristol.

It was moved by Supervisor Ekornaas to adopt Ordinance 28. Seconded by Supervisor O'Day.

Motion carried.

**ORDINANCE 29**

29. From the Land Use Committee regarding Greco Investments LLC, 5315 Somers LLC, and Dennison Real Estate LLC (Joint Owners) requesting rezoning from A-2 General Agricultural District to R-3 Urban Single-Family Residential District in the Town of Somers.

It was moved by Supervisor Ekornaas to adopt Ordinance 29. Seconded by Supervisor Roger Johnson.

Motion carried.

**ORDINANCE 30**

30. From the Land Use Committee regarding Berwick Properties requesting rezoning from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, R-9 Multiple-Family Residential District and C-1 Lowland Resource Conservancy District in the Town of Somers.

It was moved by Supervisor Ekornaas to adopt Ordinance 30. Seconded by Supervisor Nudo.

Roll call vote.

Ayes: 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.

Abstain: Supervisor Clark.

Ayes. 27. Abstain 1.

Motion carried

**ORDINANCE 31**

31. From the Land Use Committee regarding Delbert L. Benedict Revocable Trust, Delbert L. Benedict Trustee requesting rezoning from A-1 Agricultural Preservation District to R-1 Rural Residential District in the Town of Bristol.

It was moved by Supervisor Ekornaas to adopt Ordinance 31. Seconded by Supervisor O'Day.

Motion carried.

**ORDINANCE 32**

32. From the Land Use Committee regarding Regency Hills Pike Creek Crossing LLC (Owner), Nancy Washburn (Agent) requesting rezoning from A-1 Agricultural Preservation District and A-2 General Agricultural District to A-1 Agricultural Preservation District, A-2 General Agricultural District, R-4 Urban Single-Family Residential District, R-5 Urban Single-Family Residential District and C-1 Lowland Resource Conservancy District in the Town of Somers.

It was moved by Supervisor Ekornaas to adopt Resolution 32. Seconded by Supervisor Jackson.

Motion carried.

**ORDINANCE 33**

33. From the Land Use Committee regarding Sands J. Jr. and Marianne Ruffalo (Owners), Anthony Nudo (Agent) requesting rezoning from A-2 General Agricultural District and C-2 Upland 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 Somers.

It was moved by Supervisor Ekornaas to adopt Ordinance 33. Seconded by Supervisor Roger Johnson.

Role call vote.

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

Abstain: Supervisor Nudo.

Ayes. 27. Abstain 1.

Motion carried.

Resolution - one reading.

**RESOLUTION 59**

59. From the Administration and Finance Committees a Resolution establishing compensation package for elected officials and salary for the county board for the term 2008-2010.

It was moved by Supervisor Elverman to adopt Resolution 59. Seconded by Supervisor Carbone.

It was moved by Supervisor Huff to amend Resolution 59 by removing the health insurance for the County Board Supervisors. Seconded by Supervisor Jackson.

Roll call for the amendment.

Ayes: Supervisors Huff, Moore, Jackson, Noble, Haas.

Nays: Supervisors Rose, Grady, Rossow, Kessler, Kubicki, Marrelli, Booth, Carbone, Arrington, Faraone, Ron Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Wisnefski, Clark, West, Roger Johnson, Breunig, Elverman, Ekornaas.

Ayes. 5. Nays 23.

Motion failed.

Roll call on Resolution 59.

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

Nays: Supervisors Huff, Haas.

Ayes. 26. Nays 2.

Motion carried.

**RESOLUTION 60**

60. From the Finance Committee a Resolution for Cancellation of Tax Certificates, Interest and Penalties under Sec. 75.105, to Remediate Pollution under Rules of Wis. DNR.

It was moved by Supervisor Carbone to adopt Resolution 60. Seconded by Supervisor Wisnefski.

Roll call vote.

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

Nays: Supervisors Grady, Arrington, Ron Johnson, Haas, Ekornaas.

Abstain: Supervisor Clark.

Ayes. 22. Nays. 5. Abstain. 1.

Motion carried.

**RESOLUTION 61**

61. From the Finance Committee a Resolution Accepting a Flood Mitigation Assistance Project Grant - 2007.

It was moved by Supervisor Carbone to adopt Resolution 61. Seconded by Supervisor Faraone.

2/3 vote required.

Motion carried unanimously.

**RESOLUTION 62**

62. From the Finance and Judiciary & Law Committees regarding Kenosha County PreTrial Intensive Supervision Program X-2<sup>nd</sup> round of funding.

It was moved by Supervisor Michel to adopt Resolution 62. Seconded by Supervisor Clark.

2/3 vote required.

Motion carried unanimously.

**RESOLUTION 63**

63. From the Finance and Judiciary & Law Committees a Resolution to Appropriate Funds for Review of Joint Services.

It was moved by Supervisor Carbone to adopt Resolution 63. Seconded by Supervisor Clark.

2/3 vote required.

Motion carried unanimously.

**RESOLUTION 64**

64. From Judiciary and Law and Finance Committees - Recognize Country Thunder Revenue to Support Overtime.

It was moved by Supervisor Michel to adopt Resolution 64. Seconded by Supervisor Arrington.

2/3 vote required.

Motion carried unanimously.

**RESOLUTION 65**

65. From Judiciary and Law and Finance Committees - Recognize WI DOJ reimbursement funds for Staff Development.

It was moved by Supervisor Michel to adopt Resolution 65. Seconded by Supervisor Haas.

2/3 vote required.

Motion carried unanimously.

**RESOLUTION 66**

66. From Judiciary and Law and Finance Committees regarding Retention plan for retaining the Sheriff's Dept. Special Investigative Unit staff through year end 2007.

It was moved by Supervisor Michel to adopt Resolution 66. Seconded by Supervisor Wisnefski.

2/3 vote required.

Motion carried unanimously.

**RESOLUTION 67**

67. From Judiciary and Law and Finance Committees regarding Budget Modification to Increase Revenue and Expenditures in District Attorney's Office for Budget Year 2007 Due to Interest Earned on Federal Grant Entitled "Community Prosecution and Project Safe Neighborhoods".

It was moved by Supervisor Michel to adopt Resolution 67. Seconded by Supervisor Arrington.

2/3 vote required.

Motion carried unanimously.

**RESOLUTION 68**

68. From the Legislative and Finance Committees a Resolution to transfer funds within the Corporation Counsel's budget.

It was moved by Supervisor Huff to adopt Resolution 68. Seconded by Supervisor Moore.

2/3 vote required.

Motion carried unanimously.

COMMUNICATION

12. From Supervisors Carbone, Wisnefski and O'Day regarding a Resolution to Amend the County Ordinance to Reduce Signatures on Nomination Papers to 50.

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

Chairman Rose referred Communication 12 to Legislative Committee and Communication 13 to Land Use Committee.

CLAIMS

11. Charlene Shirley Cortes
  - a. inmate denied supplies to prepare legal documents.
  - b. inmate denied adequate medical, dental and mental health care.
  - c. violation of privacy of an inmate.
  - d. inmate claim of exposure to unsanitary conditions.

12. Thomas Williams - personal injury/property damage.

Chairman Rose referred Claims 11 and 12 to Corporation Counsel.

It was moved by Supervisor West to approve the September 4<sup>th</sup>, 2007 minutes. Seconded by Supervisor Faraone.

Motion carried.

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

Motion carried.

Meeting adjourned at 10:05 P.M.

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