

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

**December 2, 2008**

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, Hallmon, Marks, Gentz, Modory, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Morton, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Present: 28. Absent: 0.

**CITIZEN COMMENTS**

Peni Keeling, 7915 31<sup>st</sup> Ave., spoke in favor of the resolution and support of federal aid to the auto industry and asked the board to pass the resolution tonight. Thousands of people in Kenosha and surrounding areas work for businesses that rely heavily on the work they get from Chrysler. Kenosha Achievement Center's special needs citizens benefit from the plant as they do over \$1,000,000 in contract work for Chrysler annually. The Chrysler Foundation has donated \$80,000 to dozens of Kenosha Charities. The bottom line, there is not an employer in the workforce in this community that has had a broader or more caring involvement in efforts to provide assistance to causes to benefit those in need.

Michael Underhill, 6301 238<sup>th</sup> Ave., stated he has been an employee at Chrysler for 22 years and is in support of the federal aid to the auto industry resolution.

Curt Wilson, 7525 28<sup>th</sup> Ave., he is the chairperson of the Local 72 retiree chapter. He urged the County Board to adopt the resolution in support of federal aid to the auto industry. This may be the most important philosophical vote you ever cast on behalf of the people you represent. Kenosha has a proud history in being a leader in the auto industry in America. The auto industry isn't asking for a hand out, they're asking for a hand up through a bridge loan they will repay.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Clark stated there is United Way Campaign material on the desks from County Executive Kreuser. Chairman Clark has a memo from the Wisconsin Counties Association regarding the 2009 Conference which will be September 13<sup>th</sup> - 15<sup>th</sup> in LaCrosse. They're asking that those who have participated, to provide some feedback if there are presentations or information they'd like to see presented. Feedback given to the chairman at the next meeting will be forwarded to WCA. He also stated this past month they went to Chicago on their bonding trip with Standard & Poors and Moodys, and they affirmed our bond ratings. They moved up our Management rating up to the top level. It was an opportunity to reflect on all the right things that are going on in this community. It made him very proud to be a part of this County Board and proud to represent Kenosha County.

Chairman Clark announced that this is the County Clerk Edna Highland's last meeting tonight. She is retiring after serving Kenosha County for 32 years, 12 years as County Clerk. She is the coordination between the County Board and the Administration. He presented Edna Highland a plaque on behalf of the Kenosha County Board of Supervisors and thanked her for a job well done.

**SUPERVISOR REPORTS**

Supervisor Elverman reported they were commended by some citizens at the last Highway & Parks meeting for the lighting and flashing lights on the Hwy C. They are also going to do an advisory 45 mph speed limit on some of the hills and curves on Hwy C. They are now in the permitting process with the DNR for the west end park. They're looking at a \$300,000 - \$350,000 deficit for the Golf Courses compared to around a \$570,000 deficit last year. There were also some high level lay offs in the Golf Operation and there is a re-organization on going and the board will be updated as that occurs.

Vice-Chair Faraone reported the Finance Committee received two reports from the Kenosha Area Business Alliance. She also reported the County Administration made a trip to Chicago to make a presentation to Standard & Poors and Moody's Investors Services on November 18 & 19. This allowed the county to maintain their board rating of AA from Standard & Poors and Aa2 from Moodys. Standard & Poors in this latest update moved the County's Administration to the highest level. The County's good rating is reflected in the rates of the bonds.

Vice-Chair Faraone also announced that the Brookside Board of Trustees will be hosting a reception on Monday for the new Director for Brookside Care Center. She also wished everyone a happy and safe holiday season and looks forward to the challenges we'll face in the coming year.

**COUNTY EXECUTIVE APPOINTMENTS**

19. Jack Rose to serve on the Kenosha County Aging and Disability Center Board.

Chairman Clark referred County Executive Appointment 19 to Human Services.

20. Frances Petrick to serve at the Administrator of Brookside Care Center.

It was moved by Supervisor Molinaro to suspend the rules and appoint Frances Petrick immediately. Seconded by Vice-Chair Faraone.

After some discussion, Supervisor Molinaro and Vice-Chair withdrew their motion.

Chairman Clark referred County Executive Appointment 20 to Human Services.

**NEW BUSINESS**

Ordinances - one reading

**ORDINANCE 16**

16. From the Land Use Committee regarding Land Use Committee (Sponsor), Kenosha County (Owner) requesting rezoning from A-2 General Agricultural District, M-3 Mineral Extraction 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 Wheatland.

It was moved by Supervisor Ekornaas to adopt Ordinance 16. Seconded by Supervisor Nudo.

Motion carried.

**ORDINANCE 17**

17. From the Land Use Committee regarding Land Use Committee (Sponsor) requesting that the shoreland area designation be applied, adjusted, or removed on the tax parcels abutting the Kenosha County Park on County Trunk Highway "KD".

It was moved by Supervisor Ekornaas to adopt Ordinance 17. Seconded by Supervisor Breunig.

Motion carried.

**ORDINANCE 18**

18. From the Land Use Committee regarding Patrick and Marilyn Smith (Owners) requesting rezoning from A-2 General Agricultural District to R-1 Rural Residential District in the Town of Somers.

It was moved by Supervisor Ekornaas to adopt Ordinance 18. Seconded by Supervisor Morton.

Motion carried

**ORDINANCE 19**

19. From the Land Use Committee regarding Hawkview Partners LLC requesting rezoning from A-1 Agricultural Preservation District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District, 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 19. Seconded by Supervisor Nudo.

Motion carried.

**ORDINANCE 20**

20. From the Land Use Committee regarding Land Use Committee (Sponsor), Rastol Investments LLC (Owner) requesting rezoning from R-1 Rural Residential District to C-1 Lowland Resource Conservancy District on in the Town of Bristol.

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

Motion carried.

**ORDINANCE 21**

21. From the Land Use Committee regarding Fox River Road LLC (Owner), Igor Vaynberg, P.E. (Agent) requesting rezoning from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District, PR-1 Park and Recreational District and C-1 Lowland Resource Conservancy in the Town of Wheatland.

It was moved by Supervisor Ekornaas to adopt Ordinance 21. Seconded by Supervisor Morton.

Motion carried

**ORDINANCE 22**

22. From the Land Use Committee regarding Land Use Committee (Sponsor), Gary and Debbie Reckers (Owners) requesting rezoning from C-1 Lowland Resource Conservancy District to C-1 Lowland Resource Conservancy District and C-2 Upland Resource Conservancy District in the Town of Bristol.

It was moved by Supervisor Ekornaas to adopt Ordinance 22. Seconded by Supervisor Nudo.

Motion carried.

**ORDINANCE 23**

23. From the Land Use Committee regarding Estate of Lucille Lichter requesting rezoning from A-2 General Agricultural District and R-2 Suburban

Single-Family Residential District to R-3 Urban Single-Family Residential District and from R-2 Suburban Single-Family Residential District to R-3 Urban Single-Family Residential District in the Town of Somers.

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

Motion carried.

Resolutions - one reading

**RESOLUTION 87**

87. From Extension Education and Finance Committees regarding UW-Extension 2008 budget modification Afterschool Project.

It was moved by Supervisor Breunig to adopt Resolution 87. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

**RESOLUTION 88**

88. From the Finance Committee a Resolution awarding the sale of \$8,300,000 General Obligation Promissory Notes, Series 2008B.

It was moved by Vice-Chair Faraone to adopt Resolution 88 Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

**RESOLUTION 89**

89. From Highway & Parks, Judiciary & Law and Finance Committees a Resolution to approve acceptance of FEMA and State of Wisconsin funds for FEMA Flood Disaster 1768 Declared on June 27, 2008.

It was moved by Supervisor Elverman to adopt Resolution 89. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

**RESOLUTION 90**

90. From Highway & Parks and Finance Committees a Resolution to authorize the Department of Public Works to apply for Urban Forestry Catastrophic Storm Grant and to accept the Grant Funds.

It was moved by Supervisor Elverman to adopt Resolution 90. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

**RESOLUTION 91**

91. From Highway & Parks and Finance Committees regarding Jurisdictional Transfer for Kenosha County to the Village of Pleasant Prairie of a segment of County Trunk Highway "ML" (Springbrook Road) from State Trunk Highway 165 to 89<sup>th</sup> Street.

It was moved by Supervisor Elverman to adopt Resolution 91. Seconded by Vice-Chair Faraone.

Motion carried.

**RESOLUTION 92**

92. From Human Services, Administration and Finance Committees a Resolution to amend Resolution No. 150 which created the Kenosha County Health Department, the Kenosha County Board of Health and the Kenosha County Health Officer

Pursuant to Wis. State. S. 251 and certain agreements between the City of Kenosha and the County of Kenosha.

It was moved by Supervisor Kubicki to adopt Resolution 92. Seconded by Vice-Chair Faraone.

Motion carried.

**RESOLUTION 93**

93. From Judiciary & Law and Finance Committees regarding Budget Modification to Appropriate Funds from the General Fund for District Attorney's Trial Related Expenditures.

It was moved by Supervisor Michel to adopt Resolution 93. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

**RESOLUTION 94**

94. From Judiciary & Law and Finance Committees regarding Recognizing Unanticipated Revenue Surplus to Fund Overtime.

It was moved by Supervisor Michel to adopt Resolution 94. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

**RESOLUTION 95**

95. From Judiciary & Law Committee regarding Regular Cabaret License - Nonni's Italian Bistro and Bar.

It was moved by Supervisor Michel to adopt Resolution 95. Seconded by Supervisor Huff.

Motion carried.

**RESOLUTION 96**

96. From Judiciary & Law Committee regarding Probationary Cabaret License - Towne Square.

It was moved by Supervisor Michel to adopt Resolution 96. Seconded by Supervisor Roger Johnson.

Motion carried.

**RESOLUTION 97**

97. From Judiciary & Law Committee regarding Probationary Cabaret License - Bristol 45 Diner.

It was moved by Supervisor Michel to adopt Resolution 97. Seconded by Supervisor Ronald Johnson.

Motion carried.

**RESOLUTION 98**

98. From the Land Use Committee a Resolution to approve the Pheasant Run Landfill Western Expansion Negotiated Agreement, the Amendment to the April 17, 2000 Agreement between Kenosha County and Waste Management of Wisconsin and the Amendment to the Corporate Benefactor Agreement of April 17, 2000 between Kenosha County and Waste Management of Wisconsin.

It was moved by Supervisor Ekornaas to adopt Resolution 98. Seconded by Supervisor Nudo.

The Corporation Counsel advised the Board that the amendment to the agreement between Kenosha County and Waste Management of Wisconsin will be amended at Article IX entitled "Zoning to read as follows: 'It is further agreed that the Kenosha County zoning map will be amended per the Pheasant Run Landfill Western Expansion Negotiated Agreement (deleting attached Ex C-1 & C-2)..."

Roll call vote.

Ayes: Supervisors Grady, Zerban, Kessler, Rose, Huff, Kubicki, Hallmon, Marks, Gentz, Modory, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Morton, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Nays: Supervisor Jackson.

Ayes: 27. Nays: 1

Motion carried.

**RESOLUTION 99**

99. From Legislative Committee a Resolution in support of Federal aid to the Auto Industry.

It was moved by Supervisor Huff to adopt Resolution 99. Seconded by Supervisor Rose.

It was moved by Breunig to amend Resolution 99 by replacing the 5<sup>th</sup> paragraph with, "NOW THEREFORE BE IT RESOLVED that the Kenosha County Board of Supervisors does hereby support federal assistance in the form of loans to the American auto industry, with a specified plan of repayment and oversight, restructuring and clear and concise parameters for future production with the creation of fuel-efficient and fuel-alternative vehicles within 3-5 years". Seconded by Supervisor Molinaro.

It was moved by Supervisor Hallmon to call the question on the amendment on Resolution 99. Seconded by Supervisor O'Day.

Ayes: Supervisors Grady, Zerban, Kessler, Rose, Hallmon, Marks, Gentz, Modory, Ronald Johnson, O'Day, Singer, Morton, Jackson, Clark, Noble, West, Breunig, Haas, Elverman, Ekornaas

Nays: Supervisors Huff, Kubicki, Faraone, Michel, Nudo, Moore, Molinaro, Roger Johnson.

Ayes: 20. Nays: 8.

Motion carried.

Roll call vote on the amendment on Resolution 99.

Ayes: Supervisors Grady, Zerban, Kessler, Huff, Hallmon, Marks, Gentz, Modory, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Morton, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Nays: Supervisors Clark, Kubicki, Faraone, Michel, Jackson, Rose.

Ayes: 22. Nays: 6

Motion carried.

Roll call vote for Resolution 99 as amended passed unanimously.

**RESOLUTION 100**

100. From Legislative Committee a Resolution in Support of the Pickens Plan.

It was moved by Supervisor Huff to adopt Resolution 100. Seconded by Supervisor Hallmon.

It was moved by Supervisor Noble to refer Resolution 100 back to the Legislative Committee. Seconded by Supervisor Jackson.

Roll call vote.

Ayes: Supervisors Grady, Zerban, Kessler, Huff, Hallmon, Gentz, Ronald Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Morton, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Nays: Supervisors Kubicki, Modory, Moore, Faraone, Rose, Marks.

Ayes: 22. Nays: 6

Motion carried.

**COMMUNICATIONS**

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

11. From Michael K. Higgins, City Clerk-Treasurer, temporary Zoning District Classification of Land in the Town of Somers.

Chairman Clark referred Communications 10 & 11 to Land Use.

**CLAIMS**

34. George Pickey, Jr. - lost property while in custody.

35. Susan Gray - fell in Courthouse bathroom.

Chairman Clark referred Claims 34 & 35 to Corporation Counsel.

It was moved by Supervisor Breunig to approve the November 12 & 13 2008 minutes. Seconded by Supervisor Nudo.

Motion carried.

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

Motion carried.

Meeting adjourned at 9:50 P.M.

Prepared by: Edie LaMothe  
Deputy Clerk

Submitted by: Edna R. Highland  
County Clerk