

KENOSHA COUNTY BOARD OF SUPERVISORS

COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING

June 19, 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 Rossow, Rose, Kessler, Huff, Kubicki, Booth, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Wisniewski, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Elverman, Ekornaas. Excused: Supervisors Grady, Marrelli, Carbone, Moore, Haas. Present: 23. Excused: 5.

CITIZEN COMMENTS

Bill Morris, Town of Somers Administrator, spoke regarding Somers Market Center. This project has taken the Town of Somers; it's staff, elected officials and the Bradford Corporation over 2 ½ years to get to this point. Somers Market Center will have a 40% green space requirement. There is a Developers Agreement which is a recordable document, and which will be transferred with the property and it's owners. There is also a significant maintenance agreement to insure this stays a crowned jewel. He asks and appreciates the boards support.

James Smith, Town of Somers Chairman, spoke regarding Somers Market Center. This project will be looked at as a blueprint of how large development should be and can be brought forth. Everything was considered with rigid restrictions to make sure that care of the neighborhood and surrounding area will be taken care of. Hopefully with the boards approval, this development will set the future pace for Somers Township which has been needed for a long time

Todd Battle from the Kenosha Area Business Alliance (KABA), spoke regarding the commuter rail. He wanted the board to know that KABA did put a resolution of support on this issue. The commuter rail is a valuable investment in the regions infrastructure and very important in labor force mobility. There are about fifty thousand daily commuters coming in and out of the county for work. It has a positive impact on the environment and helps enhance our region as more competitive region for attracting more investments.

Louis Rugani, 4526 29th Avenue, thanked everyone who voted in favor and supported the KRM line. In every instance where new rail line is started, the ridership projections far exceeds the original estimates. There were no Chairman Announcements.

SUPERVISOR REPORTS

Supervisor Singer reported Building and Grounds had a Courthouse security meeting and Judge Wilk wanted the board to see the items that are voluntarily given up during the security measures at the courthouse. People have the choice of bringing their belongings to their car. In the bin there were knives, scissors, box cutters and other things that do not belong in the courthouse.

Supervisor Faraone stated she placed Resolution 2007-12 which will be taken up at SWRPC's quarterly meeting to approve the commuter rail.

COUNTY EXECUTIVE APPOINTMENT

18. Mark Karow to serve on the Kenosha County Housing Authority.

It was moved by Supervisor West to suspend the rules and appoint Mark Karow immediately. Seconded by Supervisor Singer. Motion carried.

OLD BUSINESS

Ordinance - one reading.

ORDINANCE 5

5. From Land Use Committee regarding Town of Paris (Sponsor), 12th Street Investors (Owner), John W. Knutson (Counsel) requesting rezoning from B-5 Wholesale Trade and Warehousing District to A-1 Agricultural Preservation District in the Town of Somers.

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 #45-4-221-131-0205 located in the northeast quarter of Section 13, Township 2 North, Range 21 East, Town of Paris be changed from B-5 Wholesale Trade and Warehousing District to A-1 Agricultural Preservation District. For informational purposes only, this property is located on the south side of County Trunk Highway "E" (12th Street) approximately ½ mile west of the intersection of 120th Avenue (West Frontage Road of I-94).

12th Street Investors (Owner)

Description: Part of the Northwest quarter of Section 13, Town 2 North, Range 21 East of the Fourth Principal Meridian, and being more particularly described as: Beginning at the Northeast corner of said quarter Section; thence West along the North line of said quarter Section; thence West along the North line of said quarter (S89°38'21"W) 140.00 feet; thence South parallel to the East line of said quarter Section (S01°39'09"E) 661.00 feet; thence East parallel to the North line of said quarter Section (N89°38'21"E) 140.00 feet; thence North along said East line (N01°39'09"W) 661.00 feet to the point of the beginning, lying and being in the Town of Paris, County of Kenosha, State of Wisconsin.

Said parcel containing (+/-) 2.12 acres.

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 5. Seconded by Supervisor O'Day.

Motion carried

Resolution - one reading.

RESOLUTION 11

11. From Terry Rose, Finance, Legislative and Highway & Parks Committees a Resolution in support of the Extension of Commuter Rail Service from Kenosha to Racine and Milwaukee.

WHEREAS, the Counties and Cities of Milwaukee, Racine, and Kenosha in cooperation with the Wisconsin Department of Transportation have agreed to sponsor a Transit Alternatives Analysis Corridor Study and Draft Environmental Impact Study for enhanced public transit service generally east of I-94 in the Counties of Kenosha, Racine and Milwaukee (KRM); and

WHEREAS, the Southeastern Wisconsin Regional Planning Commission (SEWRPC), by an intergovernmental agreement, has agreed to serve as project manager for the purpose of managing the Transit Alternatives Analysis/Draft Environmental Impact Statement (AA/DEIS); and

WHEREAS, the KRM project purpose and need is to provide high quality transit service connecting Kenosha, Racine, and Milwaukee Counties with each other and with northeastern Illinois, thereby improving access to jobs and labor force, encouraging high density mixed use and more efficient land development around stations, and attracting increased transit ridership, potentially reducing highway traffic volumes and congestion and attendant air pollutant emissions; and

WHEREAS, the Transit AA/DEIS has now been completed and has identified commuter rail as the best alternative for providing improved transportation service and mobility, land use development and redevelopment benefits, and environmental benefits, and as the KRM Commuter Link project, has been recommended to be advanced to implementation as the locally preferred alternative; and

WHEREAS, the Transit AA/DEIS includes preliminary station area development plans for the Kenosha County commuter rail stations in the City of Kenosha and Town of Somers which have been developed and included as part of the *KRM Commuter Link Transit Supportive Land-Use Plans and Policies Portfolio*; and

WHEREAS, the Transit AA/DEIS includes a financial plan for the proposed commuter rail service which identifies the funding source for the local share

of the commuter rail service costs as recommended by the Southeastern Wisconsin Regional Transit Authority (RTA), and which consists of an increase in the RTA car rental fees to \$15 per transaction; and

WHEREAS, SEWRPC must meet the requirements of the Federal Transit Administration's (FTA) New Starts program by submitting a Request to Initiate Preliminary Engineering to advance to the next phase of implementation and be eligible for discretionary capital funding; and

WHEREAS, Kenosha County has reviewed the findings and conclusions of the AA/DEIS including its financial plan and preliminary transit supportive land use plans and policies;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS, OF KENOSHA COUNTY, WISCONSIN, AS FOLLOWS:

Section One. Kenosha County will benefit from the proposed commuter rail service connecting Kenosha, Milwaukee, and Racine Counties with each other and with northeastern Illinois and also from the transit oriented development around its proposed commuter rail stations.

Section Two. Kenosha County therefore endorses and supports the development implementation, and operation of commuter rail service as the locally preferred alternative for providing the best means for expanded and improved transit service in the Kenosha-Racine-Milwaukee (KRM) corridor.

Section Three. Kenosha County endorses and supports the recommendation of the Southeastern Wisconsin Regional Transit Authority (RTA) to increase the RTA fee on car rentals to \$15 per transaction to in order to fund the local share of costs for the proposed KRM commuter rail service; and encourages the RTA to provide further recommendations relative to dedicated and permanent funding sources for all public transit services in Kenosha, Milwaukee, and Racine counties.

Section Four. The City of Kenosha and Town of Somers station area plans developed as part of the AA/DEIS and included in the *Transit Supportive Land-Use Plans and Policies Portfolio*, are hereby found to be consistent with the goals and objectives of land use and comprehensive plans for Kenosha County.

Section Five. Kenosha County endorses the station area plans and policies and will take appropriate steps toward implementation as recommended as part of the *Transit Supportive Land-Use Plans and Policies Portfolio* if commuter rail is chosen for implementation.

Section Six. Kenosha County endorses and supports the submission of a Request to Initiate Preliminary Engineering for the KRM Commuter Link project to the FTA New Starts program, towards development and implementation of commuter rail service in the KRM corridor.

Section Seven. Kenosha County urges FTA approval of the Request to Initiate Preliminary Engineering for the KRM Commuter Link project, and acceptance and endorsement of the complete *KRM Commuter Link Transit Supportive Land-Use Plans and Policies Portfolio*.

Submitted by:

Terry Rose, Supervisor of 3 rd District		
FINANCE COMMITTEE	LEGISLATIVE	HIGHWAY & PARKS
Mark Wisniewski	James Huff	Doug Noble
Anita Faraone	Ron Johnson	William Grady
Joseph D. Clark	Gordon West	Richard Kessler
John O'Day	Jennifer Jackson	Gordon West

It was moved by Supervisor Huff to adopt Resolution 11. Seconded by Supervisor Wisniewski.

Roll call vote passed unanimously.

NEW BUSINESS

Ordinance - one reading.

ORDINANCE 9

9. From Land Use Committee regarding Ronald Jankowski requesting rezoning from A-1 Agricultural Preservation 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 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 part of Tax Parcel #95-4-219-263-0505 located in the southwest quarter of Section 26, Township 2 North, Range 19 East, Town of Wheatland be changed from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the east side of State Trunk Highway "83" approximately ¾ mile south of the intersection of County Trunk Highway "JB" (31st Street).

Ronald Jankowski - Owner

Description: Presented in Exhibit One (attached).

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

Submitted by:

LAND USE COMMITTEE

Fred Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt resolution 9. Seconded by Supervisor Jackson.

Motion carried.

ORDINANCE 10

10. From Land Use Committee regarding Ronald and Margaret Mark (Owners), Modern Properties Wisconsin LLC (Buyer/Agent) requesting rezoning from A-2 General Agricultural District and R-3 Urban Single-Family Residential District to R-4 Urban Single-Family Residential District, R-3 Urban Single-Family Residential District, C-1 Lowland Resource Conservancy District, C-2 Upland Resource Conservancy District and PR-1 Park and Recreational 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 #66-4-120-281-2501 located in the northeast quarter of Section 28, Township 1 North, Range 20 East, Town of Salem be changed from A-2 General Agricultural District and R-3 Urban Single-Family Residential District to R-4 Urban Single-Family Residential District, R-3 Urban Single-Family Residential District, C-1 Lowland Resource Conservancy District, C-2 Upland Resource Conservancy District and PR-1 Park and Recreational District. For informational purposes only, this property is located on the north side of 110th Street between 264th Avenue and 267th Avenue.

Ronald and Margaret Mark - Owners

Modern Properties Wisconsin LLC - Buyer/Agent

Description:

R-3 Legal Description:

That part of the Government Lot 2 of fractional Section 28, Town 1 North, Range 20 East, Town of Salem, Kenosha County, State of Wisconsin more particularly described as follow: Commencing at the Southeast corner of said Government Lot 2; thence North 1°47'20" West along the east line of said Government Lot 2, 319.11 feet to the point of beginning; thence South 88°40'16" West 335.71 feet; thence South 01°47'20" East 140.00 feet; thence South 88°40'16" West 87.51 feet; thence South 01°36'13" East 162.60 feet to a line 16.5 feet north of and parallel to the south line of said Government Lot 2; thence South 88°40'16" West along said line, 796.59 feet to the southeast corner of Shore View Subdivision; thence North 01°24'31" West, along the east line of Shore View Subdivision, 279.40 feet; thence North 71°02'46" East 225.76 feet; thence North 21°39'46" East 79.10 feet to a point on a curve to the right, having a radius of 200.00 feet and a chord of 189.79 feet bearing North 49°59'16" East; thence northerly along said curve, a distance of 197.75 feet; thence North 78°18'46" East 407.57 feet to the point of a curve to the right, having a radius of 200.00 feet and a chord of 34.51 feet bearing North 83°15'43" East; thence easterly along said curve, a distance of 34.55 feet; thence North 88°12'40"

East 386.27 feet to the east line of said Government Lot 2; thence South 01°47'20" East, along said line, 316.25 feet to the point of beginning; Said parcel contains 12.157 Acres (529545.8 Square Feet), more or less.

R-4 Legal Description:

That part of the Government Lot 2 of fractional Section 28, Town 1 North, Range 20 East, Town of Salem, Kenosha County, State of Wisconsin more particularly described as follow: Commencing at the Southeast corner of said Government Lot 2; thence North 1°47'20" West along the east line of said Government Lot 2, 635.36 feet to the point of beginning; thence continuing North 01°47'20" West, along said line, 313.01 feet; thence South 72°34'43" West 560.26 feet; thence South 78°18'46" West 323.61 feet; thence South 63°59'14" West 392.87 feet to the east line of Shore View Subdivision; thence South 01°24'31" East, along said line, 274.88 feet; thence North 71°02'46" East 225.76 feet; thence North 21°39'46" East 79.10 feet to a point on a curve to the right, having a radius of 200.00 feet and a chord of 189.79 feet bearing North 49°59'16" East; thence northerly along said curve, a distance of 197.75 feet; thence North 78°18'46" East 407.57 feet to a point on a curve to the right, having a radius of 200.00 feet and a chord of 34.51 feet bearing North 83°15'43" East; thence easterly along said curve, a distance of 34.55 feet; thence North 88°12'40" East 386.27 feet point of beginning . Said parcel contains 6.491 Acres (282769.4 Square Feet), more or less.

C-2 Legal Description:

That part of the Government Lot 2 of fractional Section 28, Town 1 North, Range 20 East, Town of Salem, Kenosha County, State of Wisconsin more particularly described as follow: Commencing at the Southeast corner of said Government Lot 2; thence North 1°47'20" West along the east line of said Government Lot 2, 948.37 feet to the point of beginning; thence continuing North 01°47'20" West, along said line, 91.20 feet; thence South 87°01'46" West 71.34 feet; thence North 89°47'15" West 35.58 feet; thence South 88°38'37" West 31.05 feet; thence North 89°17'42" West 46.08 feet; thence South 86°55'07" West 79.48 feet; thence South 88°49'49" West 46.58 feet; thence South 89°16'34" West 66.89 feet; thence South 86°27'53" West 133.93 feet; thence South 88°03'17" West 116.13 feet; thence South 87°23'45" West 134.19 feet; thence South 86°49'30" West 44.96 feet; thence South 88°27'35" West 106.56 feet; thence South 86°07'41" West 40.56 feet; thence South 88°16'28" West 72.13 feet; thence South 78°43'52" West 15.08 feet; thence South 35°51'02" West 17.52 feet; thence South 25°32'42" West 36.27 feet; thence South 21°26'11" West 83.12 feet; thence South 19°40'08" West 51.80 feet; thence South 19°09'18" West 90.30 feet; thence South 25°58'36" West 138.84 feet to the east line of Shore View Subdivision; thence South 01°24'31" East, along said line, 72.28 feet; thence North 63°59'14" East 392.87 feet; thence North 78°18'46" East 323.61 feet; thence North 72°34'43" East 560.26 feet point of beginning. Said parcel contains 6.295 Acres (274220.2 Square Feet), more or less.

C-1 Legal Description:

That part of the Government Lot 2 of fractional Section 28, Town 1 North, Range 20 East, Town of Salem, Kenosha County, State of Wisconsin more particularly described as follow: Commencing at the Southeast corner of said Government Lot 2; thence North 1°47'20" West along the east line of said Government Lot 2, 1039.57 feet to the point of beginning; thence South 87°01'46" West 71.34 feet; thence North 89°47'15" West 35.58 feet; thence South 88°38'37" West 31.05 feet; thence North 89°17'42" West 46.08 feet; thence South 86°55'07" West 79.48 feet; thence South 88°49'49" West 46.58 feet; thence South 89°16'34" West 66.89 feet; thence South 86°27'53" West 133.93 feet; thence South 88°03'17" West 116.13 feet; thence South 87°23'45" West 134.19 feet; thence South 86°49'30" West 44.96 feet; thence South 88°27'35" West 106.56 feet; thence South 86°07'41" West 40.56 feet; thence South 88°16'28" West 72.13 feet; thence South 78°43'52" West 15.08 feet; thence South 35°51'02" West 17.52 feet; thence South 25°32'42" West 36.27 feet; thence South 21°26'11" West 83.12 feet; thence South 19°40'08" West 51.80 feet; thence South 19°09'18" West 90.30 feet; thence South 25°58'36" West 116.71 feet; thence North 20°37'44" East 44.19 feet; thence North 15°26'16" East 28.53 feet; thence North 16°17'02" East 42.54 feet; thence North 19°22'55" East 99.55 feet; thence North

12°07'33" East 26.19 feet; thence North 28°36'44" East 19.90 feet; thence North 19°11'16" East 49.48 feet; thence North 23°57'11" East 63.21 feet; thence North 27°44'45" East 23.46 feet; thence North 61°06'50" East 24.01 feet; thence South 89°46'31" East 82.58 feet; thence North 86°59'10" East 112.56 feet; thence North 89°17'23" East 56.54 feet; thence North 87°40'08" East 118.24 feet; thence North 88°03'55" East 115.93 feet; thence North 87°18'08" East 172.89 feet; thence North 87°41'51" East 85.30 feet; thence North 88°06'17" East 160.83 feet; thence South 88°58'46" East 132.30 feet to the east line of said Government Lot 2; thence South 01°47'20" East, along said line, 8.48 feet point of beginning. Said parcel contains 0.468 Acres (20380.3 Square Feet), more or less.

PR-1 Legal Description:

That part of the Government Lot 2 of fractional Section 28, Town 1 North, Range 20 East, Town of Salem, Kenosha County, State of Wisconsin more particularly described as follow: Commencing at the Southeast corner of said Government Lot 2; thence North 1°47'20" West along the east line of said Government Lot 2, 1048.05 feet to the point of beginning; thence continuing North 01°47'20" West, along said line, 138.80 feet; thence South 87°49'56" West, along the south line of Sunset Oaks Manor, 1212.67 feet to the northeast corner of Shoreview Subdivision; thence South 01°24'31" East, along the east line of Shoreview Subdivision, 525.99 feet; thence North 25°58'36" East 22.13 feet; thence North 20°37'44" East 44.19 feet; thence North 15°26'16" East 28.53 feet; thence North 16°17'02" East 42.54 feet; thence North 19°22'55" East 99.55 feet; thence North 12°07'33" East 26.19 feet; thence North 28°36'44" East 19.90 feet; thence North 19°11'16" East 49.48 feet; thence North 23°57'11" East 63.21 feet; thence North 27°44'45" East 23.46 feet; thence North 61°06'50" East 24.01 feet; thence South 89°46'31" East 82.58 feet; thence North 86°59'10" East 112.56 feet; thence North 89°17'23" East 56.54 feet; thence North 87°40'08" East 118.24 feet; thence North 88°03'55" East 115.93 feet; thence North 87°18'08" East 172.89 feet; thence North 87°41'51" East 85.30 feet; thence North 88°06'17" East 160.83 feet; thence South 88°58'46" East 132.30 feet point of beginning. Said parcel contains 4.364 Acres (190083.6 Square Feet), 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 10. Seconded by Supervisor Jackson.
Motion carried.

ORDINANCE 11

11. From Land Use Committee regarding Powers Lake Construction Co. (Owner), Stone Development LLC, Griggs and Griggs (Buyer) requesting rezoning from A-2 General Agricultural District to B-5 Wholesale Trade and Warehousing District in the Town of Randall.

**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 #60-4-119-161-0400 and #60-4-119-161-0500 located in the northeast quarter of Section 16, Township 1 North, Range 19 East, Town of Randall be changed from A-2 General Agricultural District to B-5 Wholesale Trade and Warehousing District. For informational purposes only, these properties are located on the east side of County Trunk Highway "O" (368th Avenue) approximately ¼ mile north of the intersection of County Trunk Highway "F" (89th Street).

Powers Lake Construction Co. - Owner

Stone Development LLC, Griggs and Griggs - Buyer

Description: Part of the southwest ¼ of the northeast ¼ of Section 16, Town 1 North, Range 19 East of the Fourth Principal Meridian, in the Town of Randall, Kenosha County, Wisconsin, and being more particularly described as follows: Commence at the north ¼ corner of said Section 16; thence South 01°47'41" East along the west line of said northeast ¼ section 1520.61 feet to the place of beginning of the parcel of land hereinafter described; thence North 88°55'23" East (recorded as South 89°17' East) 217.90 feet; thence North 01°47'41" West (recorded as North 00°07' West) 200.00 feet; thence North 88°55'23" East 1091.74 feet (recorded as South 89°17' East 1092.80 feet) to the west line of Kenosha County Certified Survey Map No. 2126; thence South 01°25'51" East along said west line 2.23 feet; thence continue along said west line South 01°43'36" East 388.77 feet; thence South 89°02'19" West 1309.20 feet (recorded as North 89°35' West 1310.00 feet) to a point on the west line of said northeast ¼ section; thence North 01°47'41" West along said west line 188.34 feet (recorded as North 00°07' West) to the place of beginning, containing 10.71 acres of land more or less, subject to the rights of the public over the west 33 feet thereof for road purposes (368th Avenue).

In addition:

Part of the southwest ¼ of the northeast ¼ of Section 16, Town 1 North, Range 19 East of the Fourth Principal Meridian in the Town of Randall, Kenosha County, Wisconsin, and being more particularly described as follows: Commence at the north ¼ corner of said Section 16; thence South 01°47'41" East along the west line of said northeast ¼ section 1708.97 feet; thence North 89°02'19" East 788.42 feet to the place of beginning of the parcel of land hereinafter described; thence continue North 89°02'19" East 520.78 feet (recorded as South 89°17' East 521.63 feet) to the west line of Kenosha County Certified Survey Map No. 2126; thence South 01°43'36" East along said west line 329.56 feet (recorded as South 00°02' West 333.00 feet); thence South 88°52'38" West 521.24 feet (recorded as North 89°17' West 521.63 feet); thence North 01°38'41" West 331.02 feet (recorded as North 00°02' East 333.00 feet) to the place of beginning. Containing 3.96 acres of land 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 11. Seconded by Supervisor Nudo.

Motion carried.

ORDINANCE 12

12. From Land Use Committee regarding Michael J. and Ann M. Grossman requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District, excluding lands currently zoned C-2 Upland Resource Conservancy 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 #30-4-220-344-0405 located in the southeast quarter of Section 34, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District, excluding lands currently zoned C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the east side of State Trunk Highway 75 (256th Avenue) approximately 0.16 miles north of the intersection of County Trunk Highway "K" (60th Street).

Michael J. and Ann M. Grossman - Owners

Description:

That part of the southwest ¼ of the southeast ¼ of Section 34, Town 2 North, Range 20 East of the Fourth Principal Meridian, described as follows: Commencing at the county monumented southwest corner of the southeast ¼ of said Section 34; thence North 01 degree 48 minutes 01 seconds West, grid bearing from north, Wisconsin Coordinate System, South Zone, along the west line of said southeast ¼ 905.43 feet to the point of beginning of the land to be described; thence continuing North 01 degree 48 minutes 01 seconds West along said west line 430.00 feet to the northwest corner of said southwest ¼ of the southeast ¼; thence North 88 degrees 36 minutes 29 seconds east along the north line of said southwest ¼ of the southeast ¼ 1324.78 feet to the northeast corner of said southwest ¼ of the southeast ¼; thence South 01 degree 41 minutes 34 seconds East along the east line of said southwest ¼ of the southeast ¼ 430.00 feet; thence South 88 degrees 36 minutes 29 seconds West parallel with the north line of said southwest ¼ of the southeast ¼ 1323.97 feet to the point of beginning, lying and being in the Town of Brighton, County of Kenosha and State of Wisconsin, excluding lands currently zoned C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District. 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 12. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

Resolutions - one reading.

RESOLUTION 27

27. From Administration and Land Use Committees Resolution to approve the appointment of Department of Planning and Development Division Directors.

WHEREAS, the Kenosha County Board of Supervisors approved a reorganization of the Department of Planning and Development on May 15, 2007, and

WHEREAS, the reorganization established two divisions within the department; the Division of Long Range Countywide Planning and the Division of Planning Operations, and

WHEREAS, the County Executive has appointed Mr. John Roth to direct the Department of Long Range Planning (Appointment #2007/08-17) and Mr. Andy Buehler to direct the Department of Planning Operations (Appointment #2007/08-16), and

WHEREAS, the Land Use and Administration Committees of the County Board of Supervisors has reviewed and approved the County Executive's appointment of the above named to serve in the aforementioned positions and is recommending the County Board the approval of these appointments.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approves the appointments of John Roth to serve as Director of the Division of Long Range Planning at a salary of \$82, 447 and Andy Buehler to serve as the Director of planning Operations at a salary of \$76,000.

Submitted by:

LAND USE COMMITTEE

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

Gabe Nudo

ADMINISTRATION COMMITTEE

Dennis Elverman

Janice Marrelli

Kim Breunig

Anita Faraone

James Moore

It was moved by Supervisor Ekornaas to adopt Resolution 27. Seconded by Supervisor Elverman.

Motion carried.

RESOLUTION 28

28. From Administration Resolution to approve the appointment of Cathryn Bothe to serve on the Civil Service Commission.

WHEREAS, pursuant to the County Executive Appointment #2006/2007-18, the County Executive has appointed Cathryn Bothe to serve on the Civil Service Commission and;

WHEREAS, the Administration Committee has reviewed the County Executive's request for review and approval of his appointment of the above named to serve in this position and is recommending to the County Board the approval of this appointment, and

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve the appointment of Cathryn Bothe to serve on the Civil Service Commission immediately upon passage of this resolution and continuing until the 31st day of December 2011 or until a successor is appointed and confirmed by the County Board of Supervisors. Ms. Bothe will serve without pay but will receive per diem as defined under Resolution 65. Ms. Bothe will be succeeding herself.

Submitted by:

ADMINISTRATION COMMITTEE

Dennis Elverman

James Moore

Anita Faraone

Janice Marrelli

Kim Breunig

It was moved by Supervisor Elverman to adopt Resolution 28. Seconded by Supervisor Faraone.

Motion carried.

RESOLUTION 29

29. From Building & Grounds, Human Services and Finance Committees a Resolution to Fund County Executive Emergency Order No. 2007/08-01 Re: Grease Trap and Pit at Brookside Care Center.

WHEREAS, Emergency Order 2007/2008-01 dated June 7, 2007 was declared by the County Executive to repair Brookside Care Center's grease trap and pit which has failed and collapsed, and

WHEREAS, the grease trap is connected to drainage of the Center and due the 24 hour nature of Brookside, these functions must be in continuous operating condition for the health and wellness of Brookside residents, and

WHEREAS, Brookside care Center's adopted 2007 budget did not include funds for this unexpected failure in the sewer system, and

WHEREAS, Brookside Care center is requesting use of their reserves from Fund 600 for this repair, and

WHEREAS, County Levy is not affected by this resolution.

NOW, THEREFORE, BE IT RESOLVED that the 2007 budget of Brookside Care Center be modified as follows:

Expenditures increase in an amount not to exceed \$30,000 and Revenues increase in an amount not to exceed \$30,000 as indicated in the attached budget modification form which is incorporated into this resolution by reference.

Submitted by:

BUILDING & GROUNDS

David Singer

Gabe Nudo

Roger Johnson

Mark Wisnefski

HUMAN SERVICES

Judith Rossow

Ed Kubicki

David Arrington

Ruth Booth

FINANCE

Terry Rose

Mark Wisnefski

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Singer to adopt Resolution 29. Seconded by Supervisor Rossow.

Roll call vote passed unanimously.

RESOLUTION 30

30. From the Finance Committee regarding the buildings and other property belonging to the County of Kenosha be insured in the Local Government Property Insurance Fund.

Resolved, that from and after the 1st day of January 2007, the buildings and other property belonging to the County of Kenosha be insured in the Local Government Property Insurance Fund, under Chapter 605, Wis. Stats., and amendments thereto.

The clerk of the County of Kenosha is hereby directed to carry out the provisions of this Resolution.

Dated this 19th day of June, 2007

Adopted this 19th day of June, 2007

Submitted by:

FINANCE COMMITTEE

Mark Wisnefski

Anita Faraone

Terry Rose

Joseph Clark

John O'Day

It was moved by Supervisor Wisnefski to adopt Resolution 30. Seconded by Supervisor Clark.

Motion carried.

RESOLUTION 31

31. From the Finance Committee regarding 2008 Kenosha County Budget - Advisory Levy Objective.

BE IT RESOLVED, that the Kenosha County Board of Supervisors does hereby advise that the 2008 Kenosha County general purpose property tax levy shall increase in an amount of 2.5%, but not to exceed 3%, over the 2007 Kenosha County general purpose property tax levy. This levy objective shall apply to the operating levy, and the debt levy, in accord with Kenosha County Financial Policy Management Statement - Annual County Budget Advisory Levy Objective as approved by the County Board.

Submitted by:

FINANCE COMMITTEE

Mark Wisnefski

Terry Rose

Anita Faraone

John O'Day

Joseph Clark

It was moved by Supervisor Wisnefski to adopt Resolution 31. Seconded by Supervisor Faraone.

Roll call vote.

Ayes: Supervisors Rossow, Rose, Kessler, Huff, Kubicki, Booth, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Wisnefski, Clark, Noble, West, Roger Johnson, Breunig, Elverman, Ekornaas.

Nays: Supervisors Molinaro, Jackson.

Ayes: 21. Nays: 2

Motion carried.

RESOLUTION 32

32. From Human Services, Administration and Finance Committees a Resolution to reorganize the Department of Human Services.

WHEREAS, Kenosha County has committed its participation in the State of Wisconsin Family Care Program to provide long term care services to Kenosha County's older and disabled citizens, and

WHEREAS, the services provided by Family Care will reduce the need for long term services provided by the Kenosha County Department of Human Services' divisions of Aging and Disability Services, and

WHEREAS, Kenosha County will effectively fulfill its obligation to provide Mental Health services (including alcohol-drug), Protective Services, and other remaining services for older persons and persons with disabilities through a reorganization of the divisions of Aging and Disability Services into a single division, and

WHEREAS, the Human Services, Administration and Finance Committees of the Kenosha County Board of Supervisors have reviewed and support a reorganization of the Department of Human Services' divisions of Aging and Disability Services into a single division,

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors approves the following reorganization of the Department of Human Services effective January 1, 2008:

- Eliminate the divisions of Aging Services and Disability Services, removing from the Non-Represented Employee Pay Plan the positions of Division Director

of Aging; Division Director of Disability Services; Planning and Development Coordinator Aging; Long Term Care Coordinator, Aging; Planning and Development Coordinator, Disability Services; and the Program Services Coordinator, Disability Services; and

- Eliminate one Office Support Worker position from the Division of Aging and one part time Systems Support Assistant position from the Division of Aging; and
- Establish the Division of Aging and Disability Services placing the following non-represented positions in the Non-Represented Employee Pay Plan: Division Director of Aging and Disability Services (pay grade I); Elder and Disability Services Manager, Division of Aging and Disability Services (pay grade F); and Mental Health and Protective Services Manager, Division of Aging and Disability Services (pay grade F); and
- Place the non-represented position Special Needs Services Coordinator (pay grade F) in the Division of Children and Family Services; and
- Move the represented positions of Senior Accountant, Account Clerk, Senior Office Associate, two Office Associates and Data Entry Clerk from the divisions of Aging Services and Disability Services to the Division of Aging and Disability Services.

Submitted by:

HUMAN SERVICES
Judy Rossow
Edward Kubicki
Ruth Booth

ADMINISTRATION
Dennis Elverman
Janice Marrelli
Kim Breunig
Anita Faraone
James Moore

FINANCE
Terry Rose
Mark Wisnefski
Anita Faraone
Joseph Clark
John O'Day

It was moved by Supervisor Rossow to adopt Resolution 32. Seconded by Supervisor Elverman.

Roll call vote passed unanimously.

RESOLUTION 33

33. From Judiciary & Law Committee regarding Activity Control License - Wisconsin BGL, LLC/Country Thunder USA.

WHEREAS, pursuant to Chapter 8.01 of the Municipal Code of Kenosha County, the Sheriff's Department received the application from Wisconsin BGL, LLC., for an Activity Control License for Country Thunder USA, 2305 Lance Drive, Twin Lakes, Wisconsin, in the Town of Randall, made during the month of June, 2007 and

WHEREAS, the Sheriff's Department has reviewed the documentation of the applicant, and

WHEREAS, an actual physical inspection of said property indicates that all items that could be, have been complied with pursuant to Chapter 8.01 of the Municipal Code of Kenosha County.

NOW, THEREFORE BE IT RESOLVED, by the Kenosha County Board of Supervisors that application of an Activity Control Licenses for Country Thunder USA be granted to Wisconsin BGL, LLC. for the dates of July 18th, 2007 through July 22nd, 2007.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE
William Michel II
Ruth Delace Booth
Joseph D. Clark
David Arrington
Bob Haas

It was moved by Supervisor Michel to adopt Resolution 33. Seconded by Supervisor Booth.

Motion carried.

RESOLUTION 34

34. From Judiciary & Law and Finance Committees regarding Request for waiver of competitive bid process for installation and connectivity technical services for radio communication equipment.

WHEREAS, in the Sheriff's 2007 budget, \$200,000 had been appropriated in the capital expenditure budget (pg. CIP 80 in 2007 County Budget manual) for the upgrade and/or purchase and installation of radio communication base stations/repeaters to upgrade our voice communication to accommodate digital capabilities, and

WHEREAS, the equipment being purchased will be Motorola brand products that are on State Contract, however regarding the installation and integration of this new equipment it is hereby being sought for 'single source' consideration with Milwaukee 2-Way, Inc 11408 W. Lincoln Ave., West Allis, Wi, and

WHEREAS, the Kenosha County Sheriff's Department currently has a service contract agreement with Milwaukee 2-Way, Inc., an authorized Motorola dealer, to maintain connectivity and service of already installed Motorola radio communication equipment, and

WHEREAS, Milwaukee 2-Way, Inc. is and has been responsible for the integrated system performance which could be compromised if other service vendors are introduced, and

WHEREAS, in order to ensure continued continuity of operation, the Sheriff requests single source procurement with Milwaukee 2-Way, Inc. for the installation, integration and connectivity of the purchased radio communications equipment under this capital improvement project.

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors authorize that Milwaukee 2-Way, Inc. be the single source provider as allowed by exception described in County Board Ordinance #24, Purchasing Police, 3.11(4)(d) of the Municipal Code for this purchase only and allow Milwaukee 2-Way, Inc. to provide for the installation and connectivity of the purchased equipment.

Submitted by:

JUDICIARY & LAW ENFORCEMENT

William Michel

Ruth Booth

David Arrington

Joseph Clark

FINANCE

Terry Rose

Mark Wisnefski

Anita Faraone

John O'Day

It was moved by Supervisor Michel to adopt Resolution 34. Seconded by Supervisor O'Day.

Roll call vote.

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

Nays: Supervisor Huff.

Motion carried.

RESOLUTION 35

35. From the Judiciary & Law and Finance Committees regarding Hazardous Device Unit Equipment Grant.

WHEREAS, The Kenosha County Sheriff's Department, as the Agency in charge of the Kenosha County Sheriff Hazardous Device Unit, has been awarded \$30,000.00 from the Wisconsin Office of Justice Assistance under the Department of Homeland Security to purchase equipment for the Kenosha County Sheriff Hazardous Device Unit.

WHEREAS, the equipment being purchased will be used by the Kenosha County Sheriff's Department Hazardous Device Unit to respond to and process Hazardous Device Incidents in Kenosha County and the Southeast Wisconsin Region.

WHEREAS, the Kenosha County Sheriff's Department will purchase this equipment from multiple vendors, utilizing the Kenosha County Purchasing Department.

WHEREAS, WI OJA and Homeland Security are not requiring a match for this award, therefore no additional tax levy dollars are requested to implement this grant award.

WHEREAS, the project funding period for this grant is May 2007 through February 2008.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept this grant and approve the revenue and expenditure line items be modified, as per the attached budget modification forms, which are incorporated herein by reference.

BE IT FURTHER RESOLVED, that any unobligated funds remaining available at the end of the year be hereby authorized for carryover to subsequent year until the grant funds are expended in accord with the grant requirements and the administration shall be authorized to modify the grant fund appropriation among various budget and appropriation expenditure units with the Sheriff's department in accordance with all Federal and State regulations of funding in compliance with the generally accepted accounting principles.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$30,000.00 and increases expenditures by \$30,000.00.

Submitted by:

JUDICIARY & LAW COMMITTEE

William Michael

Ruth Booth

David Arrington

Joseph Clark

FINANCE COMMITTEE

Terry Rose

Mark Wisnefski

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Michel to adopt Resolution 35. Seconded by Supervisor Arrington.

Roll call vote passed unanimously.

RESOLUTION 36

36. From Judiciary & Law and Finance Committees regarding Homeland Security Law Enforcement Terrorism Prevention Program.

WHEREAS, Kenosha County Division of Emergency Management is being awarded a US Department of Homeland Security Exercise funding Grant totaling \$27,500.00 from the State of Wisconsin Office of Justice Assistance (OJA), and

WHEREAS, this grant will be used to pay for materials, supplies, expendable equipment and cover overtime/backfill costs of those participating in the US Coast Guard's Spill of National Significance (SONS) 07 exercise and can be used to cover the cost of a temporary employee if needed, and

WHEREAS, the cost of this grant is 100% funded by WI OJA requiring no tax levy, and

WHEREAS, the Kenosha County Emergency Management Budget will require a FY07 Budget Modification of \$27,500.

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve FY07 Emergency Management revenue and expenditure line items be modified, as per the attached budget modification form, and

BE IT FURTHER RESOLVED, that the Administration be authorized to modify these Budget Expenditures for purposes of expending all of the grant dollars in accordance with the Grant Criteria.

Submitted by:

JUDICIARY & LAW

William Michel

Ruth Booth

David Arrington

Joseph Clark

It was moved by Supervisor Michel to adopt Resolution 36. Seconded by Supervisor Clark.

Roll call vote passed unanimously.

37. From the Land Use Committee regarding Final Plat of Parkside Springs Subdivision (formerly "Jayne's Estates"), Parkside Springs Subdivision LLC (Developer) located in the Town of Somers.

WHEREAS, at a regularly held public hearing of the Kenosha County Land Use Committee on June 13, 2007, review was given to the Final Plat of Parkside Springs Subdivision located on Tax Parcels #80-4-222-142-0180 and #80-4-222-142-0190 being part of the northwest quarter of the northwest quarter of Section 14, Township 2 North, Range 22 East, Town of Somers. For informational

purposes only, this property is located on the south side of County Trunk Highway "E" (12th Street) approximately 0.4 miles west of the intersection of 52nd Avenue; and

WHEREAS, the plat was submitted in accordance with the requirements of Chapter 236 of Wisconsin State Statutes and the developer agreed to comply with those land platting laws; and

WHEREAS, the plat is in conformance with the Kenosha County Subdivision Control Ordinance and the developer agreed to all county conditions for approval (Exhibit 1, on file in the Department of Planning and Development); and

WHEREAS, the Town of Somers recommended approval of Parkside Springs Subdivision subject to the conditions presented in (Exhibit 1, on file in the Department of Planning and Development) and subject to signing the developer's agreement between the developer and the Town; and

WHEREAS, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) reviewed the subject plat with regards to stormwater management and erosion control and recommended approval of the plat;

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve the Final Plat of Parkside Springs Subdivision subject to the conditions as approved by the Land Use Committee.

Submitted by:

LAND USE COMMITTEE

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 37. Seconded by Supervisor O'Day.
Motion carried.

RESOLUTION 38

38. From the Land Use Committee regarding Final Plat of Somers Market Center Subdivision, Somers Market Center LLC (Developer), Nathan Bryant (Agent) located in the Town of Somers.

WHEREAS, at a regularly held public hearing of the Kenosha County Land Use Committee on June 13, 2007, review was given to the Final Plat of Somers Market Center Subdivision located on Tax Parcels #80-4-222-271-0101, #80-4-222-271-0200 and #80-4-222-271-0211 being part of the northeast quarter of Section 27, Township 2 North, Range 22 East, Town of Somers. For informational purposes only, these properties are generally located on the northwest corner of the intersection of State Trunk Highway "31" (Green Bay Road) and County Trunk Highway "S" (38th Street) and;

WHEREAS, the plat was submitted in accordance with the requirements of Chapter 236 of Wisconsin State Statutes and the developer agreed to comply with those land platting laws; and

WHEREAS, the plat is in conformance with the Kenosha County Subdivision Control Ordinance and the developer agreed to all county conditions for approval (Exhibit 1, on file in the Department of Planning and Development); and

WHEREAS, the Town of Somers recommended approval of Somers Market Center Subdivision subject to the conditions presented in (Exhibit 1, on file in the Department of Planning and Development) and subject to signing the developer's agreement between the developer and the Town; and

WHEREAS, Ruekert-Mielke, a consulting engineering firm, reviewed the subject plat with regards to stormwater management and erosion control and recommended approval of the plat;

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors approve the Final Plat of Somers Market Center Subdivision subject to the conditions as approved by the Land Use Committee.

Submitted by:

LAND USE COMMITTEE

Fred Ekornaas

John O'Day

Jennifer Jackson
Roger Johnson
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 38. Seconded by Supervisor Roger Johnson.

Roll call vote.

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

Nays: Supervisor Jackson.

Ayes: 22. Nays: 1.

Motion carried.

COMMUNICATION

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

4. From Michael K. Higgins, City Clerk, regarding Attachment and Temporary Zoning District Classification of Land in the Town of Somers.

CLAIMS

5. Esther R. Linyard vehicle damaged on I-94.

Chairman Rose referred Claim 5 to Corporation Counsel.

It was moved by Supervisor Molinaro to approve the June 5, 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 9:15 P.M.

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