

KENOSHA COUNTY BOARD OF SUPERVISORS

COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING

September 21, 2004

The **Regular Meeting** was called to order by Chairman Elverman at 7:30 p.m., in the County Board Room located in the Administration Building. Roll call was taken.

Present: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Wipper, Booth, Faraone, R. Johnson, Michel, Singer, Deschler, Wisnefski, Clark, Kerkman, Carbone, Carey-Mielke, Smitz, Ekornaas, Marrelli, Modory, Noble, O'Day, Molinaro, Huff, Gorlinski, L. Johnson.

Excused: Supervisor West.

Present. 27. Excused. 1.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Elverman stated that the youth football programs out in the western end is quite an extensive program. He went by Fox River Park, Highway F you would see hundreds of families out there. This is our county parks in use.

Chairman Elverman reminded everyone that on the September 28TH at 7:00 P.M. there will be a Committee of the Whole Meeting to discuss the Casino Intergovernmental Agreement.

Chairman Elverman stated that on September 15th at 5:00 p.m. himself and the County Board Chairman's of Racine and Walworth Counties interviewed and nominated two candidates for the Gateway Technical College Board. One was Supervisor Leonard Johnson's wife Patricia.

Chairman Elverman reminded everyone about the Wisconsin Counties Association Convention dates are September 26th - 28th in Milwaukee.

SUPERVISORS REPORTS

Supervisor R. Johnson announced that the Legislative Committee will meet next Tuesday at 6:00 P.M. prior to the Committee of the Whole.

Supervisor Noble stated that tentatively the Highway & Parks Committee will have a 6:00 P.M. meeting and part of the meeting will be to see a demonstration of boarder collies being used to assist in controlling the geese problem at Brighton Dale Golf Course. Watch for it on the blue agenda.

Supervisor Carey-Mielke stated that the Extension Education Committee met Monday, September 20th at the Kenosha County Center Building to interview candidates for the position of 4-H Agent. The position now requires a Bachelors degree not a Masters to promote more candidates. The position has been offered to one candidate and if that candidate accepts the offer they will announce who it is. Also, reviewed was the yearly contract with the University of Wisconsin and it has been signed.

Supervisor Molinaro stated that Building & Grounds did not have the regular scheduled meeting last week for lack of a quorum. The 52nd Street property is almost all cleared. What to do with the property still has to be discussed. The closing on the Silver Lake Property was done on the 15th of this month. Also, there is a Town Meeting scheduled in the Town of Somers with himself and Supervisor Wisnefski on October 12th at 6:00 P.M. to discuss the casino.

Supervisor Gorlinski reported on the trip to New London County, Connecticut. The focus of this investigation was to gather information from local citizens, segments of local government and its employees relative to the effects and impact of the Mohegan Sun Casino. They talked to no elected officials. The report was given to every supervisor first. He just completed the report the day before.

Supervisor Huff stated that he was thoroughly impressed with the information that they received regarding the casino. Everyone was more than helpful. Please read the report. We need to stay ahead of the game.
County Executive Appointments

25. Linda Weiss to serve on the Kenosha County Board of Health.

Supervisor Elverman referred County Executive Appointment 25 to the Human Services Committee.

NEW BUSINESS

Ordinances - one reading.

ORDINANCE 31

31. From Land Use Committee regarding Becker Revocable Trust, Donald E. and Jean Becker Trustees (Sellers), Richard and Brenda Edwards (Buyers), requesting rezoning from A-2 General Agricultural District to R-1 Rural Residential 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 part of Tax Parcel #60-4-119-274-0200 located in the southeast quarter of Section 27, Township 1 North, Range 19 East, Town of Randall be changed from A-2 General Agricultural District to R-1 Rural Residential District. For informational purposes only, this property is located on the east side of 347th Avenue approximately 400 feet north of the intersection of County Trunk Highway "HM" (116th Street).

**Becker Revocable Trust, Donald E. and Jean Becker, Trustees - (Sellers)
Richard and Brenda Edwards - (Buyers)**

Description: That part of the southeast quarter of the southeast quarter of Section 27, Township 1 North, Range 19 East of the Fourth Principal Meridian, Town of Randall, Kenosha County, Wisconsin, described as follows: Beginning at the northeast corner of Lot "C" of Kenosha County Certified Survey Map #331, being part of the southeast quarter of Section 27, Township 1 North, Range 19 East of the Fourth Principal Meridian, Town of Randall, Kenosha County, Wisconsin, according to the recorded plat thereof on file and of record in the Office of the Register of Deeds for Kenosha County, Wisconsin, recorded July 9, 1976 in Volume 966 of Records, Page 58 and 59, as Document Number 602617; thence east along the easterly extension of the north line of said Lot "C" 30.00 feet; thence south 00°14' east parallel with the east line of said Lot "C" 476.71 feet to the intersection with the easterly extension of the south line of said Lot "C"; thence east 30.00 feet to the southeast corner of said Lot "C"; thence north 00°14' west along the east line of said Lot "C" 476.71 feet to the point of beginning.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

ORDINANCE 32

32. From Land Use Committee regarding Edward C. and Denise D. Gillmore, requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural 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 #35-4-121-233-0402 located in the southwest quarter of Section 23, Township 1 North, Range 21 East, Town of Bristol be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District. For informational purposes only, this property is located on the north side of County Trunk Highway "Q" (104th Street) approximately 0.6 miles west of the intersection of County Trunk Highway "U" (136th Avenue).

Edward C. and Denise D. Gillmore - (Owners)

Descriptions: Part of the southwest quarter of Section 23, Town 1 North, Range 21 East of the Fourth Principal Meridian, lying and being in the Town of Bristol, Kenosha County, Wisconsin and being more particularly described as:

Commencing at the southeast corner of said quarter section; thence south 89°23'31" west along the south line of said quarter section 1061.34 feet; thence north 02°10'50" west parallel to the west line of the east half of said quarter section 360.00 feet to the point of beginning of the parcel to be herein described; thence continue north 02°10'50" west parallel to said west line 2280.63 feet to the north line of said quarter section; thence south 89°24'08" west along said north line 220.00 feet to the west line of the east half of said quarter section; thence south 02°10'50" east along said west line 2280.67 feet; thence north 89°23'31" east parallel to the south line of said quarter section 220.00 feet to the point of beginning; containing 11.51 acres, more or less and subject to easements and restrictions of record.

In addition: Commencing at the southeast corner of said quarter section; thence south 89°23'31" west along the south line of said quarter section 470.00 feet to the point of beginning; thence continue south 89°23'31" west along said south line 591.34 feet; thence north 02°10'50" west parallel to the west line of the east half of said quarter section 2640.63 feet to the north line of said quarter section; thence north 89°24'08" east along said north line 363.52 feet; thence south 02°11'46" east parallel to the east line of said quarter section 2353.28 feet; thence north 89°23'31" east parallel to the south line of said quarter section 227.11 feet; thence south 02°11'46" east parallel to the east line of said quarter section 287.30 feet to the south line of said quarter section and the point of beginning; subject to a public road over and across the southerly portion thereof; containing 23.54 acres, more or less including road; 23.09 acres, more or less excluding road and subject to easements and restrictions of record.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinances 31 & 32. Seconded by Supervisor Molinaro.

Motion carried.

ORDINANCE 33

33. From Land Use Committee regarding The Reserve LLC, Stephen R. Mills (Developer), requesting rezoning from C-2 Upland Resource Conservancy District to C-1 Lowland Resource Conservancy District and From C-1 Lowland Resource Conservancy District to C-2 Upland Resource Conservancy District as well a the application of a PUD Planned Unit Development Overlay 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 #65-4-120-044-0100 located in the southeast quarter of Section 4, Township 1 North, Range 20 East, Town of Salem having existing C-2 Upland Resource Conservancy District be changed to C-1 Lowland Resource Conservancy District in specific areas identified in Exhibit 1, attached to reflect actual field conditions with the remainder of the property retaining the C-2 Upland Resource Conservancy District. Furthermore, this parcel shall have a Planned Unit Development Overlay District applied. The petitioner requests development of single-family residential condominiums for "The Reserve" Condominium project. For informational purposes only, this property is located on the north side of State Trunk Highway "50" (75th Street) approximately 0.6 miles west of the intersection of State Trunk Highway "75."

The property is owned by The Reserve LLC, Stephen R. Mills, (Developer)

The petitioners would be responsible for compliance with their testimony given at the August 11, 2004, Land Use Committee public hearing, whereby assurances

were given, exhibits were presented, information explained, all which are now part of the record, along with complying with the application and various site plans previously filed with the county.

In addition, the petitioner is responsible for compliance with conditions as requested by the Department of Planning and Development, which were agreed to by the petitioner at the November 15, 2001, public hearing. These conditions are hereby referenced to as Exhibit 2, and are made part of this ordinance (on file in the Department of Planning and Development).

The petitioner also is responsible for compliance with the PUD Planned Unit Development Overlay District conditions as outlined in Section 12.26-4(a-o) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance.

A public hearing was held on August 11, 2004, by the Land Use Committee for the purpose of receiving evidence, taking testimony, and reviewing recommendations presented. At that time, a favorable recommendation was given to the zoning request for the application of a Planned Unit Development Overlay District for the Carrington Court Condominium Development project by the Land Use Committee on the property as described below.

General Description: Being a part of the northeast $\frac{1}{4}$ and southeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$ of Section 4, Township 1 North, Range 20 East, Town of Salem, Kenosha County, Wisconsin, more particularly described as follows: Beginning at the northeast corner of said southeast $\frac{1}{4}$, said point also being the point of beginning; thence south 02°04'40" east, along the east line of said southeast $\frac{1}{4}$, a distance of 2,468.79 feet; thence south 89°47'15" west, a distance of 834.62 feet; thence south 88°24'52" west, a distance of 153.09 feet; thence north 02°04'37" west, a distance of 2,452.09 feet to the north line of said southeast $\frac{1}{4}$; thence north 88°36'20" east, along said north line, a distance of 987.30 feet to the point of beginning. Containing 2,427,528 square feet or 55.7284 acres, more or less.

Rezoning from C-2 Upland Resource Conservancy District to C-1 Lowland Resource Conservancy District is presented in Exhibit 1.

Rezoning from C-1 Lowland Resource Conservancy District to C-2 Upland Resource Conservancy District for the driveway presented as follows: Being a part of the northeast $\frac{1}{4}$ and southeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$ of Section 4, Township 1 North, Range 20 East, Town of Salem, Kenosha County, Wisconsin, more particularly described as follows: Commencing at the northeast corner of said southeast $\frac{1}{4}$; thence south 02°04'40" east, along the east line of said southeast $\frac{1}{4}$, a distance of 1,961.34 feet; thence south 87°55'20" west, a distance of 260.44 feet to the point of beginning; thence south 52°32'38" east, a distance of 215.27 feet; thence south 37°06'43" west, a distance of 50.00 feet; thence north 52°53'17" west, a distance of 207.58 feet; thence north 28°35'03" east, a distance of 51.87 feet to the point of beginning. Containing 10,705 square feet or 0.2458 acres, more or less.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 33. Seconded by Supervisor Marrelli.

Roll call vote.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Wipper, Booth, Faraone, R. Johnson, Michel, Singer, Deschler, Wisnefski, Kerkman, Carbone, Carey-Mielke, Smitz, Ekornaas, Marrelli, Modory, Noble, O'Day, Molinaro, Huff, Gorlinski, L. Johnson.

Nays: None.

Abstain: Supervisor Clark.

Ayes. 26. Nays. 0. Abstain. 1.

Motion carried.

ORDINANCE 34

34. From Land Use Committee regarding Clarence J. and Mary R. Daniels (Owners), Lon Wienke (Agent), requesting rezoning from A-1 Agricultural Preservation District to B-4 Planned Business 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 #95-4-219-353-0200 located in the southwest quarter of Section 35, Township 2 North, Range 19 East, Town of Wheatland be changed from A-1 Agricultural District to B-4 Planned Business District (4.9 acres). For informational purposes only, this property is located on the northwest corner of the intersection of State Trunk Highway "50" and "83."

Clarence J. and Mary R. Daniels - (Owners)

Lon Wienke - (Agent)

Description: That part of the southeast $\frac{1}{4}$ of the southwest $\frac{1}{4}$ of Section 35, Township 2 North, Range 19 East, Town of Wheatland, Kenosha County, State of Wisconsin, described as follows: Commencing at the southeast corner of the southwest $\frac{1}{4}$ of said Section 35; thence north $01^{\circ}36'20''$ west along the east line of said southwest $\frac{1}{4}$, 132.06 feet to the easterly extension of the north right-of-way line of State Trunk Highway 50; thence north $86^{\circ}09'51''$ west, along said extension line, 192.15 feet to the intersection of said north line of State Trunk Highway 50 and the east right-of-way line of State Trunk Highway 83 also being the point of beginning; thence continuing north $86^{\circ}09'51''$ west along said north line, 175.70 feet to the non-tangent point of curvature of a 2421.83 foot radius curve to the left having a long chord of 460.19 feet bearing north $78^{\circ}52'59''$ west; thence northwesterly along the arc of said curve and said north line 460.88 feet; thence north 329.41 feet to the non-tangent point of curvature of a 267.00 foot radius curve to the left having a long chord of 105.57 feet bearing south $78^{\circ}35'53''$ east; thence southeasterly along the arc of said curve 106.27 feet; thence east, 309.82 feet to the point of curvature of a 49.00 foot radius curve to the left having a long chord of 21.84 feet bearing north $77^{\circ}07'27''$ east; thence northeasterly along the arc of said curve 22.02 feet; thence north $64^{\circ}14'54''$ east, 6.24 feet; thence north $07^{\circ}56'13''$ east, 76.88 feet; thence north $64^{\circ}49'41''$ east, 10.00 feet to the west right-of-way line of State Trunk Highway 83; thence south $25^{\circ}10'19''$ east along said west line 308.70 feet to the point of curvature of a 460.87 foot radius curve to the right having a long chord of 161.01 feet bearing south $15^{\circ}06'45''$ east; thence southeasterly along the arc of said curve 161.84 feet; thence south $05^{\circ}47'14''$ west along said west line, 62.48 feet to the point of beginning. This parcel contains 4.91 acres more or less.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorklinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 34. Seconded by Supervisor Marrelli.

Motion carried.

Resolutions - one reading.

RESOLUTION 47

47. From Administration Committee regarding Approval of the Appointment of Robert J. Riedl to serve as Director of the Division of Personnel Services.

WHEREAS, pursuant to County Executive Appointment #2004/05-22, the County Executive has appointed Robert J. Riedl to serve as the Kenosha County Director of the Division of Personnel Services, 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.

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve the appointment of Robert J. Riedl to serve as the Director of the Division of Personnel Services immediately upon passage of this resolution. Mr. Riedl will be placed in Range K of the Non-Represented Pay Plan at an annual salary of \$76, 850 and will be succeeding Brooke Koons.

Submitted by:

ADMINISTRATION COMMITTEE

David Singer

Joseph Clark

Thomas Kerkman

Anita Faraone

Janice Marrelli

It was moved by Supervisor Singer to adopt Resolution 47. Seconded by Supervisor Faraone.

Motion carried.

RESOLUTION 48

48. From Human Services Committee regarding Approval of the Appointment of Supervisor Ruth Delace Booth to the Human Services Board.

WHEREAS, pursuant to County Executive Appointment 2004/05-21, the County Executive has appointed Supervisor Ruth Delace Booth to serve on the Kenosha County Human Services Board, 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 Human Services Board 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 Supervisor Ruth Delace Booth to the Kenosha County Human Services Board. Supervisor Booth's appointment shall be effective immediately and continuing until the 31st day of December, 2006 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Supervisor Booth will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). Supervisor Booth will be succeeding Anne Bergo.

Submitted by:

HUMAN SERVICES COMMITTEE:

John O'Day

Don Smitz

William Grady

Gordon West

Ruth Delace Booth

It was moved by Supervisor O'Day to adopt Resolution 48. Seconded by Supervisor Smitz.

Motion carried.

RESOLUTION 49

49. From Human Services Committee regarding Approval of the Appointment of Todd Battle to the Kenosha County Workforce Development Board.

WHEREAS, pursuant to County Executive Appointment 2004/05-20, the County Executive has appointed Todd Battle to serve on the Kenosha County Workforce Development Board, 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 Workforce Development Board 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 Todd Battle to the Kenosha County Workforce Development Board. Mr. Battle's appointment shall be effective immediately and continuing until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Battle will

serve without pay as defined under Resolution 65 (1982-83) and will be succeeding John Bechler.

Submitted by:

HUMAN SERVICES COMMITTEE:

John O'Day

Don Smitz

William Grady

Gordon West

Ruth Delace Booth

It was moved by Supervisor O'Day to adopt Resolution 49. Seconded by Supervisor Booth.

Motion carried.

RESOLUTION 50

50. From Human Services regarding Approval of the Re-Appointment of Connie Matter to the Kenosha County Resource Center Board.

WHEREAS, pursuant to County Executive Appointment 2004/05-19, the County Executive has appointed Connie Matter to serve on the Kenosha County Resource Center Board, 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 Resource Center Board 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 Connie Matter to the Kenosha County Resource Center Board. Ms. Matter's appointment shall be effective immediately and continuing until the 31st day of May, 2007 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Matter will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83) and will be succeeding herself.

Submitted by:

HUMAN SERVICES COMMITTEE:

John O'Day

Don Smitz

William Grady

Gordon West

Ruth Delace Booth

It was moved by Supervisor O'Day to adopt Resolution 50. Seconded by Supervisor Smitz.

Motion carried.

RESOLUTION 51

51. From Judiciary & Law Enforcement Committee regarding Regular Cabaret License for Rob's River Edge.

WHEREAS, the application of Robert Piper for a probationary cabaret license for Rob's River Edge, 7603 Shorewood Drive, Salem, Wisconsin, in the Town of Salem, was made during the month of July, 2003, was turned over to this office on July 3, 2003, and

WHEREAS, the establishment known as Rob's River Edge was granted a Probationary Cabaret License per County Board Resolution # 125 on February 24, 2004, and

WHEREAS, the establishment known as Rob's River Edge was found to be in conformity with County Ordinance # 8.02 governing it's conduct for a probationary period of the last 6 months.

NOW, THEREFORE BE IT RESOLVED, that a regular cabaret license, in lieu of a probationary cabaret license, be granted to Robert Piper, for Rob's River Edge.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

James Huff

Brenda Carey-Mielke

Susan Deschler

William Michel II

Terry Rose

It was moved by Supervisor Carey-Mielke to adopt resolution 51. Seconded by Supervisor Michel.

Motion carried.

COMMUNICATIONS

7. From Jean A. Morgan, City Clerk-Treasurer regarding Annexation of 12.515 acres of land from the Town of Somers.

8. From George E. Melch, Director of Planning and Development regarding future rezonings.

Chairman Elverman referred Communications 7 & 8 to the Land Use Committee

CLAIMS

15. Regarding William J. Ruesch - car damage.

16. Regarding Denise Waldow - fell in county building.

Chairman Elverman referred claims 15 & 16 to Corporation Counsel.

It was moved by Supervisor R. Johnson to approve the September 7, 2004 minutes. Seconded by Supervisor Smitz.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:00 P.M.

Prepared by: Pam Young
Chief Deputy

Submitted by: Edna R. Highland
County Clerk

