

KENOSHA COUNTY BOARD OF SUPERVISORS

COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING

June 1, 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, Huff, Wipper, Booth, Faraone, R. Johnson, Michel, O'Day, Singer, Deschler, Molinaro, Wisnefski, Clark, Noble, West, Kerkman, Carbone, Carey-Mielke, Modory, Smitz, Ekornaas, L. Johnson, Marrelli.

Excused: Supervisor Gorlinski.

Present. 27. Excused. 1.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Elverman stated that on June 19th the Kenosha County Dairy Breakfast will be held on Hwy JB & B.

Chairman Elverman stated that the County Extension has posted information for flood assistance on their web site.

SUPERVISORS REPORTS

Supervisor Johnson reported that Ordinance 1, second reading was referred to the Legislative Committee and they are sending it back without a recommendation due to a tie vote within the committee.

Supervisor Carey-Mielke stated that the Field of Dreams program is open and looking for volunteers. Youth-Quest is looking for volunteers, also. Please contact the Extension Office if interested.

Supervisor Carey-Mielke thanked everyone who had sent her cards and well wishes. Her mother underwent open heart surgery and she is doing quite well.

Supervisor Wisnefski stated that the appointed committee to meet with the Kemper Center met last Wednesday to review the work in progress. Kemper Center is desirous to get the lease signed. Corporation Counsel is working on it right now.

Supervisor Noble reported that four way stop signs will be installed at Hwy 158 and the east frontage road. The Department of Transportation says that it will happen within the next couple of months. Thanks to Senator Wirch because he was instrumental in having this done.

County Executive Appointments.

5. Gordon West to serve on the Brookside Board of Trustees.
6. Richard Guenther to serve on the Kenosha County Long Term Care Council.
7. Lauren A. Fox to serve on the Kenosha County Resource Center Board.
8. George D. Wundsam to serve on the Kenosha County Zoning Board of Adjustments.
9. Jill M. Wilson to serve on the Kenosha County Resource Center Board.
10. Jean M. Rumachik to serve on the Kenosha County Long Term Care Council.

Chairman Elverman referred County Executive Appointments 5 thru 7 and 9,10 to the Human Services Committee and County Executive Appointment 8 to the Land Use Committee.

OLD BUSINESS

Ordinance - second reading, two required.

ORDINANCE 1

1. From Terry Rose and Legislative Committee regarding Repealing and Recreating Section 3.01 (1) (g) of the Municipal Code of Kenosha Pertaining to the filling of vacancies in the Office of Kenosha County Board Supervisor.

AN ORDINANCE TO REPEAL AND RECREATE SECTION 3.01(1)(g) OF THE MUNICIPAL CODE OF KENOSHA COUNTY PERTAINING TO THE FILLING OF VACANCIES IN THE OFFICE OF KENOSHA COUNTY BOARD SUPERVISOR

IT IS HEREBY ORDAINED THAT SECTION 3.01(1)(g) OF THE MUNICIPAL CODE OF KENOSHA COUNTY PERTAINING TO THE FILLING OF VACANCIES IN THE OFFICE OF KENOSHA COUNTY BOARD SUPERVISOR BE REPEALED AND RECREATED TO READ AS FOLLOWS:

(g) Filling of Vacancies Occurring Within A Term. Vacancies in the office of County Supervisor shall be filled in the following manner:

- If the vacancy occurs prior to December 1 of an even numbered year the vacancy shall be filled by an election in the Spring non-partisan election of the odd-numbered year; prior to such an election the County Board Chairman shall appoint a successor , in accordance with the provision set forth in section 4, who shall be confirmed by the County Board and shall serve until his successor is elected at such non-partisan election in the odd numbered year;
- Except as hereinafter provided, if the vacancy occurs after December 1 of an even numbered year the vacancy shall be filled by an election in the Spring non-partisan election of the next even-numbered year; prior to such an election the County Board Chairman shall appoint a successor, in accordance with the provision set forth herein, who shall be confirmed by the County Board and shall serve until his successor is elected at such non-partisan election in the next even- numbered year;
- If the vacancy occurs after December 1 of an odd-numbered year the vacancy shall be filled by an election in the Spring non-partisan election of the next even-numbered year; prior to such an election the County Board Chairman shall appoint a successor:
- Prior to making an appointment pursuant to the provision set forth herein, the County Board Chairman shall advertise for the position in the County's official publication for legal notices; he shall interview all interested candidates and report the qualifications of all such interested persons to the County Board along with the qualifications of his or her appointee. Persons appointed shall be qualified electors and residents of the supervisory district in which the vacancy occurred.

Submitted by:

Terry Rose

LEGISLATIVE COMMITTEE

Joseph Clark

Christine Wipper

It was moved by Supervisor Rose to adopt Ordinance 1. Seconded by Supervisor Clark.

It was moved by Supervisor Clark to amend Ordinance 1 by changing paragraph 3, line 4. If the vacancy occurs after December 1 of an odd-numbered year the vacancy shall be filled by an election in the Spring non-partisan election of the next even-numbered year; prior to such an election the County Board Chairman shall **not** appoint a successor: Remove the word **not**. Seconded by Supervisor Molinaro.

Roll call vote on the amendment.

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

Nays: Supervisors Rose, Marrelli, Carbone.

Ayes. 24. Nays. 3.

Motion carried.

Roll call vote on Ordinance 1 as amended.

Ayes: Supervisors Elverman, Grady, Rossow, Huff, Wipper, Booth, Faraone, Michel, O'Day, Singer, Deschler, Molinaro, Noble, Kerkman, Carey-Mielke, Clark, Modory, Rose.

Nays: Supervisors Kessler, Marrelli, Carbone, R. Johnson, L. Johnson, Wisnefski, West, Smitz, Ekornaas.

Ayes. 18. Nays. 9.

Motion carried.

NEW BUSINESS

Resolutions - one reading.

RESOLUTION 9

9. From Land Use, Building & Grounds, Finance and Highway & Parks Committees Regarding Approval of Waste Management's Corporate Benefactor Agreement Donation for the Purchase of Land Abutting the Kenosha County Center including a Budget Modification to include said funds in the 2004 Budget.

WHEREAS, the Southeastern Wisconsin Regional Planning Commission, U. S. Census Bureau 2000 statistics, and the Department of Administration studies have reported a significant increase in the population for Kenosha County and projects said increases in population will continue; and

WHEREAS, it is anticipated that such increase in population will create a higher demand for services in the future to be provided by the County; and

WHEREAS, a 23+ acre tract immediately adjacent to the existing Kenosha County Center, which is geographically located in the center of Kenosha County, is currently available for purchase; and

WHEREAS, the addition of said parcel would prove to be an ideal site in planning for future long-term needs of the County and is in keeping with Kenosha County's concept of developing multi-use government campuses; and

WHEREAS, the said parcel is available for purchase for \$425,000 which is within an acceptable range of the appraised value of said property; and

WHEREAS, on April 17, 2000, Kenosha County entered into a Corporate Benefactor Agreement with Waste Management of Wisconsin, as a result of negotiations between Kenosha County and Waste Management relative to the siting and/or expansion of the Pheasant Run Recycling and Disposal facility; and

WHEREAS, the above-referenced Benefactor Agreement calls for Waste Management, among other conditions, to make annual donations of \$250,000 to Kenosha County during the term of the agreement selecting from a list of projects, prepared and approved by the County Board, includes real estate acquisition in the vicinity of the Pheasant Run landfill and the development of other County facilities that will benefit the community as a whole; and

WHEREAS, Waste Management, for the year 2005 and 2006, has selected from said list property acquisition of 23+ acres in the vicinity of the Pheasant Run landfill and immediately to the North of the Kenosha County Center, (Tax Parcel #35-4-121-053-0150); and

WHEREAS, no tax levy dollars would be required for such purchase, as Waste Management has agreed to provide such funds in advance for the purchase of said property as part of their obligation to the County under the agreement currently in place between Waste Management and Kenosha County.

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board accepts Waste Management's selection of the above-described property abutting the Kenosha County Center (Tax Parcel 35-4-121-053-0150) as its Corporate Benefactor donation for the years 2005 and 2006 and authorizes the acquisition of said property.

BE IT FURTHER RESOLVED, that the 2004 Kenosha County Budget is hereby amended in accord with the budget modification form, which is attached and incorporated by reference. Expenditures in the 2004 Kenosha County Budget shall be increased by \$500,000, for the purpose of acquiring the property referenced in this resolution. This appropriation authority shall include the cost to purchase the property from the current owner of the land and all other costs incidental to the purchase and acquisition of this property. This expenditure shall be funded with payments to be made by Waste Management per their agreement with the County that otherwise would have been made in 2005 and 2006. Waste Management will make these payments to the County in 2004 in lieu of making them in 2005 and 2006. Any unspent funds resulting from this transaction after the completion of the acquisition shall lapse to fund 420 and shall be used for the purposes of the Parkland owned by Kenosha County located on HWY KD. The Kenosha County Board of Supervisors do hereby grant authority for the disbursement of funds relative to the purchase of the property referenced herein, and all costs pertinent to the acquisition of this property.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Mark Molinaro, Jr.

BUILDING & GROUNDS COMMITTEE

Mark Molinaro

Douglas Noble

Thomas J. Gorlinski
Fred R. Ekornaas
Janice D. Marrelli
FINANCE COMMITTEE
Robert Carbone
Mark Modory
Mark Wisnefski
Anita Farone

Gordon West
Judith Rossow
Leonard Johnson
HIGHWAY & PARKS COMMITTEE
Douglas Noble
Leonard Johnson
William Grady
Richard A. Kessler
Fred R. Ekornaas

It was moved by Supervisor Carbone to adopt Resolution 9. Seconded by Supervisor L. Johnson.

It was moved by Supervisor Wisnefski to call the question. Seconded by Supervisor R. Johnson.

Ayes: Supervisors Grady, Rossow, Kessler, Wipper, Marrelli, Booth, Carbone, Modory, R. Johnson, O'Day, L. Johnson, Deschler, Wisnefski, Carey-Mielke, West, Kerkman, Smitz, Ekornaas.

Nays: Supervisors Elverman, Rose, Huff, Faraone, Michel, Singer, Molinaro, Clark, Noble.

Ayes. 18. Nays. 9.

Motion carried.

Roll call on Resolution 9.

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

Nays: Supervisors Rose, Booth, Deschler, Kerkman.

Ayes. 23. Nays. 4.

Motion carried.

CLAIMS

3. Regarding Dean Thiel - broken windshield.

4. Regarding Boyd G. Johns - car damage from county truck.

It was moved by Chairmen Elverman to refer Claims 3 & 4 to Corporation Counsel.

It was moved by Supervisor Clark to approve the May 18, 2004 minutes. Seconded by Supervisor Kessler.

Motion carried.

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

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