

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**September 27, 2005**

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, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Excused: Supervisors Huff, L. Johnson.

Present: 25. Excused: 2.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated that there were various appointments to NACO Committees. County Clerk was re-appointed to the Economic Development and Growth Committee, Supervisor R. Johnson to the steering committee on Environmental Energy and Land Use, Supervisor Carbone to the Justice and Safety Committee steering Committee and Supervisor Carey-Mielke to the Human Service and Workforce Conference Attendees.

Chairman Elverman stated he approved the ordering of new water jugs.

Chairman Elverman stated that many had attended the WCA last week and it was good to see the attendance. We were all told in advance when to sign up and what to do. It cost the county \$125.00 per person in advance and then some did it at the door at a cost of \$195.00 and so those supervisors need to write a check to the WCA for the \$70.00 difference. Everyone had advance notice so it's back to being tight fisted.

Chairman Elverman asked Jim Moore to step up to the front of the room and get sworn in as the County Board Supervisor for the 17TH District.

Mr. Moore's appointment was approved unanimously.

**SUPERVISOR REPORTS, ANNOUNCEMENTS AND REFERRALS**

Supervisor Smitz stated that on September 8TH he attended a Traffic Safety Meeting and was informed that 545 deaths have occurred so far this year on the roads and that is 27 more then last year at this time. County Trunk B has had 29 accidents at the intersection in Silver Lake. It has been suggested to the county to install a passing lane.

Supervisor O'Day stated that he is on the Board of Directors for the Kenosha History Center. He has tickets for a chili cook off on October 15TH and the tickets are \$10.00.

Supervisor Carbone stated that the Finance Department put on everyone's desk three documents consisting of the Auditors' Report for 2004. Pages 3 thru 19 gives the state of the county in regards to our financial picture. If there are any questions please contact Dave Geersten.

Supervisor Michel stated that Disability Services is having a tour on Thursday and if anyone is interested please RSVP to Disability Services.

Supervisor Noble asked Fred Patrie to place on the desks an Arial Map of the Silver Lake Park where the proposed soccer fields are going to be. A bulk of this area is open area and bulk of the pine trees need to be thinned out. The trees were planted in the sixties.

Supervisor Clark stated that he had attended the WCA Conference and attended a couple presentations. One was the five year financial planning for counties and it reaffirmed how well our Finance Department is with their planning. The biggest thing was a workshop on moving into the future and embracing technological change. Other counties have an over-site committee for information technology. He asked Chairman Elverman to look into having an over-sight committee that would be a sub committee of the Finance Committee that would encompass professionals from the community that have the expertise and can take a look and assist with the County Board's over-site of Information Systems.

Supervisor Carey-Mielke reported on Extension Education with regard to the Department of Agriculture declaring Kenosha County farms a disaster. Our farmers have lost at least 60% of their crop yields. The full implications of the financial impact is not known yet but she will report at a later date.

Supervisor Wisnefski stated that he also attended the WCA Convention. One session he attended was the Large Animal Class for large farming operations. Over 500 animals. This involves a whole new set of ordinances and regulations. He asked Supervisor Molinaro to contact George Melcher to make sure that we are up-dated on the new regulations because we have a couple of large farms in the county that want to grow and surpass the 500 animal count.

Supervisor Smitz also attended the Large Animal Class and he just could not imagine milking 1800 cows twice a day. The class was very interesting and he was raised on a farm.

County Executive Appointment.

2. William Glembocki to serve on the Kenosha County Zoning Board.

Chairman Elverman referred County Executive Appointment 2 to Highway & Parks Committee.

NEW BUSINESS

Ordinances - one reading.

**ORDINANCE 19**

19. From Land Use Committee regarding John C. Mankowski and Scott Badgerow, requesting rezoning from A-2 General Agricultural District to R-2 Suburban Single-Family Residential in the Town of Somers.

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 #80-4-222-021-0220 located in the northeast quarter of Section 2, Township 2 North, Range 22 East, Town of Somers be changed from A-2 General Agricultural District to R-2 Suburban Single-Family Residential District. For informational purposes only, this property is located on the east side of County Trunk Highway "M" (Old Green Bay Road) approximately 0.17 miles south of the intersection of County Trunk Highway "KR" (1<sup>st</sup> Street).

**John C. Mankowski and Scott Badgerow - (Owners)**

**Description:** Part of the northeast quarter and the northwest quarter of Section 2, Town 2 North, Range 22 East of the Fourth Principal Meridian; lying and being in the Town of Somers, Kenosha County, Wisconsin and being more particularly described as: Commencing at the southwest corner of the northeast quarter of said Section 2; thence north 89°26'45" east along the south line of said quarter section 1371.30 feet; thence north 01°58'48" west 1093.06 feet; thence north 89°52'00" west 486.74 feet to the point of beginning; thence continue north 89°52'00" west 926.38 feet to the easterly right-of-way line of Old Green Bay Road; thence southwesterly 409.82 feet along said right-of-way line; which is the arc of a curve concave to the northwest; said curve having a central angle of 17°44'40", a radius of 1323.26 feet and a chord which bears south 88°54'48" west 408.18 feet; thence south 89°52'00" east 1153.33 feet; thence north 00°08'00" east 339.27 feet to the point of beginning; 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 Ordinance 19. Seconded by Supervisor Gorlinski.

Motion carried.

**ORDINANCE 20**

20. From Land Use Committee regarding Michael A. Nelson, requesting rezoning from I-1 Institutional District to A-1 Agricultural Preservation District and

from A-1 Agricultural Preservation District to I-1 Institutional 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 part of Tax Parcel #35-4-121-133-0110 located in the southwest quarter of Section 13, Township 1 North, Range 21 East, Town of Bristol be changed from I-1 Institutional District to A-1 Agricultural Preservation District and from A-1 Agricultural Preservation District to I-1 Institutional District. For informational purposes only, this property is located on the north side of County Trunk Highway "C" at the intersection of 128<sup>th</sup> Avenue.

**Michael A. Nelson - (Owner)**

**Descriptions: I-1 Institutional District to A-1 Agricultural Preservation District:**

Part of the southwest quarter of Section 13, 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 north 02°11'05" west along the east line of said quarter section 1061.99 feet; thence south 74°41'29" west 67.77 feet to the point of beginning of the parcel to be herein described; thence continue south 74°41'29" west 256.70 feet; thence north 02°11'05" west parallel to the east line of said quarter section 292.00 feet; thence north 87°48'55" east 250.00 feet; thence south 02°11'05" east parallel to the east line of said quarter section 233.71 feet to the point of beginning; containing 1.50 acres, more or less; subject to easements and restrictions of record.

**A-1 Agricultural Preservation District to I-1 Institutional District:**

Part of the southwest quarter of Section 13, Town 1 North, Range 21 East of the Fourth Principal Meridian; lying and being in the Town of Bristol, Kenosha County, Wisconsin; being more particularly described as: Commencing at the southeast corner of said quarter section; thence north 02°11'05" west along the east line of said quarter section 1061.99 feet to the center line of County Trunk Highway "C" (Wilmot Road); thence south 74°41'29" west along said center line 940.57 feet to the point of beginning of the parcel to be herein described; thence continue south 74°41'29" west along said center line 15.40 feet; thence north 02°11'05" west parallel to the east line of said quarter section 850.84 feet; thence north 87°48'55" east 15.00 feet to the northwest corner of Certified Survey Map No. 1934, a plat of record; thence south 02°11'05" east along the west line of said certified survey map and parallel to the east line of said quarter section 847.34 feet to the center line of aforesaid highway and the point of beginning; containing 12,736.33 square feet, more or less (incl. Highway); 12,228.05 square feet, more or less (excl. highway); 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 Ordinance 20. Seconded by Supervisor Molinaro.

Motion carried.

**ORDINANCE 21**

21. From Land Use Committee regarding Land Use Committee (Sponsor), Bathrick Family Limited Partnership (Owner), requesting rezoning from I-Institutional District to M-2 Heavy Manufacturing 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 part of Tax Parcel #35-4-121-083-0331 located in the southwest quarter of Section 8, Township 1 North, Range 21 East, Town of Bristol, be changed from I-1 Institutional District to M-2 Heavy Manufacturing District. For informational purposes only, this property is located on the northwest corner of the intersection of 196<sup>th</sup> Avenue and 84<sup>th</sup> Street.

**Land Use Committee - (Sponsor)**

**Bathrick Family Limited Partnership - (Owner)**

**Description:** Part of the southwest quarter of Section 8, 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 on the east line of said quarter section at a point north 00°12' west 1379.50 feet from the southeast corner thereof; thence south 88°08'30" west along and upon the southerly line of the abandoned C & NW Rwy. Co. right-of-way 1330.50 feet and to the point of beginning of the parcel to be herein described; said point of beginning being the intersection of the south line of said abandoned right-of-way with the west line of 196<sup>th</sup> Avenue; thence south 00°12' east along and upon the west line of 196<sup>th</sup> Avenue 221.69 feet and to a point of curve in said line; thence southerly 182.57 feet along and upon the arc of a curve concave to the east, said curve having a central angle of 24°09'30" a radius of 433.00 feet and a chord which bears south 12°16'45" east a distance of 181.20 feet; thence south 88°08'30" west 287.97 feet; thence north 00°12' west 400.00 feet and to the southerly line of said abandoned right-of-way; thence north 88°08'30" east along and upon said southerly line 250.00 feet and 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

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

Motion carried.

Chairman Elverman stated Resolution 40 would be taken before Resolution 39.

Resolutions - one reading.

#### **RESOLUTION 40**

40. From Committee of the Whole regarding Establishing Compensation Package for Elected Officials and Salary for the County Board for the term 2006-2008.

**WHEREAS**, Section 3.01 (1) (b) of the Kenosha County Municipal Code provides that compensation for County Board Supervisors shall be determined via the adoption of a resolution by a majority of the entire board prior to the filing of nomination papers in the year preceding the election of supervisors, and

**WHEREAS**, the County Board of Supervisors have met and discussed these compensation issues, and

**NOW, THEREFORE, BE IT RESOLVED** that the compensation package for the Kenosha County Board of Supervisors and elected officials (County Executive, Sheriff, Clerk of Circuit Court, County Clerk, Register of Deeds and Treasurer) be adopted as follows:

- For the purpose of its own compensation and that of the elected officials, the County Board of Supervisors separates the Flexible Spending Account from the Kenosha County Employee Health Benefit Plan;
- Each County Board Supervisor will earn \$6,000 in each year of the two year term and have access to a Flexible Spending Account commencing the next term of office for the duration of the term;

- The County Board Chairman will earn \$12,000 in each year of the two year term and have access to a Flexible Spending Account commencing the next term of office for the duration of the term;
- Each County Board Supervisor and elected official may contribute a total of three-thousand dollars (\$3,000) of county-paid wages into the Flexible Spending Account, provided said supervisor earns more than the annual minimum wage from sources other than Kenosha County; and
- Each County Board Supervisor and elected official is eligible to enroll in the "E" level Kenosha County Employee Health Benefit, at a monthly premium of \$25 for a single plan and \$60 for a family plan, commencing the next term of office for the duration of the term.

**BE IT FURTHER RESOLVED**, that there shall be no change in per diem or other benefits to which the Board has been entitled to or eligible for, or to which the Board is otherwise entitled to, except as herein set forth.

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors directs the Division of Personnel Services and the Division of Finance to conduct a complete analysis of the compensation packages for all elected officials, inclusive of cost-sharing alternatives and the possible elimination of the county contribution to the Flexible Spending Account for such elected officials as well as for all county employees and submit detailed options for an amended compensation plan to the Administration and Finance Committees by April, 2007.

Submitted by:

ADMINISTRATION COMMITTEE

FINANCE COMMITTEE

David Singer

Robert Carbone

Joseph Clark

Mark Wisnefski

Anita Faraone

Terry Rose

Janice Marrelli

Anita Faraone

Thomas Kerkman

Mark Modory

It was moved by Supervisor Singer to adopt Resolution 40. Seconded by Supervisor Faraone.

It was moved by Supervisor Grady to amend Resolution 40 to reduce per diem to \$1.00 per day. Seconded by Supervisor Rose.

It was moved by Supervisor Wisnefski to close debate. Seconded by Supervisor R. Johnson.

Roll call vote.

2/3 vote required.

Ayes: Supervisors Grady, Rossow, Wipper, Marrelli, Carbone, Faraone, R. Johnson, Michel, O'Day, Singer, Wisnefski, Noble, West, Kerkman, Gorlinski, Ekornaas.

Nays: Supervisors Elverman, Rose, Kessler, Modory, Moore, Molinaro, Carey-Mielke, Clark, Smitz.

Abstain: Supervisor Booth.

Ayes. 16. Nays. 9. Abstain. 1.

Motion lost.

Debate continued.

It was moved by Supervisor Gorlinski to close debate. Seconded by Supervisor Wisnefski.

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

Nays: Supervisors Elverman, Moore.

Ayes. 24. Nays. 2.

Motion carried.

Roll call vote on Amendment.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Booth, Moore, Molinaro, Carey-Mielke, Gorlinski, Smitz.

Nays: Supervisors Kessler, Wipper, Marrelli, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, Wisnefski, Clark, Noble, West, Kerkman, Ekornaas.

Ayes. 10. Nays. 16.

Motion lost.

It was moved by Supervisor Rose to eliminate the County's contribution to the flex account for County Board Supervisors. Seconded by Supervisor Clark.

It was moved by Supervisor Clark to close debate. Seconded by Supervisor Faraone.

Roll call vote.

Ayes: Supervisors Grady, Rossow, Kessler, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Moore, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Smitz, Ekornaas.

Nays: Supervisors Elverman, Rose, Singer, Molinaro, Kerkman.

Ayes. 21. Nays. 5.

Motion carried.

Roll call vote on the amendment.

Ayes: Supervisors Elverman, Rossow, Rose, Kessler, Wipper, Marrelli, Booth, Modory, Michael, Moore, Molinaro, Carey-Mielke, Clark, Noble, Gorlinski, Smitz.

Nays: Supervisors Grady, Carbone, Faraone, R. Johnson, O'Day, Singer, Wisnefski, West, Kerkman, Ekornaas.

Ayes. 16. Nays. 10.

Motion carried.

It was moved by Supervisor Rose to amend the elimination of the County's contribution to the flex account to include all elected officials. Seconded by Supervisor Moore.

Roll call vote.

Ayes: Supervisors Elverman, Grady, Rose, Kessler, Booth, Modory, O'Day, Singer, Moore, Molinaro, Carey-Mielke, Noble, West, Kerkman, Ekornaas.

Nays: Supervisors Rossow, Wipper, Marrelli, Carbone, Faraone, R. Johnson, Michel, Wisnefski, Clark, Smitz.

Ayes. 16. Nays. 10.

Motion carried.

It was moved by Supervisor Gorlinski to amend Resolution 40 to have all elected officials contribute 10% of the premium. Seconded by Supervisor Kessler.

It was moved by Supervisor Kerkman to close debate. Seconded by Supervisor R. Johnson.

Roll call vote.

Ayes: Supervisors Grady, Rossow, Rose, Kessler, Wipper, Marrelli, Booth, Carbone, Faraone, R. Johnson, Michel, O'Day, Moore, Wisnefski, Carey-Mielke, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Nays: Supervisors Elverman, Modory, Singer, Molinaro, Clark, Noble.

Ayes. 20. Nays. 6.

Motion carried.

Roll call on all elected officials paying 10% of the Health Premiums.

Ayes: Supervisors Elverman, Rossow, Rose, Kessler, Booth, Marrelli, Michel, Moore, Molinaro, Carey-Mielke, Noble, West, Gorlinski, Smitz.

Nays: Supervisors Grady, Wipper, Carbone, Modory, Faraone, R. Johnson, O'Day, Singer, Wisnefski, Clark, Kerkman, Ekornaas.

Ayes. 14. Nays. 12.

Motion carried.

It was moved by Supervisor Rose to Amend Resolution 40 by reducing the chairman's pay to \$6,000. Seconded by R. Johnson.

Roll call vote.

Ayes: Supervisor Rose.

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

Ayes. 1. Nays. 25.

Motion lost.

It was moved by Supervisor O'Day to amend the Chairman's salary to \$8,000. Seconded by Supervisor Faraone.

Ayes: Supervisor Modory, O'Day.

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

Ayes. 2. Nays. 25.

Motion lost.

It was moved by Supervisor Singer to increase the Supervisors pay to \$8,000. Seconded by Supervisor Ekornaas.

Roll call vote.

Ayes: Supervisor Singer, Faraone, Wisnefski, West, Kerkman, Ekornaas.

Nays: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Wipper, Marrelli, Booth, Carbone, Modory, R. Johnson, Michel, O'Day, Moore, Molinaro, Carey-Mielke, Clark, Noble, Gorlinski, Smitz.

Ayes. 6. Nays. 20.

Motion lost.

Roll call vote on Resolution 40 as amended.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Marrelli, Booth, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, Moore, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Gorlinski, Smitz, Ekornaas.

Nays: Supervisors Wipper, Carbone, Kerkman.

Ayes. 23. Nays. 3.

Motion carried.

#### **RESOLUTION 39**

39. From Administration and Finance Committee regarding Establishing County Executive Salary for the Term 2006-2010.

**WHEREAS**, Wisconsin Statute 59.17(4) specifies that levels of compensation for County elected officials are to be determined prior to the filing of nomination papers, and

**WHEREAS**, the Kenosha County Board of Supervisors has reviewed compensation issues relative to the County Executive, Sheriff, Clerk of Circuit Court, Register of Deeds, County Clerk and Treasurer.

**NOW, THEREFORE, BE IT RESOLVED** that the compensation package for the 2006 - 2010 term of the Kenosha County Executive be adopted as follows:

- The County Executive will receive the following salaries:
  - o Effective April, 2006 \$85,243
  - o Effective April, 2007 \$87,588
  - o Effective April, 2008 \$89,777
  - o Effective April, 2009 \$92,022;

**BE IT FURTHER RESOLVED**, that there shall be no change in compensation or other benefits to which the county executive has been eligible for, or to which the county executive has otherwise been entitled to, except as herein stated or as stated in **Resolution 40**.

**BE IT FURTHER RESOLVED**, the compensation package for the Kenosha County Sheriff, Clerk of Circuit Court, County Clerk, Register of Deeds and Treasurer will be presented to the County Board of Supervisors in April, 2006.

Submitted by:

ADMINISTRATION COMMITTEE

David Singer

Joseph Clark

Anita Faraone

Thomas Kerkman

Janice Marrelli

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor Singer to approve Resolution 39. Seconded by Supervisor Carbone.

It was moved by Supervisor Noble to add a friendly amendment to Resolution 39 stating in the last paragraph:

**BE IT FURTHER RESOLVED**, the salary for the Kenosha County Sheriff, Clerk of Circuit Court, County /Clerk, register or Deeds and Treasurer will be

presented to the County Board of Supervisors in April, 2006. Seconded by Supervisor by Supervisor Rose.  
Motion carried unanimously.

**RESOLUTION 41**

41. From Finance Committee regarding granting a permanent easement on County owned Parcel #66-4-120-291-2030 to Wisconsin Electric Power Co. d/b/a WE Energies, Verizon North Inc. and Time Warner Entertainment Co.

**WHEREAS**, Wisconsin Electric Power Co., a Wisconsin Corporation doing business as WE Energies, Verizon North Inc. & Time Warner Entertainment Co. request a permanent easement upon Parcel # 66-4-120-291-2030 and,

**WHEREAS**, the purpose of this easement is to install, maintain & replace underground utility facilities, conduit & cables, electric pad, mounted transformers, concrete slabs, pedestals, terminals & markers, together with all necessary & appurtenant equipment under & above ground as deemed necessary, and

**WHEREAS**, the elevation of the existing ground surface within the easement area will not be altered more than 4 inches without written consent, the entity laying the line will hold us harmless if our employees or agents accidentally cut the line and the entity will move the line, at their expense, (temporarily or permanently) if future needs of Kenosha County require such a relocation and

**WHEREAS**, Kenosha County owns said parcel which is wetland & not saleable, and

**NOW THEREFORE BE IT RESOLVED** that Kenosha County grant the easement of such parcel per attached exhibit A.

Submitted by:  
FINANCE COMMITTEE  
Robert Carbone  
Terry Rose  
Mark Wisnefski  
Anita Faraone  
Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 41. Seconded by Supervisor Faraone.  
Motion carried.

**RESOLUTION 42**

42. From Judiciary & Law Committee regarding Probationary Cabaret License - Otto's Hideaway.

**WHEREAS**, the application of Tom Otto for a probationary cabaret license for Otto's Hideaway, 23601 84<sup>th</sup> Street, Salem, Wisconsin, in the Town of Salem was made during the month of July 2005 and was turned over to this office on July 12, 2005, and

**WHEREAS**, the Kenosha Sheriff's Department has conducted an inspection of the premises, and

**WHEREAS**, the premises were found to be in conformity with the Cabaret Ordinance Number 8.02 and

**NOW, THEREFORE, BE IT RESOLVED** that because this is the initial application by the license holder, a probationary license be granted to Tom Otto, for Otto's Hideaway.

Submitted by:  
JUDICIARY AND LAW ENFORCEMENT COMMITTEE  
Brenda Carey-Mielke  
Terry Rose  
William Michel II

It was moved by Supervisor Carey-Mielke to adopt Resolution 42. Seconded by Supervisor Rose.  
Motion carried.

**RESOLUTION 43**

43. From Land Use Committee regarding Final Plat of Chaucer Woods Subdivision, Red Wing Land Company (Developer), located in the Town of Bristol.

**WHEREAS**, at a regularly held public hearing of the Kenosha County Land Use Committee meeting on September 14, 2005 review was given to the Final Plat of Chaucer Woods Subdivision located on Tax Parcels #35-4-121-181-0100 and #35-4-121-181-0200 in the northeast quarter of Section 18, Township 1 North, Range 21 East, Town of Bristol. For informational purposes only, these properties are



located on the southwest corner of the intersection of County Trunk Highway "AH" (85<sup>th</sup> Street) and U.S. Highway "45" (200<sup>th</sup> Avenue).

**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 Bristol recommended approval of Final Plat of Chaucer Woods Subdivision subject to the conditions presented in (Exhibit 1, on file in the Department of Planning and Development) and subject to the signing of 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 Chaucer Woods Subdivision subject to the conditions as approved by the Land Use Committee.

Submitted by:

Land Use Committee

Donald Smitz

Thomas Gorlinski

Mark Molinaro

Fred Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Resolution 43. Seconded by Supervisor Marrelli.

Roll call vote.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, Moore, Molinaro, Wisniewski, Carey-Mielke, Clark, Noble, West, Gorlinski, Smitz, Ekornaas.

Nays: Supervisor Kerkman.

Ayes. 24. Nays. 1.

Motion carried.

#### **RESOLUTION 44**

44. From Land Use Committee regarding Final Plat of Golf Glen Estates Subdivision, Golf Glen Estates LLC, c/o Gadi Cohen, located in the Town of Somers.

**WHEREAS**, at a regularly held public hearing of the Kenosha County Land Use Committee meeting on September 14, 2005 review was given to the Final Plat of Golf Glen Estates Subdivision located on Tax Parcels #81-4-223-072-0150 and #81-4-223-072-0160 in the northwest quarter of Section 7, Township 2 North, Range 23 East, Town of Somers. For informational purposes only, these properties are located on the southeast corner of the intersection of County Trunk Highway "A" (7<sup>th</sup> Street) and County Trunk Highway "Y" (22<sup>nd</sup> Avenue).

**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 Golf Glen Estates Subdivision subject to the conditions presented in (Exhibit 1, on file in the Department of Planning and Development) and subject to the signing of 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 Golf Glen Estates Subdivision subject to the conditions as approved by the Land Use Committee.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas Gorlinski

Mark Molinaro

Fred Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt resolution 43. Seconded by Supervisor Molinaro.

Roll call vote.

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

Nays: Supervisor Kerkman.

Ayes. 24. Nays. 1.

Motion carried.

#### **RESOLUTION 45**

45. From Land Use Committee regarding Supporting a Cooperative Planning Process Among Kenosha County, Participating Local Governments, and SEWRPC to Prepare a Multi-Jurisdictional Comprehensive Plan and Apply for a 2006 Planning Grant from the State of Wisconsin.

**WHEREAS**, Section 66.1001 of the Wisconsin Statutes sets forth requirements for the preparation of county and local comprehensive plans; and

**WHEREAS**, the comprehensive planning law effectively requires that comprehensive plans be completed and adopted by counties, cities, towns, and villages by January 1, 2010, in order for a county or local government to engage in zoning, subdivision control, or official mapping regulations and activities; and

**WHEREAS**, a cooperative approach among Kenosha County, local governments interested in partnering with the County, and the Southeastern Wisconsin Regional Planning Commission (SEWRPC) will result in the preparation of County and local comprehensive plans that meet State requirements and local, County, and regional needs in an efficient and cost-effective manner; and

**WHEREAS**, a proposed cooperative planning process was described during a series of meetings held between Kenosha County and interested cities, towns, and villages beginning on April 28, 2004, whereby the County would contract with SEWRPC to develop a multi-jurisdictional comprehensive plan for Kenosha County and comprehensive plans for participating cities, towns, and villages; and

**WHEREAS**, Kenosha County will apply for a 2006 comprehensive planning grant from the Wisconsin Department of Administration under Chapter Adm 48 of the Wisconsin Administrative Code to help fund preparation of a multi-jurisdictional comprehensive plan for Kenosha County and comprehensive plans for participating local governments; and

**WHEREAS**, the grant award will be paid to SEWRPC to prepare comprehensive plans for the County and participating cities, towns, and villages, with required matching funds to be provided equally by the County and SEWRPC.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors hereby agrees to sponsor and participate in the development of a Multi-jurisdictional Comprehensive Plan for Kenosha County in cooperation with participating local governments and SEWRPC, provided the County is awarded a comprehensive planning grant by the State of Wisconsin; and

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors hereby authorizes the submission of a multi-jurisdictional grant application to the Wisconsin Department of Administration to help fund the preparation of a multi-jurisdictional comprehensive plan for Kenosha County and comprehensive plans for participating local governments; and

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors hereby authorizes the County Executive to execute all cooperative agreements with participating local units of government, and to sign the grant application on behalf of the County.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas Gorlinski

Mark Moliaro

Fred Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Resolution 45. Seconded by Supervisor Gorlinski.

Motion carried.

COMMUNICATIONS

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

Chairman Elverman referred Communication to Land Use Committee.

CLAIMS

14. William Anderson - car damage at Brighton Dale Golf Course.

15. SBC - damaged pedestal by county employee mowing the area.

Chairman Elverman referred Claims 14 & 15 to Corporation Counsel.

It was moved by Supervisor R. Johnson to approve the September 6 & 15, 2005 minutes. Seconded by Supervisor Faraone.

Motion carried.

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

Meeting adjourned at 10:23 P.M.

Prepared by: Pam Young  
Chief Deputy

Submitted by: Edna R. Highland  
County Clerk