

*Kenosha*



*County*

## COUNTY BOARD OF SUPERVISORS

### NOTICE OF MEETING

NOTE: UNDER THE KENOSHA COUNTY BOARD OF RULES OF PROCEDURE ANY REPORT, RESOLUTION, ORDINANCE OR MOTION APPEARING ON THIS AGENDA MAY BE AMENDED, WITHDRAWN, REMOVED FROM THE TABLE, RECONSIDERED OR RESCINDED IN WHOLE OR IN PART AT THIS OR AT FUTURE MEETINGS. NOTICE OF SUCH MOTIONS TO RECONSIDER OR RESCIND AT FUTURE MEETINGS SHALL BE GIVEN IN ACCORDANCE WITH SEC. 210(2) OF THE COUNTY BOARD RULES. FURTHERMORE, ANY MATTER DEEMED BY A MAJORITY OF THE BOARD TO BE GERMANE TO AN AGENDA ITEM MAY BE REFERRED TO THE PROPER COMMITTEE. ANY ITEM SCHEDULED FOR THE FIRST OF TWO READINGS IS SUBJECT TO A MOTION TO SUSPEND THE RULES IN ORDER TO PROCEED DIRECTLY TO DEBATE AND VOTE. ANY PERSON WHO DESIRES THE PRIVILEGE OF THE FLOOR PRIOR TO AN AGENDA ITEM BEING DISCUSSED SHOULD REQUEST A COUNTY BOARD SUPERVISOR TO CALL SUCH REQUEST TO THE ATTENTION OF THE BOARD CHAIRMAN.

**NOTICE IS HEREBY GIVEN the Regular County Board Meeting of the Kenosha County Board of Supervisors will be held on Tuesday, September 15, 2020 at 7:30PM., at the Kenosha County Job Center, Use Entrance D. The following will be the agenda for said meeting:**

- A. Call To Order By Chairman O'Day
- B. Pledge Of Allegiance
- C. Roll Call Of Supervisors
- D. Citizen Comments
- E. Announcements Of The Chairman
- F. Supervisor Reports
- G. OLD BUSINESS

27. From The Human Service Committee - A Resolution To Amend Resolution No. 92 Which Amended Resolution No. 150 Which Created The Kenosha County Health Department, The Kenosha County Board Of Health And The Kenosha County Health Office Pursuant To Wis. Stat. 252 And Certain Agreements Between The City Of Kenosha And The County Of Kenosha.

Documents:

[BOARD OF HEALTH BYLAWS.PDF](#)

#### H. NEW BUSINESS

##### I. Ordinance - One Reading

16. From The Planning, Development & Extension Education Committee An Ordinance Regarding Elmer R. Weis Requests An Amendment To The Adopted Land Use Plan Map For Kenosha County: 2035 (Map 65 Of The Comprehensive Plan) From "Farmland Protection" & "Non-Farmed Wetland" To "Farmland Protection", "Suburban-Density Residential" & "Non-Farmed Wetland", Town Of Paris

Documents:

[ORD WEIS CPA.PDF](#)

17. From The Planning, Development & Extension Education Committee An Ordinance Regarding Elmer R. Weis Requests A Rezoning A-1 Agricultural Preservation Dist. To A-1 Agricultural Preservation Dist., R-2 Suburban-Density Residential Dist. & Agricultural Preservation Planned Unit Development Overlay Dist., Town Of Paris

Documents:

[ORD WEIS REZONE.PDF](#)

18. From The Planning, Development & Extension Education Committee An Ordinance Regarding Bernadette M. Viskocil Trust (Owner), PDEEC (Sponsor) Requesting A Rezoning From R-3 Urban Single-Family Residential & C-1 Lowland Resource Conservancy To R-3 Urban Single-Family Residential & C-1 Lowland Resource, Town Of Randall

Documents:

[ORD VISKOCIL.PDF](#)

#### J. Resolution - One Reading

33. From The Executive Committee A Resolution Addressing The Recent Civil Unrest And Charting A Path Forward

Documents:

[RESOLUTION 09-11-20 ON REBUILDING.PDF](#)

34. From The Finance & Administration Committee A Resolution - 2020 County Clerk Resolution To Recognize Additional Revenue And Modify Expenditure Budgets For Equipment And Services Through The 2020 Help America Vote Act 2002 (HAVA) Grant

Documents:

[RES HAVA.PDF](#)

35. From The Human Services And Finance & Administration Committees A Resolution To Modify The Division Of Children & Family Services 2020 Budget For A Grant: The Foster Family Support Network

Documents:

[RES DCFS GRANT.PDF](#)

36. From The Human Services Committee - A Resolution To Approve The Appointment Of Jerry Gulley To The Racine Kenosha Community Action Agency Board

Documents:

[GULLEY RKCAA.PDF](#)

37. From The Planning, Development & Extension Education Committee A Resolution - Request To Approve The Appointment Of Christopher Brown To The Kenosha County  
Zoning Board Of Adjustment

## Zoning Board Of Adjustments

### Documents:

[RES BROWN APPOINTMENT.PDF](#)

38. From The Planning, Development & Extension Education Committee A Resolution Regarding The Request Of Elmer R. Weis Requesting Amendment To The Adopted Land Use Plan Map For Kenosha County: 2035 (Map 65 Of The Comprehensive Plan) From "Farmland Protection" & "Non-Farmed Wetland" To "Farmland Protection", "Suburban-Density Residential" & "Non-Farmed Wetland", Town Of Paris

### Documents:

[RES WEIS CPA.PDF](#)

39. From The Public Works & Facilities And Finance & Administration Committees A Resolution Authorizing The Acquisition Of Right Of Way And The Construction Of Transportation Improvements At The Intersection Of Kenosha County Trunk Highways U And Q

### Documents:

[RES HWY U AND Q.PDF](#)

40. From The Public Works & Facilities And Finance & Administration Committees A Resolution Authorizing The Acquisition Of Right Of Way And The Construction Of Transportation Improvements At The Intersection Of Kenosha County Trunk Highways U And C

### Documents:

[RES HWY U AND C.PDF](#)

41. From The Public Works & Facilities And Finance & Administration Committees A Resolution To Apply For Funding From The WI Department Of Natural Resources Urban Forestry Grant For The Purpose Of Developing A Natural Resource Inventory And Ecological Restoration Project

### Documents:

[RES WDNR PW.PDF](#)

## K. COMMUNICATIONS

6. Communications From Andy M. Buehler Regarding Future Items Scheduled Before The Planning, Development & Extension Education Committee

### Documents:

[10-14-2020 COMMUNICATIONS SIGNED.PDF](#)

## L. SUMMONS & COMPLAINT

15. Akindes, Walton, Gagliano-Deltgen, Garcia, Et Al - Civic Rights Violations

### Documents:

[SC-12-20 AKINDES, WALTON, ET AL VS CITY KEN AND KEN COUNTY PDF](#)

M. SUPERVISOR COMMENTS

Vice-Chair Yuhas On Correcting Misunderstandings And Misconceptions About The Board's Response To Recent Events.

N. Approval Of The August 18, 2020 Regular County Board Meeting Minutes And The September 8, 2020 Committee Of The Whole Minutes By Supervisor Decker

O. Adjourn




# Kenosha



# County

## BOARD OF SUPERVISORS

RESOLUTION NO. \_\_\_\_\_

Subject: Resolution To Amend Resolution No. 92 Which Amended Resolution No. 150 Which Created The Kenosha County Health Department, The Kenosha County Board of Health And The Kenosha County Health Office Pursuant to Wis. Stat. 252 And Certain Agreements Between The City of Kenosha And The County of Kenosha.			
Original <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: _____, 2020		Date Resubmitted: _____	
Submitted By Human Services Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Jen Freiheit, Health Director		Signature: 	

WHEREAS, Kenosha County has provided public health services to the City and County of Kenosha by agreement of the two municipal corporations since 1992, the date of Resolution No. 150, and

WHEREAS, Kenosha County amended that original resolution in 2008 (Resolution No. 92) pursuant to Chapter 251 of the Wisconsin Statutes, enacted in 1993 and replacing Chapter 140.09 Wisconsin Statutes and

WHEREAS, The County Board of Health shall consist of not more than nine members, appointed by the County Executive, subject to confirmation by the County Board and

WHEREAS, By statute in Sec. 251.03(1) of the Wisconsin Statutes, at least three of these members shall be persons who are not elected officials or employees of the governing body that establishes the local health department and who have demonstrated interest or competence in the field of public health or community health and a good faith effort shall be made to appoint a registered nurse and a physician and

WHEREAS, The optimal makeup for the Kenosha County Board of Health would include two physicians practicing in the County, a registered nurse, a representative from the City of Kenosha, two persons with backgrounds and appropriate education credentials in fields representing the social determinants of health such as law enforcement, housing, transit and commerce, a County Board member, and members of good standing in their profession with backgrounds in science or public health including one local practicing dentist and

WHEREAS, Members of the local board of health shall reflect the diversity of the community and, as such, at least six members would optimally not be elected officials or employees of the governing body establishing the local health department and

## Resolution Regarding The Kenosha County Board of Health

WHEREAS By statute, the terms for the Board of Health members shall be for a period of five years with the membership in staggered terms and

WHEREAS The membership on the Board of Health is required by statute meet at least quarterly and assure that measures are taken to provide an environment in which individuals can be healthy but Kenosha County Board of Health intends to meet monthly, require knowledgeable membership through staff education, emphasize accountability and attendance, take care to avoid conflicts of interest, abide by the County Ethics Code and follow the Open Meetings Law,

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve the amendment of Resolution No. 92 in accordance with Chapter 251 as may be amended from time to time with the best practices as outlined in the attached bylaws are the rule of operation and

FURTHER That the County Executive submit to the County Board the names of those needed to fill Board of Health positions as vacancies occur or as appropriate to fulfill the requirements of this resolution

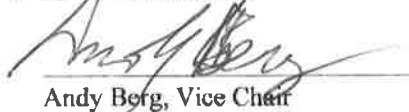
Approved by:

HUMAN SERVICES  
COMMITTEE

Aye No Abstain Excused

  
Laura Belsky, Chair

☒ ☐ ☐ ☐

  
Andy Berg, Vice Chair

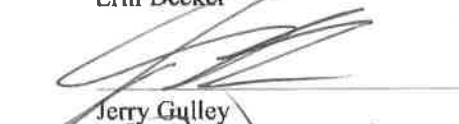
☒ ☐ ☐ ☐

  
Sandra Beth

☒ ☐ ☐ ☐

  
Erin Decker

☒ ☐ ☐ ☐

  
Jerry Gulley

☒ ☐ ☐ ☐

  
David Celebre

☒ ☐ ☐ ☐

  
Lon Wienke

☐ ☐ ☐ ☒

Defers  
to  
6/18/20

**Kenosha County  
Administrative Proposal Form**

**1. Proposal Overview**

Division: Health Department: Human Services

Proposal Summary (attach explanation and required documents):

This Resolution will update and allow flexibility for the Board of Health Bylaws.

Specifically, it allows membership on the Board to be flexible as State Statute allows and will aid in keeping membership at capacity and diverse.

Dept./Division Head Signature: John T. Jansen

Date: 6/12/2020

**2. Corporation Counsel Review**

Comments:

These Bylaws have been reviewed and modified with the help of the Board of Health, the Health Director and Corporation Counsel.

Recommendation: Approval ☒ Non-Approval ☐

John Moyer Signature: John F. Moyer

Date: 6/9/20

**3. Health Department Review**

Comments:

Recommendation: Approval ☐ Non-Approval ☐

Health Dept.  
Signature: Grace Freckert

Date:

6/12/2020

**4. County Executive Review**

Comments:

Action: Approval ☒ Non-Approval ☐

Executive Signature: Tim Kleuser

Date:

6/18/20

# **Bylaws for Kenosha County Board of Health**

## **Article 1: Name**

**1.1** The name of this board shall be the Kenosha County Board of Health, hereinafter referred to as the Board.

## **Article 2: Authority**

**2.1** The Board is established pursuant to Wis. Stat. §§ 251.04(1) and 251.01(2)(a) and Kenosha County 1992 Resolution No. 150, later amended by 2008 Resolution 92. Under state law, the Board is the advisory and policy-making body for the Kenosha County Division of Health and shall advise the Kenosha County Division of Health.

**2.2** The Board adopts these Bylaws pursuant to its authority under Wis. Stat. § 251.04(3) to adopt regulations for its own guidance and for the local health department. The Board's Bylaws may be no less stringent than, and may not conflict with, state statutes and rules of the Wisconsin Department of Health Services ("DHS").

## **Article 3: Powers and Duties**

**3.1** The Board's powers and duties are established by state law and set forth in Wis. Stat. § 251.04 as may be amended from time to time.

## **Article 4: Composition**

**4.1** The composition of the Board members is prescribed in part by Wis. Stat. § 251.03. A local board of health shall consist of not more than 9 members, at least 3 shall not be elected officials or employees of the governing body. A good faith effort shall be made to appoint a registered nurse and a physician. Members of the local board of health shall reflect the diversity of the community.

**4.2** For Kenosha County, in addition to the above, member make up will consist of: one City of Kenosha appointed representative, one Kenosha County Board member, and the balance with efforts to recruit persons with backgrounds and appropriate education credentials in fields representing the social determinants of health, including, but not limited to law enforcement, mental health, housing, transit, and commerce, and persons with backgrounds in science or public health. Board members shall be current members in good standing of the professional associations representing their respective professions.

**4.3** The Kenosha County Executive shall appoint members to the Board of Health, subject to confirmation by the county board of supervisors. Upon any vacancy, names can be submitted to the County Executive who will make the final determination. The term of service on the Board of Health shall be for five years and the appointment to the Board shall provide for staggered terms as may be amended from time to time by State Statute.

**4.4** Board officers shall be elected by the Board at the Board's Annual Meeting in January of each year, or upon vacancy, and shall include a President and Vice-President. No one Board member can serve in the same officer role for more than three consecutive one-year terms.

**4.5** The President shall:

- a. Preside at all meetings of the full Board and enforce the parliamentary rules.
- b. Have the authority to vote on all matters, except as otherwise prohibited by law.

- c. Call special meetings of the Board whenever there is enough business to come before the Board, upon written request of at least three (3) members of the Board, or upon written request of the Health Officer/Director.
- d. Advise the Health Officer/Director, or their designee, on agenda preparation for the meetings.
- e. Sign all papers and documents as required by law or as authorized by action of the Board.
- f. Exercise such other powers as may be delegated by the Board.
- g. The President, in consultation with the Vice-President, will designate a Board member to preside over meetings of the full Board, and enforce the parliamentary rules in the absence of the President and Vice-President.

**4.6** The Vice-President shall, in the absence of the President, serve in the capacity and assume the duties of the President, taking actions appropriate to fulfill said responsibilities.

**4.7** Committees which include non-Board members may be created by Board action with a simple majority vote. The size, membership, and responsibilities of these committees are determined by the Board. These committees may also be subject to the Open Meetings Law, Wis. Stat. § 19.81, *et. seq.*

**4.8** No member of the Board can bind the Board by word or action unless the Board has, in its capacity as advising body, designated such member as its agent for some specific purpose and for that purpose only.

**4.9** Each Board member shall participate in orientation upon appointment.

- a. Board of Health members are expected to become knowledgeable about the duties, operations, and functions of the Division of Health/Health Department through reading of materials, consultation with the Health Officer/Director, Health Department staff presentations, membership in the Wisconsin Association of Local Health Departments and Boards (WALHDAB), and, when available, participation in State of Wisconsin Department of Health Services training and/or conferences.

## Article 5: Meetings

**5.1** The Board shall hold its regular meetings as frequently as determined by the Board, but minimally quarterly. All meetings of the Board must abide by Wisconsin's Open Meetings Law, Wis. Stat. § 19.81, *et. seq.*

**5.2** The Health Officer/Director, or their designee, shall prepare the agenda for the Board in consultation with, and at the direction of, the President. The order of business as specified on the Agenda for Board meetings may be changed at the discretion of the President.

**5.3** Meetings will follow parliamentary procedure as contained in Robert's Rules of Order.

**5.4** Special meetings may be called either by the President, or, in the case of their absence, the Vice-President, by written request of at least three (3) members of the Board of Health or the Health Officer/Director. Special meetings must adhere to Wisconsin's Open Meetings Law, Wis. Stat. § 19.81, *et. seq.*

**5.5** In all cases, public notice of meetings shall be provided at a time and in a manner consistent with the requirements of Wisconsin's Open Meetings Law, Wis. Stat. § 19.81, *et. seq.*

**5.6** All questions before the Board shall be decided by a majority vote of all members present; however, no meeting shall be counted as official unless a quorum of the members is present. A quorum shall be a majority of the members, or such a number as defined by the Board.



## Article 6: Attendance

**6.1** Board members are expected to provide notice to the Board, through the Health Officer/Director or their designee, if they are unable to attend Board meetings in writing at least 24 hours in advance of the meeting. Reasonable efforts will be made to schedule meetings during times that work for all Board members.

**6.2** Members of the Board may participate in a meeting by means of conference telephone/videoconference or similar communication equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this method shall constitute presence in person at such meeting.

**6.3** A Board member can send a designee to meetings in the member's place, if designated in writing at least 48 hours before the meeting. The designee is not able to vote on behalf of the Board member.

**6.4** Board members who miss four (4) meetings in a row or miss at least half of the meetings in a year may be referred to the County Board with a recommendation that the board member be removed from office under Wis. Stat. § 17.12.

## Article 7: Conflicts of Interest

**7.1** Board members shall avoid all conflicts of interest or the appearance of such conflicts. Most Board members have outside business and professional interests. Board members may not use their position on the Board to further their outside business or employment. Board members shall not accept any gifts, gratuities, trips, personal property, or other items of value from an outside person or organization as an inducement to do business or provide services. Board members shall not abuse their positions by using any services, staff, equipment or property for their personal or family use, or for the use of any organization they are affiliated with.

a. All Board members must complete the Kenosha County Ethics Code for Officials and Employees (Chapter 20) Statement of Economic Interest and Financial Disclosure annually.

b. A member who knowingly has a conflict of interest or believes they have a potential conflict of interest on any matter before the Board shall declare such conflict of interest prior to any discussion of the matter and shall refrain from any participation in discussion, debate, or voting on such matter.

c. The Board shall make a request for a confidential advisory opinion from the Kenosha County Corporation Counsel regarding whether an actual conflict of interest exists under the Kenosha County Ethics Code.

d. Any member who has reason to believe that another member has a potential conflict of interest shall state the potential conflict of interest to the Board, at which point the Board shall make a request for a confidential advisory opinion from the Kenosha County Corporation Counsel regarding whether an actual conflict of interest exists under the Kenosha County Ethics Code. If the Corporation Counsel determines that an actual conflict of interest exists, the member with the conflict shall refrain from any participation in discussion, debate or voting on the matter at issue.

## Article 8: Reimbursement for Expenses of Members of Board of Health

**8.1** Board members shall serve without compensation. Board members *may* be reimbursed for actual, necessary expense incurred in the performance of their duties, such as attendance at conferences or other meetings deemed necessary.

## Article 9: Review and Amendments

**9.1** The Board shall review these Bylaws every two years.

**9.2** These Board Bylaws may be amended, when determined by the Board, by affirmative vote of a majority of all members of the Board, provided that a notice of the proposed changes be sent to each member at least two weeks before the meeting at which the bylaws are to be amended.

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## **Article 9: Effective Date**

**9.1** These Board Bylaws shall become effective and binding upon the Board of Health immediately upon their adoption.

# Kenosha




# County

## BOARD OF SUPERVISORS

ORDINANCE NO. \_\_\_\_\_

Subject: Elmer R. Weis, 17111 38<sup>th</sup> St., Kenosha, WI 53144 (Owner), requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan) from “Farmland Protection” & “Non-Farmed Wetland” to “Farmland Protection”, “Suburban-Density Residential” & “Non-Farmed Wetland” on Tax Parcel # 45-4-221-284-0100, located in the southeast ¼ of Section 28, T2N, R21E, Town of Paris.

Original <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: September 15, 2020		Date Resubmitted:	
Submitted By: Planning Development & Extension Education Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Andy M. Buehler, Director Division of Planning & Development		Signature: 	

AN ORDINANCE TO AMEND  
THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR KENOSHA COUNTY:  
2035 BEING CHAPTER 11 OF THE KENOSHA COUNTY MUNICIPAL CODE

That Tax Parcel #45-4-221-284-0100, located in the southeast ¼ of Section 28, T2N, R21E, Town of Paris, be changed from “Farmland Protection” & “Non-Farmed Wetland” to “Farmland Protection”, “Suburban-Density Residential” & “Non-Farmed Wetland” as presented in the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035.

For informational purposes only, this property is located on the south east corner of the intersection between C.T.H. “N” and C.T.H. “D”.

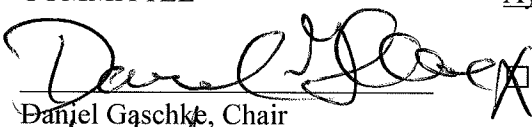
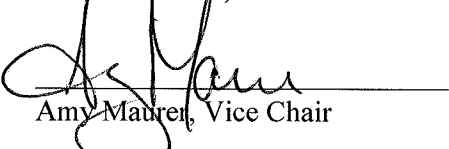
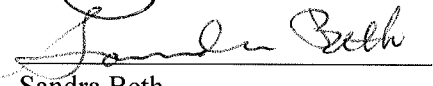
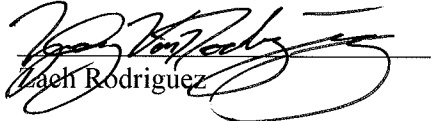
**Elmer R. Weis (Owner)**

**Description:** See Exhibit #1 (attached).

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

Approved by:

PLANNING, DEVELOPMENT  
& EXTENSION EDUCATION  
COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
 Daniel Gaschke, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Amy Mabrey, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Sandra Beth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gabe Nudo				
 Zach Rodriguez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



COMPREHENSIVE PLAN  
AMENDMENT SITE MAP

PETITIONER(S):

Elmer R. Weis (Owner)

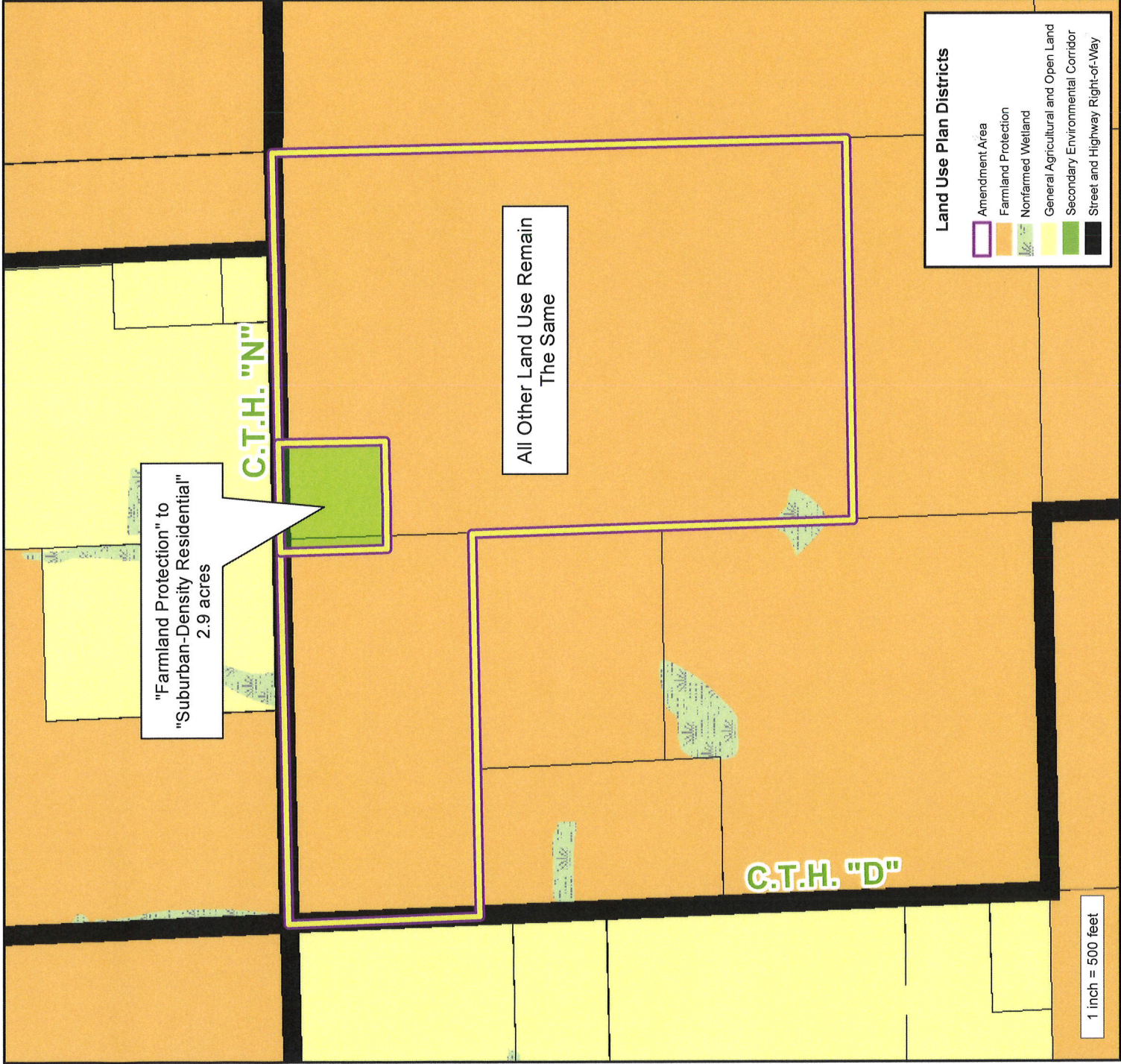
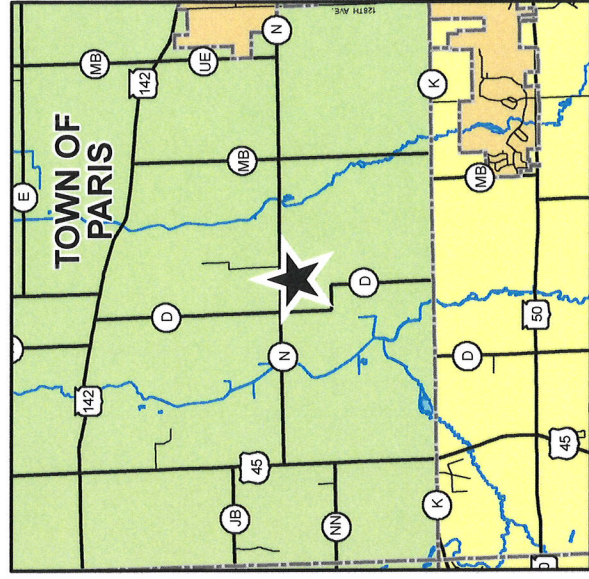
LOCATION:

SE 1/4 of Section 28  
Town of Paris

TAX PARCEL(S): #45-4-221-284-0100

REQUEST:

Requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan) from "Farmland Protection" & "Non-Farmed Wetland" to "Farmland Protection", "Suburban-Density Residential" & "Non-Farmed Wetland".






# Kenosha



# County

## BOARD OF SUPERVISORS

ORDINANCE NO. \_\_\_\_\_

Subject: Elmer R. Weis, 17111 38 <sup>th</sup> St., Kenosha, WI 53144 (Owner), requesting a rezoning from A-1 Agricultural Preservation Dist. to A-1 Agricultural Preservation Dist., & R-2 Suburban-Density Residential Dist. on Tax Parcel #45-4-221-284-0100, located in the southeast ¼ of Section 28, T2N, R21E, Town of Paris.			
Original <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: September 15, 2020		Date Resubmitted:	
Submitted By: Planning Development & Extension Education Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Andy M. Buehler, Director Division of Planning & Development		Signature: 	

### 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 12.02-10 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That the zoning of Tax Parcel #45-4-221-284-0100, located in the southeast ¼ of Section 28, T2N, R21E, Town of Paris, be changed as follows:

from A-1 Agricultural Preservation Dist. to A-1 Agricultural Preservation Dist., & R-2 Suburban-Density Residential Dist.


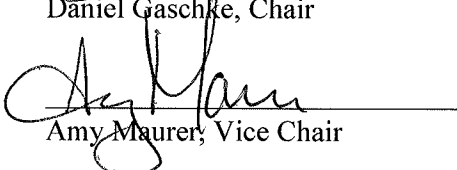

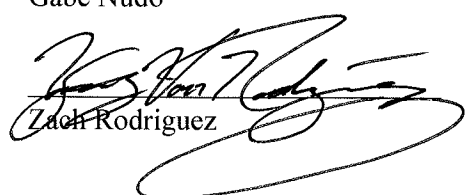
**Elmer R. Weis (Owner)**

**Description:** See Exhibit #1 (attached).

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

Approved by:

PLANNING, DEVELOPMENT  
& EXTENSION EDUCATION  
COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
 Daniel Gaschke, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Amy Maurer, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Sandra Beth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Gabe Nudo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Zach Rodriguez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



REZONING SITE MAP

PETITIONER(S):

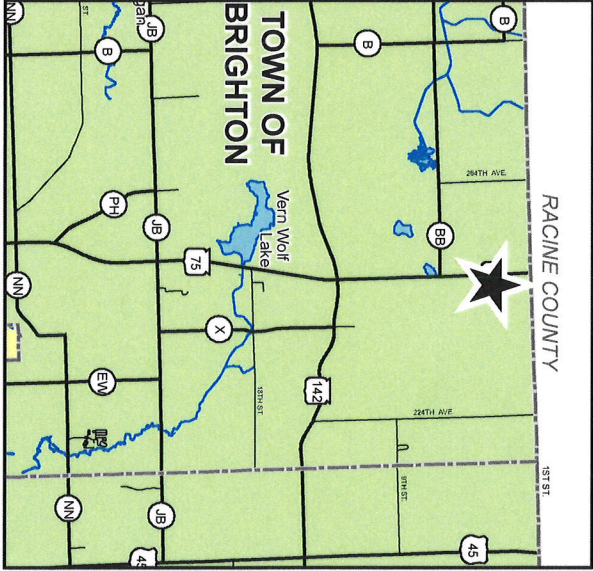
Elmer R. Weis (Owner)

LOCATION: SE 1/4 of Section 28  
Town of Paris

TAX PARCEL(S): #45-4-221-284-0100

REQUEST:

Requesting a rezoning from A-1 Agricultural Preservation Dist. to A-1 Agricultural Preservation Dist., R-2 Suburban-Density Residential Dist & Agriculture Preservation Planned Unit Development Overlay Dist.





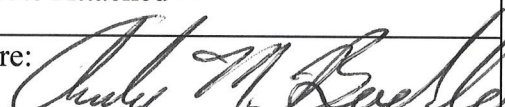
# Kenosha



# County

## BOARD OF SUPERVISORS

ORDINANCE NO. \_\_\_\_\_

Subject: Bernadette M. Viskocil Trust, 10097 Lexington Cir. N, Boynton Beach, FL 33436 (Owner), Kenosha County Planning, Development & Extension Education Committee, 19600 75th Street, Suite 185-3, Bristol, WI 53104 (Sponsor), requesting a rezoning from R-3 Urban Single-Family Residential & C-1 Lowland Resource Conservancy to R-3 Urban Single-Family Residential & C-1 Lowland Resource on Tax Parcel #60-4-119-183-0730 located in the SW ¼ of Section 18, T1N, R19E, Town of Randall.			
Original <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: September 15, 2020		Date Resubmitted:	
Submitted By: Planning Development & Extension Education Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Andy M. Buehler, Director Division of Planning & Development		Signature: 	

### 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 12.02-10 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That the zoning of Tax Parcel #60-4-119-183-0730 located in the SW ¼ of Section 18, T1N, R19E, Town of Randall, be changed as follows:

from R-3 Urban Single-Family Residential & C-1 Lowland Resource Conservancy to R-3 Urban Single-Family Residential & C-1 Lowland Resource

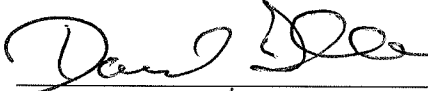
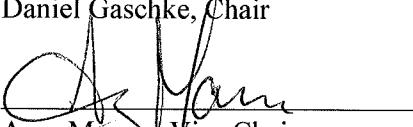

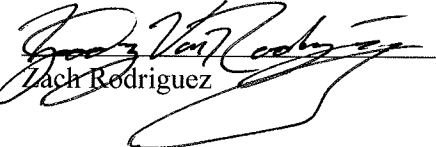
**Bernadette M. Viskocil Trust (Owner)**  
**PDEEC (Sponsor)**

**Description:** See Exhibit #1 (attached).

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

Approved by:

PLANNING, DEVELOPMENT  
& EXTENSION EDUCATION  
COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
 Daniel Gaschke, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Amy Maurer, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Sandra Beth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Gabe Nudo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Zach Rodriguez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



# REZONING SITE MAP

## PETITIONER(S):

Bernadette M. Viskocil Trust (Owner)

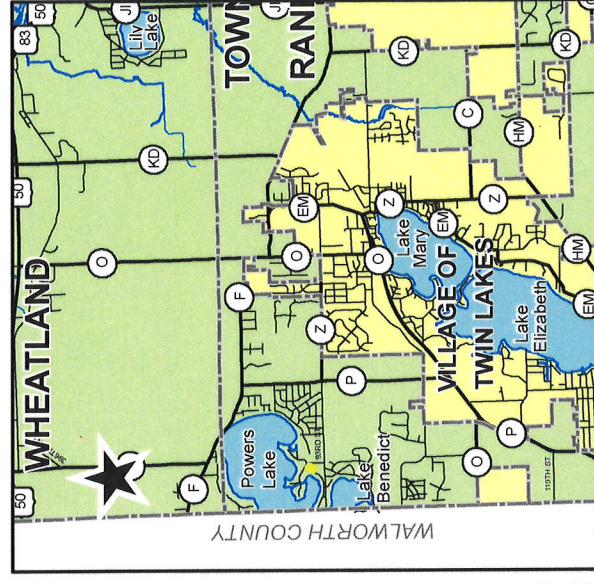
## LOCATION:

SW 1/4 of Section 18  
Town of Randall

TAX PARCEL(S): #60-4-119-183-0730

## REQUEST:

Requesting a rezoning from R-3 Urban Single-Family Residential Dist & C-1 Lowland Resource Conservancy Dist  
R-3 Urban Single-Family Residential, C-1 Lowland Resource, & Conservancy Dist.







# KENOSHA COUNTY BOARD OF SUPERVISORS

Resolution No. \_\_\_\_\_

Subject:  <b>A Resolution Addressing the Recent Civil Unrest and Charting a Path Forward</b>		
Original <input checked="" type="checkbox"/> Resubmitted <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>
Date Submitted: 9/15/2020		Date Resubmitted:
Submitted by: Supervisor Rose, Chairman O'Day, and the Executive Committee		
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/> Agreement
Prepared by: Supervisor Terry Rose		Signature:

**WHEREAS**, in late August the City of Kenosha experienced significant civil unrest; and

**WHEREAS**, as a result of this, the Downtown and Uptown areas, suffered substantial damage where as many as a hundred businesses, along with homes, private, and public property were partially or completely destroyed; and

**WHEREAS**, many people have been injured, both physically and emotionally as a result of the riots along with deaths of two people; and

**WHEREAS**, the Kenosha County Board of Supervisors is resolved to never let this happen again; and

**WHEREAS**, while the extent of the damage is still being assessed, early estimates conservatively set the costs in the fifty million dollar range; and

**WHEREAS**, these excessive costs may make it untenable without insurance or for individuals and certain entities to rebuild without significant government or private financial assistance; and

**WHEREAS**, it is imperative for the current and future health, strength and wellbeing of the community that these areas are guaranteed the financial resources necessary to conduct such rebuilding without the risk that individuals and businesses will most likely decide to relocate elsewhere; and

**WHEREAS**, one of the structures destroyed was the State of Wisconsin's Department of Corrections Probation and Parole office; and

**WHEREAS**, the Kenosha County Board of Supervisors previously approved the placement of body cameras in the upcoming 2021 Kenosha County Proposed Budget; and

**WHEREAS**, the Kenosha County Board of Supervisors believes that having appointed boards, commissions and committees more reflective of the Kenosha County community by including representatives of populations which have been historically un or underrepresented sends a powerful message and is ultimately to the benefit of the whole community; and

**WHEREAS**, local law enforcement, firefighters, National Guard, law enforcement from outside the community, State Patrol, and federal agents risked their lives to deal with the situation.

**NOW THEREFORE BE IT RESOLVED** that the Kenosha County Board of Supervisors restates and reaffirms its belief that systemic racism constitutes a crisis that negatively impacts all of the Kenosha Community; and

**BE IT FUTHER RESOLVED** that the Kenosha County Board of Supervisors states its unequivocal support for the City of Kenosha and its people and resolves to bolster the Uptown and Downtown communities; and

**BE IT FURTHER RESOLVED** that to that end the Kenosha County Board of Supervisors asks that State and Federal Government funds be made immediately available for the rehabilitation of the damaged / destroyed properties following the civil unrest sufficient to accomplish the goals set forth in this resolution; and

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors calls on the State of Wisconsin to guarantee that it will site a new Probation and Parole office and request that it be placed in the old location in Downtown Kenosha; and

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors requests that Kenosha County Emergency Management conduct a full debriefing and make recommendations as to what, if any, steps can and should be taken to prepare for any future similar events; and

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors intends to seek any available State, Federal or any other funding method of funds to facilitate the acquisition of body cameras; and

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors pledges to work with the State to assist in the rebuilding of the Uptown and Downtown areas; and

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors encourages all business owners impacted by the civil unrest to rebuild and remain in the Uptown and Downtown areas; and

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors calls on the State and Federal Governments to ensure that the costs to repair damage to County property not covered by insurance be covered by State and Federal funds; and

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors encourages efforts to include voices which have been historically un or underrepresented on Kenosha County appointed boards, commissions and committees and advises the County Executive of its support for appointing such voices as vacancies on those bodies need to be filled; and

**BE IT FURTHER RESOLVED** that the Chairman, County Executive and other representatives of Kenosha County meet with Governor Evers, Representative Steil, Senator Baldwin, and Senator Johnson to request State and Federal funding to resolve the financial issues faced by the City and County of Kenosha; and

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors extends its heartfelt thanks, on behalf of the people of the City and County of Kenosha, to members of the National Guard, members of the State Patrol, members of the U.S. Marshalls and the ATF, other federal agents, protective services, first responders and firefighters, local law enforcement, and law enforcement from around the state and nation who responded to Kenosha as well as to the countless individuals who volunteered their time, talents, and resources, including the donation of food and supplies, to the cleaning and beautification of the Downtown and Uptown areas in the wake of the civil unrest.

---

Supervisor Terry Rose

**EXECUTIVE COMMITTEE:**AyeNayAbstainExcused

---

John O'Day, Chair☐☐☐☐

---

Monica Yuhas, Vice Chair☐☐☐☐

---

Laura Belsky☐☐☐☐

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Andy Berg☐☐☐☐

---

Boyd Frederick☐☐☐☐

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Daniel Gaschke☐☐☐☐

---

William Grady☐☐☐☐

---

Terry Rose☐☐☐☐



**Kenosha County  
Administrative Proposal Form**

**1. Proposal Overview**

Division: County Clerk Department: Finance & Administration

Proposal Summary (attach explanation and required documents):

The proposal requests to modify County Clerk budget for additional revenue and expenditure budget for equipment and services through the 2020 Help America Vote Act 2002 (HAVA) Grant.

Dept./Division Head Signature: *Greg Backackia* Date: 9/4/20

**2. Department Head Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Department Head Signature: *Greg Backackia* Date: 9/4/20

**3. Finance Division Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Finance Signature: *D.M. D* Date: 9/4/20

**4. County Executive Review**

Comments:

Action: Approval ☒ Non-Approval ☐

Executive Signature: *Tim Reuser* Date: 9/4/20

**KENOSHA COUNTY  
BOARD OF SUPERVISORS**

**RESOLUTION NO. \_\_\_\_\_**

**Subject: 2020 County Clerk Resolution to recognize additional revenue and modify expenditure budgets for equipment and services through the 2020 Help America Vote Act 2002 (HAVA) Grant.**

Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2 <sup>nd</sup> Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: September 10, 2020		Date Resubmitted	
Submitted By: <b>Finance/ Admin Committee</b>			
Fiscal Note Attached: X		Legal Note Attached <input type="checkbox"/>	
Prepared By: Regi Bachochin, County Clerk		Signature: <i>Regi Bachochin</i>	

**WHEREAS**, Kenosha County Clerk is responsible for the administration of elections for Kenosha County; and

**WHEREAS**, Kenosha County Clerk is requesting to recognize additional revenue and expenditure for the 2020 budget received from the Federal Help America Vote Act (HAVA) 2002, dispersed by the Wisconsin Election Commission and;

**WHEREAS**, the additional Seventy-Three Thousand Three Hundred Ninety-Seven and 30/100 dollars (\$73,397.30) will be allocated to Kenosha County Clerk Special Election Fund. These funds are to be used to make payments for activities that enhance election technology and make election security improvements, which include but are not limited to IT support services, staff security training, hardware and software upgrades, intrusion detection systems, data back-up systems, training costs associated with cyber vulnerabilities, physical security improvements and communications.


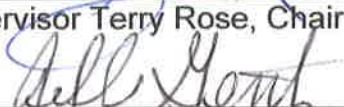
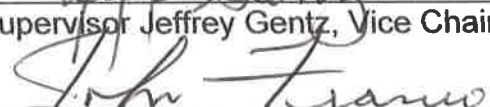

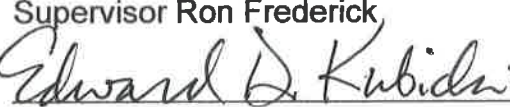
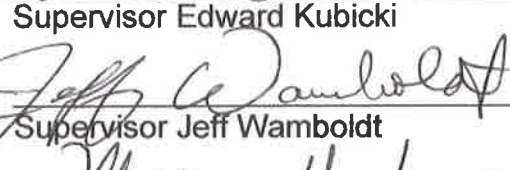
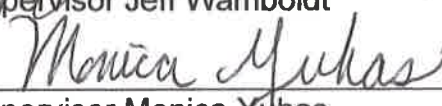
**WHEREAS**, the County shall report its use of the subgrant funds in compliance with the terms of the Subgrant, a completed compliance form is to be submitted to the Wisconsin Election Commission by February 1, 2021.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors approves Kenosha County Clerk 2020 budget adjustments as shown in the attached budget modification form, which is incorporated herein by reference and that all related expenditures related to election security must be incurred through December 31, 2020. If all of the subgrant funds allocated to Kenosha County has not been spent, the County must return any unused funds to the Wisconsin Election Commission by February 15, 2021.

**Note:** This resolution requires NO additional funds from the general fund. It increases revenues and expenditures by Seventy-Three Thousand Three Hundred Ninety-Seven and 30/100 dollars (\$73,397.30) for Kenosha County Clerk Special Election Fund.

Respectfully Submitted:

FINANCE/ADMINISTRATIVE COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
 _____ Supervisor Terry Rose, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Supervisor Jeffrey Gentz, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Supervisor John Franco	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Supervisor Ron Frederick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Supervisor Edward Kubicki	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Supervisor Jeff Wamboldt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Supervisor Monica Yuhas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DOCUMENT # _____	G/L DATE _____
BATCH # _____	ENTRY DATE _____

America Vote Act (HAVA) Subgrant Award

COUNTY CLERK 2020

Establish a Revenue and Expense budget to account for receipt of new Help America Vote Act (HAVA) Subgrant Award through the State of WI Elections Commission

[illegible]

73,739.30	73,739.30
-----------	-----------

DATE: 9/3/20

DATE: 9/3/20

DATE: 9/3/20

DATE: 9/3/24

2016 9/20

**KENOSHA COUNTY**  
**BOARD OF SUPERVISORS**

RESOLUTION NO. \_\_\_\_\_

Subject: <b>RESOLUTION TO MODIFY THE DIVISION OF CHILDREN &amp; FAMILY SERVICES 2020 BUDGET FOR A GRANT: THE FOSTER FAMILY SUPPORT NETWORK.</b>			
Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted:		Date Resubmitted:	
Submitted By: Human Services Committee and Finance/Administration Committee			
Fiscal Note Attached <input checked="" type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Ron Rogers		Signature: 	

**WHEREAS**, the Kenosha County Department of Human Services, Division of Children and Family Services, received a one-year grant from the Wisconsin Department of Children and Families, effective July 1, 2020, focused on expanding the Foster Family Support Network, and

**WHEREAS**, the Foster Family Support Network aims to provide sufficient support to foster families to reduce stress, increase foster parent retention, and increase foster parent recruitment, and

**WHEREAS**, the private non-profit agency, 1Hope, is currently piloting the Foster Family Support Network with a small network of volunteers in the Kenosha Community that supports a total of 14 licensed Kenosha County foster families, and

**WHEREAS**, the Foster Family Support Network was designed using Compacare, an evidence-based compassionate care ministry resource from Compact that mobilizes, trains, and organizes caring people (volunteers) through churches and the community to support and empower foster and adoptive families, and

**WHEREAS**, 1Hope is a community-based non-profit that creates collaboration between local churches, businesses, and government agencies focusing the faith-based, professional, and neighborhood energy of our community to restore hope and transform lives, and

**WHEREAS**, through partnership with five different churches representing 6,195 members, 1Hope has built up a strong volunteer capacity to serve foster families, and

**WHEREAS**, the Foster Family Support Network expansion will recruit over 100 volunteers to support at least 54 foster families and the corresponding 75-100 children placed in their homes, and

**WHEREAS**, through this support, we anticipate a 25% reduction in the number of foster homes that close annually, and a 30% increase in new general foster home licensed by Kenosha County, and

**WHEREAS**, the Kenosha County Department of Human Services, Division of Children and Family Services, will receive a one-year grant totaling \$55,323, and

**WHEREAS**, the Division of Children and Family Services will contract with 1Hope to expand the Family Support Network to serve at least 54 Kenosha County licensed foster families, and

**WHEREAS**, this budget modification poses no levy funded costs to the County.

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Department of Human Services, Division of Children & Family Services, be authorized to increase Purchased Services expenses by \$55,323 over one year per attached budget modification incorporated herein by reference. Any unspent dollars will be carried over until monies have been expended.

**HUMAN SERVICES COMMITTEE:**

\_\_\_\_\_  
Laura Belsky, Chair

\_\_\_\_\_  
Andy Berg, Vice-Chair

\_\_\_\_\_  
David Celebre

\_\_\_\_\_  
Jerry Gulley

\_\_\_\_\_  
Sandra Beth

\_\_\_\_\_  
Erin Decker

\_\_\_\_\_  
Lon Wienke

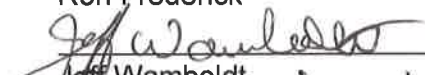
<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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**FINANCE/ADMINISTRATION COMMITTEE:**

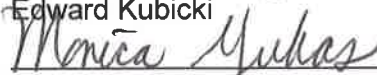
  
Terry Rose, Chair

  
Jeffrey Gentz, Vice-Chair

  
Ron Frederick

  
Jeff Wamboldt

  
Edward Kubicki

  
Monica Yuhas

  
John Franco

Aye      No      Abstain

☒      ☐      ☐

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☒      ☐      ☐



## 2020

DEPARTMENT HEAD: *An (signature)* Date: *8-24-2020* COUNTY EXECUTIVE:

**County Executive State Document Approval Form**

Purchaser: Wisconsin Department of Children and Families

Provider: Department of Human Services, Children and Family Services

Document # / Title: **Foster Family Support Network Proposal, Resolution, and Budget Modification**

Amount: \$55,323

Term: 07/01/2020 – 06/30/2021

Procurement Process: N/A FFSN Proposal, Resolution, and Budget Modification

Description of Contract (If applicable: describe pending issues, **significant** Contract language changes from previous year, explanation of any historical factors pertaining to this Contract, etc.):

2020 – 2021 Foster Family Support Network Proposal, Resolution, and Budget Modification

Fiscal Review by: Jeff Wilson, Fiscal Manager

Signature: Date: 9/1/20

If multiple year Contract, show amount Contracted by each Contract year.

Funding Source(s)	Cur Yr Adopted/ Modified Budget	Prior Yr Unit Rate	Current Contract Unit Rate	Prior Yr Contract \$	Current Contract \$	\$ Incr (Decr) from Prior Yr**	% Incr (Decr) from Prior Yr

**\*\*Describe Reason for Increase/Decrease from Prior Year Contract: (If same amount, indicate N/A)**

Division's Oversight Committee Approval

YES ☒N/A ☐

Contract Recommended By: John Jansen, Director

Signature: Date: 9-1-2020**Legal Review:**

Is Approval From Corporation Counsel attached to this Contract?

Yes ☒No ☐N/A ☐**Finance Director Comments:**Recommendations: Approval ☒Non-Approval ☐Finance Director Signature: Date: 9/1/20**Routing Instructions:** for Department of Human Services

After all signatures return to: Shannon Stricker- OOD

Indicate the date that this Contract entered the internal routing process

Date: 09/01/2020

**Kenosha County  
Administrative Proposal Form**

**1. Proposal Overview**

Division: Children & Family Services Department: Human Services

Proposal Summary (attach explanation and required documents):

DCFS has received a 1 year grant for \$55,323 to be used for support of Foster Families through expanding the Foster Family Support Network.

Dept./Division Head Signature: \_\_\_\_\_

Date: 08/28/2020

**2. Department Head Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Department Head Signature: \_\_\_\_\_

Date: 8/28/2020

**3. Finance Division Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Finance Signature: \_\_\_\_\_

Date: 9/4/20

**4. County Executive Review**

Comments:

Action: Approval ☒ Non-Approval ☐

Executive Signature: \_\_\_\_\_

Date: 9/8/20

Revised 01/11/2001 (5/10/01)


**DISTRIBUTION**

- Original Returned to Requesting Dept.
- Department attaches the Original to the Resolution to County Board
- Copy to Secretary of Oversight Committee to distribute in packets with Resolution
- Copy to Requesting Department File

# KENOSHA COUNTY

## BOARD OF SUPERVISORS

RESOLUTION NO. \_\_\_\_\_

Subject: <b>Resolution to approve the appointment of Jerry Gulley to the Racine/Kenosha Community Action Agency Board</b>			
Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted:		Date Resubmitted:	
Submitted By: Human Services Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: John T. Jansen		Signature: 	

**WHEREAS**, pursuant to County Executive Appointment 2020/21-06, the County Executive has appointed Mr. Jerry Gulley to serve on the Racine/Kenosha Community Action Agency 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 Racine/Kenosha Community Action Agency 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 Mr. Jerry Gulley to the Racine/Kenosha Community Action Agency Board. Mr. Gulley's appointment shall be effective immediately and continue until the 1<sup>st</sup> Day of September 2023, or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Mr. Gulley will serve without pay and will be filling a vacancy on the board.

**HUMAN SERVICES COMMITTEE:**

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Excused</u>
_____ Laura Belsky, Chairman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
_____ Andy Berg, Vice Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Sandra Beth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ David Celebre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Erin Decker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
_____ Jerry Gulley	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____ Lon Wienke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>





# COUNTY OF KENOSHA

Jim Kreuser, County Executive

# COUNTY EXECUTIVE

1010 – 56<sup>th</sup> Street, Third Floor

Kenosha, Wisconsin 53140

(262) 653-2600

Fax: (262) 653-2817

## ADMINISTRATIVE PROPOSAL

### COUNTY EXECUTIVE APPOINTMENT 2020/21-06

#### RE: RACINE/KENOSHA COMMUNITY ACTION AGENCY BOARD

TO THE HONORABLE KENOSHA COUNTY BOARD OF SUPERVISORS:

Placing special trust in his judgment and based upon his qualifications, I hereby submit to the honorable Kenosha County Board of Supervisors for its review and confirmation the name of:

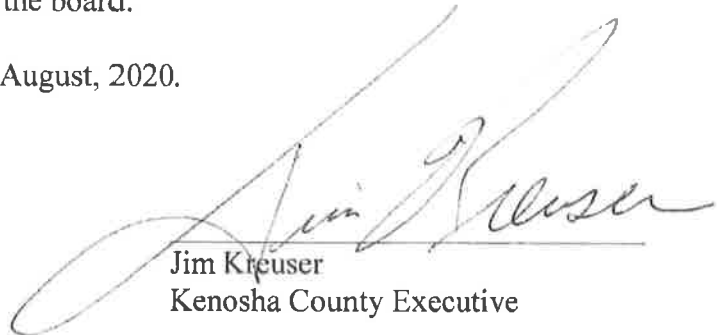
The Honorable Jerry Gulley  
Kenosha County Board Supervisor  
124 86<sup>th</sup> Place  
Pleasant Prairie, WI 53158

to serve a three-year term on the Racine/Kenosha Community Action Agency Board beginning immediately upon confirmation of the County Board and continuing until the 1<sup>st</sup> day of September, 2023 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

Mr. Gulley will serve without pay.

Mr. Gulley will be filling a vacancy on the board.

Respectfully submitted this 13<sup>th</sup> day of August, 2020.



Jim Kreuser  
Kenosha County Executive

COUNTY OF KENOSHA  
OFFICE OF THE COUNTY EXECUTIVE  
JIM KREUSER

**APPOINTMENT PROFILE**  
**KENOSHA COUNTY COMMISSIONS, COMMITTEES, & BOARDS**

(Please type or print)

Name: Jerry Thomas Gulley

Residence Address:

Previous Address if above less than 5 years: N/A

Occupation: Chief Content Officer, EdLogics

Business Address: 214A 63<sup>rd</sup> Street, Virginia Beach, VA 23451

Telephone Number: 262-891-7614

Mailing Address Preference:

Email Address: jerry.gulley@kenoshacounty.org

Do you or have you done business with any part of Kenosha County Government in the past 5 years? No

Affiliations: List affiliations in all service groups, public service organizations, social or charitable groups, labor, business or professional organization, and indicate if it was a board or staff affiliation.

Graduate, Leadership Kenosha 2016  
Volunteer for KUSD (Nash, Bradford, KTEC and Tremper)  
AFS International, Leadership Board, Milwaukee Area Team, National Facilitator,  
National Compliance Advisory Group Member  
St. Mary's Dominican Republic Mission, January 2019  
National Health Literacy Policy

Special Interests: Indicate organizations or activities in which you have a special interest but may not have been actively involved.

I have hosted six sons from different countries and enjoy facilitating intercultural development and learning. Through my employment I work extensively with health education and addressing the social determinants of health.

Nominee's Supervisory District: County District 16

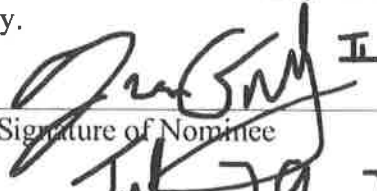
Governmental Services: List services with any governmental unit.

Supervisor, District 16, Kenosha County Board of Supervisors

Additional Information: List any qualifications or expertise you possess that would benefit the Board, Committee, Commission, etc.

Deep experience in employee health benefits, health communications, treatment adherence, pharma DTC advertising, health literacy and public health policy.

Conflict Of Interest: It would be inappropriate for you, as a current or prospective appointee, to have a member of your immediate family directly involved with any action that may come under the inquiry or advice of the appointed board, commission, or committee. A committee member declared in conflict would be prohibited from voting on any motion where "direct involvement" had been declared and may result in embarrassment to you and/or Kenosha County.

  
Signature of Nominee

  
Date

Please Return To: Kenosha County Executive  
1010 – 56th Street  
Kenosha, WI 53140

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(For Office Use Only)

Appointed To: \_\_\_\_\_  
Commission/Committee/Board

Term: Beginning \_\_\_\_\_ Ending \_\_\_\_\_

Confirmed by the Kenosha County Board on: \_\_\_\_\_

New Appointment \_\_\_\_\_ Reappointment \_\_\_\_\_

Previous Terms: \_\_\_\_\_

## Jerry Gulley

124 86<sup>th</sup> Place | Pleasant Prairie, WI 53158 | 262-891-7614 | [jerry.gulley.ii@gmail.com](mailto:jerry.gulley.ii@gmail.com)

---

- Executive with over 20 years of experience in media management experience including conceptualizing, launching, developing, scaling, monetizing and distributing cross-media brands and products, with serious depth of expertise in the food/culinary, clinical, health and wellness verticals.
- Niche subject matter expert on the intersection of content inventories and technology; taxonomies and creating content hierarchies.
- Deep expertise in formulating editorial strategy and scale content execution, creative content monetization, sales development and partnership development – expert level experience with localizing and translating content.
- Proven expertise in sourcing, developing, mentoring and managing editorial staffs and freelance resources.

### EXPERIENCE

#### **Chief Content Officer, EdLogics**

*April 2014 – Present*

- Ultimate responsibility for the strategy and execution of large quantities of literacy-level appropriate clinical, health and wellness content.
- Managed team of editors, writers and clinicians; developed workflows and processes to ensure >40,000 pieces of content remain accurate and timely.
- Served as cross-departmental leader, driving efficiencies between sales, content and product teams
- Managed relationships with content vendors and prominent, academic institutions.

#### **VP Content Solutions, Healthline Networks**

*Sept 2007 – April 2014*

- Directed 55 employees across multiple functions responsible for editorial, content development, design, clinical expertise and customer acquisition/retention for flagship property and network partners.
- Launched and grew custom ad solutions division scaling from \$0 to >6mm in 24 months. Launched and grew content solutions division scaling from \$0 to >3mm in 12 months.
- Executed industry noteworthy translation project: 3,500 health articles in 17 different localizations for Microsoft; featured in MS' health app.
- Managed SEO/SEM and PVPV-increasing initiatives culminating in 4.5mm total unique visitors per month and the company's social networking strategy including Facebook and Twitter initiatives.
- Managed licensing relationships with >20 content publishers; annual content budget >3mm.

#### **Editor in Chief, Allrecipes.com**

*Aug 2005 – Feb 2007*

- Held executive responsibility for strategy and execution of the company's visual and editorial brand, managing a team of 30 employees including editorial, culinary, recipe management system specialists, design, production and social marketing and an annual budget of >\$2.8mm.
- Participated in company's positioning and growth that led to an acquisition by Reader's Digest and acted as company media rep, conducting ongoing video and audio interviews to build buzz and leverage company position as the "window into America's kitchen".
- Launched and grew proprietary recipe/cooking video subscription services.
- Executed end-to-end redesign streamlining navigation, simplifying site architecture, updating look and feel and adding proprietary CMS to enable efficient recipe publishing. Began the process of localizing Allrecipes.com for other English-speaking and non-English speaking countries.
- Authored the company's recipe taxonomy and tagging system, allowing for rapid repackaging.
- Grew traffic to 10mm UV per month through search engine optimization, integrated marketing/editorial programs and analyzing, tracking and satisfying consumer needs.
- Managed content syndication/licensing relationships with key players in the publishing, CPG and grocer spaces. (Including Yahoo, Safeway and Target.)



**Managing Editor, Health Magazine, a Time Inc. publication**

*March 2003 to Aug 2005*

- Senior manager responsible for all aspects of quality, production and budgeting.
- Participated in all aspects of editorial planning and execution.
- Served as interim food editor and managed the title's monthly food news coverage and large food features.
- Acted as internal subject matter expert for the creation of Time Inc.'s company-wide recipe database aggregating over brands and over 30,000 recipes.
- Managed relationships with pre-press and printing facilities, Quad Graphics.
- Managed relationship between editorial and advertising and held ultimate responsibility for separation of church and state.

**Senior Editor, Health.com**

*Feb 2001 to March 2003*

- Senior staff member responsible for increasing key metrics of title's web site including heavy focus on leveraging digital content to increase subs.
- Executed two end-to-end site redesigns including the integration of a robust recipe database.
- Worked within Time Inc. as a consultant on digital food content.
- Launched and managed fee-based online weight-loss program.
- Acted as strict brand steward throughout AOL/Time Inc integration and multiple evolutions of business models.

**Editorial Director, LevelEdge (a company that facilitated the recruitment of athletes)**

*Feb 2000 to Feb 2001*

- Senior manager responsible for all aspects of site development including marketing, production, editorial, creative, technology and customer service.
- Launched recruitment platform marketed to college recruiters.
- Evolved a single-function paid web service into a content-rich destination for athletes, coaches, parents and recruiters.
- Conceived and managed all aspects of editorial strategy and execution.
- Launched series of sponsored sport-specific summer camps, building brand awareness.

**Editor/Product Manager/Executive Producer, Digital Chef/Tavolo**

*Feb 1996 to Jan 2000*

- Designed and launched proprietary recipe database and independent ingredient database.
- Authored company's recipe taxonomy, recipe hierarchy and ingredient taxonomy.
- Led efforts to create volume to weight equivalencies for over 12,000 ingredients.
- Managed relationships with industry contacts at restaurants, associations and celebrity chefs.
- Led a team of 15 editors, producers, culinary professionals and designers
- Served as product lead, managing all platform launches and enhancements.
- Represented the brand at industry events.

**EDUCATION**

Stanford University, Professional Publishing Seminar  
Culinary Institute of America, Culinary Arts  
East Tennessee State University, English/Political Science


# Kenosha



# County

## BOARD OF SUPERVISORS

RESOLUTION NO. \_\_\_\_\_

Subject: Request to Approve the Appointment of Christopher Brown to the Kenosha County Zoning Board of Adjustments.			
Original <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: September 15, 2020		Date Resubmitted:	
Submitted By: Planning, Development & Extension Education Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Andy M. Buehler, Director Division of Planning and Development		Signature: 	

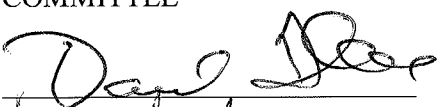
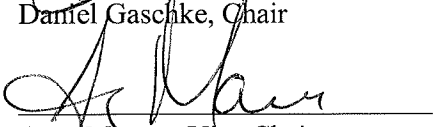
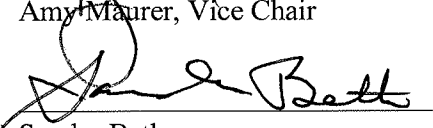
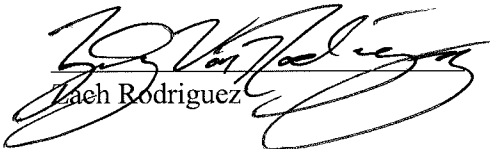
WHEREAS, pursuant to County Executive Appointment 2020/21-07, the County Executive has appointed Christopher Brown to serve on the Kenosha County Zoning Board of Adjustments; and

WHEREAS, the Planning, Development & Extension Education Committee has reviewed the request of the County Executive for confirmation of his appointment of the above-named to serve on the Kenosha County Zoning Board of Adjustments and is recommending to the County Board the approval of the appointment.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors confirms the appointment of Christopher Brown to the Kenosha County Zoning Board of Adjustments. Mr. Brown's appointment shall be effective immediately and continue until the 30<sup>th</sup> day of June 2022 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Mr. Brown will serve without pay, but will receive a per diem along with mileage reimbursements. Mr. Brown will be succeeding himself.

Approved by:

PLANNING, DEVELOPMENT  
& EXTENSION EDUCATION  
COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
 Daniel Gaschke, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Amy Maurer, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Sandra Beth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gabe Nudo				
 Zach Rodriguez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\\PDDATA\\RESOLUTIONS\\Resolutions for Appointments\\RES Brown Appointment BOA 09-2020.doc

11



# COUNTY OF KENOSHA

## OFFICE OF THE COUNTY EXECUTIVE

Jim Kreuser, County Executive

1010 – 56<sup>th</sup> Street, Third Floor

Kenosha, Wisconsin 53140

(262) 653-2600

Fax: (262) 653-2817

## ADMINISTRATIVE PROPOSAL

### COUNTY EXECUTIVE APPOINTMENT 2020/21-07

#### RE: KENOSHA COUNTY ZONING BOARD OF ADJUSTMENTS

TO THE HONORABLE KENOSHA COUNTY BOARD OF SUPERVISORS

Placing special trust in his judgment and based upon his qualifications, I hereby submit to the Honorable Kenosha County Board of Supervisors for its review and approval the name of

Mr. Christopher Brown  
39701 60<sup>th</sup> Street  
Burlington, WI 53105

to serve on the Kenosha County Zoning Board of Adjustments as the 1<sup>st</sup> alternate member, beginning immediately upon confirmation of the County Board and continuing until the 30<sup>th</sup> day of June, 2022 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

Since his last appointment in 2016, Mr. Brown has attended 30 of the 33 meetings held. His 3 absences were excused.

Mr. Brown will serve without pay but will receive a per diem. Mr. Brown will be succeeding himself.

Respectfully submitted this 13<sup>th</sup> day of August, 2020.

Jim Kreuser

Kenosha County Executive



COUNTY OF KENOSHA  
OFFICE OF THE COUNTY EXECUTIVE  
JIM KREUSER

**APPOINTMENT PROFILE**  
**KENOSHA COUNTY COMMISSIONS, COMMITTEES, & BOARDS**

(Please type or print)

Name: Christopher Allan Brown  
First Middle Last

Residence Address:

Previous Address if above less than 5 years: \_\_\_\_\_

Occupation: Slades Corners Computer Repair, LLC - Owner  
Company Title

Business Address: 39608 60th St Burlington, WI 53105

Telephone Number: Residence 2627453739 Business 2625392228

Daytime Telephone Number: 2624753739

Mailing Address Preference: Business ( ) Residence ( ☒ )

Email Address: chris@accrwi.com

Do you or have you done business with any part of Kenosha County Government in the past 5 years? Yes ( ) No ( ☒ )

If yes, please attach a detailed document.

**Affiliations:** List affiliations in all service groups, public service organizations, social or charitable groups, labor, business or professional organization, and indicate if it was a board or staff affiliation.

Twin Lakes Area Chamber - Chairman, Founder & board member of Con of the Lakes Charity Gaming Convention, Board member of WLCB 101.5FM Slades Corners

**Special Interests:** Indicate organizations or activities in which you have a special interest but may not have been actively involved.

\*If more space is needed, please attach another sheet.

Nominee's Supervisory District 22

Governmental Services: List services with any governmental unit.

## Board of Adjustments - Past 5 years or so

Additional Information: List any qualifications or expertise you possess that would benefit the Board, Committee, Commission, etc.

Past Experience with the BoA, also took training with the UW system in 2018 on Plan Commission and Zoning Board in Stevens Point

Conflict Of Interest: It would be inappropriate for you, as a current or prospective appointee, to have a member of your immediate family directly involved with any action that may come under the inquiry or advice of the appointed board, commission, or committee. A committee member declared in conflict would be prohibited from voting on any motion where "direct involvement" had been declared and may result in embarrassment to you and/or Kenosha County.

Signature of Nominee

7.28.2020

Date

Please Return To: Kenosha County Executive  
1010 - 56th Street  
Kenosha, WI 53140

-----  
(For Office Use Only)

Appointed To: \_\_\_\_\_

Commission/Committee/Board

Term: Beginning \_\_\_\_\_

Ending \_\_\_\_\_

Confirmed by the Kenosha County Board on: \_\_\_\_\_

New Appointment \_\_\_\_\_

Reappointment \_\_\_\_\_

Previous Terms: \_\_\_\_\_

\_\_\_\_\_

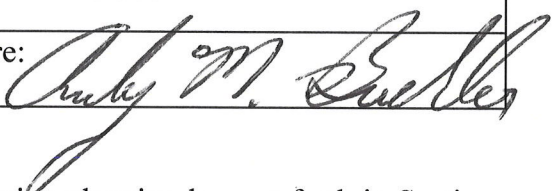
# Kenosha



# County

## BOARD OF SUPERVISORS

RESOLUTION NO. \_\_\_\_\_

Subject: Elmer R. Weis, 17111 38 <sup>th</sup> St., Kenosha, WI 53144 (Owner), requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan) from "Farmland Protection" & "Non-Farmed Wetland" to "Farmland Protection", "Suburban-Density Residential" & "Non-Farmed Wetland" on Tax Parcel # 45-4-221-284-0100, located in the southeast ¼ of Section 28, T2N, R21E, Town of Paris			
Corrected <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: September 15, 2020		Date Resubmitted:	
Submitted By: Planning, Development & Extension Education Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Andy M. Buehler, Director Division of Planning & Development		Signature: 	

WHEREAS, in compliance with Wisconsin's comprehensive planning law set forth in Section 66.1001 of the Wisconsin Statutes, Kenosha County adopted a Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 on April 20, 2010; and,

WHEREAS, Elmer R. Weis, 17111 38<sup>th</sup> St., Kenosha, WI 53144 (Owner), requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan) from "Farmland Protection" & "Non-Farmed Wetland" to "Farmland Protection", "Suburban-Density Residential" & "Non-Farmed Wetland" on Tax Parcel # 45-4-221-284-0100, located in the southeast ¼ of Section 28, T2N, R21E, Town of Paris; and,

WHEREAS, the Kenosha County Division of Planning & Development has published said request in accordance to State Statutes; and

WHEREAS, the Town Board of Paris recommended approval of the request; and,

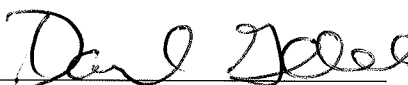
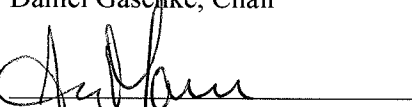
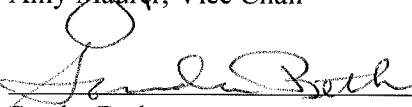
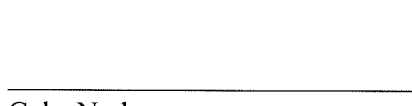
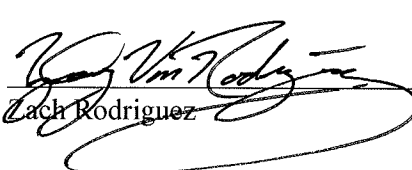
WHEREAS, the Kenosha County Planning, Development and Extension Education Committee held a public hearing on the request on September 9, 2020, and recommended approval of the request.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Sections 59.69 and 66.1001(4) of Wisconsin Statutes, the Kenosha County Board of Supervisors hereby amends the comprehensive plan on Tax Parcel #45-4-221-284-0100 as described above.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Kenosha County Board of Supervisors enact an ordinance adopting the comprehensive plan change.

Approved by:

PLANNING, DEVELOPMENT  
& EXTENSION EDUCATION  
COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
 Daniel Gaschke, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Amy Maurer, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Sandra Beth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Gabe Nudo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Zach Rodriguez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



COMPREHENSIVE PLAN  
AMENDMENT SITE MAP

PETITIONER(S):

Elmer R. Weis (Owner)

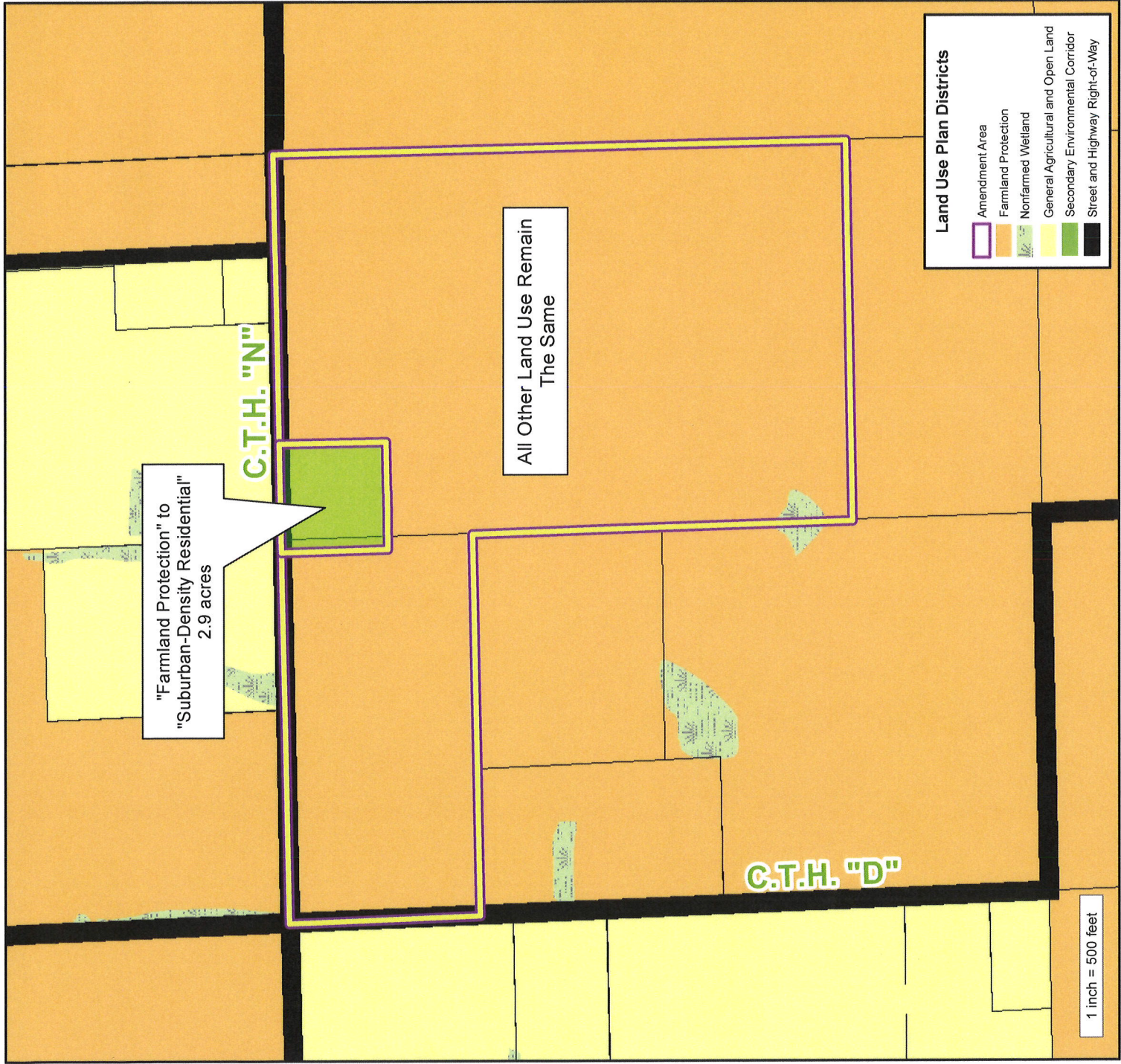
LOCATION:

SE 1/4 of Section 28  
Town of Paris

TAX PARCEL(S): #45-4-221-284-0100

REQUEST:

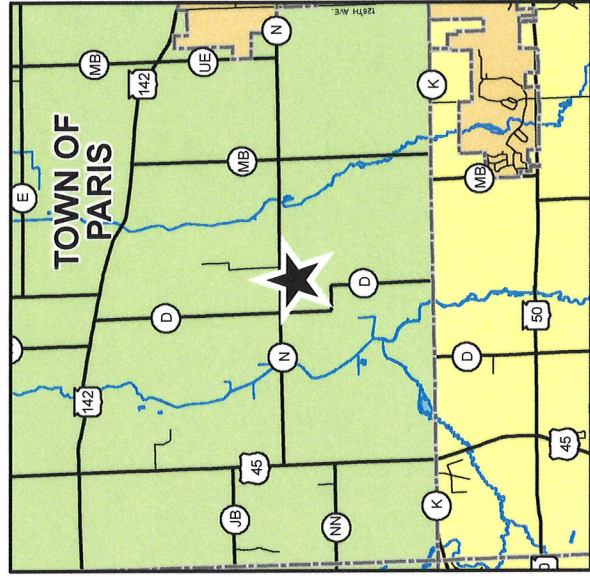
Requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan) from "Farmland Protection" & "Non-Farmed Wetland" to "Farmland Protection", "Suburban-Density Residential" & "Non-Farmed Wetland".



Land Use Plan Districts

- Amendment Area
- Farmland Protection
- Nonfarmed Wetland
- General Agricultural and Open Land
- Secondary Environmental Corridor
- Street and Highway Right-of-Way

1 inch = 500 feet





Kenosha County  
Administrative Proposal Form

**1. Proposal Overview**

Division: Highway

Department: Public Works and Development  
Services

Proposal Summary (attach explanation and required documents):

Resolution Authorizing the Acquisition of Right of Way and the Construction of  
Transportation Improvements at the Intersection of Kenosha County Trunk Highways U  
and Q

Dept./Division Head Signature: Clement Abongwa Date: 8/27/2020

**2. Department Head Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Department Head Signature: RAT Date: 8-27-20

**3. Finance Division Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Finance Signature: Jan Korte Jan. 17 <sup>8/24/20</sup> Date: August 20, 2020

**4. County Executive Review**

Comments:

Action: Approval ☒ Non-Approval ☐

Executive Signature: [Signature] Date: 8/28/20

**Kenosha**



**County**

**BOARD OF SUPERVISORS**

**RESOLUTION NO. \_\_\_\_\_**

Subject: A Resolution Authorizing the Acquisition of Right of Way and the Construction of Transportation Improvements at the Intersection of Kenosha County Trunk Highways U and Q	
Original <input checked="" type="checkbox"/> Corrected <input type="checkbox"/> 2 <sup>nd</sup> Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>	
Date Submitted: 9/8/20	Date Resubmitted:
Submitted by: <b>Public Works - Highway Division</b>	
Fiscal Note Attached <b>Yes</b>	Legal Note Attached <input type="checkbox"/>
Prepared by: Clement Abongwa	Signature: <i>Clement Abongwa</i>

WHEREAS, Kenosha County has signed a Memorandum of Understanding with the Village of Bristol and Bristol Land LLC regarding transportation Improvements to be constructed at the intersection of County Trunk Highways U and Q, and

WHEREAS, these transportation improvements will aid in the successful development of a significant local economic opportunity, and

WHEREAS, the total cost of this project is estimated to be \$6,501,047 as shown in detail on the attached spreadsheet (Exhibit A), and

WHEREAS, Kenosha County will be responsible for acquiring all land as well as coordinating, administering and managing the construction of the project, and

WHEREAS, the land acquisition process includes Kenosha County acquiring certain parcels of land for right-of-way (ROW), at no cost to the County, as shown in the attached Plat Plan (Exhibit B), and

**Resolution Authorizing the Acquisition of Right of Way and the Construction of Transportation Improvements at the Intersection of Kenosha County Trunk Highways U and Q**

**September 8, 2020**

**Page 2**

WHEREAS, all Plat Plans and the resultant acquisition of ROW requires the approval of the Kenosha County Board of Supervisors, and

WHEREAS, the expenses for the land acquisition, estimated to be \$496,440 as shown in Exhibit A, will be prepaid to Kenosha County by Bristol Land LLC prior to the County starting the land acquisition process, and

WHEREAS, the expenses for construction of the transportation improvements, estimated to be \$5,314,607 as shown in Exhibit A, will be prepaid to Kenosha County by Bristol Land LLC prior to the County starting the construction process, and

WHEREAS, the expenses for traffic signals, estimated to be \$700,000 as shown in Exhibit A, will be prepaid to Kenosha County by Bristol Land LLC prior to the County starting the construction process, and

WHEREAS, no borrowing will be required of Kenosha County and any expenses to be paid by the County will be made from prepaid funds,

THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approves the attached Plat Plan and acquisition of the ROW as specified in Exhibit B and approves receiving and expending funds as per the budget modification which is attached and incorporated by reference.

Resolution Authorizing the Acquisition of Right of Way and the Construction of Transportation Improvements at the Intersection of Kenosha County Trunk Highways U and Q

September 8, 2020

Page 3

Respectfully Submitted:

Public Works Committee:

Aye      Nay      Abstain      Excused

 Bill Grady, Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 John Franco, Vice Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Laura Belsky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Andy Berg	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Gabe Nudo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Sharon Pomaville	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Zach Rodriguez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Resolution Authorizing the Acquisition of Right of Way and the Construction of Transportation Improvements at the Intersection of Kenosha County Trunk Highways U and Q

September 8, 2020

Page 4

FINANCE/ADMINISTRATION COMMITTEE

	Aye	Nay	Abstain	Excused
 Supervisor Terry W. Rose, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Jeffrey Gentz, Vice-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Ron Frederick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Ed Kubicki	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor John Franco	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Monica Yuhas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Jeff Wamboldt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



DOCUMENT #	_____	G/L DATE	_____
BATCH #	_____	ENTRY DATE	_____

Acquisition of Right of Way and Construction of Highway Improvements at the Intersection of CTH's U and Q

<b>COLUMN TOTALS (EXP TOTAL + REV TOTAL)</b>	6,501,047	6,501,047
--	-----------	-----------

DEPARTMENT HEAD: RAG DATE: 9-27-20 COUNTY EXECUTIVE:

(9) Balance available after transfer (col 8 - col 7).

DATE: 8/23/22

## EXHIBIT A

### PHASES AND COSTS -- TRAFFIC IMPROVEMENTS OVERVIEW

#### Land Acquisition Costs

ROW Acquisition Cost Estimate		394,000
ROW Consultant	5%	19,700
	Subtotal	413,700
Contingency	20%	82,740
Total Land Acquisition Costs		<b>496,440</b>

#### Phase I -- U & Q Improvements --Scheduled A-D

Schedule A - CTH Q Improvements West of CTH U Intersection		1,777,870
Schedule B - CTH Q Improvements East of CTH U Intersection		891,475
Schedule C - CTH U Improvements South of CTH Q Intersection		559,275
Schedule D - CTH U Improvements North of CTH Q Intersection		972,650
	Subtotal	4,201,270
Contingency	15%	630,191
	Subtotal	4,831,461
Construction Management	10%	483,146
Total Phase I Improvements		<b>5,314,607</b>

#### Phase II -- U & Q Traffic Signals

Schedule E - U & Q Traffic Signals		300,000
Contingency	15%	45,000
Total Phase II Improvements		<b>345,000</b>

#### Phase III -- South Park Entrance Traffic Signals

Schedule F -- South Park Entrance Traffic Signals		300,000
Contingency	15%	45,000
Total Phase II Improvements		<b>345,000</b>

#### Total Project Cost

**\$6,501,047**

**RELOCATION ORDER**

RE1708 04/2015

**EXHIBIT B**

Project ID DEV 20-03	Road name 104 <sup>th</sup> St and 136 <sup>th</sup> Ave	Highway CTH Q and CTH U	County Kenosha
Right of way plat date 08/19/2020	Plat sheet number(s) 1-7	Previously approved Relocation Order date N/A	


Description of termini of project:

CTH Q (104<sup>th</sup> Street) intersection with CTH U (136<sup>th</sup> Avenue)

To properly establish, layout, widen, enlarge, extend, construct, reconstruct, improve, or maintain a portion of the highway designated above, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the right of way plat for the above project.

To effect this change, pursuant to authority granted under Sections 83.07 and 83.08, Wisconsin Statutes, Kenosha County orders that:

1. The said highway is laid out and established to the lines and widths as shown on the plat.
2. The required lands or interests in lands as shown on the plat shall be acquired in the name of Kenosha County, pursuant to the provisions of Section 83.07 and 83.08, Wisconsin Statutes.
3. This order supersedes and amends any previous order issued.



Kenosha County Highway Commissioner Signature

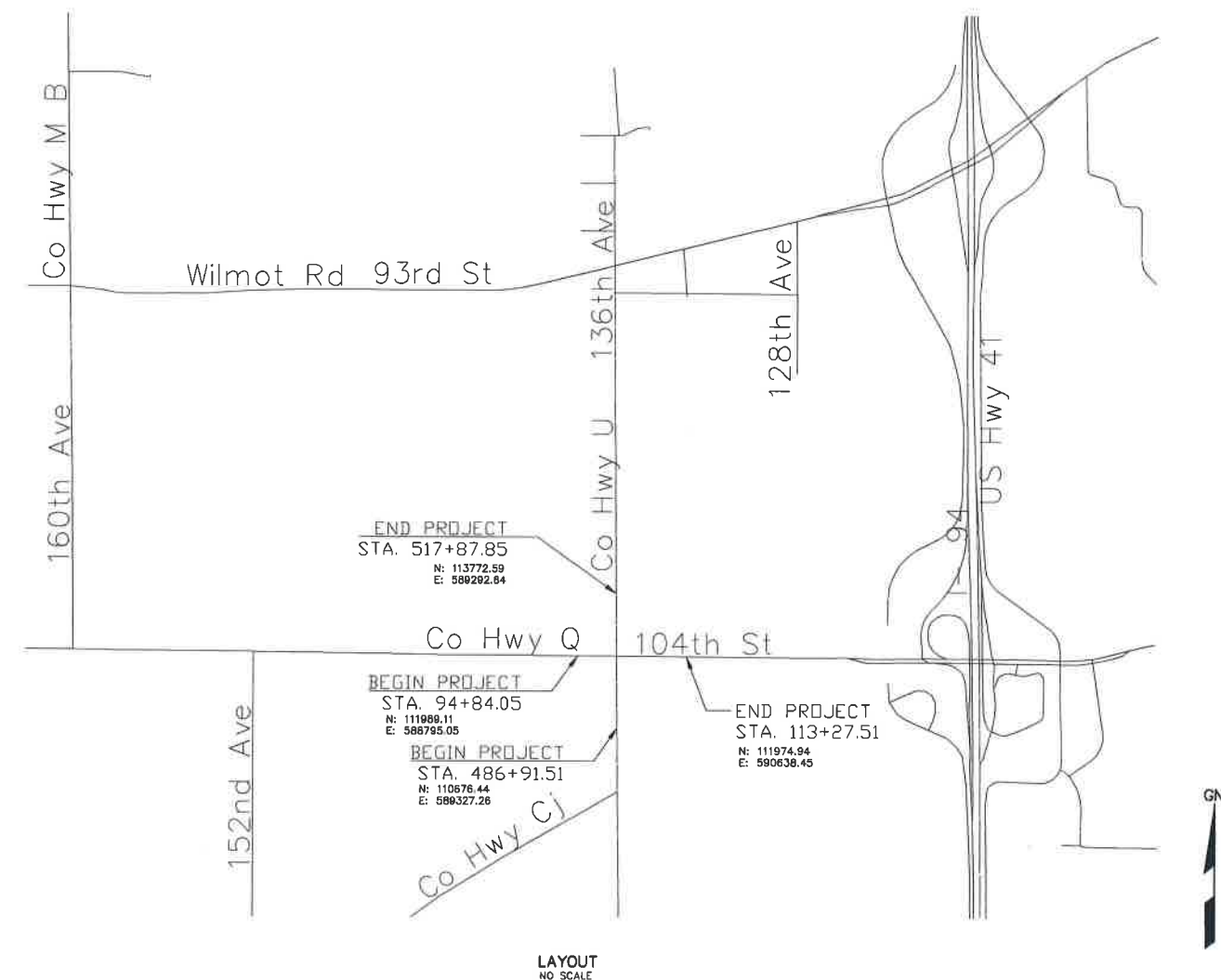
08/24/2020

Date

Clement Abongwa

Print Name

R/W PROJECT NUMBER	DEV 20-03		SHEET NUMBER	1	TOTAL SHEETS	7
FEDERAL PROJECT NUMBER	N/A					
PLAT OF RIGHT OF WAY REQUIRED FOR CTH Q ( 104TH STREET) 515' WEST OF CTH U TO 1326' EAST OF CTH U CTH U (136AT AVENUE) 1308' SOUTH OF CTH Q TO 1788' NORTH OF CTH Q KENOSHA COUNTY						
CONSTRUCTION NO.						



PARCEL NUMBER	SHEET NUMBER	OWNER(S)	INTEREST REQUIRED	TOTAL ACRES	R/W REQUIRED ACRES			TOTAL REMAINING ACRES
					NEW	EXISTING	TOTAL	
1	7	DANIEL V POWELL	FEE	17.170	0.290	0.354	0.644	16.526
2	6, 7	ANGEL HERRERA	FEE	9.500	0.366	0.508	0.874	8.626
3	6	WESLEY CHAPEL	FEE	1.100	0.066	0.128	0.194	0.906
4	3, 6	BRISTOL LAND LLC	FEE	2.750	0.367	0.667	1.034	1.716
5	4	DONNA M PRYGA	FEE	4.830	0.230	0.383	0.613	4.217
6	4	BRISTOL LAND LLC	FEE	5.250	0.119	0.199	0.318	4.932
7	4	HELEN E WILKINSON LIVING REVOCABLE TRUST	FEE	15.850	0.361	0.601	0.962	14.888
8	3, 5	ROUTE 165 LLC	FEE	8.000	0.295	0.871	1.166	6.834
9	5	ROUTE 165 LLC	FEE	11.300	0.466	0.570	1.036	10.264
10	5	KENOSHA I LLC	FEE	51.140	0.403	0.492	0.895	50.245
11	3, 5	SLAVKO AND VIDA DESANCIC DECLARATION OF TRUST	FEE	7.820	0.888	0.866	1.754	6.066

ORIGINAL PLAT PREPARE BY

Manhard CONSULTING

The German Firm, Sub-S&P, Licensed, & Other   PROFESSIONAL ENGINEER   ASST / ASST/2020   REGISTERED  
Civil Engineers • Surveyors • Water Resources Engineers • Water & Wastewater Engineers •  
Construction Managers • Environmental Scientists • Landscape Architects • Planners

WISCONSIN

JAMES D. BAKER

S-2704

LINCOLNSHIRE, ILLINOIS

LAND SURVEYOR

DATE: 08/19/20

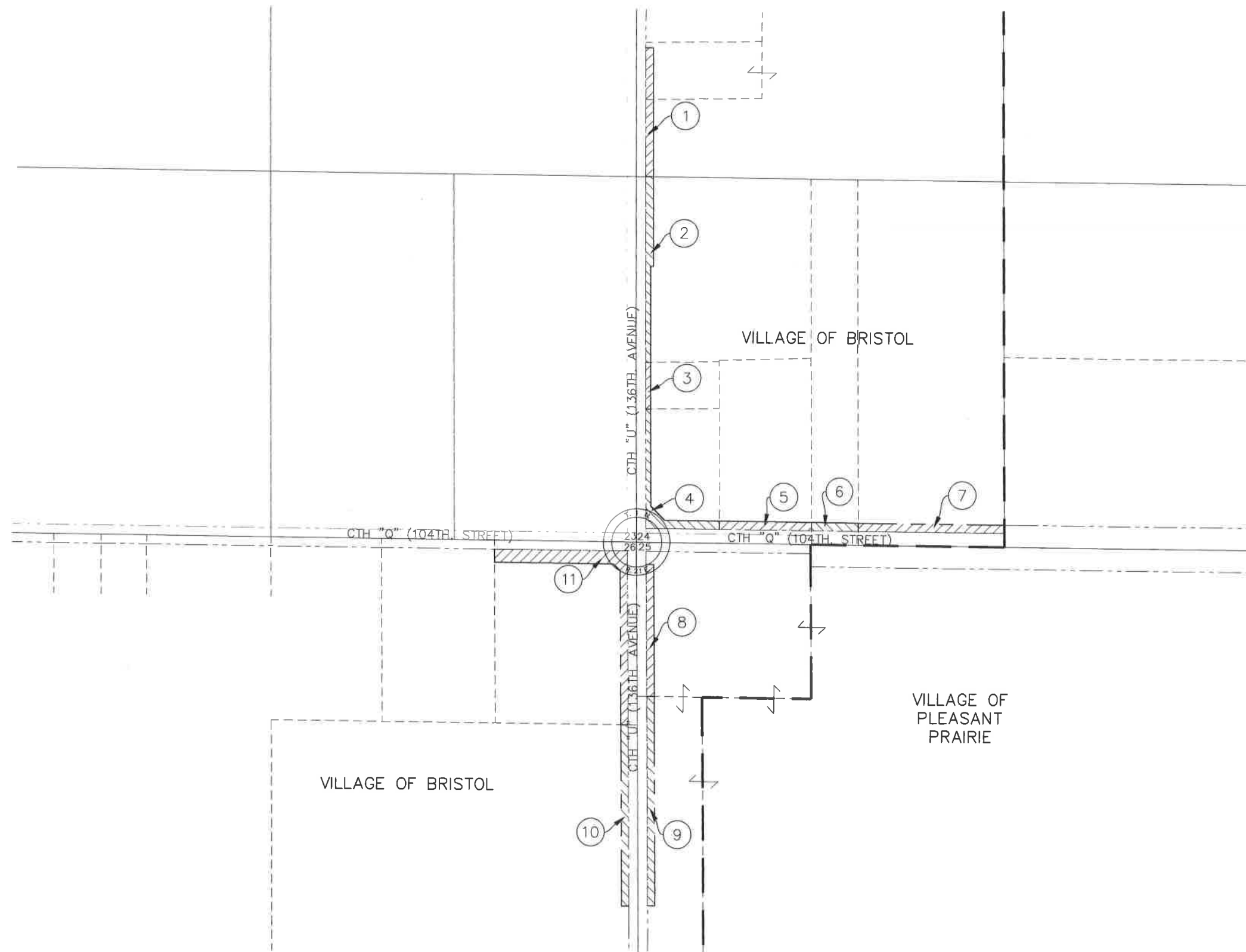
REVISION DATE

KENOSHA COUNTY

APPROVED BY COUNTY

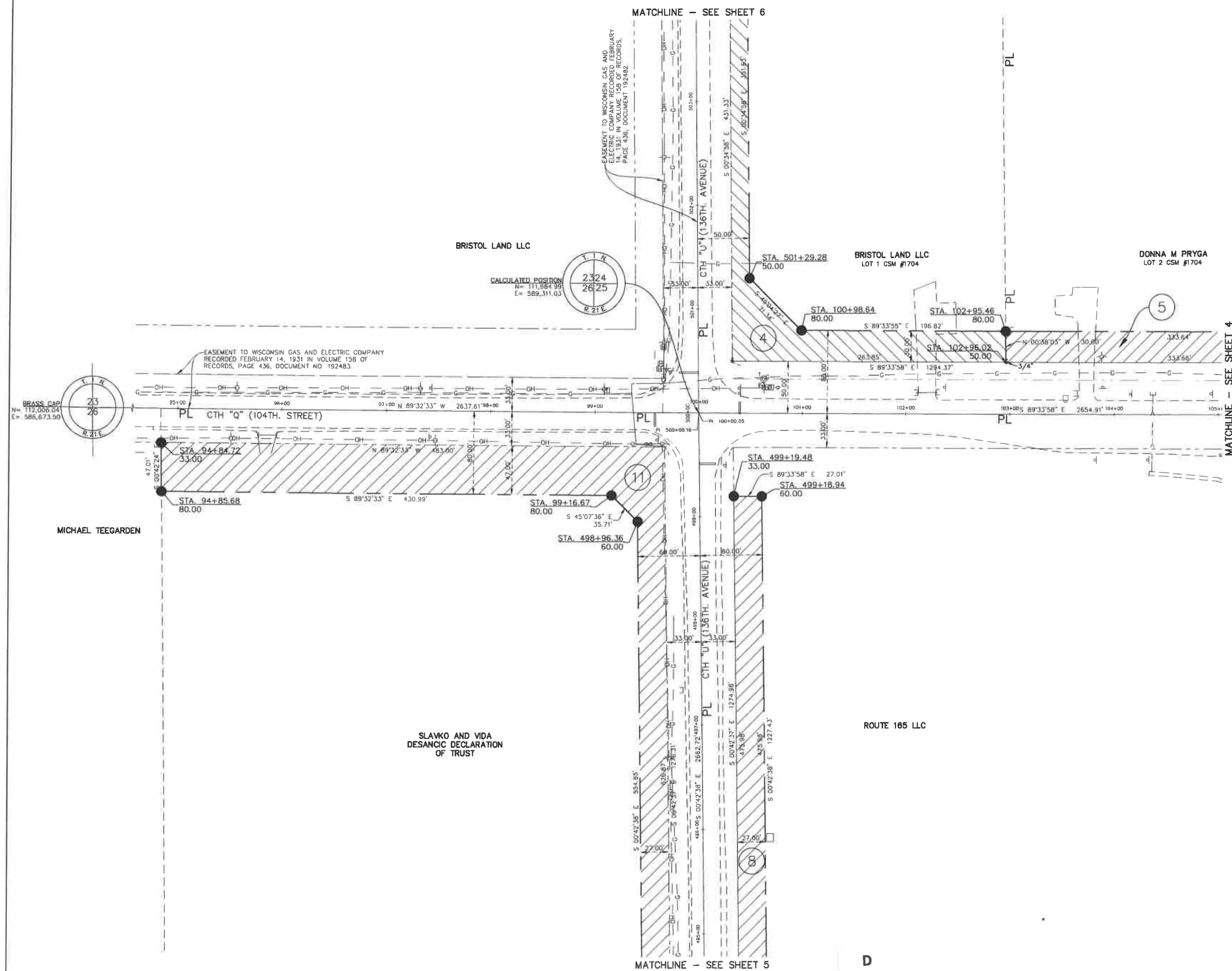
DATE: 8/24/20

(SIGNATURE)



REVISION DATE:	DATE: 08/19/2020	SCALE, FEET 	HWY: Q, U	R/W PROJECT NUMBER: _____	PLAT SHEET: 2
	GRID FACTOR:		COUNTY: KENOSHA		PS&E SHEET: _____

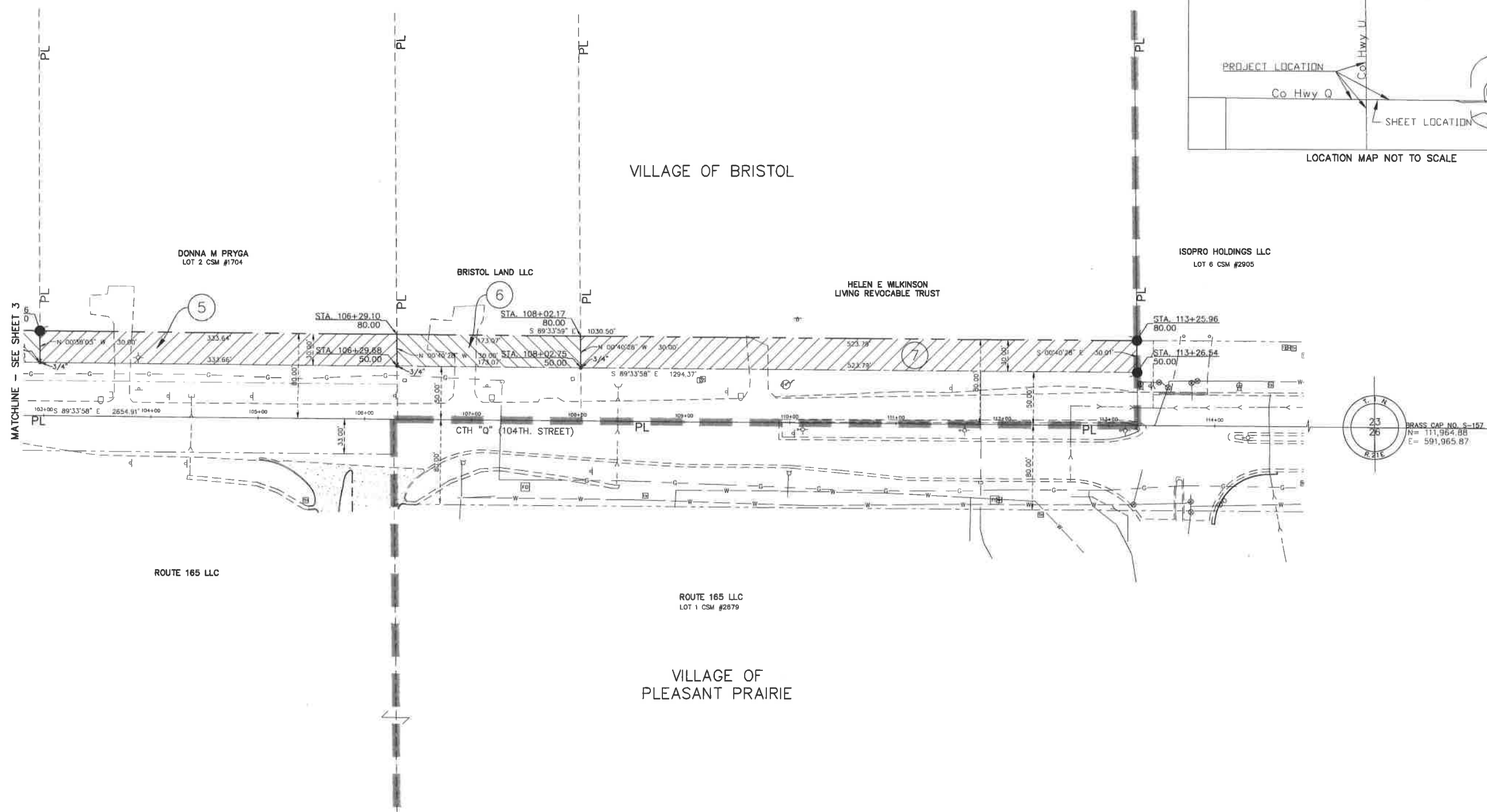




LOCATION MAP NOT TO SCALE

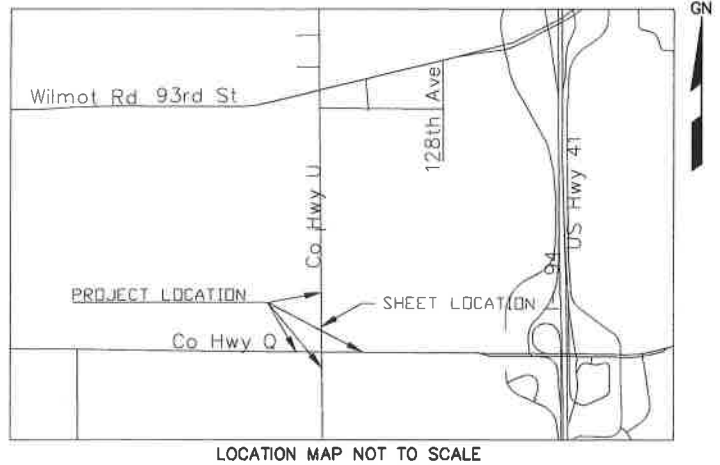
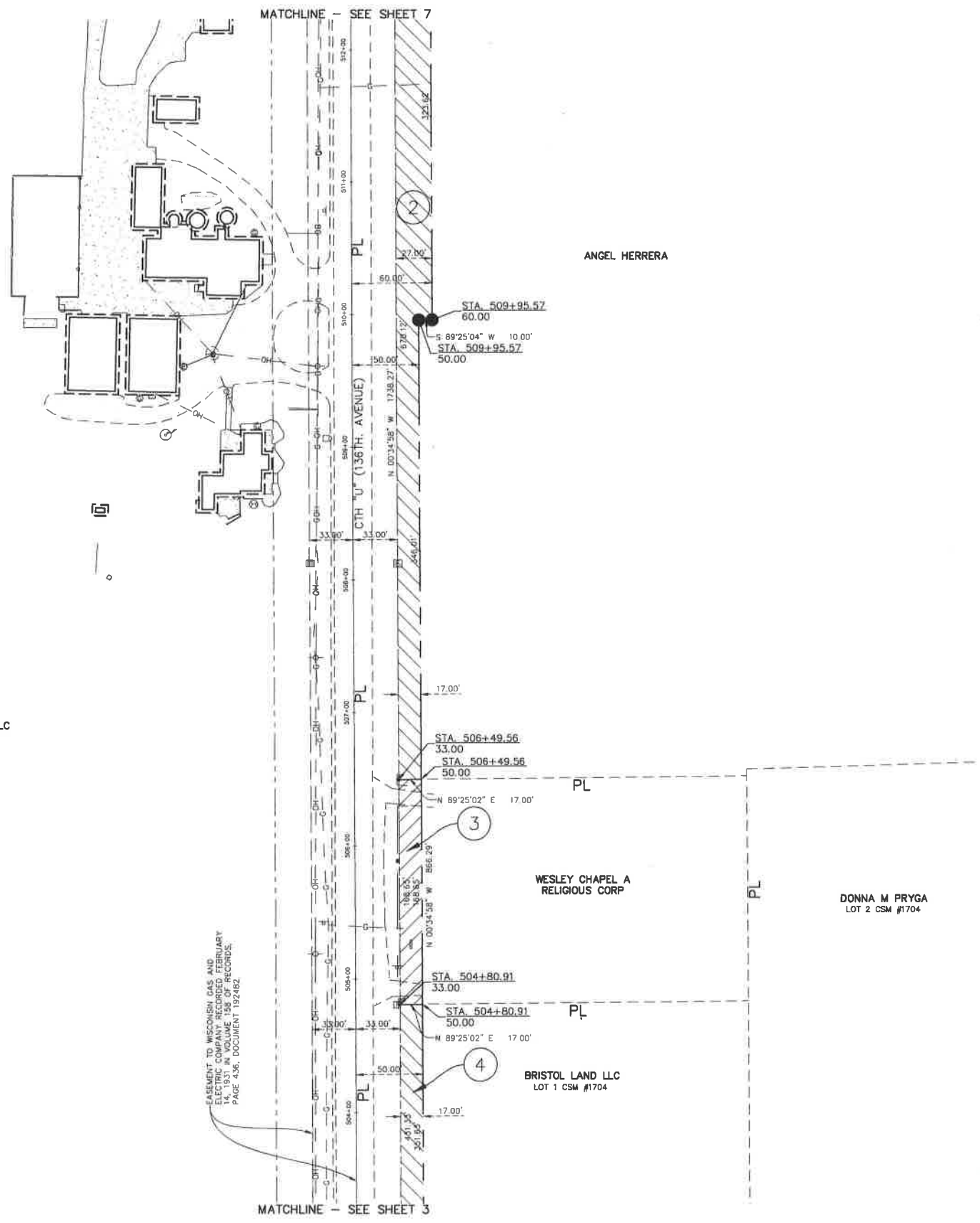
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REVISION DATE:	DATE: 08/19/2020	SCALE, FEET	HWY: Q, U	R/W PROJECT NUMBER: _____	PLAT SHEET: 3
	GRID FACTOR:		COUNTY: KENOSHA	CONSTRUCTION PROJECT NUMBER: _____	PS&E SHEET:



REVISION DATE:	DATE: 08/19/2020	SCALE, FEET 	HWY: Q, U COUNTY: KENOSHA	R/W PROJECT NUMBER: _____ CONSTRUCTION PROJECT NUMBER: _____	PLAT SHEET: 4
	GRID FACTOR:				PS&E SHEET:





REVISION DATE:	DATE: 08/19/2020	SCALE, FEET	HWY: Q, U	R/W PROJECT NUMBER: _____	PLAT SHEET: 6
	GRID FACTOR:		COUNTY: KENOSHA	CONSTRUCTION PROJECT NUMBER: _____	PS&E SHEET: _____





**Kenosha County  
Administrative Proposal Form**

**1. Proposal Overview**

Division: Highway

Department: Public Works and Development  
Services

Proposal Summary (attach explanation and required documents):

Resolution Authorizing the Acquisition of Right of Way and the Construction of  
Transportation Improvements at the Intersection of Kenosha County Trunk Highways U  
and C

Dept./Division Head Signature:

*Clement Abongwa*

Date:

*8/27/2020*

**2. Department Head Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Department Head Signature:

*RAH*

Date:

*8-27-20*

**3. Finance Division Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Finance Signature:

*Jan Kp* *JM-TT* *8/24/20*

Date:

*August 20, 2020*

**4. County Executive Review**

Comments:

Action: Approval ☒ Non-Approval ☐

Executive Signature:

*[Signature]*

Date:

*8/28/20*

**Kenosha**



**County**

**BOARD OF SUPERVISORS**

**RESOLUTION NO. \_\_\_\_\_**

Subject: A Resolution Authorizing the Acquisition of Right of Way and the Construction of Transportation Improvements at the Intersection of Kenosha County Trunk Highways U and C	
Original <input checked="" type="checkbox"/> Corrected <input type="checkbox"/> 2 <sup>nd</sup> Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>	
Date Submitted: 9/8/20	Date Resubmitted:
Submitted by: <b>Public Works - Highway Division</b>	
Fiscal Note Attached <b>Yes</b>	Legal Note Attached <input type="checkbox"/>
Prepared by: Clement Abongwa	Signature:

WHEREAS, Kenosha County has signed a Memorandum of Understanding with the Village of Bristol, the Village of Pleasant Prairie and HSA Acquisitions regarding transportation Improvements to be constructed at the intersection of County Trunk Highways U and C, and

WHEREAS, these transportation improvements will aid in the successful development of a significant local economic opportunity, and

WHEREAS, the total cost of this project is estimated to be \$963,736 as shown in detail on the attached spreadsheet (Exhibit A), and

WHEREAS, Kenosha County will be responsible for acquiring all land as well as coordinating, administering and managing the construction of the project, and

WHEREAS, the land acquisition process includes Kenosha County acquiring certain parcels of land for right-of-way (ROW), at no cost to the County, as shown in the attached Plat Plan (Exhibit B), and

**Resolution Authorizing the Acquisition of Right of Way and the Construction of Transportation Improvements at the Intersection of Kenosha County Trunk Highways U and C**

**September 8, 2020**

**Page 2**

WHEREAS, all Plat Plans and the resultant acquisition of ROW require the approval of the Kenosha County Board of Supervisors, and

WHEREAS, the expenses for the land acquisition, estimated to be \$137,159 as shown in Exhibit A, will be prepaid to Kenosha County by HSA Acquisitions prior to the County starting the land acquisition process, and

WHEREAS, the expenses for construction of the transportation improvements, estimated to be \$826,577 as shown in Exhibit A, will be prepaid to Kenosha County by HSA Acquisitions prior to the County starting the construction process, and

WHEREAS, no borrowing will be required of Kenosha County and any expenses to be paid by the County will be made from prepaid funds,

THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approves the attached Plat Plan and acquisition of the ROW as specified in Exhibit B and approves receiving and expending funds as per the budget modification which is attached and incorporated by reference.

Resolution Authorizing the Acquisition of Right of Way and the Construction of Transportation Improvements at the Intersection of Kenosha County Trunk Highways U and C

September 8, 2020

Page 3

Respectfully Submitted:

Public Works Committee:

Aye      Nay      Abstain      Excused



Bill Grady, Chairperson

☒☐☐☐



John Franco, Vice Chairperson

☒☐☐☐



Laura Belsky

☒☐☐☐



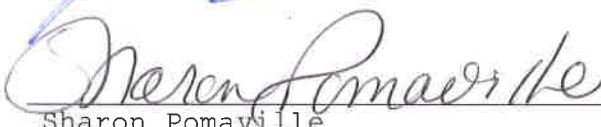
Andy Berg

☒☐☐☐



Gabe Nudo

☒☐☐☐



Sharon Pomaville

☒☐☐☐



Zach Rodriguez

☒☐☐☐

Resolution Authorizing the Acquisition of Right of Way and the Construction of Transportation Improvements at the Intersection of Kenosha County Trunk Highways U and C

September 8, 2020

Page 4

FINANCE/ADMINISTRATION COMMITTEE

	Aye	Nay	Abstain	Excused
 Supervisor Terry W. Rose, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Jeffrey Gentz, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Ron Frederick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Ed Kubicki	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor John Franco	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Monica Yuhas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Jeff Wamboldt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



# EXHIBIT A



PINNACLE ENGINEERING GROUP

Plan | Design | Deliver  
www.pinnacle-engr.com

## Engineers Opinion of Probable Cost Magnitude

Bristol Highlands Commerce Center - Village of Bristol, Kenosha County, WI

10/10/2019

This opinion of cost is based on conceptual layouts. It will be necessary to refine this opinion of cost to reflect actual layouts and final engineering design. PEG assumes no liability for conceptual opinions of cost used for anything other than determining the approximate magnitude of construction costs.

Item Description	Unit	Quantity	Unit Cost (\$)	Budget Cost (\$)
<b>CTH C/U Intersection</b>				
<b>Grading</b>				
Topsoil Strip to Stockpile	CY	2,417	\$6.00	\$14,500
Site Mass Grading	CY	6,444	\$15.00	\$96,667
Respread Topsoil (4" depth over all disturbed areas)	CY	537	\$10.00	\$5,370
Erosion Control	LS	1	\$15,000.00	\$15,000
Topsoil Stabilization (Seed, Mulch, Fert., Blanket)	SY	4,833	\$3.00	\$14,500
<b>SUBTOTAL</b>				<b>\$146,037</b>
<b>Utility Infrastructure</b>				
<b>Storm Sewer</b>				
Average 18" RCP, Class IV (Granular Backfill)	LF	600	\$100.00	\$60,000
Inlet, Type 2 (2' x 3'-6" with Frame & Grate)	EA	6	\$1,800.00	\$10,800
Manhole (4'-6" with Frame & Grate)	EA	5	\$3,000.00	\$15,000
Precast End Section	EA	4	\$1,500.00	\$6,000
<b>SUBTOTAL</b>				<b>\$91,800</b>
<b>Future Signal Accommodations</b>				
4" Conduit Non-Metallic (2')	LF	400	\$20.00	\$8,000
Pull box Manhole (4'-6" with Frame & Grate)	EA	6	\$300.00	\$1,800
<b>SUBTOTAL</b>				<b>\$9,800</b>
<b>Roadway</b>				
Sawcut & Edge Milling	LF	2,900	\$3.00	\$8,700
Subgrade Fine Grading	SY	3,328	\$1.50	\$4,992
Excavation Below Subgrade (20% Overall Earthwork)	CY	1,289	\$25.00	\$32,222
Breaker Run for EBS	TON	2,384	\$20.00	\$47,689
Geogrid for EBS	SY	72	\$20.00	\$1,432
1-1/4" Closed Gradation BASE (14" Depth) 2 Ton per CY	TON	2,588	\$18.00	\$46,589
30" Curb & Gutter	LF	900	\$16.00	\$14,400
3-ft Gravel Shoulder (5" Depth) 2 Ton per CY	TON	2,817	\$20.00	\$56,333
Heavy Duty Asphalt Pavement Roadway (5")	TON	957	\$95.00	\$90,890
Miscellaneous Street Signage & Striping	LS	1	\$20,000.00	\$20,000
Traffic Control	LS	1	\$50,000.00	\$50,000
<b>SUBTOTAL</b>				<b>\$373,247</b>
<b>Engineering &amp; Management Services</b>				
Engineering, Investigations, Surveying, Design Fees, & Legal	EA	12%	\$620,884	\$74,506
Construction Administration, Survey Layout, Inspection, & Testing	EA	5%	\$620,884	\$31,044
"Future" Traffic Signal Design of CTH U/C Intersection	LS	1	\$25,000	\$25,000
<b>SUBTOTAL</b>				<b>\$130,550</b>
<b>Miscellaneous</b>				
Land Acquisition Costs (per Exhibit "C" Page 3)	LS	1	\$124,690.00	\$124,690
<b>SUBTOTAL</b>				<b>\$124,690</b>
<b>SUBTOTAL (NO CONTINGENCY)</b>				<b>\$876,124</b>

	Estimated Cost	10% Contingency	Total
Land Acquisition Costs	\$124,690	\$12,469	\$137,159
Engineering, Construction Administration	\$751,434	\$75,143	\$826,577
<b>Total</b>	<b>\$876,124</b>	<b>\$87,612</b>	<b>\$963,736</b>

# KENOSHA COUNTY EXPENSE/REVENUE BUDGET MODIFICATION FORM

DOCUMENT #	G/L DATE
BATCH #	ENTRY DATE

DEPT/DIVISION: DPWDS - HIGHWAY

## PURPOSE OF BUDGET MODIFICATION (REQUIRED):

Acquisition of Right of Way and Construction of Highway Improvements at the Intersection of CTH's U and C

(1) ACCOUNT DESCRIPTION EXPENSES	(2)		BUDGET CHANGE REQUESTED		(5) ADOPTED BUDGET	(6) CURRENT BUDGET	(7) ACTUAL EXPENSES	AFTER TRANSFER	
	Fund / Div Sub-Div	Main Sub- sidary	EXPENSE INCREASE (+)	EXPENSE DECREASE (-)				REVISED BUDGET	EXPENSE BAL AVAIL
Highway Construction Projects - Expense	711	582260	963,736		22,166,977	22,166,977	6,989,406	23,130,713	16,141,307
	700								
	7090								
	EXPENSE TOTALS		963,736		0	0	0	0	0

REVENUES			REVENUE DECREASE (+)	REVENUE INCREASE (-)	ADOPTED BUDGET	CURRENT BUDGET	REVISED BUDGET
	Fund / Div Sub-Div	Main Sub- sidary					
Highway Construction Projects - Revenue	711	442755		963,736	6,310,553	6,310,553	7,274,289
	700						
	7090						
	REVENUE TOTALS		0	963,736	0	0	0

COLUMN TOTALS (EXP TOTAL + REV TOTAL)

963,736 963,736

Please fill in all columns:

- (1) & (2) Account information as required
- (3) & (4) Budget change requested
- (5) Original budget as adopted by the board
- (6) Current budget (original budget w/past mods.)
- (7) Actual expenses to date
- (8) Budget after requested modifications
- (9) Balance available after transfer (col 8 - col 7)

SEE BACK OF FORM FOR REQUIRED LEVELS OF APPROVAL FOR BUDGET MODIFICATION.

PREPARED BY: Jim Kuper FINANCE DIRECTOR: Jim Kuper DATE: 8/27/2020

DIVISION HEAD: Clayton Honger DATE: 8/27/2020

DEPARTMENT HEAD: Pat COUNTY EXECUTIVE: Pat DATE: 8/27/2020

**EXHIBIT B****RELOCATION ORDER**

RE1708 04/2015

Wisconsin Department of Transportation

Project ID 1527.00-WI	Road name Wilmot Rd. and 136th Ave.	Highway CTH C AND CTH U	County Kenosha
Right of way plat date 08/26/2020	Plat sheet number(s) 1-4	Previously approved Relocation Order date N/A	

Description of termini of project:

CTH C (Wilmot Rd.) intersection with CTH U (136th Ave.)

To properly establish, layout, widen, enlarge, extend, construct, reconstruct, improve, or maintain a portion of the highway designated above, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the right of way plat for the above project.

To effect this change, pursuant to authority granted under Sections 84.02(3) and 84.09 and 84.30, Wisconsin Statutes, the Wisconsin Department of Transportation orders that:

1. The said highway is laid out and established to the lines and widths as shown on the plat.
2. The required lands or interests in lands as shown on the plat shall be acquired by the Wisconsin Department of Transportation in the name of the State of Wisconsin, pursuant to the provisions of Section 84.09(1) or (2), Wisconsin Statutes.
3. This order supersedes and amends any previous order issued by the Department.

Clement Abongwa  
Regional Real Estate Manager Signature

8/27/2020  
Date

CLEMENT ABONGWA  
Print Name

**Kenosha County  
Administrative Proposal Form**

**1. Proposal Overview**

Division: Parks Department: Public Works

Proposal Summary (attach explanation and required documents):

Resolution to apply for funding from the Wisconsin Department of Natural Resources (WDNR) Urban Forestry grant for the purpose of developing a natural resource inventory and ecological restoration projects.

Dept./Division Head Signature:  Date: 8.26.20

**2. Department Head Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Department Head Signature:  Date: 8-27-20

**3. Finance Division Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Finance Signature:   Date: 8/24/20

**4. County Executive Review**

Comments:

Action: Approval ☒ Non-Approval ☐

Executive Signature:  Date: 8/27/20


**Kenosha**



**County**

**BOARD OF SUPERVISORS**

**RESOLUTION NO. \_\_\_\_\_**

Resolution to apply for funding from the Wisconsin Department of Natural Resources (WDNR) Urban Forestry grant for the purpose of developing a natural resource inventory and ecological restoration projects.	
Original <input type="checkbox"/> Corrected <input type="checkbox"/> 2 <sup>nd</sup> Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>	
Date Submitted: 09/08/20	Date Resubmitted:
Submitted by: Matthew Collins	
Fiscal Note Attached <input type="checkbox"/>	Legal Note Attached <input type="checkbox"/>
Prepared by: Matthew Collins	Signature: 

WHEREAS, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) has identified 172-acres of ecologically sensitive areas critical to the ecosystem of Kenosha County; and

WHEREAS, Kenosha County wishes to work cooperatively with UW-Parkside to plan and implement land management surveys and improvements to strengthen the health of natural areas; and

WHEREAS, Kenosha County has a 50-year Land Use Agreement with UW-Parkside to develop ecological and recreational improvements within Petrifying Springs Park and UW-Parkside natural areas; and

WHEREAS, a project has been identified that will produce a natural resource inventory plan and associated restoration initiatives focusing on these ecologically sensitive areas within Petrifying Springs Park and UW-Parkside land; and

WHEREAS, the total estimated cost of the project shall not exceed \$50,000, and

WHEREAS, a Wisconsin Department of Natural Resources (WDNR) Urban Forestry grant is available to Kenosha County that will fund \$25,000 of the project, and

WHEREAS, there are funds available in the Kenosha County Parks budget to pay for the remaining \$25,000 of project cost and no additional borrowing or levy dollars are needed,



NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors authorizes the Director of Parks to act on its behalf to submit an application to the WDNR for an Urban Forestry grant, sign documents, accept grant award, and take necessary action to undertake, direct and complete the approved project.

Respectfully Submitted:

Committee:

Aye

Nay

Abstain

Excused



Bill Grady, Chairperson

☒☐☐☐



John Franco, Vice Chairperson

☒☐☐☐



Laura Belsky

☒☐☐☐



Andy Berg

☒☐☐☐



Gabe Nudo

☒☐☐☐



Sharon Pomaville


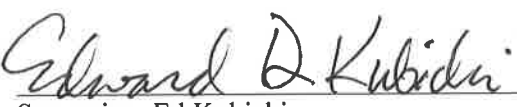
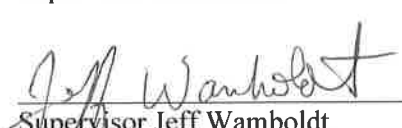
☒☐☐☐



Zach Rodriguez

☒☐☐☐

FINANCE/ADMINISTRATION COMMITTEE

	Aye	Nay	Abstain	Excused
 Supervisor Terry W. Rose, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Jeffrey Gentz, Vice-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor John Franco	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Ron Frederick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Ed Kubicki	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Jeff Wamboldt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Monica Yuhas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



# COUNTY OF KENOSHA

## Division of Planning & Development

Andy M. Buehler, Director  
Division of Planning & Development  
19600 75<sup>th</sup> Street, Suite 185-3  
Bristol, WI 53104-9772  
(262) 857-1895

### MEMORANDUM

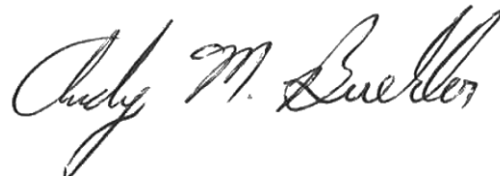
Communication to Kenosha County Board of Supervisors  
(For Informational Purposes Only)

As required by Section 59.69(2)(e), the following report is being made on the petitions to the **October 14, 2020** Planning, Development & Extension Education Committee meeting that have been filed in the Kenosha County Clerk & Kenosha County Planning & Development Offices for future consideration by the County Board.

1. **Tabled Request of HCP2 LLC**, 1412 136<sup>th</sup> Ave., Union Gove, WI 53182 (Owner), Jeff Badtke, 1412 136<sup>th</sup> Ave., Union Grove, WI 53182 (Agent), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from "Farmland Protection" & "SEC" to "General Agricultural & Open Land", "Rural-Density Residential" & "SEC" on Tax Parcel # 30-4-220-324-0100, located in the southeast ¼ of Section 32, T2N, R20E, Town of **Brighton**.
2. **Tabled Request of HCP2 LLC**, 1412 136<sup>th</sup> Ave., Union Gove, WI 53182 (Owner), Jeff Badtke, 1412 136<sup>th</sup> Ave., Union Grove, WI 53182 (Agent), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from "Farmland Protection", "General Agricultural & Open Land" & "SEC" to "Farmland Protection", "General Agricultural & Open Land", "Rural-Density Residential" & "SEC" on Tax Parcel # 30-4-220-333-0301, located in the southwest ¼ of Section 33, T2N, R20E, Town of **Brighton**.
3. **Blume Transportation Group LLC**, 1480 240<sup>th</sup> Ave, Burlington, WI 53105 (Owner), Kyle Cramer, 4754 S. Cottage Ln., Pleasant Prairie, WI 53158 (Agent), requesting an amendment to an existing **conditional use permit** to allow an expansion of the existing trucking business facility in the B-3 Highway Business Dist. on Tax Parcel #45-4-221-181-0410, located in the NE ¼ of Section 18, T2N, R21E, Town of **Paris**.
4. **Michael D. & Lisa J. Maxon**, 1333 136<sup>th</sup> Ave., Union Grove, WI 53182-9416 (Owner), requesting a **rezoning** from A-1 Agricultural Preservation Dist. & R-2 Suburban Single-Family Residential Dist. to R-2 Suburban-Density Residential Dist. on Tax Parcel #45-4-221-132-0305, located in the NW ¼ of Section 13, T2N, R21E, Town of **Paris**.
5. **HCP2 LLC**, 1412 136<sup>th</sup> Ave., Union Grove, WI 53182 (Owner), Jeff Badtke, 1412 136<sup>th</sup> Ave., Union Grove, WI 53182 (Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist. & C-2 Upland Resource Conservancy Dist. to A-1 Agricultural Preservation Dist., A-2 General Agricultural Dist. & C-2 Upland Resource Conservancy Dist. on Tax Parcel #30-4-220-324-0100, located in the southeast ¼ of Section 32, T2N, R20E, Town of **Brighton**.
6. **HCP2 LLC**, 1412 136<sup>th</sup> Ave., Union Grove, WI 53182 (Owner), Jeff Badtke, 1412 136<sup>th</sup> Ave., Union Grove, WI 53182 (Agent), requesting a **Certified Survey Map** on Tax Parcel #30-4-220-324-0100, located in the southeast ¼ of Section 32, T2N, R20E, Town of **Brighton**.

7. **HCP2 LLC**, 1412 136<sup>th</sup> Ave., Union Grove, WI 53182 (Owner), Jeff Badtke, 1412 136<sup>th</sup> Ave., Union Grove, WI 53182 (Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist., A-2 General Agricultural Dist. & C-2 Upland Resource Conservancy Dist. to A-1 Agricultural Preservation Dist., A-2 General Agricultural Dist., R-1 Rural Residential Dist., C-2 Upland resource Conservancy Dist. & C-1 Lowland Resource Conservancy Dist. on Tax Parcel #30-4-220-333-0301, located in the southwest ¼ of Section 33, T2N, R20E, Town of **Brighton**.
8. **HCP2 LLC**, 1412 136<sup>th</sup> Ave., Union Grove, WI 53182 (Owner), Jeff Badtke, 1412 136<sup>th</sup> Ave., Union Grove, WI 53182 (Agent), requesting a **Certified Survey Map** on Tax Parcel #30-4-220-333-0301, located in the southwest ¼ of Section 33, T2N, R20E, Town of **Brighton**.
9. **ANTHONY AND MARGARET MARINO FAMILY LIMITED PARTNERSHIP**, PO Box 873, New Munster, WI 53152 (Owner), Nancy Wagner, 5530 376<sup>th</sup> Ave., Burlington, WI 53105 (Agent), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from "Farmland Protection" & "Non-Farmed Wetland" to "Farmland Protection", "General Agricultural & Open Land" & "Non-Farmed Wetland" on Tax Parcel # 30-4-220-241-0100, located in the northeast ¼ of Section 24, T2N, R20E, Town of **Brighton**.
10. **ANTHONY AND MARGARET MARINO FAMILY LIMITED PARTNERSHIP**, PO Box 873, New Munster, WI 53152 (Owner), Nancy Wagner, 5530 376<sup>th</sup> Ave., Burlington, WI 53105 (Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist. to A-1 Agricultural Preservation Dist., A-2 General Agricultural Dist. & C-1 Lowland Resource Conservancy Dist. on Tax Parcel #30-4-220-241-0100 located in the northeast ¼ of Section 33, T2N, R20E, Town of **Brighton**.
11. **ANTHONY AND MARGARET MARINO FAMILY LIMITED PARTNERSHIP**, PO Box 873, New Munster, WI 53152 (Owner), Nancy Wagner, 5530 376<sup>th</sup> Ave., Burlington, WI 53105 (Agent), requesting a **Certified Survey Map** on Tax Parcel #30-4-220-241-0100, located in the northeast ¼ of Section 24, T2N, R20E, Town of **Brighton**.
12. Approval of Minutes
13. Citizens Comments
14. Any Other Business Allowed by Law
15. Adjournment

Sincerely,



ANDY M. BUEHLER, Director  
Division of Planning & Development

AMB:BF:aw

# UNITED STATES DISTRICT COURT

for the  
Eastern District of Wisconsin

ADELANA AKINDES; OSCAR WALTON; DANICA  
GAGLIANO-DELTGEN; and VICTOR  
GARCIA On behalf of themselves and other similarly

*Plaintiff(s)*

v.

CITY OF KENOSHA; and KENOSHA COUNTY.

*Defendant(s)*

Civil Action No. 20-CV-1353

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Kenosha County

1010 56th Street

Kenosha, WI 53140

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you receive it) – or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) – you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or the plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

GINA M. COLLETTI, CLERK OF COURT

Date: September 1, 2020

*Amanda S. Chasteen*

*Signature of Clerk or Deputy Clerk*





**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

Civil Action No.

ADELANA AKINDES; OSCAR WALTON; DANICA GAGLIANO-DELTGEN; and VICTOR GARCIA *On behalf of themselves and other similarly situated individuals*,  
Plaintiffs,

v.

CITY OF KENOSHA; and KENOSHA COUNTY.  
Defendants.

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**CLASS ACTION COMPLAINT AND DEMAND FOR A JURY TRIAL**

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For their Complaint, Plaintiffs state and allege as follows:

**INTRODUCTION**

In Kenosha, there are two sets of laws - one that applies to those who protest police brutality and racism, and another for those who support the police. Plaintiffs bring this action to protect their right and the rights of others to protest police brutality free of retaliation and free from fear that they will be arrested solely on the basis of the content of their message.

Over the past 9 days, the Kenosha City Police Department and the Kenosha County Sheriff's Department have arrested over 150 peaceful protesters for violating the County imposed curfew order<sup>1</sup>, yet in spite of the presence of pro-police protesters and militias, NOT A SINGLE

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<sup>1</sup> It is not clear that a curfew order has in fact been validly enacted. Counsel has made diligent efforts to locate the enactment of an Emergency Curfew order through public document searches, online searches, and in making phone calls to the Kenosha County Administration requesting this order. No such order can be found online, though public records, and the County administration has been unable to provide an order. The only reference to be found are three press releases by the Kenosha County Sheriff.

PRO-POLICE demonstrator has been arrested. The Kenosha Police and Kenosha Sheriffs use this ordinance to silence the voices of those who peacefully demonstrate against police brutality while allowing pro-police activists and militias to roam the streets without fear of arrest.

The Kenosha Police and Sheriffs cannot be trusted to enforce this curfew under a State of Emergency ordinance in a viewpoint neutral manner. These actions have not been isolated events - rather, they are part of a force-wide use of this ordinance to restrict the constitutional rights of demonstrators challenging racism and police brutality in our society. This pattern and practice of conduct by Kenosha police tramples on the Constitution.

Plaintiffs bring this action to ask the Court to restrain the City of Kenosha from further violations of the First Amendment and Equal Protection rights of peaceful demonstrators.

#### **THE PARTIES**

1. Plaintiff Danica Gagliano-Deltgen is a Wisconsin resident who lives in the city of Wauwatosa County of Milwaukee,.
2. Plaintiff Oscar Walton is a Wisconsin resident who lives in the city and county of Milwaukee Wisconsin.
3. Plaintiff Adelana Akindes is a Wisconsin resident who lives in the city and county of Kenosha Wisconsin.
4. Plaintiff Victor Garcia is a Wisconsin resident who lives in the city and county of Kenosha Wisconsin.
5. Defendant City of Kenosha is a municipality incorporated in the State of Wisconsin.

#### **JURISDICTION AND VENUE**

6. This is a civil rights action brought pursuant to 42 U.S.C. § 1983. Therefore, this Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331(a) and 1343, the First, Fifth and Eighth Amendments United States Constitution and over the parties pursuant to 28 U.S.C. § 1391(b) because this action arises from the commission of tortious acts within the State of Wisconsin, by residents of the State of Wisconsin.
7. Pursuant to 28 U.S.C. § 1391(b), venue is proper in the District Court in and for the Eastern District of Wisconsin because the conduct complained of occurred within the City and County of Kenosha which is within the Eastern District of Wisconsin.

#### **BACKGROUND**

8. On Sunday, August 23, 2020, Jacob Blake was attacked by an officer of the Kenosha Police Department (“KPD”). The events of Mr. Blake’s attack were captured on video by a bystander and have renewed our national debate on systematic racism and police brutality directed at Black Americans.. Mr. Blake was transported by to a local hospital, where he has undergone multiple surgeries and per hospital personnel, remains in serious condition.
9. Almost immediately after the shooting, neighbors and Kenosha residents began to demonstrate in response to this police brutality. Demonstrators first gathered at the site of Mr. Blake’s shooting and later went to the courthouse located in downtown Kenosha.
10. Every night since, peaceful demonstrators have assembled in downtown Kenosha, often in front of the Courthouse. Although some demonstrators have engaged in destructive

activity, these incidences have been remote when compared to the hundreds of otherwise peaceful protesters.

11. These demonstrators have gathered to exercise their First Amendment rights - to protest against the Kenosha Police for the police brutality inflicted just this week by that same very police department.
12. The Kenosha Police have responded that they do not need to hear these complaints, instead telling protesters that they should write a letter to the Governor of Wisconsin.
13. Kenosha County responded by enacting a State of Emergency curfew that has no exceptions for any purpose and in particular, makes no exception for the exercise of First Amendment rights.
14. The Kenosha curfew begins at 7 p.m. and lasts until 7 a.m. Starting the curfew at just after work appears more aimed at silencing speech than in pursuit of any substantial governmental interest.
15. By commencing the curfew at such an early time each day and providing no room for any free expression, the curfew has the effect of crowding out much of Plaintiffs' and Plaintiff Class's opportunity to exercise their rights.
16. These demonstrations to end police brutality and racism have also brought out vigilantes and pro-police counter-protesters.
17. Many of these pro-police protesters carry automatic weapons, typified by Kyle Rittenhouse, the 17-year old who murdered two peaceful demonstrators this week.
18. But these pro-police protesters are not simply protesters, they also appear to be coordinating with the Kenosha Police.

**See video of pro-police protester stating that the police told him and his group that the police would push the anti-police brutality protesters down to the pro-police militia**

**“because you can deal with them”:** [www.ascendcounsel.co/exhibit1](http://www.ascendcounsel.co/exhibit1)

19. The relationship between the police and these pro-police protesters and militia also shields those the police perceive as supportive from enforcement of the curfew.
20. In Exhibit 2, the police are shown thanking the militia members, stating “hey, thank you guys again” and “we appreciate you guys, we really do.”
21. Although this video is taken after dark while a curfew is in place, the Kenosha police and Sheriffs can be heard providing support and supplies to the militia members while simultaneously enforcing the curfew against protesters expressing opposition to police brutality.

**See video of Kenosha Police speaking with Kyle Rittenhouse and his pro-police militia stating “Hey, thank you guys again” and “we appreciate you guys, we really do,” while offering Mr. Rittenhouse and his posse water:** [www.ascendcounsel.co/exhibit2](http://www.ascendcounsel.co/exhibit2)

22. The video makes clear that there are two sets of laws - one for those whose message the police support, and one for those who message the police oppose.
23. Over the course of the past week, the Kenosha Police have arrested over one hundred and fifty (150) protesters. Each night, the police have used this ordinance to arrest more and more peaceful protesters.
24. Even though there were both pro-police and anti-police brutality protesters, ONLY anti-police protesters have been arrested under this ordinance.



25. More peaceful protesters will be arrested tonight, and every night so long as people show up to challenge the use of excessive force on the residents of Kenosha by the Kenosha Police Department and Kenosha Sheriffs.
26. The Kenosha Police and Sheriffs have shown an unwillingness to enforce the State of Emergency in a viewpoint neutral manner. Instead they use it as a tool to silence those peaceful protesters who dare to confront this police department's brutality.
27. The Kenosha Police and Sheriffs are supposed to serve and protect the residents of Kenosha.
28. Instead, they are only protecting their own.

#### **PLAINTIFF ALLEGATIONS**

29. Plaintiff Danica Gagliano-Deltgen is a resident of Milwaukee, Wisconsin.
30. Ms. Gagliano-Deltgen attended a protest rally in Kenosha this week to express views opposing police violence and brutality.
31. Ms. Gagliano-Deltgen was arrested by the Kenosha Police for violating the curfew imposed by the State of Emergency ordinance while engaging in peaceful protest.
32. Ms. Gagliano-Deltgen intends to continue to protest police violence in Kenosha, but will either be arrested for such conduct in the future or will be chilled from participating in such protests for fear of arrest.
33. Plaintiff Adelana Akindes is a resident of Kenosha, Wisconsin.
34. Ms. Akindes attended a protest rally in Kenosha this week to express views opposing police violence and brutality.

35. Ms. Akindes was arrested by the Kenosha Police for violating the curfew imposed by the State of Emergency ordinance while engaging in peaceful protest.
36. As. Akindes intends to continue to protest police violence in Kenosha, but will either be arrested for such conduct in the future or will be chilled from participating in such protests for fear of arrest.
37. Plaintiff Oscar Walton is a resident of Milwaukee, Wisconsin.
38. Mr. Walton attended a protest rally in Kenosha this week to express views opposing police violence and brutality.
39. Mr. Walton was arrested by the Kenosha Police for violating the curfew imposed by the State of Emergency ordinance while engaging in peaceful protest.
40. Mr. Walton intends to continue to protest police violence in Kenosha, but will either be arrested for such conduct in the future or will be chilled from participating in such protests for fear of arrest.
41. Plaintiff Victor Garcia is a resident of Kenosha, Wisconsin.
42. Mr. Garcia attended a protest rally in Kenosha this week to express views opposing police violence and brutality.
43. Mr. Garcia was arrested by the Kenosha Police for violating the curfew imposed by the State of Emergency ordinance while engaging in peaceful protest.
44. Mr. Garcia intends to continue to protest police violence in Kenosha, but will either be arrested for such conduct in the future or will be chilled from participating in such protests for fear of arrest.

### **MUNICIPAL ALLEGATIONS**

45. The City of Kenosha has policies and customs of violating the freedom of expression of protesters, of retaliating on the basis of the viewpoint expressed, and of enforcing certain ordinances on the basis of race and viewpoint.
46. The City of Kenosha has a custom or practice of infringing on peoples' right to assemble, to protest, to express their political and other beliefs, and on the basis of their viewpoint.

#### **CLASS ALLEGATIONS**

47. Under Rules 23(a) and 23(b)(1) and (2) of the **Federal Rules of Civil Procedure**, Plaintiffs bring this action for prospective relief on behalf of themselves and other similarly situated people who, as protesters, medics, journalists, and citizens of the State of Wisconsin, will in the future observe, record, and participate in protest activity and in public places within the city Kenosha in traditional or designated public fora (the "Plaintiff Class"). The Plaintiff Class is defined as:

All protesters, who intend to engage in protest activities, to render aid to those who have been injured, and to record the actions of police officer on duty in public places within the city and county of Kenosha.

48. The Plaintiff Class is so numerous that joinder of all the members would be impracticable. Kenosha protest events over the past week often number in excess of five hundred participants.
49. As a result of the Kenosha's customs and policies of targeting journalist, medics, and protesters in enforcement of the State of Emergency or curfew, denying them freedom of movement to observe, record, and participate in public demonstrations, intimidation by threats of violence, and infringement on their right to assemble and speak, the Plaintiff

Class have been and will continue to be deprived of their constitutional rights under the First, Fourth, and Fourteenth Amendments.

50. Plaintiffs' claims for prospective relief are typical of the members of the Plaintiff Class because Protests are ongoing and Plaintiffs and the Plaintiff Class members have a reasonable fear that Defendants will continue to carry out their unconstitutional customs or policies of enforcing the State of Emergency ordinance and curfew with discriminatory intent and with an intent to infringe on the right to assemble and speak on the basis of opinion and viewpoint.
51. Plaintiffs will fairly and adequately protect the interests of the Plaintiff Class. Plaintiffs have no conflicts involving other class members or Defendants. Plaintiffs understand their role as a class representative and their duties to the class in this litigation. Plaintiffs are represented by competent and skilled counsel whose interests are fully aligned with the interests of the class.
52. Questions of law or fact are common to the class. These legal and factual questions include but are not limited to:
- a. Does the Kenosha Police Department enforce the State of Emergency ordinance in a manner so as to silence the voices of anti-police brutality protesters; and
  - b. Does the Kenosha Police Department apply the State of Emergency ordinance only on the basis of viewpoint and not in a viewpoint neutral manner.
53. Maintaining individual actions would create a risk of "inconsistent or varying adjudications with respect to individual class members that would establish incompatible standards of conduct for the party opposing the class." Rule 23(b)(1)(A) of the Federal

Code of Civil Procedure (cite U.S. Code) . Multiple courts issuing multiple injunctions governing the engagement and use-of-force standards for law enforcement would be entirely untenable. Doing so would only contribute to a state of uncertainty and confusion that allows the constitutional violations described in the complaint to continue.

54. This case involves “adjudications with respect to individual class members that, as a practical matter, would be dispositive of the interests of the other members not parties to the individual adjudications or would substantially impair or impede their ability to protect their interests.” Rule 23(b)(1)(B) of the Federal Code of Civil Procedure. A ruling with respect to a single Plaintiffs in this case would arguably be strong stare decisis—if not necessarily res judicata—with respect to other putative class members and members of the law enforcement community. There is no benefit to allowing the overwhelmingly common issues in this case to be litigated individually. The interests of both class members and defendants requires classwide treatment.

55. Finally, “the party opposing the class has acted or refused to act on grounds that apply generally to the class, so that final injunctive relief or corresponding declaratory relief is appropriate respecting the class as a whole[.]” Rule 23(b)(2) of the Federal Code of Civil Procedure. There is no allegation that Plaintiffs have been targeted because of anything unique to them as individuals. Rather, they have been repeatedly targeted and assaulted because of their membership in a class of protesters. Plaintiffs’ targeting exists only by virtue of a broader pattern and practice of unconstitutional conduct directed at journalists, medics, and protesters as a class. Logically, injunctive relief for the “class as a whole” is



the only mechanism available to afford relief in light of conduct directed specifically to the class.

### **CAUSES OF ACTION**

#### **COUNT I:**

First Amendment - 42 U.S.C. 1983

56. Plaintiffs and the Plaintiff Class restate and reallege all previous paragraphs of this Complaint.
57. Plaintiffs and the Plaintiff Class engaged in constitutionally protected acts of observing, recording, and participating in events of public interest, including public demonstrations and in expressing their political views. Plaintiffs and the Plaintiff Class will continue to do so in the future.
58. Defendant retaliated against Plaintiffs and the Plaintiff Class for engaging in constitutionally protected activity and for the content and viewpoint of the expressions. Defendant's retaliation is part of a pattern or practice of unconstitutional conduct that is certain to continue absent any relief.
59. Plaintiffs and the Plaintiff Class reasonably fear the continued use of the State of Emergency to target only those opposing police brutality if they continue to engage in constitutionally protected activity.
60. These acts would chill a reasonable person from continuing to engage in a constitutionally protected activity. These acts did, in fact, chill Plaintiffs and the Plaintiff Class from continuing to observe and record some events of public interest and to participate in peaceful protests.

61. It was Defendant's custom and policy, as well as their failure to train and supervise their officers, and issue corrective instructions after violations were brought to light, that caused the First Amendment retaliation.
62. Defendant's failure to supervise and train their employees and agents with respect to the First Amendment rights of Plaintiff and the Plaintiff Class, amounts to deliberate indifference to the rights of Plaintiff and the Plaintiff Class.
63. The pattern of similar constitutional violations against Plaintiffs and the Plaintiff Class that occurred during the protests demonstrates the deliberate indifference of the Defendant to the rights of Plaintiffs and the Plaintiff Class.
64. Further, given the multiple constitutional violations documented above, the need for more supervision or training was so obvious, and the inadequacy of the training and supervision so likely to result in the violation of constitutional rights, that Defendant demonstrated their deliberate indifference to the need for such training and supervision.
65. Plaintiffs' First Amendment rights were violated when they were arrested for violating the State of Emergency ordinance on the basis of their expression.
66. Plaintiffs and the Plaintiff Class reasonably fear further retaliation in the future if they continue to observe, record, or participate in constitutionally protected activity.

## **COUNT II:**

**Equal Protection - Selective Enforcement - 42 U.S.C. 1983**

67. Plaintiffs and the Plaintiff Class restate and reallege all previous paragraphs of this Complaint.

68. Plaintiffs and the Plaintiff Class have been arrested and are likely to be subject to future enforcement of the curfew on the basis of their viewpoint.
69. Compared to those who express a pro-police message, Plaintiffs and Plaintiff Class have been and will continue to be selectively treated.
70. The selective treatment and arrest of Plaintiffs and Plaintiff Class is motivated by an intention to discriminate on the basis of impermissible considerations and to punish or inhibit the exercise of First Amendment constitutional rights.

**COUNT III:**

First Amendment - Facial Challenge - 42 U.S.C. 1983

71. Plaintiffs and the Plaintiff Class restate and reallege all previous paragraphs of this Complaint.
72. The curfew instituted by Kenosha County provides no exceptions for legal observers or the press.
73. The curfew instituted by Kenosha County imposes a disproportionate burden on peaceful protesters engaged in protected First Amendment activity.
74. The curfew is not narrowly tailored to serve a significant governmental interest.
75. The curfew makes no allowance for alternative channels for free expression - completely eliminating any right to peaceably assemble during normal assembly and protest hours.
76. The curfew was enacted for the purpose of suppressing free expression and lawful assembly.
77. The curfew's restriction on First Amendment rights is greater than is essential to the furtherance of any governmental interest.

78. The curfew is not a reasonable time, place, or manner restriction on Plaintiffs' and Plaintiff Class's rights to exercise their First Amendment rights.
79. Beginning a curfew at 7 p.m. is both overbroad and is not narrowly tailored to a significant governmental interest.

WHEREFORE, Plaintiffs, individually and as representatives of the class defined here, pray for relief as follows:

1. A temporary restraining order barring the City of Kenosha and Kenosha County from enforcing the State of Emergency or any similar measure and from the discriminatory enforcement of any ordinance on the basis of any individual's viewpoint or opinion;
2. An order finding the Kenosha County curfew unconstitutional.
3. A preliminary injunction barring Defendants from engaging in unconstitutional conduct;
4. A determination that this action may proceed as a class action under Rules 23(a) and 23(b)(1) and (2) of the Federal Rules of Civil Procedure;
5. Designation of Plaintiffs as Class Representatives and designation of Plaintiffs' counsel as class counsel;
6. A declaration that Defendant's conduct violated the First, Fourth, and Fourth Amendments of the United States Constitution;
7. A permanent injunction barring Defendants from engaging in unconstitutional conduct;

8. Damages compensating Plaintiffs for their injuries, including but not limited to compensatory, pecuniary, and medical expense damages;
9. An award of prejudgment interest;
10. An award of attorneys' fees and costs pursuant to 42 U.S.C. § 1988; and
11. An award of such other and further relief as the Court deems equitable and just.

**JURY DEMAND**

Plaintiffs demand a trial by jury of all issues triable.

Respectfully submitted this 28th day of August, 2020.

Kimberley Cy. Motley  
2206 Bonnie Butler Way  
Charlotte, North Carolina 28270

E. Milo Schwab  
3000 Lawrence Street  
Denver, CO 80205

**ATTORNEYS FOR PLAINTIFFS**