



**NOTICE OF SPECIAL VILLAGE BOARD MEETING**

**Monday, August 24, 2020 at 6:00 p.m.  
Caledonia Village Hall – 5043 Chester Lane**

**THIS WILL BE AN IN-PERSON MEETING – MAX NUMBER OF IN-PERSON CITIZEN ATTENDEES 16  
ALL ATTENDEES MUST WEAR A FACE COVERING**

**AUDIO & VIDEO CONFERENCE VIA ZOOM**

**ACCESS VIA DIAL-IN NUMBER IS: 1-(312) 626-6799; ACCESS CODE IS: 811 4412 6286 OR  
ACCESS VIA ONE-TOUCH TELEPHONE IS: +16465588656,, 81144126286#OR  
ACCESS VIA INTERNET IS: <https://us02web.zoom.us/j/81144126286>**

1. Call to Order
2. Determine the validity of a protest petition, as amended, regarding the proposed rezoning of a parcel of land located at 4712 4 Mile Road Part Of The SE 1/4 Of Sec. 24, T4N, R22E, Village Of Caledonia; Containing 10.25 Acres, More Or Less; Vaga Properties LLC, Owner
3. **Ordinance 2020-14** – An Ordinance Adopting An Amendment To The Multi-Jurisdictional Comprehensive Plan For Racine County: 2035 As It Pertains To The Village Of Caledonia Under Section 13-2-1 Of The Village’s Code Of Ordinances By Creating Section 13-2-2(O) Adding An Amendment To The Village’s Comprehensive Plan And Affecting 4712 4 Mile Road Part Of The Se 1/4 Of Sec. 24, T4N, R22E, Village Of Caledonia; Containing 10.25 Acres, More Or Less; From Low Density Residential To Commercial; Vaga Properties LLC, Owner
4. **Ordinance 2020-13** – An Ordinance To Amend Zoning Districts Of The Zoning Map Adopted Under Section 20-212 Of The Racine County Code Of Ordinances As Adopted By The Village Of Caledonia Under Section 16-1- 1(A) Of The Code Of Ordinances Of The Village Of Caledonia Approving A Request To Rezone ±10.25 Acres From R-2 Suburban Residential District (Unsewered) To B-1 Neighborhood Business District ; Se 1/4 Of Sec. 24, T4N, R22E, Vacant Lot Located At 4712 4 Mile Road, Village Of Caledonia, Racine County, WI; Vaga Properties LLC, Owner
5. **Resolution 2020-72** – Resolution Authorizing the Village of Caledonia to Revise Ambulance Fees
6. **Resolution 2020-73** – Resolution Authorizing the Workers Compensation Policy
7. **Resolution 2020-74** – Resolution Authorizing the Temporary Transitional or Modified Duty Assignments Policy
8. **Resolution 2020- 75** – Resolution Authorizing the Telework Policy
9. **Resolution 2020- 76** – Resolution Authorizing the COVID Employment and Employee Conditions Policy
10. **Resolution 2020- 77** – Resolution Authorizing the Face Masks Face Coverings Policy
11. Adjournment

Dated August 21, 2020

Karie Pope, Village Clerk

**FOLEY • SHANNON • POWERS • RUSCH, S.C.**

**ATTORNEYS AT LAW**

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Thomas C. Krohn (1941-2018)  
John W. Foley (1929-2009)

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*Wisconsin*

**CERTIFICATE OF SERVICE BY MAIL**  
The undersigned certifies that a true copy of the within was served by mail or by personal delivery upon all attorneys of record pursuant to Wis. a 801.14. this 12 day of August, 2020.  
*Benson DuPriest*

August 12, 2020

Village of Caledonia Planning Commission  
and Village Board of Trustees  
5043 Chester Lane  
Racine, WI 53402

**Re: 2035 Land Use Map Plan**

Dear Members of the Planning Commission  
And Board of Trustees:

I represent Dan Siudak with respect to his development proposal consisting of a medical facility on 4 Mile Road in the Village of Caledonia. It has come to our understanding that one of the Village Board Members, Fran Martin, is either currently on or most recently was a member of the Board of Directors for the Caledonia Conservancy. I have recently reviewed the website for the Caledonia Conservancy and saw her name listed as a Board Member. As you may know, the Caledonia Conservancy has authorized a "Protest Petition" indicating they object to the proposed medical services development proposed by Mr. Siudak.

We believe Fran Martin has a clear and distinct conflict of interest in this matter. Blacks Law Dictionary, in part, defines conflict of interest as follows:

**CONFLICT OF INTEREST.** Term used in connection with public officials and fiduciaries and their relationship to matters of private interest or gain to them...

Section 2-423 of the Racine County Code of Ordinances sets forth the standards of conduct and specific conflicts of interest. Sub-section B of that ordinance provides as follows:

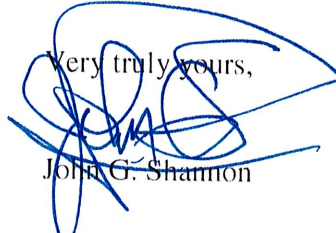
5605 Washington Avenue, Suite 4, Racine, WI 53406  
Milwaukee and Paddock Lake Offices – By Appointment

**ECONOMIC AND PERSONAL GAIN.** No public official shall engage in any business or transaction or shall act in regard to economic or personal interest, direct or indirect, in a manner that is incompatible with the proper discharge of his or her official duties or that would tend to impair his or her independence of judgment or action in the performance of his or her official duties. This section is not intended to interfere with public officials having duties or employment in addition to those related to the county, provided those duties or employment do not cause violations of this code of ethics and are disclosed in the annual statement of economic interest.

I understand this is a Racine County ordinance but it has application with respect to the general accepted policy for all municipalities to avoid conflicts of interest. Since Ms. Martin either currently is or recently was a member of the Caledonia Conservancy she certainly has a private interest on a Board for which she either was or is a fiduciary. The Conservancy has come out and publicly announced its opposition to the development. We believe Ms. Martin may not, as a Village Board Member, hear or discuss this matter without creating a conflict of interest. Additionally, if a Board Member recuses themselves as having a conflict of interest, not only should they refrain from voting on the issue but they should not discuss it or participate in any exchange of ideas or information concerning this subject matter. The Racine County ordinance, once again, speaks to this issue as follows:

(j)... when a matter in which a public official should not participate comes before a Board, Commission or other body of which the public official is a member, he or she, should leave that portion of the body's meeting involving discussion, deliberations or votes related to that matter and ask that the body's Minutes reflect his or her absence. The body's remaining members may review the matter and take whatever action they might find appropriate.

The bottom line is that Ms. Martin is or was a fiduciary to the Caledonia Conservancy and of course is a current member of the Village Board of Trustees. As such, we believe there is a conflict of interest and Ms. Martin should not participate in either the discussion and/or the vote in any manner relating to Mr. Siudak's proposal.

Very truly yours,  
  
John G. Shannon

JGS:bhd

FOLEY • SHANNON • POWERS • RUSCH, S.C.

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August 20, 2020

Village of Caledonia Planning Commission  
and Village Board of Trustees and  
Elaine Ekes, Village Attorney  
5043 Chester Lane  
Racine, WI 53402

***Re: Amendment to the Petition and Protest of Commercial Re-Zoning and 2035  
Land Use Map Plan Amendment Dated July 21, 2020***

Dear Members of the Planning Commission,  
Board of Trustees & Ms. Ekes:

As you know I represent Dan Siudak with respect to his request to develop a multi-use medical building on a 10.25 acre site on 4 Mile Road in the Village of Caledonia. Mr. Siudak received a "Protest Petition" in opposition to the re-zoning and the amendment to the 2035 Land Use Map Plan of the Village of Caledonia. In their original Petition the Petitioners did not meet the 50% threshold of adjacent landowners but stated that the State of Wisconsin is not a private entity and hence their property should not be "counted" with respect to determining if the 50% threshold is met.

I spoke with the Planning Department on behalf of Mr. Siudak and registered my opposition (in my opinion) that Petitioner's argument was incorrect based upon the history of Protest Petitions in the State of Wisconsin as well as the Racine County Protest Petition Ordinance. That ordinance (Section 20-168) provides as follows:

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Sec. 20-168. -- Protest.

In the event a protest against a proposed change or amendment is filed with the county clerk at least twenty-four (24) hours prior to the date of the meeting of the board of supervisors at which the recommendation of the planning and development committee is to be considered, duly signed and acknowledged by the owners of fifty (50) percent or more of the area proposed to be altered, or by abutting owners of over fifty (50) percent of the total perimeter of the area proposed to be altered included within three hundred (300) feet of the parcel or parcels proposed to be rezoned, action on such ordinance may be deferred until the planning and development committee has had a reasonable opportunity to ascertain and report to the board of supervisors as to the authenticity of such ownership statements. Each signer shall state the amount of area or frontage owned by him and shall include a description of the land owned by him. If such statements are found to be true, such ordinance shall not be adopted except by the affirmative vote of three-fourths (3/4) of the members of the board of supervisors present and voting. If such statements are found to be untrue to the extent that the required frontage or area ownership is not present, such protest may be disregarded.

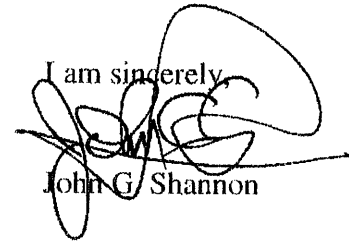
It's my understanding that the Petitioners have now received the signature on the Petition of several owners (slightly less than two-thirds) of an adjacent property to that of Mr. Siudak. This property apparently has a number of "owners" on the title report. Apparently the Caledonia Conservancy owns one-third of the parcel, a "Real Estate Trust Agreement" (Estate of Mildred M. Tepley) owns one-third and five additional individuals each own one-fifteenth of the balance of the parcel. Of the five individuals, the Petitioners purport to have four signatures. However, they do not have signature of the trustee of the Real Estate Trust Agreement.

The Protest Petition does not state that in the event of multiple ownership a "majority" of the owners can vote for the non-majority owners. Simply put, in order to meet the mandates of the ordinance all owners of the adjacent parcel must sign the Protest Petition in order for it to be valid. This is not like a condominium association that has a duly elected board pursuant to statute and organized by agreement in a covenant that "runs with the land." There is no authorization for the majority owners to sign for and bind the non-majority owners. Hence, the Petitioners have failed to meet the 50% threshold requiring a super majority of the Village Board of Trustees in order to amend the 2035 Land Use Plan. We do not believe the Petitioner's submitted valid signatures of 50% of the "owners" required for a valid protest has been met.

Additionally, although the Caledonia Conservancy may be signed by the "President" we are unaware if there was an official board meeting of the Caledonia Conservancy discussing the issue at a duly enacted and noticed meeting of the Board of the Caledonia Conservancy.

Although the Petition may be signed by the "President" the requisite authorization for that signature is nowhere to be seen. Due to these factors we believe that the Protest Petition fails to meet the 50% threshold requirement to mandate a super majority.

With best regards,

I am sincerely,  
  
John G. Shannon

JGS:bhd

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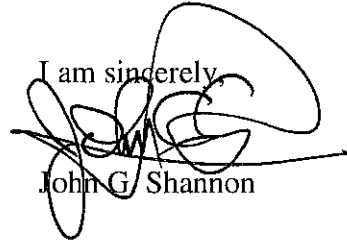
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With best regards,

I am sincerely,  
  
John G. Shannon

JGS:bhd

## REAL ESTATE TRUST AGREEMENT

**GRANTOR:** ESTATE OF MILDRED M. TEPLEY by PAULA MILLER, PERSONAL REPRESENTATIVE

**TRUSTEE:** PAULA MILLER

**NAME OF TRUST:** ESTATE OF MILDRED M. TEPLEY REAL ESTATE TRUST DATED SEPTEMBER 30, 2004

This Trust Agreement is made September 30, 2004, between The Estate of Mildred M. Tepley, by Paula Miller, Personal Representative, 3717 Washington Avenue, Racine, Wisconsin 53405 (hereinafter "Grantor"), and Paula Miller of 3717 Washington Avenue, Racine, Wisconsin 53405 (hereinafter "Trustee").

### ARTICLE 1

#### Appointment of Trustee: Trust Name

**1.1 Name of Trust.** This trust shall be known as the **Estate of Mildred M. Tepley Real Estate Trust**, dated September 30, 2004.

**1.2 Appointment of Trustee.** Grantor appoints Trustee as trustee of this trust. In the even Trustee shall fail to act for any reason, Grantor appoints James J. Fetek of Racine, Wisconsin, as Successor Trustee under this agreement.

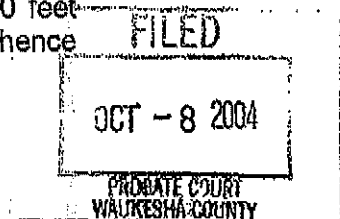
**1.3 Acts of Trustee.** Trustee may exercise any one or more of the powers granted to the Trustee under Article 5 as the Trustee in her discretion may determine to be in the best interests of the trust.

### ARTICLE 2

#### Trust Principal

**2.1 Trust Assets.** The principal of this trust shall consist of the undivided one-third interest of the Estate of Mildred M. Tepley in 4.6 acres of vacant land located in the Town of Caledonia, Racine County, Wisconsin, more particularly described as follows:

That part of the Southeast  $\frac{1}{4}$  of Section 24, Township 4 North, Range 22 East, bounded as follows: Begin on the South line of said Southeast  $\frac{1}{4}$  at a point located 80 feet West of the Southeast corner of said Section; run thence



North parallel to the East line of said Section to the centerline of the Four Mile Road; thence Southwesterly along said centerline to a point located 520 feet West of the East line of said Section 24; thence South parallel to the East line of said Section 24, 444.75 feet to a point on the South line of said Section 24; thence East on said South line 440 feet to the point of beginning. **Excepting** therefrom the following described real estate: That part of the southeast  $\frac{1}{4}$  of Section 24, Township 4 North, Range 22 East, described as follows: Commence at the Southeast corner of said Section; thence North  $00^{\circ}09'47''$  East 540.33 feet along the East line of said Section to the point of beginning of this description; thence South  $79^{\circ}03'37''$  West 400 feet; thence South  $10^{\circ}56'23''$  East 33 feet; thence Easterly to a point which is 300 feet South  $79^{\circ}03'37''$  West and 60 feet South  $10^{\circ}56'23''$  East of the point of beginning; thence North  $79^{\circ}03'37''$  East to the East line of said Section; thence North  $00^{\circ}09'47''$  East along said East line of said Section to the point of beginning. Subject to the rights of the public in and to that part of the above described premises currently laid out or being used for the Four Mile Road. Said land being in the Town of Caledonia, County of Racine, State of Wisconsin.

Upon the sale of the above described real estate, the one-third of the net sale proceeds shall also become an asset of this trust, to be distributed according to the provisions of Article 6 herein.

### ARTICLE 3

#### Receipt and Agreement of Trustee

**3.1 Agreement of Trustee.** Trustee agrees to serve as Trustee. Trustee will administer and distribute the property described in Article 2 herein according to the provisions of this trust agreement.

**3.2 Receipt of Trustee.** Trustee hereby acknowledges receipt of the property described in Article 2 herein. The real estate shall be transferred to the Trust through a Personal Representative's Deed from the Estate of Mildred M. Tepley.

**ARTICLE 4**  
**Payment of Debts, Expenses & Taxes**

4.1 The Trustee shall advance the Estate of Mildred M. Tepley's one-third (1/3) share of the real estate taxes on the property described in Article 2 herein, and shall be reimbursed by the Trust at the time of the sale of the real estate.

**ARTICLE 5**  
**Powers of Trustee**  
**and Trustee Waiver of Fees**

5.1 The Trustee shall have the power to sign all documents necessary to sell the real estate described in Article 2, including but not limited to an Offer to Purchase, Trustee's Deed, Closing Statement, and any other documents necessary for the sale of said property.

5.2 Trustee hereby waives any and all compensation for services in administering and distributing the trust property.

**ARTICLE 6**  
**Distribution of Trust Asset**

6.1 Distribution of Sale Proceeds. Upon consummation of the sale of the real estate described in Article 2, the net sale proceeds of such sale, after deduction of the usual and customary costs of the sale, shall be distributed in equal shares to the following beneficiaries:

Jari Lynn Posselt  
Anita M. Levorson  
Gail Collins  
William Loewecke  
Paula Miller  
Joan Westenberg  
Janice Reel  
JoEllen S. Schuh  
Cathy Smith  
Anna Marie Tepley  
Tammy Strouse  
George Tepley, Jr.  
Brian Tepley

**6.2 Deceased Beneficiary.** In the event any beneficiary named above dies before distribution of the net real estate sale proceeds, his or her shall be distributed to his or her descendants by right of representation.

**ARTICLE 7**  
**Beneficiary Trust Interest**

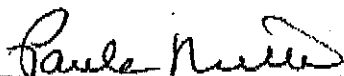
7.1 Interests in the trust created by this instrument are intended to be for the welfare of the beneficiaries and their descendants, where applicable. No interest in this Trust may be transferred or pledged, voluntarily or involuntarily, by any beneficiary or any descendant of any beneficiary.

**ARTICLE 8**  
**Governing Law**

8.1 This instrument shall be governed by the laws of the State of Wisconsin in force from time to time. This Article shall apply regardless of any change of residence of a trustee or any beneficiary, or the appointment or substitution of a trustee residing or doing business in another state.

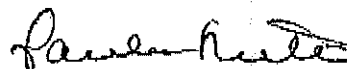
This Trust is signed on the date first above written.

**GRANTOR**



Paula Miller, Personal Representative  
of the Estate of Mildred M. Tepley

**TRUSTEE**



Paula Miller

This Document Drafted By:  
Attorney James J. Fetek  
State Bar No. 1007709  
1680 Douglas Avenue  
Racine WI 53404-2798  
(262) 637-8301  
(262) 637-8709-FAX

**1. Meeting called to order**

President Dobbs called the meeting to order at 6:03 p.m. at the Village Hall, 5043 Chester Lane, Racine, Wisconsin via Zoom.

**2. Roll Call/Introductions**

Members present: Thomas Knitter, Trustee Wanggaard, President Dobbs, Bill Folk, Joseph Minorik and Tim Just via Zoom

Absent: Jonathan Schattner was excused.

Also Present: Development Director Peter Wagner, Attorney Elaine Ekes, and Trustee Fran Martin via Zoom

**3. Citizens' Comments**

No comments were made.

**4. Public Hearing Items followed by Commission Recommendations**

**A. LAND USE AMENDMENT – Consider an amendment to the 2035 Comprehensive Plan that would update the Recommended Land Use Plan 2035 Map from Low Density Residential to Commercial use for the property located at 4712 4 Mile Road submitted by Daniel Siudak, Applicant; Vaga Properties LLC, Owner; (Parcel ID No. 104-04-22-24-046-010)**

**B. REZONE – Review a request to rezone the property located at 4712 4 Mile Road from R-2, Suburban Residential District (Sewered) to B-2, Community Business District submitted by Daniel Siudak, Applicant; Vaga Properties LLC, Owner. (Parcel ID No. 104-04-22-24-046-010)**

Peter Wagner read from his Report:

The applicant is requesting a land use plan amendment from Low-Density Residential to Commercial for the vacant property at 4712 4 Mile Road to allow for a rezoning of the property to commercial for the future development of a medical clinic and surgical center. Future rezoning to B-2, Community Business District would also be required should the Land Use amendment be approved. Parcels in the area of the subject parcel are currently identified on the Land Use Plan Map as Low Density Residential to the north and west, and Recreational to the south and east. The Commercial Land Use category would allow for the rezoning of the parcel to commercial for the development of a commercial business. This parcel is within the sanitary and water service area and has the necessary infrastructure to accommodate a commercial use. Major intersections such as STH 31 and 4 Mile Road are suitable for commercial purposes and can provide a catalyst for future commercial development along high capacity roadways within the Village such as Highway 31. Included with this report is a concept design and site plan to better illustrate what the applicant intends to develop on this site if granted approval for a land use amendment and rezoning. The State of Wisconsin Smart Growth Law requires that all local land use decisions after January 1, 2010 must be consistent with the goals, objectives, and policies contained within the Land Use Plan. Approval of these changes to the Land Use Plan Map would create consistency for the future use of the parcel located on STH 31.

**4A & 4B. Public Hearing opened: 6:14 p.m.**

**4A & 4B. Public Comments**

**Special Plan Commission Meeting**  
**Monday, July 22, 2020**

*President Dobbs asked three times if anyone wanted to speak in favor of this proposal.*

Matt Larsen 5377 Hunt Club Rd – spoke in favor of the proposal along State Hwy 31 it would be a good location for a Commercial Building. Larsen said he would like to meet and work with the Conservancy.

Daniel Siudak 5351 Wind Point Rd – spoke in favor of the proposal and being on a State Hwy it would be a good location.

Diana Lazzeroni 3614 South Ln – this is a good use of space, on a current busy location and would benefit our community.

Chris Ruud 6800 Hoods Creek Rd – felt the plan had a good infra-structure, the location is on a busy road and would be a great place for a commercial property. This type of business would keep a rural setting within the community.

*President Dobbs asked three times if anyone wanted to speak against this proposal.*

Gregory & Jennifer Berg 6001 6 mile – Caledonia Conservancy – This is low-density property with flood plains all around, said Gregory Berg. He stated changing to B-1 is enough no need to go with B-2. Expressed concern for the trout pond and the children that utilize the pond. Jennifer Berg had concerns about the busy intersection and the large parking lot shown in the concept plan.

Lisa Olley 8534 5 Mile Rd, Racine, WI – agreed with the Bergs, in addition expressed concern with all the extra lights, traffic and what that would do to the wildlife.

Bob Kutzner 5201 4 Mile Rd- is concerned about the proposed change of zoning; in the future could build a gas station or strip mall on this property. Kutzner said it's a busy location with lots of traffic; is worried about the surrounding floodplains, the wildlife, and utilization of trails.

Diana Lesnjak 4421 Harvest Ln Caledonia, 53402 – is not against growth in the Village of Caledonia but of the proposed location. She said the congestion of traffic would rise due to no other main crossways except for 4 Mile Rd between Hwy 38 to 6 Mile Rd. It would make this high traffic and dangerous intersection prone for more accidents. She expressed the concern for the surrounding nature, animals and that three of the four corners are floodplains. Lesnjak then stated Medical Corporations around the area are under used already what's to say this wouldn't be the same.

Suzi Zierten 4310 Washington Ave, Racine, WI 53405- appreciated what Matt Larsen had to say but agreed with all Diana Lesnjak said.

Sam Zorteau 5248 State Rd 31- felt as a neighboring owner that it is too close to the rural area and suggested to use a different location.

Kaelene Klemick spoke for Dennis and Bonnie Klemick 5416 State Rd 31- is worried what could end up there in the future. They also agreed with what Diana Lesnjak said. Concerned about nature, the Conservancy, the heavy traffic. Feels a different location would be better.

Stacy Joers 4340 Hwy 31 – stated Kmart is abandoned find and utilize an old space. She is concerned with what the future holds if the medical facility fails, the high-density traffic, the trout ponds and the students that utilize it. Joers felt the proposed choice of zoning isn't right for this location.

Fran Martin 5630 5 Mile Rd - felt the proposed building looked speculative and wasn't specific on what type of medical facility it would be. She stated there may be a residential developer in the future that may want to build

**Special Plan Commission Meeting**  
**Monday, July 22, 2020**

there. But there is no way to go back if the zoning is changed to Commercial B-2 and the broad range of possibilities that could be developed there. The Village of Caledonia would not have control on Conditional Uses because to the legislation and act 67. Martin said this would change the 2035 Land Use Plan and is against Spot Zoning. There is a great deal of undevelopable land in that corridor: Armstrong Park, Trout Ponds, The Conservancy, King Corner, 5 Mile & Hwy 31 and other private property owners that have no intentions on selling. Analyze the proposal further and why B-2 and not B-1.

Elizabeth Cameron 6208 Hwy 31- said it would make it dangerous to go to the trout ponds and trails. Why spot zoning? She expressed concern for the surrounding nature and wildlife. Cameron agrees with current Land Use Plan, utilize a different location; Hwy 32 not Hwy 31.

Marcia Buhler 3314 Rosewood Ln.- agreed with the current Land Use Plan. She suggested look for a different location like 4 mile and N Green Bay Rd.

Susan Derigher 5212 Hwy 31 – is against the proposal; likes the county feel being surrounded by nature but not too far from the city.

Humberto Delgado 4600 4 Mile Rd – is concerned about traffic, surrounding nature, and Conservancy.

Robert Hernandez 5525 Hwy 31 – is against the proposal, loves the area, the nature, wildlife and the horse trails. He is concerned that the tax rates would go up.

Marissa Joers 3314 Rosewood - respects what the developer and doctor are trying to do there's just not enough justification to build in this location. She stated look at different locations along Hwy 32 it's more of a commercial based area.

Amy Schleicher 7642 Foley Rd – said choose a different location majority of this area is mainly residential. She expressed concern for the flood plains on the opposite corners. Schleicher stated direct commercial development to the Hwy 32.

Jessica Wagner 5035 Hwy 38 – said reroute to a different location promote commercialization to Hwy 32. She said keep this area peaceful and quiet. Wagner was also concerned about nature, use of the trails, the conservancy, horse trails, trout pond, and pollution.

Jessica Horvath 4405 4 Mile – said preserve the nature, wildlife and beautiful area.

Sue Schuit 3223 Goley's Ln – said why build in an unbuildable or undeveloped space, it a low-density area, move towards Hwy 32 it's a business area. Keep it green.

Amy Ball 5426 Hwy 31– against it becoming commercial, the traffic is an issue, enjoy the green space, the trail rides with the horses. Hwy 32 move to that location.

Wendy McCalvy 4825 Richmond Dr – stated a lot of people worked on creating this Land Use Plan. A Land Use Plan is a promise.

**5A & 5B. Public Hearing Closed: 7:26p.m.**

**5A & 5B. Commission Deliberation**

Plan Commission asked Daniel Siudak, where does it show a 4-story structure on the proposal? Siudak verified the proposal is a 1-story building and stated in the legend on the concept plan it said the B-4 limit would be a 4-story high structure which is not what is being proposed. The architects and engineers concept design and aesthetics are a base plan not exact but close to the proposal. Plan Commission agreed lots of time had been spent



**Special Plan Commission Meeting  
Monday, July 22, 2020**

creating the 2035 Land Use Plan. They also said traffic impact analysis would have to be done and expressed concern with the high traffic intersection. Pertaining to the Kmart building the Village of Caledonia doesn't own that structure the Commission said. Plan Commission members asked Siudak if he would consider B-1 vs B-2. Siudak said he wasn't against B-1 if it would allow a medical clinic just more restrictive.

*President Dobbs asked if anyone has a recommended motion:*

**5A Land Use Amendment Motion:**

Thomas Knitter motioned that the Plan Commission recommends to the Village Board an amendment to the 2035 Land Use Plan Map from Low Density Residential (19,000 square feet to 1.49 acres per dwelling unit) to Commercial for the property located at 4712 4 Mile Road for the following reasons:

1. Due to the subject property's proximity to STH 31, commercial uses should be encouraged in this area.
2. This Land Use Plan amendment will lay the foundation for rezoning of the subject property to the B-1 Neighborhood Business District.

Kevin Wanggaard seconded motion.

**ROLL CALL**

Thomas Knitter	AYE
Trustee Wanggaard	AYE
Tim Just	NAY
Joseph Minorik	NAY
President Dobbs	AYE
Bill Folk	NAY

**5A Motion failed, 3/3.**

**5B REZONE Motion:**

Thomas Knitter motioned to forward these topics with no recommendation to the Village Board for the Land Use Amendment and Rezone.

Kevin Wanggaard seconded motion.

**ROLL CALL**

Thomas Knitter	AYE
Trustee Wanggaard	AYE
Bill Folk	AYE
Joseph Minorik	NAY
President Dobbs	AYE
Tim Just	AYE

**5B Motion passed, 5/1.**

**7. - Adjournment**

Motion by Bill Folk to adjourn. Seconded by Joseph Minorik. Motion carried unanimously. Meeting adjourned at 8:10 p.m.

**Add to August 3<sup>rd</sup> Village Board Meeting.**

Respectfully submitted,  
Erika Waege

Building/Engineering Admin

**PETITION IN PROTEST OF COMMERCIAL REZONING & 2035 LAND USE PLAN MAP  
AMENDMENTS**

July 21, 2020

WE the undersigned property owners of the below mentioned land parcels, located along the boundaries of subject parcel 104-04-22-24-046-010, do hereby submit that WE formally OBJECT to the proposed Ordinance Amendments, as stated in the Caledonia Plan Commission Reports No's 5a & 5b, prepared for a Plan Commission meeting on June 29, 2020, and as documented in the applications for remapping and parcel rezoning made by Daniel Siudak, President of KDS Construction Services, Inc.; applicant, AND set forth in agreement and compliance with the requirements and specifications of Sec. 20-168 "Protest" ; (Code 1975, § 7.0119; Ord. No. 86-17, § 7.0118, 7-22-86).

The percentage of abutting property lines owned by the signers of this petition is 46%. However, the abutting property across Hwy 31 to the East is owned by State of Wisconsin, and since the State should be a neutral party in the rezoning, discounting the East border of the subject property, the percent of abutting property line represented by the signers of this petition is 54% and meets the criteria for a valid protest.

Parcel ID: 104042224051010  
RICHARD J DE RUYTER  
SUZANNE M DE RUYTER  
5212 STH 31  
RACINE, WI 53402  
GIS Acres: 0.5833 a

Legal Description:

That part of the Southeast 1/ 4 of Section 24, Township 4 North, Range 22 East, bounded as follows:  
Begin at a point on the East line of said Section located South 00° 54' 27" East 1586.22 feet from the  
East 1/4 corner of said Section; run thence North 89° 39' 35" West 80.02 feet parallel to the South line  
of said Section to the West line of State Trunk Highway "31" and the point of beginning of this  
description; run thence North 89° 39' 55" West 246.87 feet parallel to the South line of said Section;  
thence North 00° 54' 27" West 100.00 feet; thence South 89° 39' 35" East 259. 12 Feet 10 the West line  
of said Highway "31"; thence South 06° 07' 18" West 100.49 feet along the West line of said Highway  
"31" to the point of beginning . EXCEPTING THEREFROM land conveyed by deed recorded under  
Document No. 2005226. Said land being in the Village of Caledonia, Racine County, Wisconsin.)

259.12 / V6 7/21/20  
(103.05' Frontage)

Signed: Richard DeRuyter Date: 7-21-2020

Signed: Suzanne DeRuyter Date: 7.21.2020

Parcel ID: 104042224041000  
Owner:  
CALEDONIA CONSERVANCY LTD  
P.O. BOX 044714  
RACINE, WI 53404

GIS Acres: 38.47 a

That part of the Southeast 1/4 of Section 24, Township 4 North, Range 22 East, bounded as follows: Begin at a point on the South line of said Southeast 1/4 of Section 24, located 1237.5 feet East of the Southwest corner of the Southeast 1/4 and 1402.5 feet West of the Southeast corner of said Southeast 1/4; run thence North parallel to the East line of said Southeast 1/4, 434.13 feet to the point of beginning of this description; thence West 193 .26 feet at right angles to the last mentioned line ; thence South 18° 50' East 349.65 feet to the center line of the Four Mile Road; thence South 60° 20' West along the center line of the Four-Mile Road to the South line of said Southeast 1/4; thence West along the South line of the Southeast 1/4 and the center line of the Four-Mile Road to a point, 825 feet East of the Southwest corner of the Southeast 1/4; thence North parallel to the East line of said Southeast 1/4, 2112 feet; thence East parallel to the South line of said Southeast 1/4, 412.5 feet; thence South parallel to the East line of said Southeast 1/4, 1677.87 feet to the point of beginning. Excepting therefrom land conveyed by Document recorded in Volume 1058, page 109. Also excepting land conveyed in Document recorded in Volume 505, page 440. Said land being in the Village of Caledonia, Racine County, Wisconsin.

658 / KK 7/21/2020  
(103.05' Frontage)

Signed: Mathew W Johnson Date: July 21, 2020  
President

Parcel ID: 104042224047000  
Owner:  
CALEDONIA CONSERVANCY LTD  
PO BOX 044714  
RACINE, WI 53404

GIS Acres: 4.804 a

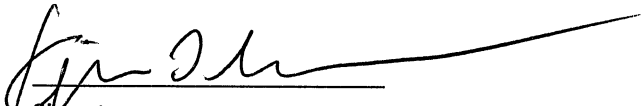
That part of the Southeast 1/4 of Section 24, Township 4 North, Range 22 East, bounded as follows:  
Begin at a point on the South line of said Section, 520 feet West of the Southeast corner of said Section 24; run thence North parallel to the East line of said Section, 444.75 feet to a point on the centerline of the Four Mile Road; thence Westerly along the centerline of said Road, 485 feet to a point 60 rods West of the East line of said Section; thence South parallel to the East line of said Section, 398 feet to a point on the South line of said Section; thence East along said Section line, 470 feet to the point of beginning. Said land being in the Town of Caledonia, County of Racine and State of Wisconsin.

(488' Total Frontage) / Vto 7/21/2020

Signed: Matthew W. Johnson Date: July 21, 2020  
President

**AFFIDAVIT OF WITNESS TO SIGNATURE OF PROTEST PETITION**

I, Kjell Erlandsson under oath, say upon personal knowledge, information and belief, that the signatures gathered and obtained by me, and incorporated in the **"PETITION IN PROTEST OF COMMERCIAL REZONING & 2035 LAND USE PLAN MAP AMENDMENTS"** as submitted to the Caledonia Village Board on July 21, 2020 for review by the Village of Caledonia Planning Commission are authentic, true and correct to the best of my knowledge and ability to discern.

  
Signature

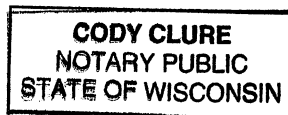
State of Wisconsin  
County of Racine

Signed and sworn to before me on 7/21/2020 by Kjell Erlandsson

  
Notary's signature

05/07/2023  
Notary's expiration date

(SEAL)



JUL 28 2020

Received

## AMENDMENT TO

**"PETITION IN PROTEST OF COMMERCIAL REZONING & 2035 LAND USE PLAN MAP  
AMENDMENTS, DATED JULY 21, 2020"**Background

Richard and Suzanne De Ruyter together with Caledonia Conservancy filed a petition to protest the land use plan change and rezoning of subject parcel 104-04-22-24-046-010. There is one more abutting, privately owned parcel to the south of 4 Mile Road, parcel 104-04-22-24-046-000. This parcel has seven owners per the records, and time available to finish the original petition by the deadline was not enough to locate the owners of this parcel and offer them to sign the petition. Actual time available was not known at the time, because at times the Board meets immediately following the Plan Commission's vote. It was announced after the Public Hearing that the next Board Meeting will be August 3, 2020, so there was extra time to find and contact the owners of the property.

We therefore file the amendment as follows.

AMENDMENT

WE the undersigned property owners of the below mentioned land parcels, located along the boundaries of subject parcel 104-04-22-24-046-010, do hereby submit that WE formally OBJECT to the proposed Ordinance Amendments, as stated in the Caledonia Plan Commission Reports No's 5a & 5b, originally prepared for a Plan Commission meeting on June 29, 2020, and as documented in the applications for remapping and parcel rezoning made by Daniel Siudak, President of KDS Construction Services, Inc.; applicant, AND set forth in agreement and compliance with the requirements and specifications of Sec. 20-168 "Protest" ; (Code 1975, § 7.0119; Ord. No. 86-17, § 7.0118, 7-22-86).

The percentage of abutting property lines owned by the original signers of the petition was 46%, and discounting the abutting property across Hwy 31 to the East owned by State of Wisconsin, the percent of abutting property line represented by the signers of that petition is 54%.

Five of the seven owners of the 104-04-22-24-046-000 parcel, representing the majority of the ownership, signed the petition after being individually notified. The property line of the 104-04-22-24-046-000 parcel abutting the subject property is 440 feet per the legal description. Exact length of the abutting border is subject to interpretation because of the road separating the two properties. But using the 440 feet abutting length, the amendment brings the percentage of ownership of abutting properties signing the petition to 60.4%. If only 60% of the 440 abutting line is included reflecting ownership signing the petition, the petition reflects 54.6%. If the State property line is excluded, the percent ownership signing the petition becomes 65-70%. This meets the 50% requirement for a valid protest with a good margin.



Parcel ID: 104-04-22-24-046-000

Owners:

- TEPLEY, ANNA M, 1/15 Ownership
- TEPLEY, GEORGE R, JR, 1/15 Ownership
- TEPLEY, BRIAN A, 1/15 Ownership
- SMITH, CATHY A, 1/15 Ownership
- ANDERSEN, TAMMY J, 1/15 Ownership
- ESTATE OF MILDRED M TEPLEY REAL ESTATE TRUST DATED 9/30/01, 1/3 Ownership
- CALEDONIA CONSERVANCY LTD, 1/3 Ownership

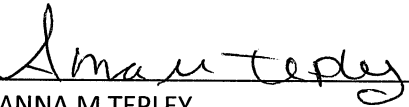
GIS Acres: 4.6 a

440

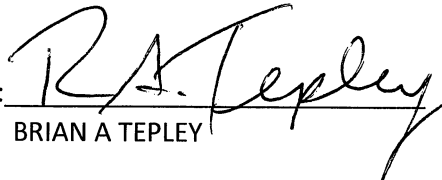
~~400~~ feet abutting frontage

Legal Description:

That part of the Southeast ¼ of Section 24, Township 4 North, Range 22 East, bounded as follows: Begin on the South line of said Southeast ¼ at a point located 80 feet West of the Southeast corner of said Section; run thence North parallel to the East line of said Section to the centerline of the Four Mile Road; thence Southwesterly along said centerline to a point located 520 feet West of the East line of said Section 24; thence South parallel to the East line of said Section 24, 444.75 feet to a point on the South line of said Section 24; thence East on said South line 440 feet to the point of beginning. Excepting therefrom the following described real estate; that part of the Southeast ¼ of Section 24, Township 4 North, Range 22 East, described as follows: Commence at the Southeast corner of said Section; thence North 00°09'47" East 540.33 feet along the East line of said Section to the point of beginning of this description; thence South 79°03'37" West 400 feet; thence South 10°56' 23" East 33 feet; thence Easterly to a point which is 300 feet South 79°03'37" West and 60 feet South 10°56'23" East of the point of beginning; thence North 79°03'37" East to the East line of said Section; thence North 00°09'47" East along said East line of said Section to the point of beginning. Subject to the rights of the public in and to that part of the above described premises currently laid out or being used for the Four Mile Road. Said land being in the Village of Caledonia, County of Racine, State of Wisconsin

Signed:  Date: 7-26-20  
ANNA M TEPLEY

Signed: NO SIGNATURE Date: \_\_\_\_\_  
GEORGE R TEPLEY, JR

Signed:  Date: 7/24/20  
BRIAN A TEPLEY

Signed: Cathy A Smith Date: 7-27-2020  
CATHY A SMITH

Signed: Tammy J Andersen Date: 7-26-2020  
TAMMY J ANDERSEN

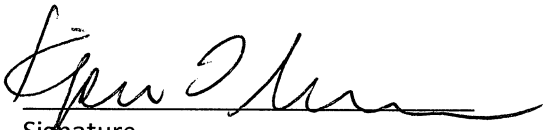
Signed: NO SIGNATURE Date: \_\_\_\_\_  
ESTATE OF MILDRED M TEPLY

Signed: Matthew Johnsrud Date: 7-27-2020  
CALEDONIA CONSERVANCY LTD  
Matthew Johnsrud, President

AFFIDAVIT OF WITNESS TO SIGNATURE OF AMENDMENT TO PROTEST PETITION

I, Kjell Erlandsson under oath, say upon personal knowledge, information and belief,

that the signatures gathered and obtained by me, and incorporated into The "Amendment **PETITION IN PROTEST OF COMMERCIAL REZONING & 2035 LAND USE PLAN MAP AMENDMENTS**" as submitted to the Caledonia Village Board on July 28, 2020, for review by the Village of Caledonia Planning Commission, are authentic, true and correct to the best of my knowledge and ability to discern.

  
Signature

State of Wisconsin

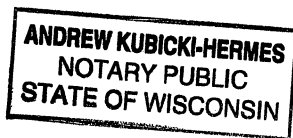
County of Racine

Signed and sworn to before me on July 28, 2020 by Kjell Erlandsson

  
Notary's signature

10-17-2022  
Notary's expiration date

(SEAL)



REYNALDO D REYES  
5336 STH 31  
ID #:104042224049000

SANUEL ZORTEAU  
5248 STH 31  
ID #:104042224051000

RICHARD J DE RUYTER  
5212 STH 31  
ID #:104042224051010

WISDOT  
ID #:104042319052002

CALEDONIA CONSERVANCY  
LTD  
ID #:104042224041000

POTENTIAL PROJECT LOCATION  
10.25 ACRES

STATE HIGHWAY 31

4 MILE ROAD

CALEDONIA CONSERVANCY  
LTD  
ID #:104042224041000

RACINE COUNTY  
ID #:104042319056000

CALEDONIA TRAILS  
CONSERVATION  
ID #:104042224047000

ESTATE OF MILDRED TEPLY  
ID #:104042224046000

JESSICA BARTHELS  
5021 4 MILE ROAD  
ID #:104042224045000



**ORDINANCE NO. 2020-14**

**AN ORDINANCE ADOPTING AN AMENDMENT TO THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR RACINE COUNTY: 2035 AS IT PERTAINS TO THE VILLAGE OF CALEDONIA UNDER SECTION 13-2-1 OF THE VILLAGE'S CODE OF ORDINANCES BY CREATING SECTION 13-2-2(O) ADDING AN AMENDMENT TO THE VILLAGE'S COMPREHENSIVE PLAN AND AFFECTING 4712 4 MILE ROAD PART OF THE SE 1/4 OF SEC. 24, T4N, R22E, VILLAGE OF CALEDONIA; CONTAINING 10.25 ACRES, MORE OR LESS; FROM LOW DENSITY RESIDENTIAL TO COMMERCIAL; VAGA PROPERTIES LLC, OWNER**

The Village Board of the Village of Caledonia, Racine County, Wisconsin, ordains as follows:

1. That pursuant to Section 61.35 of the Wisconsin Statutes, the Village of Caledonia is authorized to prepare and adopt a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

2. That the Village Board, by the enactment of Ordinance No. 2009-07, created Section 13-2-1 of the Municipal Code of Ordinances and formally adopted the document titled "A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035" as the Village Comprehensive Plan, and incorporated said plan into Section 13-2-1. The Village Board subsequently created Section 13-2-2 to track approved amendments to the Plan.

3. That the Plan Commission, at a meeting held on July 22, 2020, after a public hearing, reviewed and discussed the application on the same date and were unable to agree on a recommendation. The Plan Commission passed a motion to forward the application and public hearing record to the Village Board without a recommendation on the specific application to adopt an amendment to change the land use designation vacant lot located at 4712 4 Mile Road with Parcel Id. Nos. 104-04-22-24-046-010; part of the SE 1/4 of Sec. 24, T4N, R22E, Village of Caledonia, Racine County, WI. This vacant lot located at 4712 4 Mile Road contains 10.25 acres, more or less; Vaga Properties LLC Owner; changing the Land Use Map category from Low Density Residential to Commercial on the Village land use plan map adopted by the Village Board as part of the multi-jurisdictional comprehensive plan.

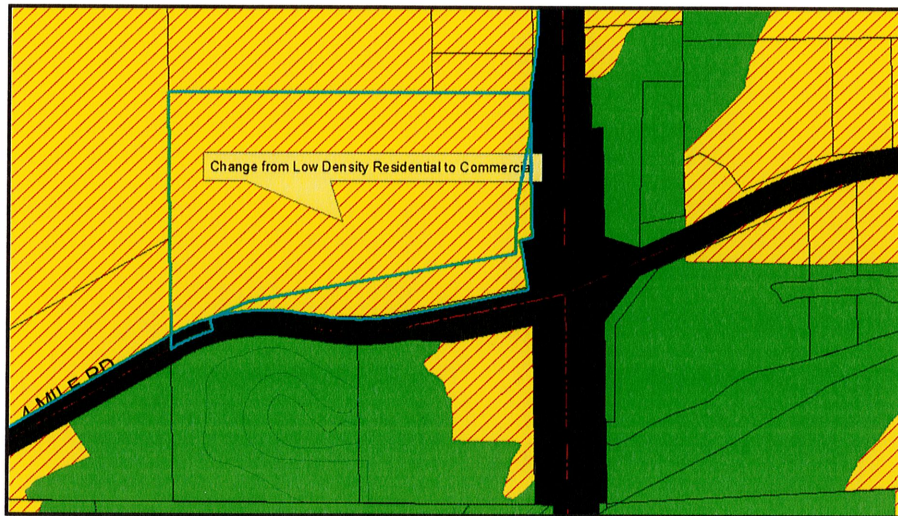
4. The Village published and posted a Class 1 public notice and held a public hearing regarding the plan amendment on July 22, 2020.

5. The Village Board of the Village of Caledonia hereby adopts the proposed Comprehensive Plan amendment for the Village of Caledonia, for the following reasons:

- a. Due to the subject property's proximity to STH 31, commercial uses should be encouraged in this area.
- b. This Land Use Plan amendment will lay the foundation for rezoning of the subject property to the B-2 Community Business District.

6. That Section 13-2-2(o) of the Municipal Code for the Village of Caledonia be, and hereby is, created to read as follows:

“(o) Amendments to the land use categories on Map 3 entitled “Recommended Land Use Plan for the Village of Caledonia: 2035” for Parcel Id. No. 104-04-22-24-046-010; part of the SE 1/4 of Sec. 24, T4N, R22E, Village of Caledonia, Racine County, WI. The vacant lot located at 4712 4 Mile Road containing 10.25 acres, more or less, changing the land use plan map category for this land from Low Density Residential to Commercial on the Village Land Use Plan Map adopted by the Village Board as part of the multi-jurisdictional comprehensive plan as shown below bordered in blue.



7. The Village Clerk is directed to send a copy of this ordinance and the plan amendment to the parties listed in Section 66.1001(4)(b) of the Wisconsin Statutes.

8. That after a sufficient number of land use plan amendments have occurred, the Village Clerk shall cause the land use map of the Comprehensive Plan to be updated to reflect the amendment herein.

9. That this ordinance shall take effect upon the day after posting or publication in accordance with ordinance and applicable law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this \_\_\_ day of August, 2020.

**VILLAGE OF CALEDONIA**

By: \_\_\_\_\_  
James R. Dobbs, President

Attest: \_\_\_\_\_  
Karie Pope, Village Clerk

JUL 28 2020

Received

## AMENDMENT TO

**"PETITION IN PROTEST OF COMMERCIAL REZONING & 2035 LAND USE PLAN MAP  
AMENDMENTS, DATED JULY 21, 2020"**Background

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We therefore file the amendment as follows.

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The percentage of abutting property lines owned by the original signers of the petition was 46%, and discounting the abutting property across Hwy 31 to the East owned by State of Wisconsin, the percent of abutting property line represented by the signers of that petition is 54%.

Five of the seven owners of the 104-04-22-24-046-000 parcel, representing the majority of the ownership, signed the petition after being individually notified. The property line of the 104-04-22-24-046-000 parcel abutting the subject property is 440 feet per the legal description. Exact length of the abutting border is subject to interpretation because of the road separating the two properties. But using the 440 feet abutting length, the amendment brings the percentage of ownership of abutting properties signing the petition to 60.4%. If only 60% of the 440 abutting line is included reflecting ownership signing the petition, the petition reflects 54.6%. If the State property line is excluded, the percent ownership signing the petition becomes 65-70%. This meets the 50% requirement for a valid protest with a good margin.

Parcel ID: 104-04-22-24-046-000

Owners:

TEPLEY, ANNA M, 1/15 Ownership  
TEPLEY, GEORGE R, JR, 1/15 Ownership  
TEPLEY, BRIAN A, 1/15 Ownership  
SMITH, CATHY A, 1/15 Ownership  
ANDERSEN, TAMMY J, 1/15 Ownership  
ESTATE OF MILDRED M TEPLEY REAL ESTATE TRUST DATED 9/30/01, 1/3 Ownership  
CALEDONIA CONSERVANCY LTD, 1/3 Ownership

GIS Acres: 4.6 a

440

~~400~~ feet abutting frontage

Legal Description:

That part of the Southeast ¼ of Section 24, Township 4 North, Range 22 East, bounded as follows: Begin on the South line of said Southeast ¼ at a point located 80 feet West of the Southeast corner of said Section; run thence North parallel to the East line of said Section to the centerline of the Four Mile Road; thence Southwesterly along said centerline to a point located 520 feet West of the East line of said Section 24; thence South parallel to the East line of said Section 24, 444.75 feet to a point on the South line of said Section 24; thence East on said South line 440 feet to the point of beginning. Excepting therefrom the following described real estate; that part of the Southeast ¼ of Section 24, Township 4 North, Range 22 East, described as follows: Commence at the Southeast corner of said Section; thence North 00°09'47" East 540.33 feet along the East line of said Section to the point of beginning of this description; thence South 79°03'37" West 400 feet; thence South 10°56' 23" East 33 feet; thence Easterly to a point which is 300 feet South 79°03'37" West and 60 feet South 10°56'23" East of the point of beginning; thence North 79°03'37" East to the East line of said Section; thence North 00°09'47" East along said East line of said Section to the point of beginning. Subject to the rights of the public in and to that part of the above described premises currently laid out or being used for the Four Mile Road. Said land being in the Village of Caledonia, County of Racine, State of Wisconsin

Signed: Anna Tepley Date: 7-26-20  
ANNA M TEPLEY

Signed: NO SIGNATURE Date: \_\_\_\_\_  
GEORGE R TEPLEY, JR

Signed: Brian A. Tepley Date: 7/24/20  
BRIAN A TEPLEY



Signed: Cathy A Smith Date: 7-27-2020  
CATHY A SMITH

Signed: Tammy J Andersen Date: 7-26-2020  
TAMMY J ANDERSEN

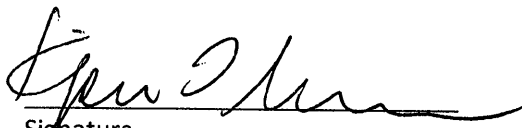
Signed: NO SIGNATURE Date: \_\_\_\_\_  
ESTATE OF MILDRED M TEPLY

Signed: Matthew Johnsrud Date: 7-27-2020  
CALEDONIA CONSERVANCY LTD  
Matthew Johnsrud, President

AFFIDAVIT OF WITNESS TO SIGNATURE OF AMENDMENT TO PROTEST PETITION

I, Kjell Erlandsson under oath, say upon personal knowledge, information and belief,

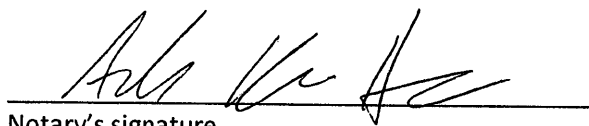
that the signatures gathered and obtained by me, and incorporated into The "Amendment **PETITION IN PROTEST OF COMMERCIAL REZONING & 2035 LAND USE PLAN MAP AMENDMENTS**" as submitted to the Caledonia Village Board on July 28, 2020, for review by the Village of Caledonia Planning Commission, are authentic, true and correct to the best of my knowledge and ability to discern.

  
Signature

State of Wisconsin

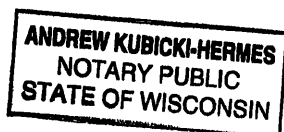
County of Racine

Signed and sworn to before me on July 28, 2020 by Kjell Erlandsson

  
Notary's signature

10-17-2022  
Notary's expiration date

(SEAL)



**PETITION IN PROTEST OF COMMERCIAL REZONING & 2035 LAND USE PLAN MAP  
AMENDMENTS**

July 21, 2020

WE the undersigned property owners of the below mentioned land parcels, located along the boundaries of subject parcel 104-04-22-24-046-010, do hereby submit that WE formally OBJECT to the proposed Ordinance Amendments, as stated in the Caledonia Plan Commission Reports No's 5a & 5b, prepared for a Plan Commission meeting on June 29, 2020, and as documented in the applications for remapping and parcel rezoning made by Daniel Siudak, President of KDS Construction Services, Inc.; applicant, AND set forth in agreement and compliance with the requirements and specifications of Sec. 20-168 "Protest" ; (Code 1975, § 7.0119; Ord. No. 86-17, § 7.0118, 7-22-86).

The percentage of abutting property lines owned by the signers of this petition is 46%. However, the abutting property across Hwy 31 to the East is owned by State of Wisconsin, and since the State should be a neutral party in the rezoning, discounting the East border of the subject property, the percent of abutting property line represented by the signers of this petition is 54% and meets the criteria for a valid protest.

Parcel ID: 104042224051010  
RICHARD J DE RUYTER  
SUZANNE M DE RUYTER  
5212 STH 31  
RACINE, WI 53402  
GIS Acres: 0.5833 a

Legal Description:

That part of the Southeast 1/4 of Section 24, Township 4 North, Range 22 East, bounded as follows: Begin at a point on the East line of said Section located South 00° 54' 27" East 1586.22 feet from the East 1/4 corner of said Section; run thence North 89° 39' 35" West 80.02 feet parallel to the South line of said Section to the West line of State Trunk Highway "31" and the point of beginning of this description; run thence North 89° 39' 55" West 246.87 feet parallel to the South line of said Section; thence North 00° 54' 27" West 100.00 feet; thence South 89° 39' 35" East 259.12 Feet to the West line of said Highway "31"; thence South 06° 07' 18" West 100.49 feet along the West line of said Highway "31" to the point of beginning. EXCEPTING THEREFROM land conveyed by deed recorded under Document No. 2005226. Said land being in the Village of Caledonia, Racine County, Wisconsin.)

259.12 / K6 7/21/20  
(103.05' Frontage)

Signed: Richard De Ruyter Date: 7-21-2020

Signed: Suzanne De Ruyter Date: 7.21.2020

Parcel ID: 104042224041000  
Owner:  
CALEDONIA CONSERVANCY LTD  
P.O. BOX 044714  
RACINE, WI 53404

GIS Acres: 38.47 a

That part of the Southeast 1/4 of Section 24, Township 4 North, Range 22 East, bounded as follows: Begin at a point on the South line of said Southeast 1/4 of Section 24, located 1237.5 feet East of the Southwest corner of the Southeast 1/4 and 1402.5 feet West of the Southeast corner of said Southeast 1/4; run thence North parallel to the East line of said Southeast 1/4, 434.13 feet to the point of beginning of this description; thence West 193.26 feet at right angles to the last mentioned line; thence South 18° 50' East 349.65 feet to the center line of the Four Mile Road; thence South 60° 20' West along the center line of the Four-Mile Road to the South line of said Southeast 1/4; thence West along the South line of the Southeast 1/4 and the center line of the Four-Mile Road to a point, 825 feet East of the Southwest corner of the Southeast 1/4; thence North parallel to the East line of said Southeast 1/4, 2112 feet; thence East parallel to the South line of said Southeast 1/4, 412.5 feet; thence South parallel to the East line of said Southeast 1/4, 1677.87 feet to the point of beginning. Excepting therefrom land conveyed by Document recorded in Volume 1058, page 109. Also excepting land conveyed in Document recorded in Volume 505, page 440. Said land being in the Village of Caledonia, Racine County, Wisconsin.

658 / KK 7/21/2020  
(103.05' Frontage)

Signed: Matthew W. Johnson Date: July 21, 2020  
President

Parcel ID: 104042224047000  
Owner:  
CALEDONIA CONSERVANCY LTD  
PO BOX 044714  
RACINE, WI 53404

GIS Acres: 4.804 a

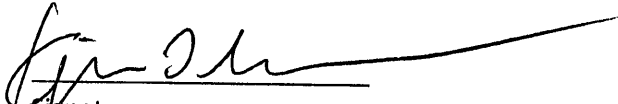
That part of the Southeast 1/4 of Section 24, Township 4 North, Range 22 East, bounded as follows:  
Begin at a point on the South line of said Section, 520 feet West of the Southeast corner of said Section 24; run thence North parallel to the East line of said Section, 444.75 feet to a point on the centerline of the Four Mile Road; thence Westerly along the centerline of said Road, 485 feet to a point 60 rods West of the East line of said Section; thence South parallel to the East line of said Section, 398 feet to a point on the South line of said Section; thence East along said Section line, 470 feet to the point of beginning. Said land being in the Town of Caledonia, County of Racine and State of Wisconsin.

(488' Total Frontage) / V6 7/21/2020

Signed: Matthew W. Johnson Date: July 21, 2020  
President

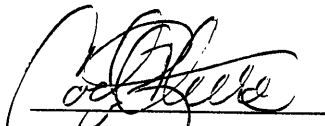
**AFFIDAVIT OF WITNESS TO SIGNATURE OF PROTEST PETITION**

I, Kjell Erlandsson under oath, say upon personal knowledge, information and belief, that the signatures gathered and obtained by me, and incorporated in the **"PETITION IN PROTEST OF COMMERCIAL REZONING & 2035 LAND USE PLAN MAP AMENDMENTS"** as submitted to the Caledonia Village Board on July 21, 2020 for review by the Village of Caledonia Planning Commission are authentic, true and correct to the best of my knowledge and ability to discern.

  
Signature

State of Wisconsin  
County of Racine

Signed and sworn to before me on 7/21/2020 by Kjell Erlandsson

  
Notary's signature

05/07/2023  
Notary's expiration date

(SEAL)

**CODY CLURE  
NOTARY PUBLIC  
STATE OF WISCONSIN**

**ORDINANCE NO. 2020-13**

**AN ORDINANCE TO AMEND ZONING DISTRICTS OF THE ZONING MAP ADOPTED UNDER SECTION 20-212 OF THE RACINE COUNTY CODE OF ORDINANCES AS ADOPTED BY THE VILLAGE OF CALEDONIA UNDER SECTION 16-1-1(A) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA APPROVING A REQUEST TO REZONE ±10.25 ACRES FROM R-2 SUBURBAN RESIDENTIAL DISTRICT (UNSEWERED) TO B-1 NEIGHBORHOOD BUSINESS DISTRICT ; SE 1/4 OF SEC. 24, T4N, R22E, VACANT LOT LOCATED AT 4712 4 MILE ROAD, VILLAGE OF CALEDONIA, RACINE COUNTY, WI; VAGA PROPERTIES LLC, OWNER**

The Village Board of the Village of Caledonia, Racine County, Wisconsin, ordains as follows:

- A. Request to rezone land from: R-2 Suburban Residential District (Unsewered) to B-1 Neighborhood Business District; SE 1/4 of Sec. 24, T4N, R22E, a vacant lot located at 4712 4 Mile Road, Village of Caledonia, Racine County, Wisconsin and contains ±10.25 acres with Parcel No.: 104-04-22-24-046-010 which is highlighted on the attached **Exhibit A** is approved for the following reasons:
  - 1. This rezoning will not adversely affect the surrounding property values.
  - 2. Due to the subject property's proximity to STH 31, commercial uses should be encouraged in this area.
  - 3. The 2035 Land Use Plan designates this property as Commercial. The proposed rezoning is in accord with the 2035 Land Use Plan designation for the subject property.
  
- B. That in order to update the zoning map adopted under Section 20-212 of the Racine County Code of Ordinances adopted by the Village of Caledonia under Section 16-1-1(a) of the Code of Ordinances of the Village of Caledonia, the Village Board needs to adopt an ordinance;
  
- C. That the zoning map be, and hereby is, amended as follows:

The land comprising rezone ±10.255 acres and a part of SE ¼ of Sec. 24 T4N, R22E, vacant lot located at 4712 4 Mile Road, Village of Caledonia, Racine County, WI; with Parcel No.: 104-04-22-24-046-010 which is highlighted on the attached **Exhibit A** be rezoned from: R-2 Suburban Residential District (Unsewered) to B-1 Neighborhood Business District.
  
- D. That the Village Clerk shall cause the official Zoning Map of the Village of Caledonia to be amended to reflect the amendment to the zoning classification adopted herein.
  
- E. That this ordinance shall take effect upon the day after posting or publication in accordance with ordinance and applicable law.



Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this  
\_\_\_\_\_ day of August, 2020.

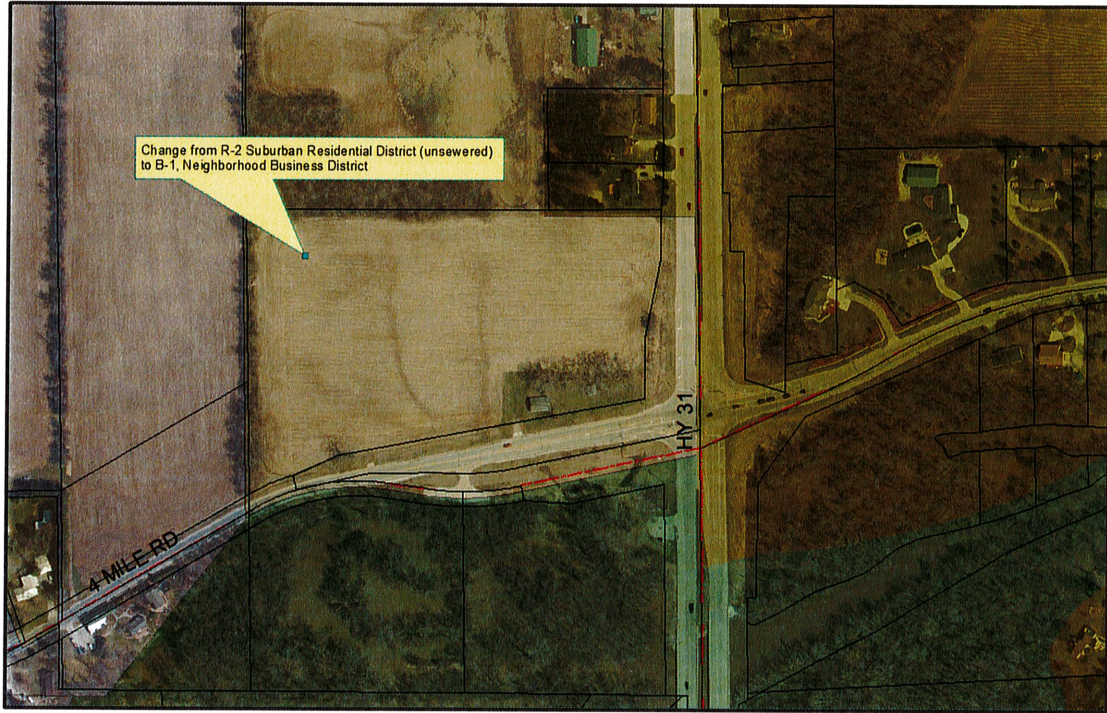
**VILLAGE OF CALEDONIA**

By: \_\_\_\_\_  
James R. Dobbs, Village President

Attest: \_\_\_\_\_  
Karie Pope, Village Clerk

## Exhibit A

Rezoning Map Area from R-2 Suburban Residential District (Unsewered)  
to B-2 Community Business District



**RESOLUTION NO. 2020-72**

**RESOLUTION AUTHORIZING THE VILLAGE OF CALEDONIA TO REVISE  
AMBULANCE FEES**

**WHEREAS**, the Village of Caledonia needs to review and set appropriate ambulance fees.

**WHEREAS**, Village staff reviewed fees and performed a comparison to neighboring communities ambulance rates; and

**WHEREAS**, the current Village rates were low compared to bordering communities; and

**WHEREAS**, the Village is estimating additional annual revenue of approximately \$100,000 by adopting these revised rates; and

**WHEREAS**, the Village Finance Committee has reviewed this request and recommends that the Village Board authorize adopting the proposed revised ambulance fees.

**NOW, THEREFORE, BE IT RESOLVED** by the Caledonia Village Board that the following ambulance fees are hereby established effective September 1, 2020:

BLS (resident): \$825 (current \$550)  
BLS (nonresident): \$900 (current \$600)  
BLS No Transport (resident): \$175 (current \$125)  
BLS No Transport (nonresident): \$250 (current \$175)  
ALS 1(resident): \$1000 (current \$725)  
ALS 1 (nonresident): \$1200 (current \$775)  
ALS 1 No Transport (resident): \$825 (current \$550)  
ALS 1 No Transport (nonresident): \$900 (current \$600)  
ALS 2(resident): \$1100 (current \$725)  
ALS 2 (nonresident): \$1300 (current \$775)  
Mileage \$20/mile (current \$15)  
Lift Assist: 0 (current \$0)

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin,  
this \_\_\_\_ day of August, 2020.

VILLAGE OF CALEDONIA

By: \_\_\_\_\_  
Jim Dobbs, Village President

Attest: \_\_\_\_\_  
Karie Pope, Village Clerk

# Ambulance Fee Payor Breakdown and Estimated Revenue Increase

## CALEDONIA 2019 PRIMARY PAYOR BREAKDOWN

PAYOR	# CALLS	% of total	CHARGES	% of total
MEDICARE	1119	65.60%	\$910,385.75	68.20%
MEDICAID	169	9.90%	\$130,338.00	9.80%
COMM. INSU	326	19.10%	\$248,102.50	18.60%
SELF PAY	93	5.40%	\$45,092.00	3.40%
Total	1707		\$1,333,918.25	

## CALEDONIA 2018 PRIMARY PAYOR BREAKDOWN

PAYOR	# CALLS	% of total	CHARGES	% of total
MEDICARE	991	61.7%	\$ 823,238.50	64.4%
MEDICAID	169	10.5%	\$ 127,342.50	10.0%
COMM. INSU	362	22.5%	\$ 290,777.50	22.7%
SELF PAY	85	5.3%	\$ 37,394.50	2.9%
Total	1607		\$ 1,278,753.00	

## CALEDONIA 2017 PRIMARY PAYOR BREAKDOWN

PAYOR	# CALLS	% of total	CHARGES	% of total
MEDICARE	992	65.7%	\$ 831,468.50	67.6%
MEDICAID	159	10.5%	\$ 130,547.50	10.6%
COMM. INSU	284	18.8%	\$ 228,813.50	18.6%
SELF PAY	75	5.0%	\$ 39,293.50	3.2%
Total	1510		\$ 1,230,123.00	

## CALEDONIA 2016 PRIMARY PAYOR BREAKDOWN

PAYOR	# CALLS	% of total	CHARGES	% of total
MEDICARE	971	63.3%	\$ 818,191.00	65.5%
MEDICAID	166	10.8%	\$ 131,399.00	10.5%
COMM. INSU	325	21.2%	\$ 266,558.00	21.3%
SELF PAY	73	4.8%	\$ 32,897.50	2.6%
Total	1535		\$ 1,249,045.50	

## CALEDONIA 4 YR AVG. PRIMARY PAYOR BREAKDOWN

PAYOR	# CALLS	% of total	CHARGES	% of total
MEDICARE	1018	64.06%	\$845,820.94	66.42%
MEDICAID	166	10.44%	\$129,906.75	10.22%
COMM. INSU	324	20.40%	\$258,562.88	20.32%
SELF PAY	82	5.10%	\$38,669.38	3.04%
Total	1590		\$1,272,959.94	

Collection Rate for Commercial Insurance is 90%

Current Collection **\$232,706.59**

Possible Charge **\$382,673.06**

Possible Collection **\$344,405.75**

Possible Additional Revenue	<b>\$111,699.16</b>
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## Proposed 2020 Ambulance Fees

with neighbor comparison

<b>Base Rate / Mileage / Other</b>	<b>Racine FD</b>	<b>Oak Creek</b>	<b>SSFD</b>	<b>Ave. Comp. Charge</b>	<b>Current Caledonia</b>	<b>Dollar Diff. From Avg</b>	<b>Proposed Increase</b>	<b>Proposed Fee</b>
BLS (Resident)	825.00	680.00	800.00	768.33	550.00	(218.33)	275.00	825.00
BLS (Non-Resident)	1,012.50	835.74	950.00	932.75	600.00	(332.75)	300.00	900.00
BLS No Transport (Resident)	300.00	*	200.00	250.00	125.00	(125.00)	50.00	175.00
BLS No Transport (Non-Resident)	337.50	96.53	200.00	211.34	175.00	(36.34)	75.00	250.00
ALS 1 (Resident)	1,012.50	892.50	1,000.00	968.33	725.00	(243.33)	275.00	1,000.00
ALS 1 (Non-Resident)	1,200.00	998.75	1,150.00	1,116.25	775.00	(341.25)	425.00	1,200.00
ALS 1 No Transport (Resident)	1,162.50	160.46	200.00	507.65	550.00	42.35	275.00	825.00
ALS 1 No Transport (Non-Resident)	1,350.00	225.65	300.00	625.22	600.00	(25.22)	300.00	900.00
ALS 2 (Resident)	1,162.50	977.50	1,100.00	1,080.00	725.00	(355.00)	375.00	1,100.00
ALS 2 (Non-Resident)	1,350.00	1,105.00	1,250.00	1,235.00	775.00	(460.00)	525.00	1,300.00
ALS 2 No Transport (Resident)	1,162.50	160.46	750.00	690.99	550.00	(140.99)	275.00	825.00
ALS 2 No Transport (Non-Resident)	1,350.00	225.65	850.00	808.55	600.00	(208.55)	300.00	900.00
Mileage	15.00	19.71	20.00	18.24	15.00	(3.24)	5.00	20.00
Lift Assist	300.00	*	200.00	250.00	-	-	-	-

\* Oak Creek does not charge for the first 1-3 non-transport BLS assist calls for a patient, but charges 94.02 for all calls thereafter.  
Oak Creek charges patient in staffed assisted living or nursing homes 200 for non transport.

**RESOLUTION NO. 2020-73**  
(8/20/2020)

**RESOLUTION AUTHORIZING THE WORKERS COMPENSATION POLICY**

**WHEREAS**, the Village of Caledonia is reviewing Personnel Manual policies to ensure consistency and legal compliance; and

**WHEREAS**, the current Workers Compensation Policy needs to be updated to ensure legal compliance and consistency for all employees within the Village as this language matches the Police and Fire collective bargaining agreement language; and

**WHEREAS**, the Village has drafted a Workers Compensation Policy to replace the current Workers Compensation Policy in the Personnel Manual and is attached hereto as **Exhibit A**;

**WHEREAS**, the Personnel Committee of the Caledonia Village Board has reviewed the new Workers Compensation Policy, recommends adopting the new Policy;

**NOW, THEREFORE, BE IT RESOLVED** by the Caledonia Village Board the new Workers Compensation Policy as of August 25, 2020 replaces the current Workers Compensation Policy.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin,  
this \_\_\_\_\_ day of August, 2020.

**VILLAGE OF CALEDONIA**

By: \_\_\_\_\_  
James R. Dobbs  
Village President

Attest: \_\_\_\_\_  
Karie Pope  
Village Clerk

### 37. WORKERS COMPENSATION

The following procedures for reporting employee injuries or illnesses will be followed by all Village of Caledonia employees, including full-time, part-time, temporary, and seasonal. Failure to appropriately report injuries or illnesses as outlined in this policy may result in disciplinary action up to and including termination, according to the Village of Caledonia Personnel Manual.

Any employee who sustains a bodily injury or illness as a result of their employment is to report it to their immediate supervisor as soon as possible, but no later than within 24-hours of the incident, injury, or onset of symptoms. The employee will be responsible to report the incident, injury, or illness by completing and signing an *Employee Injury or Illness Report Form* in its entirety and returning it within 24 hours to your Supervisor.

Supervisors are responsible for completing and signing the corresponding Supervisor Investigation of Injury or Illness section for each *Employee Injury or Illness Report Form*. Both the Employee Injury or Illness Report Form and the Supervisor Investigation Form as well as any photos or witness statements shall be forwarded to Human Resources within 24 hours so the required WKC-12 form can be generated and sent to the Village's Workers Compensation Insurance carrier or administrator.

All employees who sustain an injury while performing within the scope of their employment as provided by Chapter 102 of the Wisconsin Statutes (Worker's Compensation Act) shall receive full salary in lieu of worker's compensation payments for the period of time the employee is temporarily totally or temporarily partially disabled because of said injury or for nine (9) months, whichever is shorter, provided the employee fully cooperates with the Village's temporary modified duty assignments program, which shall govern the employee's work schedule while on temporary modified duty assignment.

When the Village shall have made any such payment and the employee makes claim for damages against any third party or his insurer, the Village shall be entitled to recover from any damages recovered by such employee, reimbursement for such wages paid in the same proportion as provided by Section 102.59, Wisconsin Statutes, for Worker's Compensation payments.

The employee shall remit to the Village his or her worker's compensation check and receive his or her regular check unless the check is made payable to the Village by the insurer.

An employee sustaining a compensable injury resulting in permanent total disability shall continue to receive full salary until a determination is made that the injury is a permanently disabling injury and a ruling is made in accordance with the Wisconsin Worker's Compensation Act or for nine (9) months, whichever is shorter, provided the employee fully cooperates with the Village's temporary modified duty assignments program, which shall govern the employee's work schedule while on temporary modified duty assignment.

Upon written application by a disabled employee to extend the period of full payment under this Article, the Village Administrator shall review the case and may determine whether or not to extend the period of full payment under these paragraphs, and may determine the terms and conditions upon which any such extension shall be granted.

Revised: 8/4/20

Effective: August 25, 2020

Resolution: 2020-73

**RESOLUTION NO. 2020-74**  
(8/20/2020)

**RESOLUTION AUTHORIZING THE TEMPORARY TRANSITIONAL OR MODIFIED  
DUTY ASSIGNMENTS POLICY**

**WHEREAS**, the Village of Caledonia is reviewing Personnel Manual policies to ensure consistency and legal compliance; and

**WHEREAS**, the current Temporary Assignment of Alternative Productive Work Policy needs to be updated to ensure legal compliance and consistency for all employees within the Village as this language matches the Police and Fire collective bargaining agreement language; and

**WHEREAS**, the Village has drafted a Temporary Transitional or Modified Duty Assignments Policy to replace the current Temporary Assignment of Alternative Productive Work Policy in the Personnel Manual and is attached hereto as **Exhibit A**; and

**WHEREAS**, the Personnel Committee of the Caledonia Village Board has reviewed the new Temporary Transitional or Modified Duty Assignments Policy, recommends adopting the new Policy; and

**NOW, THEREFORE, BE IT RESOLVED** by the Caledonia Village Board the new Temporary Transitional or Modified Duty Assignments Policy as of August 25, 2020 replaces the current Temporary Assignment of Alternative Productive Work Policy.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this \_\_\_\_ day of August, 2020.

**VILLAGE OF CALEDONIA**

By: \_\_\_\_\_  
James R. Dobbs  
Village President

Attest: \_\_\_\_\_  
Karie Pope  
Village Clerk



## **28. Temporary Transitional or Modified-Duty Assignments**

### **PURPOSE AND SCOPE**

The purpose of this policy is to describe the procedure for assigning employees to temporary transitional or modified duty when an employee suffers from a work related illness or injury that results in physical limitations as diagnosed by a qualified health care professional. The goal is to have the employee return to productive, regular work as quickly as possible.

### **POLICY**

It is the policy of the Village of Caledonia to assist injured employees in returning to work as soon as they are medically able to perform meaningful work for the Village. In some instances, the return to work may result in a temporary transitional or modified-duty assignment. Return to work is governed by medical restrictions, expected length of recovery, continued medical improvement while on modified duty, and the availability of limited or modified duty assignments.

### **PROCEDURE**

Temporary transitional or modified-duty assignments are intended to provide employees who have sustained a work related illness or injury that temporarily limits their ability to perform their regularly assigned duties with an opportunity to return to work. The ability of the Village to offer an employee a temporary modified-duty assignment will be based on the limitations of the employee and the needs of the Village, and will generally not exceed two months. The process for evaluating an employee for a temporary transitional or modified-duty assignment after being medically cleared with restrictions from an injury occurring on-duty, or an illness as a result of an exposure, shall be as follows:

- (a) The employee's treating health care professional must have provided the employee with written clearance stating that the employee is able to work temporary transitional or modified duty with identified work restrictions.
- (b) The employee must provide the clearance document to the Human Resources Director as soon as practicable.
- (c) The Human Resources Director should contact the respective Department Head or the authorized designee to determine the availability of a temporary modified-duty assignment that is commensurate with the employee's work restrictions. There may be instances when a temporary modified-duty position within the employee's work restrictions is not available.
- (d) If a temporary modified-duty assignment is available, the employee may be required to schedule an appointment with the Village's occupational medical provider for final medical clearance before reporting for duty.
- (e) Temporary modified-duty assignments shall not exceed two months without approval from the Department Head or the authorized designee. Extensions will be based on the employee's need for continued temporary modified duty and the Village's need for continued work in the task assigned. Extensions are not guaranteed. Extensions in a temporary modified-duty assignment will be granted on a case-by-case basis and at the sole discretion of management. An authorized extension will not expand any temporary modified duty into a permanent assignment and will not be considered as precedent for any other extensions.
- (f) With the exception of employees who are disabled, as defined by the Americans with Disabilities Act (ADA), temporary transitional or modified-duty assignments normally will end at the point when the injured employee's condition is declared permanent and stationary.

### **COMMUNICATION EXPECTATIONS**

It is the expectation that the employee shall remain in constant communication with the Human Resources Director and the Department Head. They shall provide an update of the employee's medical status on a weekly basis and after any medical evaluations pertaining to the employee's condition.

## **ASSIGNMENT**

Temporary transitional or modified duty will be available to all members on a fair and equitable basis. The employee requesting modified duty shall provide permission from their physician stating light duty activities that may be performed and the anticipated duration of the modified duty assignment. The employee is to work with their supervising officer to ensure that work beyond the employee's limitation is not performed.

## **SCHEDULE**

Employees will work the number of hours - up to eight (8) hours per day, forty (40) hours per week as authorized by their physician.

Modified duty shall normally be scheduled Monday through Friday, from 8:00am until 5:00pm hours, if appropriate as dictated by the Department Head and Human Resources based on restrictions and assignment. However, light duty may occur on the Employees regularly assigned shift.

## **SICK LEAVE**

Any employee, that while on temporary transitional or modified duty, is unable to report to work due to illness or injury will be charged sick time hours.

## **MEDICAL APPOINTMENTS**

While assigned to temporary transitional or modified duty, employees shall make every effort to schedule medical and other appointments outside of scheduled work hours. If necessary, an employee may take sick time off to attend those appointments.

## **BREAKS**

When reasonable, employees assigned to a modified duty schedule, may take breaks with the on-duty shift. Additional breaks, as warranted and required by medical restrictions, will be permitted with the advance authorization of the supervisor. The extent of required breaks and other necessary accommodations shall be considered in determining an employee's eligibility for temporary transitional or modified duty.

## **VACATION**

If an employee's previously scheduled vacation falls while on temporary transitional or modified duty, employee will be allowed vacation time off from the light duty assignment.

## **UNIFORM**

An employee on temporary transitional or modified duty shall report for duty in appropriate work attire, considering the employee's physical limitations, approved by the Department Head.

## **REFUSAL TO PARTICIPATE**

Employees that have sustained a work related illness or injury that temporarily prohibits return to their regular position but are deemed capable of performing temporary transitional or modified duty by a qualified health care professional, must return to transitional or modified duty. Employees who choose not to participate in the Return to Work Program or follow all regulations in this Return to Work Policy may become ineligible for state workers' compensation benefits, accrual of paid time off benefits, and, in some cases, refusal to participate may be a basis for termination. Use of family medical leave may apply upon refusal and disability benefits will cease.

## **FAMILY MEDICAL LEAVE AND OTHER BENEFITS**

State or federal leave laws may provide additional rights and protections during times of illness or injury. Lost wages may be reimbursed if disability benefits are available. Contact the Human Resources department for further details.

**RESOLUTION NO. 2020-75**

(8/20/20)

**RESOLUTION AUTHORIZING THE TELEWORK POLICY**

**WHEREAS**, the Village of Caledonia may have a need to have employees telework or get requests from employees to telework temporarily during the COVID pandemic;

**WHEREAS**, the Village has drafted a Telework Policy, and is attached hereto as **Exhibit A**;

**WHEREAS**, as part of the Telework Policy the employee would have to complete the Telework Request Form and Agreement, and that is attached hereto as **Exhibit B**;

**WHEREAS**, the Personnel Committee of the Caledonia Village Board has reviewed the Telework Policy and recommends adopting the new Policy.

**NOW, THEREFORE, BE IT RESOLVED** by the Caledonia Village Board the Telework Policy is effective as of August 25, 2020.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this \_\_\_\_ day of August 2020.

**VILLAGE OF CALEDONIA**

By: \_\_\_\_\_

James R. Dobbs  
Village President

Attest: \_\_\_\_\_

Karie Pope  
Village Clerk

## **TELEWORK POLICY**

All employees who engage in telework must follow these telework guidelines. Please note that teleworking and remote work arrangements are temporary and offered based upon the need for social distancing of all employees during this national health crisis. Determination for telework will be made on a case by case basis, and all employees may not be guaranteed a telework option related to type of work performed, work performance, and other factors. Any teleworking arrangement made will be on a trial basis and may be discontinued at will at the request of either the teleworker or the Village of Caledonia (the "Village"). Every effort will be made to provide two (2) weeks' notice of such change to accommodate issues that may arise from the termination of a teleworking arrangement. There may be instances, however, when no notice is possible.

### **A. Village Policies Remain in Effect**

Employees who work remotely must continue to abide by the Village's employment policies, including its Anti-Harassment policy, timekeeping policy, and all other policies contained in the Personnel Manual. Failure to do so may result in discipline, up to and including termination.

### **B. Performance Expectations and Work Schedules**

An employee who teleworks must meet Village of Caledonia standards of professionalism in terms of communication, job responsibilities, work output, and orientation in the public's interest. Engaging in telework does not lower or change the amount of time an employee is expected to work, and performance expectations will not change due to teleworking. Employees who telework must reach an agreement with their supervisor as to the hours they are expected to work and any other standards. Once the Village has approved a teleworking arrangement through the Teleworking Request Form and Agreement, the teleworking employee is responsible for maintaining regular contact with his or her supervisor to ensure the supervisor is kept apprised of all necessary events or information. Teleworking employees are expected to respond as soon as possible, but no later than the same workday, to any communications from their supervisor.

Teleworking is not a replacement for appropriate childcare nor is it or an opportunity to do activities other than Village work during regular working hours. Unless authorized by the Village Administrator, employees may not perform telework on a flex schedule (Health Department employees follow their approved schedules). Village employees who are teleworking are expected to be working and available during all standard Village work hours. Although an employee's schedule may be modified to accommodate childcare needs during the COVID-19 crisis, the Assistant Administrator (Health Officer for Health Department) must specifically authorize such modification in advance. An employee teleworking must remain focused on job performance and meeting the needs of the Village and the community. Prospective teleworkers are encouraged to discuss expectations of teleworking with family members prior to entering a trial period.

When work conditions change and employees are again able to be present in the office, telework arrangements will cease and employees will be expected to resume daily presence, unless otherwise expressly authorized in advance by the Assistant Administrator (Health Officer for Health Department).

### **C. Equipment and Technology Support**

The Village will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phone and data lines and other office equipment) for each teleworking arrangement. The Village will maintain equipment supplied by the Village and it remains the property of the Village. The employee will maintain any equipment supplied by the employee. The Village accepts no responsibility for damage or repairs to employee-owned equipment. The Village reserves the right to make determinations as to appropriate equipment, subject to change at any time. The Village is not responsible for operating costs, home maintenance, or other costs incurred by employees in the use of their homes as teleworking alternate work locations. The employee agrees to reimburse the Village for the fair market value of the equipment if it is not returned when requested due to employee separation.

Equipment supplied by the Village is to be used for Village of Caledonia-business purposes only. **Computer and telework equipment may be accessed, and used, only by the Village employee who is performing the telework.** Employees are prohibited from allowing family members, or any other individuals, access to Village property that is being used for telework. This includes but is not limited to the Village-supplied computer laptop and any related hardware or software, Village cellular telephone, and Village records.

The Village may monitor employees' access, use and connection to the Village's electronic network(s). Any employee should have no expectation of privacy in use, content or disclosure while using Village equipment or network(s) (Health Department networks for Health Department).

### **D. Security**

Consistent with the Village of Caledonia's expectations of information security for employees working at the office, teleworking employees will be expected to ensure the protection of confidential Village and personnel private information accessible from their home office. Teleworking employees are required to take steps to ensure such protection including, but not limited to the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

### **E. Safety**

Employees are required to maintain their home workspace free from safety hazards. Village safety policies must be followed while teleworking. Injuries sustained by the employee while working in the employee's home, that are incurred in conjunction with regular work duties, are usually covered by the Village's workers' compensation policy. Telework employees are responsible for immediately notifying Human Resources of any injury incurred in the course of employment in accordance with the Village's workers' compensation procedures. The Village bears no responsibility or liability for any injuries or damages sustained by visitors to telework work site. The Village also assumes no responsibility for any activity, damages, or injury that is not directly associated with, or resulting from, the teleworking employee's performance of standard job duties.

### **F. Time Worked**

Teleworking employees who are not exempt from the overtime requirements of the Fair Labor Standards Act are required to accurately record all hours worked using the Village's time-keeping system. Hours worked in excess of those scheduled per day, and per workweek, require the advance approval of the teleworker's supervisor. Failure to comply with this requirement may result in the immediate termination of the teleworking agreement or in discipline. All employees are required to accurately record all working time each day, including identifying each work task performed and the amount of time spent on the task, and to provide the record to their supervisor weekly. Failure to do so may result in discipline, up to and including termination.

Created: 8/12/20

Effective: 8/25/20

Resolution: 2020-75



# Village of Caledonia Telework Request Form and Agreement

Request Type:  Regular  
 Emergency Condition \_\_\_\_\_  
 Specific Reason \_\_\_\_\_  
Example: Illness, quarantine, avoiding exposure, children at home, etc.

Employee Name: \_\_\_\_\_

Department: \_\_\_\_\_

Job Title: \_\_\_\_\_

Immediate Supervisor: \_\_\_\_\_

Employee Work Phone Number: \_\_\_\_\_

My teleworking arrangement will begin on (effective date): \_\_\_\_\_  
(agreement shall not exceed 2 months or the duration of the emergency condition).

I will telework \_\_\_\_\_ days per week. My specific schedule will be: \_\_\_\_\_

My teleworking hours will be from \_\_\_\_\_ a.m. to \_\_\_\_\_ p.m.

**If this is a non-exempt employee:** meal break will be from \_\_\_\_\_ a.m./p.m. to \_\_\_\_\_ a.m./p.m.

I agree to call my voicemail to obtain my messages at least \_\_\_\_\_ times per day while teleworking.

Approximate voicemail message call-in times: \_\_\_\_\_

.....

As a Village of Caledonia employee, I understand and agree to the following:

1. I understand teleworking is not intended to permit me to have time to work at other jobs, provide dependent care during work hours, or run a business.
2. I agree to accurately and fully report all hours worked, including time spent on emails, telephone calls, and other work activities. I understand that I am potentially subject to disciplinary action if I fail to accurately and fully report all hours worked.
3. I agree to be fully accessible on email and phone during work hours and to attend any meetings and appointments in person if required by my supervisor.
4. I will physically be at my listed teleworking location during my work hours (other than unpaid break time listed above, if applicable, or with prior approval). The Village has the right to verify I am at my teleworking location at any time during these hours.

5. I agree to abide by Village of Caledonia policies, procedures and directives covering Acceptable Use, information security, and data privacy as well as the requirements of applicable state and federal government statutes.
6. I agree to designate a remote workspace that will accommodate any equipment to be used in my work and that I will protect the workspace from any hazards that could affect the equipment. I understand that I am responsible for said equipment.
7. I agree not to allow any individual residing with me or visiting my home to access the Village's equipment or personal equipment while connected to the Village of Caledonia network (Health Department networks for Health Department employees). This includes ensuring that information displayed on a computer screen is not visible to others.
8. I agree to not print or copy at home any confidential information including files, data, or screen prints, off the Village of Caledonia network (Health Department networks for Health Department employees).
9. I will not take any printed documents containing confidential information to an alternative work location unless specifically authorized by my supervisor.
10. If working with confidential information while teleworking, I agree to discuss and follow strategies established by my supervisor or department that will be used to ensure that the information remains secure and confidential in a manner consistent with existing Village policies.
11. I agree to lock the workstation accessing the Village network (Health Department networks for Health Department employees) whenever I step away from the device and will logoff the system to end the connection when I am done with my shift.
12. In the event of equipment malfunction or theft, I agree to notify my supervisor and Racine County Information Technology Help Desk (262-636-3777) as soon as possible (Health Department employees notify supervisor and Fiscal Director and must reach a live person).
13. I agree to immediately return all Village of Caledonia owned equipment, software, products, supplies and data if I leave my employment with the Village of Caledonia or am requested to do so by my Supervisor. I agree to reimburse the Village for the fair market value of the equipment if it is not returned when requested due to employee separation.
14. I agree that the Village of Caledonia has the right to monitor equipment on the Village network and the right to remove or disable the network connection should the equipment show the behavior of infection or indicators of compromise.
15. I agree that any costs related to remodeling and furnishing the telework work space shall be at my expense and not paid by the Village of Caledonia.
16. I agree that normal household expenses such as heating, electricity, and Internet connectivity shall be at my expense and not paid by the Village of Caledonia.
17. I agree not to conduct any Village of Caledonia work-related in-person meetings at my home or other remote work location. Meetings with vendors or visitors conducting business with the Village of Caledonia will be held at the on-site work location.



18. I agree to notify Human Resources (Health Department Fiscal Director for Health Department employees) prior to equipment return if the equipment was exposed to COVID-19 infected individuals so the proper cleaning can be performed.

19. I understand that this agreement is voluntary and may be suspended or terminated by my Supervisor or me for any reason.

**OTHER CONDITIONS:**

Employees may, at the discretion of their immediate supervisor, be called to work at their Village of Caledonia located worksite on their regular telework day during their regular work hours.

This agreement may be modified or terminated at any time.

**APPROVAL:**

*By signing below, I am indicating and affirm that the teleworking work schedule complies with the Village of Caledonia policies and procedures, human resources guidelines, and FLSA and state regulations. I understand this teleworking agreement may be terminated at any time by my employer.*

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Department Head's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Director's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(Health Officer or Deputy Health Officer for Health Department employees)

Created: 8/12/20

Effective: 8/25/20

Resolution: 2020-XX

**RESOLUTION NO. 2020-76**  
(8/20/2020)

**RESOLUTION AUTHORIZING THE COVID EMPLOYMENT AND EMPLOYEE CONDITIONS  
POLICY**

**WHEREAS**, in December 2019, a novel strain of the coronavirus was detected, now named COVID-19, that has spread throughout the world, including every state in the United States; and

**WHEREAS**, on January 3, 2020, the World Health Organization declared COVID-19 to be a Public Health Emergency of International Concern; and

**WHEREAS**, on March 12, 2020, Governor Tony Evers declared a public health emergency to direct all resources needed to respond to and contain COVID-19 in Wisconsin; and

**WHEREAS**, on March 13, 2020, President Donald Trump proclaimed a National Emergency concerning COVID- 19; and

**WHEREAS**, on March 18, 2020, the Village of Caledonia declared a local state of emergency; and

**WHEREAS**, the Village of Caledonia has revised the COVID Employment and Employee Conditions Policy to reflect the current state of the COVID virus; and

**WHEREAS**, the current COVID Employment and Employee Conditions Policy needs to be updated; and

**WHEREAS**, the Village has drafted a COVID Employment and Employee Conditions Policy to replace the current COVID Employment and Employee Conditions Policy in the Personnel Manual and is attached hereto as **Exhibit A**; and

**WHEREAS**, the Personnel Committee of the Caledonia Village Board has reviewed the new COVID Employment and Employee Conditions Policy, recommends adopting the new Policy;

**NOW, THEREFORE, BE IT RESOLVED** by the Caledonia Village Board the new COVID Employment and Employee Conditions Policy as of August 25, 2020, attached hereto as **Exhibit A**, replaces the current COVID Employment and Employee Conditions Policy.

Adopted by the Village Board of the Village of Caledonia, Racine `County, Wisconsin, this \_\_\_\_\_ day of August, 2020.

**VILLAGE OF CALEDONIA**

By: \_\_\_\_\_

James R. Dobbs  
Village President

Attest: \_\_\_\_\_

Karie Pope  
Village Clerk

**Village of Caledonia**  
**COVID-19 employment and employee conditions**  
**policy Revised 8/12/20**

**COVID-19 has presented unique and unprecedented challenges and as a result the Village is implementing this temporary Policy, effective immediately. This temporary Policy is subject to immediate amendment with or without notice to employees. Employees should expect this policy will be revised as this situation is fluid and changing thus necessitating that the Village continue to monitor and make changes as necessary.**

The Village of Caledonia is responsible for maintaining a host of operations during all times of crisis and emergency to the best of the Village's ability. If all staff are out sick, our public service systems could be compromised.

The Village is committed to protecting the workplace in the event of an infectious disease outbreak. One of our key priorities is the health and safety of our employees. We understand concerns about Coronavirus (COVID-19) are top of mind for our employees, and we want to share information about how we are responding. The Village will be implementing the following expectations and steps immediately to help prevent or minimize the spread and infection rate of COVID-19 and to help ensure continued Village operations.

**What is Coronavirus (COVID-19)?** The Coronavirus (COVID-19) was first identified in December 2019 in Wuhan, China. It is a respiratory illness and is related to MERS and SARS, both coronaviruses. Health experts are concerned because little is known about this new respiratory virus, and it can cause severe illness and pneumonia in some people.

**Symptoms and Prevention Methods.** We are monitoring the CDC's real-time updates on the status and we will follow all State and CDC guidelines. Symptoms can include fever, cough, and shortness of breath.

Our employees must pay attention to how they are feeling and how to prevent spreading germs. The main way COVID-19 is spread to others is when an infected person coughs or sneezes. This is similar to how influenza is spread. When someone coughs or sneezes, other people near them can breathe in those droplets. The virus can also spread when someone touches an object with the virus on it. If that person touches their mouth, face, or eyes, the virus can make them sick. Hand-washing and avoiding other people if an employee feels unwell are important.

Employees are always encouraged to engage in good hygiene practices while at work, especially hand washing with soap and water or, if water is not available, using alcohol-based disposable hand wipes or gel sanitizers. Employees must take these steps to help prevent the spread of respiratory viruses:

- Cleanliness.
  - Wash your hands often with soap and water for at least 20 seconds, especially before eating and after going to the bathroom, blowing your nose, coughing, or sneezing.
  - If you do not have soap and water, use an alcohol-based hand sanitizer with at least 60% alcohol.
  - Avoid touching your eyes, nose, and mouth with unwashed hands.
  - Avoid close contact with people who are sick.
  - Stay home when you are sick.
  - Cover your cough or sneeze with a tissue, then throw the tissue in the trash.
- Workplace practices.
  - Clean and disinfect frequently touched objects and surfaces using a regular household cleaning spray or wipe.
  - Avoid community dispensers such as a common coffee pot or fountain. If you choose to use these items, make sure to wash your hands immediately after touching the location.
  - Do not bring or purchase open foods items that are shared between the staff. Examples are cookies, cake or pizza. Employees may bring prepackaged items such as individually wrapped granola bars or bottled soda.
  - Refrain from handshakes when greeting colleagues, clients and visitors. Practice CDC recommended social distancing (6 feet).
  - All employees shall be restricted to their own computer and phone and shall not use other employees' phones or computers. If communal utilization of a computer (device) is necessary, then clean the device surfaces and wash your hands.
  - Employees will be assigned an individual truck or vehicle (if applicable) for use during work. During certain times this may be tough to accomplish. If you do use another person's vehicle, wash your hands before and after.
  - Any time a piece of equipment is worked on that pumps or transfers sewage, all attending employees must wear Tyvek suit, rubber gloves and full-face protection to prevent any splashing of sewage onto their body or into any body openings such as eyes, nose or mouth. When the task is completed, the employee must shower down with a disinfectant.

We have posted signs as reminders to wash hands and cover your cough. In addition, we have hand sanitizer dispensers and disinfectant materials available for use throughout the office by our employees and visitors. Please do not remove these items from their current locations. We are regularly sanitizing surfaces throughout the office to reduce the spread of illness. Employees should further this commitment by identifying areas requiring cleaning and notifying his or her supervisor.

**Exposure.** As we are responsible for providing important services to our community, employees must follow these expectations:

- **If you have been exposed to the virus.** You must immediately call Toni Muise and your supervisor before reporting to work. You should self-quarantine for 14 days. You must cooperate with the Village's efforts to minimize infection to others. You cannot physically interact with your coworkers. You cannot report to any Village premises without first receiving authorization from the Village Administrator.
- **If you are experiencing symptoms related to COVID-19.** You must immediately call Toni Muise and your supervisor before reporting to work. Experts recommend that you use the telemedicine tools available to you through your health insurance carrier unless your symptoms are severe. These providers have been specifically trained to assess and provide you with instructions in the event they suspect that you may have contracted the virus. Further, the CDC also recommends that you call your doctor's office first, before visiting the office, urgent care or the emergency room.
- **If you just are feeling ill.** If you are generally feeling ill or experiencing acute respiratory illness symptoms then please report the illness to your supervisor and Toni Muise so that we may take the necessary steps to assist you and take precautions to prevent others from becoming ill. This may include isolating you from other employees and sending you home.
- **If we observe that you are ill.** If we observe that you are exhibiting symptoms or restrictions on the performance of your duties, then we may send you home from work. Any employee who comes in with observable symptoms of an infection will be sent home.
- **If you believe you contracted COVID-19 due to your job.** If you believe you contracted COVID-19 due to your job, then you must immediately contact Toni Muise and provide the factual circumstances supporting your belief. The Village's worker's compensation insurer will then be notified. You will be required to complete the CVMIC Workers Compensation first report of injury forms.

For any of the exposure circumstances above, the Village may require you to work from home if practical and if you are able or the Village may allow you to use paid leave.

To ensure our employees' rights are protected, eligible employees may be provided with FMLA paperwork during this time for completion. The Village may also designate leave as FMLA leave under certain circumstances.

## **Travel**

The Village reserves the right to cancel vacations and other time off as necessary. Based on what is transpiring, the Village is anticipating an increasing likelihood of community quarantine at this time and the Village needs staff here to deal with possible challenges that may present.

If you are planning to travel, then please follow the CDC's travel guidance and recommended travel hygiene practices to disinfect hotel, airplane and rental car surfaces. Steps before international travel include, checking the CDC's Traveler's Health Notices for each state and country before traveling. Do not travel if you have symptoms of acute respiratory illness. Employees that disregard U.S. State orders or restrictions on travel will not be compensated.

If you become ill while traveling please immediately contact Toni Muise before returning to work. If you will be traveling out of state or internationally, we ask that you notify your supervisor and Toni Muise. If you have traveled internationally or to an affected area and have not notified us, please contact Toni Muise and your supervisor.

If you have symptoms upon arriving home, you must contact your supervisor and Toni Muise to determine your eligibility to return to work.

The Village will follow CDC, Wisconsin Department of Health Services, and Central Racine County Public Health Department travel quarantine recommendations and may require employees to not return to work or attend work-related activities for 14 days and the employee would need to use their own sick time. The exact parameters for quarantine and/or monitoring will be determined by the Village after considering information public health department and provided on a case by case basis to minimize potential risks to the health and safety of our work environment and the community. Employees who choose to go on vacation using a public form of transportation such as a plane, train or boat, should expect to be quarantined from work.

The Village may require you to refrain from returning to work for a period of time, approximately 14 days after you return. This determination will be made by the Village Administrator and will be decided on a case-by-case basis. During this period of required absence, the Village may require you to use paid leave if remote work is not an available option.

**Alternative Work Assignments or Department full- or partial-closure.** The Village may close a work area or a department in full- or partial- closure and for full- or partial-work days. Village employees who are scheduled and capable of working (not employees who are on authorized leave or quarantine) who are prohibited by the Village from reporting for duty and not working remote assignments will continue to receive pay for lost Village wages based on not being able to work his or her approved scheduled shifts for the first ten work days (or prorated for part time employees) of the closure provided the employee remains available during those scheduled hours for routine calls and other tasks and is able to work. An employee who suffers exposure based on any situation described above will not be eligible for pay continuation during all or part of this period.

During a closure, staff may still be required to report to work and provide non-public related tasks/responsibilities. Staff may be assigned to other departments during the emergency. We ask that you do your best. The emergency may create stressful situations, if you are feeling overwhelmed please seek assistance. The Village offers an EAP (Employee Assistance Program) through Humana for all employees. For free and confidential assistance, call 1-866-440-6556 or visit [Humana.com/eap](https://www.humana.com/eap). Username: eap3 Password: eap3

The Village will revisit whether to continue wage compensation should a closure last more than ten days. The Village will consider additional guidance from the state, federal and local governments and will also evaluate changes in the law regarding employee access to unemployment compensation benefits. While the Village desires for any closure to be short in duration and minimally disruptive to our employees, our employees should budget accordingly for the possibility of long-term reductions in available work time without compensation.

This Section involving closures does not apply to sworn police department personnel, fire department personnel and salaried exempt personnel.

**Staying Informed.** We will continue to monitor the situation and provide you with updates and guidance as it becomes available from the CDC as well as State and local health departments. This information can be found by visiting the Centers for Disease Control (CDC) website, which includes “Need to Know” information from symptoms, prevention, and FAQs, as well as the State Department of Health Services.

Ultimately, we encourage everyone to make responsible decisions and stay home if they are sick.

For current and accurate information, please visit the following websites:

- Centers for Disease Control & Prevention: <https://www.cdc.gov/coronavirus/2019-ncov/>
- Wisconsin Department of Health Services: <https://www.dhs.wisconsin.gov/disease/covid-19.htm>
- Central Racine County Public Health Department: 262-898-4460 or <https://crchd.com/>

If you have any questions or concerns, please contact Toni Muise 262-835-6412 or your supervisor.

This policy supersedes only the sections of the Personnel Manual which conflict with anything described above. All other provisions of the Personnel Manual and/or contracts or general orders remain intact and in effect concurrent with the pandemic emergency policy.

Revised: 8/12/20  
Effective: August 25, 2020  
Resolution: 2020-76

**RESOLUTION NO. 2020-77**

**RESOLUTION AUTHORIZING THE FACE MASKS FACE COVERINGS POLICY**

**WHEREAS**, in December 2019, a novel strain of the coronavirus was detected, now named COVID-19, that has spread throughout the world, including every state in the United States; and

**WHEREAS**, on January 3, 2020, the World Health Organization declared COVID-19 to be a Public Health Emergency of International Concern; and

**WHEREAS**, on March 12, 2020, Governor Tony Evers declared a public health emergency to direct all resources needed to respond to and contain COVID-19 in Wisconsin; and

**WHEREAS**, on March 13, 2020, President Donald Trump proclaimed a National Emergency concerning COVID- 19; and

**WHEREAS**, on March 18, 2020, the Village of Caledonia declared a local state of emergency; and

**WHEREAS**, on July 30, 2020, Governor Tony Evers issued Executive Order #82 which declared the spread of COVID-19 a public health emergency; and

**WHEREAS**, on July 30, 2020, Governor Tony Evers issued Emergency Order #1 which requires the wearing of face masks or face coverings in buildings and enclosed spaces; and

**WHEREAS**, the Village has drafted a Face Masks Face Coverings Policy and it is attached hereto as **Exhibit A**; and

**WHEREAS**, the Personnel Committee of the Caledonia Village Board has reviewed the new Face Masks Face Coverings Policy, recommends adopting the new Policy;

**NOW, THEREFORE, BE IT RESOLVED** by the Caledonia Village Board the new Face Masks Face Coverings Policy is effective as of August 25, 2020, attached hereto as **Exhibit A**.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this \_\_\_\_\_ day of August, 2020.

**VILLAGE OF CALEDONIA**

By: \_\_\_\_\_  
James R. Dobbs  
Village President

Attest: \_\_\_\_\_  
Karie Pope  
Village Clerk



**FACE MASKS OR FACE COVERINGS**

The Village of Caledonia will follow all State and Local Orders pertaining to wearing masks.

Violation of this policy will result in disciplinary action, up to and including termination.

Created: 8/12/20  
Effective: August 25, 2020  
Resolution: 2020-77