

JUDICIAL AND LEGISLATIVE COMMITTEE

DATE: Friday, March 2, 2018

TIME: 1:30 p.m.

LOCATION: Room 115, Wood County Courthouse

1. Call meeting to order.
2. Public comments. Now or at the time the item is taken up. Rules may apply.
3. Review minutes of previous meeting.
4. Review for approval the vouchers and monthly reports of departments the committee oversees.
5. Report of committee members attending hearing on AB 954 on 2/21/2018
6. Review any claims and notices of injury against the County, as necessary.
7. Review any Dog License Fund claims.
8. Discuss latest edition of the following publications:
 - a. Wisconsin Taxpayer
 - b. FOCUS
 - c. NACo County News.
9. Presentation of correspondence and legislative issues or referrals and recognition of Legislators who may be present.
 - a. Review resolution for a non-binding referendum on nonpartisan redistricting reform.
 - b. Review Corporation Counsel memo entitled "Using 'Correspondence' and 'Reports' on an Agenda."
 - c. Report of Central Sands Water Committee
 - d. Report on Legislative Breakfast
10. Review resolution for post-employment health conversion for elected officials.
11. Courthouse Security Committee update and minutes of last meeting.
12. Discuss recruiting supervisors and interesting constituents in running for office.
13. Review of County Board Rules.
 - a. Terminating a position via county board action at the budget meeting.
 - b. Stand-alone vs. ad hoc Public Property Committee.
 - c. Review resolution amending Rules 40 A. and 36 on electing committee chairs.
 - d. Attendance at meetings by means of audio or video communications.
14. Consideration of agenda items for next meeting.
15. Set date and time of next meeting.
16. Adjourn.

MINUTES OF THE JUDICIAL AND LEGISLATIVE COMMITTEE

DATE: February 2, 2018
 TIME: 1:30 p.m.
 PLACE: Room 115, Wood County Courthouse
 TIME ADJOURNED: 4:14 p.m.
 MEMBERS PRESENT: Chairman William Clendenning, Ed Wagner, Bill
 Leichtnam, Kenneth Curry, Dave LaFontaine
 OTHERS PRESENT: Peter Kastenholz and see attached list.

1. At 1:30 p.m., Chairman Clendenning called the meeting to order.
2. Public comments. None.
3. Chairman Clendenning asked if there were any objections to the minutes for the January 5, 2018, and January 16, 2018, meetings; there were none. The minutes were accepted as drafted.
4. The Committee reviewed monthly voucher and department reports of the departments they oversee. Moved by LaFontaine, seconded by Curry, to approve the reports and payment of department vouchers. All ayes.

Some questions were asked of Vruwink and Kastenholz about the reports. Vruwink discussed pending legislation pertaining to Child Support.


5. The Committee reviewed the claims of Melinda Roberts and Christine Kinzel. These claims will be provided to the county board.
6. There were no new animal claims against the County.
7. Discussion on latest edition of the following publications:
 - a. Wisconsin Taxpayer. Supervisors all receive this publication. Chairman Clendenning indicated a desire to discuss this and other county related publications insofar as advancing the interests of Wood County.
 - b. FOCUS
 - c. NACo County News. Attendance at Legislative Conference March 2 - 7, 2018. The Chair inquired if anyone was interested in attending. Because it is out of state, it would take county board approval. Lance Pliml will be attending on behalf of the WCA. The committee members were either not interested or available to attend the conference or felt that Pliml's attendance was adequate.

8. The Committee reviewed correspondence and legislative issues.
 - a. LRB 4305 Water Pollution Notification bill AB 881. Supervisor Leichtnam talked about the substance and status of the bill. The bill requires notification of residents of contaminations to groundwater. Moved by Leichtnam, seconded by Clendenning, that the board support this legislation. Discussion had. Supervisor Wagner stated he would like to see the proposed legislation before taking a position on it. Supervisor Wagner located the legislation on his iPad and read it off to the Committee. Vote had. All ayes. A copy of AB 881 will be attached to the minutes.
 - b. Adding items under correspondence. Committee Chair pointed out that Correspondence on an agenda does not allow for discussion. Clendenning wants Corporation Counsel to do a memo to the county board on the topic.
 - c. Letter to Representatives Spiros and Kulp regarding SB 384. 2017 SB 384 provides a process for the automatic sunseting of all administrative code provisions. The bill passed the assembly in late 2017, now the senate is considering it. Moved by Leichtnam, seconded by LaFontaine, to oppose SB 384 and to have the committee chair present a letter to area state senators in opposition to the legislation. All ayes.
 - d. The Committee approved the Corporation Counsel's memo entitled "Courthouse Security and Facilities Committee" and will submit it to the county board.
 - e. Supervisors' report on attending Mining 101 Seminar in Minocqua and Planning & Zoning meeting in Portage County, and authorization for per diem and mileage for same. Moved by LaFontaine, seconded by Clendenning, to approve per diem and mileage for attendance at these. All ayes.
Moved by Leichtnam, seconded by LaFontaine, to refer this issue to the CEED Committee and have the Corporation Counsel work with that committee to draw up an ordinance regulating metallic mining in Wood County. All ayes.
 - f. Enactment of non-partisan redistricting reform. Moved by LaFontaine, seconded by Clendenning, encouraging a nonbinding referendum in support of a nonpartisan redistricting via resolution. 3 ayes; Clendenning and Wagner voted no.
 - g. Human Services resolution to authorize placement at Northwest Regional Juvenile Detention Center, approved by County Board August 15, 2017. Moved by Leichtnam, seconded by LaFontaine, to co-sponsor this resolution

expanding locations the courts can use to place juveniles. All ayes.

- h. Consideration of resolution to create Human Services Deputy Director position. Discussion had. The Committee members voiced support of the creation of the position but didn't feel that this committee should be involved in sponsoring the resolution.
 - i. Discussion to attend Heart of Wisconsin Legislative Breakfast March 2, 2018. Moved by Curry, seconded by LaFontaine, to authorize Clendenning to attend the Legislative Breakfast. All ayes.
9. Recruiting supervisors and interesting constituents in running for office. Supervisor Leichtnam explained he is looking for direction from the committee on how to proceed. Lots of ideas shared. Will be discussed further next month.
10. County Board rules.
- a. Terminating a position via county board action at the budget meeting. Moved by Wagner, seconded by Curry, to table until next meeting. All ayes.
 - b. Electing committee chairs. Moved by Leichtnam, seconded by Clendenning, to have a resolution appointing committee chairs. 3 ayes, 2 nays (Wagner & LaFontaine).
 - c. Stand-alone vs. ad hoc Public Property Committee. Moved by Clendenning, seconded by Leichtnam, to have a stand-alone Public Property committee. Discussion had. Questions had on what authority the committee would have and what it would oversee. Moved by LaFontaine to table until the committee has further information. No second. 2 ayes, 3 nays (Curry, LaFontaine, Wagner). Motion failed.
11. Agenda items for the March 2018, meeting:
- Education on involvement in government.
 - Stand-alone Public Property Committee
 - Terminating a position via county board rule.
12. The next committee meeting will be March 2, 2018, at 1:30 p.m.
13. Meeting adjourned at 4:14 p.m.

Minutes taken by Peter Kastenholz and approved by Kenneth Curry.


Kenneth Curry, Secretary

Judicial & Legislative Committee

Friday 2-2-18

Thirys Biley

Lance Plim

Doug Passineau

Brandon Vrowink

BEAD Kumer

DENNIS POLACH

Brent Vrowink

Shane Walsh

Adam Fischer

REUBEN VANTASSER

Committee Report

County of Wood

Report of claims for: BRANCH 1 / PROBATE

For the period of: FEBRUARY 2018

For the range of vouchers: 03180016 - 03180027

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
03180016	NATIONAL COURT REPORTERS ASSN	MEMBERSHIP DUES K COLLINS	01/29/2018	\$270.00	P
03180017	FLEXSTAFF	CONTRACT EMPLOYEE	01/24/2018	\$588.61	
03180018	FLEXSTAFF	CONTRACT EMPLOYEE	01/31/2018	\$573.42	
03180019	FLEXSTAFF	CONTRACT EMPLOYEE	02/07/2018	\$588.61	
03180020	FLEXSTAFF	CONTRACT EMPLOYEE	02/14/2018	\$508.87	
03180021	THOMSON REUTERS-WEST PUBLISHING CORP	WI STATUTES	02/04/2018	\$3,122.00	
03180022	COLLINS KIMBERLY	TRANSCRIPT FEES 16CF545	01/30/2018	\$28.00	
03180023	COLLINS KIMBERLY	TRANSCRIPT FEES 16CF489	02/01/2018	\$64.00	
03180024	COLLINS KIMBERLY	TRANSCRIPT FEES	02/05/2018	\$50.00	
03180025	THE RIDGE	LODGING 2018 WJCCA CONFERENCE	02/20/2018	\$82.00	
03180026	SCHOLZE ELIZABETH L	MEAL EXPENSE WJCCA CONFERENCE	02/20/2018	\$84.00	
03180027	WI JUVENILE CT CLERKS ASSN	WJCCA MEMBERSHIP - SCHOLZE	02/20/2018	\$40.00	
Grand Total:				\$5,999.51	

Signatures

Committee Chair: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Report

County of Wood

Report of claims for: BRANCH 2

For the period of: FEBRUARY 2018

For the range of vouchers: 04180011 - 04180014

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
04180011	PETERSON MICHELLE L	TRANSCRIPT FEES	01/29/2018	\$15.00	
04180012	PETERSON MICHELLE L	TRANSCRIPT FEES 17CF339	02/07/2018	\$8.00	
04180013	ZAMOW DENISE	TRANSCRIPT FEES 17CF81, 144	02/15/2018	\$26.00	
04180014	ZAMOW DENISE	TRANSCRIPT FEES 15CF127	02/15/2018	\$24.00	
Grand Total:				\$73.00	

Signatures

Committee Chair:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

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Committee Member:

Committee Member:

Committee Report

County of Wood

Report of claims for: BRANCH 3 / DRUG COURT

For the period of: FEBRUARY 2018

For the range of vouchers: 05180004 - 05180006

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
05180004	ATTIC CORRECTIONAL SERVICES INC	DRUG COURT STAFF & REVENUE	02/01/2018	\$5,206.16	P
05180005	ATTIC CORRECTIONAL SERVICES INC	DRUG COURT STAFF ENHANCED	02/01/2018	\$1,833.33	P
05180006	CORDANT HEALTH SOLUTIONS	DRUG TESTING	01/31/2018	\$3,219.30	P
Grand Total:				\$10,258.79	

Signatures

Committee Chair:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Report

County of Wood

Report of claims for: REGISTER OF DEEDS

For the period of: FEBRUARY 2018

For the range of vouchers: 24180005 - 24180006

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
24180005	FIDLAR TECHNOLOGIES INC	LAREDO USAGE JANUARY 2018	02/14/2018	\$46.72	
24180006	KILLIAN DEBBIE	MILEAGE TO/FROM DISTRICT MTG	01/19/2018	\$38.15	
Grand Total:				\$84.87	

Signatures

Committee Chair:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

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Committee Member:

Committee Member:

Committee Report

County of Wood

Report of claims for: Corporation Counsel

For the period of: February 2018

For the range of vouchers: 09180003 - 09180004

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
09180003	REGISTER OF COPYRIGHTS	copyright logo	02/13/2018	\$85.00	P
09180004	KASTENHOLZ PETER A	mileage	02/21/2018	\$24.53	
Grand Total:				\$109.53	

Signatures

Committee Chair:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Report

County of Wood

Report of claims for: CLERK OF CIRCUIT COURT

For the period of: FEBRUARY 2018

For the range of vouchers: 07172915 - 07172919 07180012 - 07180075

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
07172915	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 17ME87	01/18/2018	\$345.00	P
07172916	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 17GN73	01/17/2018	\$500.00	P
07172917	GEBERT LAW OFFICE	Atty Fee - 17PA131	01/26/2018	\$77.00	P
07172918	NASH LAW GROUP	Atty Fee - 17CM501	02/06/2018	\$115.69	P
07172919	SCHMIDT & GRACE	Atty Fee - 17CF506	01/23/2018	\$546.29	P
07180012	JOOSTEN CINDY	2nd interview refreshments	01/17/2018	\$16.37	P
07180013	JOOSTEN CINDY	Wall Clock - Video conf room	01/20/2018	\$7.16	P
07180014	ANDERSON GAIL A	JUROR EXPENSE	01/16/2018	\$30.00	P
07180015	ANDERSON MACHELLE C	JUROR EXPENSE	01/16/2018	\$30.00	P
07180016	BAUER WYATT LEE	JUROR EXPENSE	01/16/2018	\$30.00	P
07180017	ESSER PAUL SCOTT	ESSER PAUL SCOTT	01/16/2018	\$0.00	P
07180018	GAULKE JOY MARIE	JUROR EXPENSE	01/16/2018	\$30.00	P
07180019	GILBERTSON KATY R	JUROR EXPENSE	01/16/2018	\$30.00	P
07180020	GROSS DANIEL JAMES	JUROR EXPENSE	01/16/2018	\$30.00	P
07180021	HOGUE THEODORE EDWARD	JUROR EXPENSE	01/16/2018	\$30.00	P
07180022	KONKOL PETER P	JUROR EXPENSE	01/16/2018	\$30.00	P
07180023	KRATZER WADE AARON	JUROR EXPENSE	01/16/2018	\$30.00	P
07180024	KRUEGER LYNN MARIE	JUROR EXPENSE	01/16/2018	\$30.00	P
07180025	LADICK STEVEN ROBERT	JUROR EXPENSE	01/16/2018	\$30.00	P
07180026	LARSEN LOIS N	JUROR EXPENSE	01/16/2018	\$30.00	P
07180027	LE GRAND GERALDENE CLARE	JUROR EXPENSE	01/16/2018	\$30.00	P
07180028	MARSHALL HOLLY ELAINE	JUROR EXPENSE	01/16/2018	\$30.00	P
07180029	MEYERS EVERETT H	JUROR EXPENSE	01/16/2018	\$30.00	P
07180030	PORTER WILLIAM DANIEL	JUROR EXPENSE	01/16/2018	\$30.00	P
07180031	REDING MATTHEW SCOTT	JUROR EXPENSE	01/16/2018	\$30.00	P
07180032	SEVERSON DARREL L	JUROR EXPENSE	01/16/2018	\$30.00	P
07180033	SLOWIAK SHELLI M	JUROR EXPENSE	01/16/2018	\$30.00	P
07180034	VOROS JOHN GERALD	JUROR EXPENSE	01/16/2018	\$30.00	P
07180035	WELLMAN EDWARD E	JUROR EXPENSE	01/16/2018	\$30.00	P
07180036	WILEY BERT D	JUROR EXPENSE	01/16/2018	\$30.00	P
07180037	ANDERSON GAIL A	JUROR EXPENSE	01/16/2018	\$9.81	P
07180038	ANDERSON MACHELLE C	JUROR EXPENSE	01/16/2018	\$1.64	P
07180039	BAUER WYATT LEE	JUROR EXPENSE	01/16/2018	\$45.78	P

Committee Report - County of Wood

CLERK OF CIRCUIT COURT - FEBRUARY
2018

07180012 - 07180075 07172915 - 07172919

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
07180040	ESSER PAUL SCOTT	JUROR EXPENSE	01/16/2018	\$38.15	P
07180041	GAULKE JOY MARIE	JUROR EXPENSE	01/16/2018	\$40.33	P
07180042	GILBERTSON KATY R	JUROR EXPENSE	01/16/2018	\$4.36	P
07180043	GROSS DANIEL JAMES	JUROR EXPENSE	01/16/2018	\$6.00	P
07180044	HOGUE THEODORE EDWARD	JUROR EXPENSE	01/16/2018	\$22.89	P
07180045	KONKOL PETER P	JUROR EXPENSE	01/16/2018	\$10.90	P
07180046	KRATZER WADE AARON	JUROR EXPENSE	01/16/2018	\$37.06	P
07180047	KRUEGER LYNN MARIE	JUROR EXPENSE	01/16/2018	\$19.62	P
07180048	LADICK STEVEN ROBERT	JUROR EXPENSE	01/16/2018	\$10.36	P
07180049	LARSEN LOIS N	JUROR EXPENSE	01/16/2018	\$1.09	P
07180050	LE GRAND GERALDENE CLARE	JUROR EXPENSE	01/16/2018	\$34.34	P
07180051	MARSHALL HOLLY ELAINE	JUROR EXPENSE	01/16/2018	\$25.07	P
07180052	MEYERS EVERETT H	JUROR EXPENSE	01/16/2018	\$37.06	P
07180053	PORTER WILLIAM DANIEL	JUROR EXPENSE	01/16/2018	\$5.45	P
07180054	REDING MATTHEW SCOTT	JUROR EXPENSE	01/16/2018	\$41.42	P
07180055	SEVERSON DARREL L	JUROR EXPENSE	01/16/2018	\$5.45	P
07180056	SLOWIAK SHELLI M	JUROR EXPENSE	01/16/2018	\$34.88	P
07180057	VOROS JOHN GERALD	JUROR EXPENSE	01/16/2018	\$29.43	P
07180058	WELLMAN EDWARD E	JUROR EXPENSE	01/16/2018	\$7.63	P
07180059	WILEY BERT D	JUROR EXPENSE	01/16/2018	\$16.35	P
07180060	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 18GN09	01/24/2018	\$500.00	P
07180061	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 18GN02	01/22/2018	\$500.00	P
07180062	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 17GN99	01/22/2018	\$500.00	P
07180063	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 18GN08	01/24/2018	\$500.00	P
07180064	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 17GN96	01/24/2018	\$500.00	P
07180065	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 17ME87	01/18/2018	\$195.00	P
07180066	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 17ME47	01/29/2018	\$540.00	P
07180067	PHYSICIAN BEHAVIORAL HEALTH EVALUATIONS LLC	Med Exam - 16ME91	01/23/2018	\$795.00	P
07180068	PHYSICIAN BEHAVIORAL HEALTH EVALUATIONS LLC	Med Exam - 15GN15	02/18/2018	\$500.00	P
07180069	GEBERT LAW OFFICE	Atty Fee - 17GN91	01/26/2018	\$77.00	P
07180070	GEBERT LAW OFFICE	Mediation Services - Jan 2018	02/01/2018	\$1,250.00	P
07180071	KRUSE JOHN ADAM ATTY	FCC Services - Jan 2018	02/01/2018	\$8,296.10	P
07180072	NASH LAW GROUP	Atty Fee - 17JC77 & 78	01/31/2018	\$161.00	P
07180073	MAILFINANCE	Lease Payment	02/02/2018	\$237.87	P
07180074	WEILAND LEGAL SERVICES	Atty Fee - 17GN97	02/06/2018	\$224.00	P
07180075	WEILAND LEGAL SERVICES	Atty Fee - 18GN09	02/06/2018	\$245.00	P

Grand Total:**\$17,773.55**

Committee Report - County of Wood

CLERK OF CIRCUIT COURT - FEBRUARY
2018

07180012 - 07180075 07172915 - 07172919

Signatures

Committee Chair: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

PREPARED BY: JANEL TEPP

MEETING DATE: MARCH 02, 2018

Committee Report

County of Wood

Report of claims for: Victim Witness Services

For the period of: February

For the range of vouchers: 32180001 - 32180004

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
32180001	ANDERSON PATRICIA L	Mileage VIP	02/15/2018	\$78.15	P
32180002	LUZNICKY JOHN	March 13 VIP	02/15/2018	\$150.00	P
32180003	STERNITZKY BETH	March 13 VIP	02/15/2018	\$25.00	P
32180004	CAMPBELL SUZANNE M	March VIP	02/15/2018	\$25.00	P
Grand Total:				\$278.15	

Signatures

Committee Chair:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Report

County of Wood

Report of claims for: CHILD SUPPORT

For the period of: FEBRUARY 2018

For the range of vouchers: 02180001 - 02180014

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
02180001	RIVER CITY PROCESS SERVERS	9-PROCESS OF SERVICE FEES	01/23/2018	\$320.00	P
02180002	AEGIS CORPORATION	1-NOTARY BOND FEE-SOMMERFELDT	02/05/2018	\$25.00	P
02180003	WI DEPT OF FINANCIAL INSTITUTIONS	4-YR NOTARY-SOMMERFELDT	02/05/2018	\$20.00	P
02180004	WOODTRUST BANK NA	PAYOFF AGENCY CREDIT CARD	02/05/2018	\$98.00	P
02180005	AEGIS CORPORATION	1-NOTARY BOND-ANDERSON	02/13/2018	\$25.00	P
02180006	BUREAU OF CHILD SUPPORT	DIRECTORS DIALOGUE REG. FEES	02/13/2018	\$80.00	P
02180007	RINGER TIFFANY	REIMBURSEMENTS FOR MEALS	02/13/2018	\$54.00	P
02180008	STOFLET VICKI	REIMBURSEMENT FOR MEALS	02/13/2018	\$42.00	P
02180009	VRUWINK BRENT	REIMB. FOR MILEAGE/MEALS	02/13/2018	\$186.98	P
02180010	WI DEPT OF FINANCIAL INSTITUTIONS	NOTARY COMMISSION-ANDERSON	02/13/2018	\$20.00	P
02180011	DNA DIAGNOSTICS CENTER	34-IND. GENETIC TESTS	02/20/2018	\$789.00	
02180012	GEBERT LAW OFFICE	SUB. CORP. COUNSEL FEE	02/20/2018	\$50.00	
02180013	LEGAL LOGISTICS LLC	16-PROCESS OF SERVICE FEES	02/20/2018	\$1,075.00	
02180014	RIVER CITY PROCESS SERVERS	31-PROCESS OF SERVICE FEES	02/20/2018	\$1,020.00	
Grand Total:				\$3,804.98	

Signatures

Committee Chair: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

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Committee Member: _____

Committee Member: _____

Committee Member: _____

Committee Member: _____

VICTIM WITNESS SERVICES REPORT FEBRUARY 2018

January 25, 2018 to February 21, 2018

CONTACT MADE WITH 98 VICTIMS OR WITNESSES

MET WITH 29 IN PERSON

INITIAL CONTACT PACKET INFORMATION SENT ON 112 NEW CASES

DISPOSTION INFORMATION SENT ON 76 CLOSED CASES

NO CONTACT INFORMATION ON 43 NEW CASES

NO PROSECUTION ON 22 FILES

SENTENCING AFTER REOCATION INFORMATION 35 CASES

RESTITUTION DETERMINED ON 21 NEW FILES

PARTICIPATED IN SART MEETING IN MARSHFIELD ON 2-6-18

PARTICIPATED IN STATE CRIME VICTIM RIGHTS BOARD MEETING
ON 2-15-18

RESTITUTION ORDERED IN THIS PERIOD IN THE AMOUNT OF
\$43,192.74 OF WHICH \$8359.58 IS FOR CITIZENS \$1747.35 LOCAL
BUSINESSES \$32443.30 LOCAL NON-PROFIT CHARITY \$642.51 CRIME
VICTIM COMPENSATION FUND

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Trisha L. Anderson".

Trisha L. Anderson

**CLERK OF COURT COLLECTED
COUNTY REVENUES
FOR THE MONTH ENDING JANUARY 31, 2018**

Which Dept. Receives Revenue	Account Title	Current Month Totals	Previous Month Totals	Difference
Clerk of Courts	County Forfeitures	\$ 7,188.38	\$ 7,657.18	\$ (468.80)
Clerk of Courts	Occupational Lic Fee Due Co	\$ 40.00	\$ -	\$ 40.00
Clerk of Courts	County Share State Fines	\$ 13,790.58	\$ 8,001.50	\$ 5,789.08
Human Services	Custody Study Fees	\$ -	\$ -	\$ -
Clerk of Courts	Attorney Fees	\$ 355.42	\$ 3,220.55	\$ (2,865.13)
Human Services	County OWI Surcharge	\$ 5,759.90	\$ 4,020.16	\$ 1,739.74
District Attorney	District Attorney Service	\$ 2.11	\$ 1.90	\$ 0.21
District Attorney	District Attorney 10%	\$ 581.25	\$ 1,021.45	\$ (440.20)
Victim Witness	Victim Witness 10%	\$ 581.24	\$ 1,021.45	\$ (440.21)
District Attorney	District Attorney Witness Fees	\$ -	\$ -	\$ -
Finance Department	Sales Tax	\$ -	\$ 0.00	\$ -
Clerk's Fees				
Clerk of Courts	County Clerk of Courts Fees	\$ 12,751.18		
Clerk of Courts	Bond Forfeitures	\$ -		
Clerk of Courts	Payment Plan Fees	\$ 1,000.00		
Clerk of Courts	Muni Disposal Fees	\$ 125.00	\$ 13,876.18	\$ 9,348.82
Branch I	Juvenile Ordinances	\$ 32.37	\$ 27.75	\$ 4.62
Sheriff's Dept.	Warrant Fees	\$ 2,536.33	\$ 2,028.84	\$ 507.49
Sheriff's Dept.	Jail Surcharge	\$ 2,832.02	\$ 2,462.59	\$ 369.43
Sheriff's Dept.	Blood Test Costs	\$ 182.54	\$ 93.44	\$ 89.10
Sheriff's Dept.	Extradition Costs	\$ 24.15	\$ 160.21	\$ -
COC Div. Mediation	Family Counseling Service Fees	\$ 830.00	\$ 395.00	\$ 435.00
COC Div. Mediation	Family Counseling Reimbursement	\$ 450.00	\$ 266.90	\$ 183.10
Clerk of Courts	Interest (from A/C # 2299-851)	\$ 20.99	\$ 18.54	\$ 2.45
COUNTY REVENUE		\$ 49,083.46	\$ 39,746.28	\$ 9,337.18
0700-24241 STATE REVENUES		\$ 152,601.04	\$ 121,016.31	\$ 31,584.73
SUBTOTAL		\$ 201,684.50	\$ 160,762.59	\$ 40,921.91
MUNICIPAL PASS THROUGH REVENUES		\$ 339.01	\$ 791.72	\$ (452.71)
TOTAL REVENUE DISBURSED		\$ 202,023.51	\$ 161,554.31	\$ 40,469.20

For the Judicial & Legislative Committee Meeting dated: March 2, 2018
Prepared by Cindy L. Joosten, Clerk of Circuit Court

ANNUAL REVENUE COMPARISON

2017					2018				
	Total	State	County	Muni		Total	State	County	Muni
Jan	189,433	141,488	46,753	1,191	Jan	202,024	152,601	49,083	339
Feb	202,435	150,168	50,998	1,270	Feb	-			
Mar	266,061	193,880	70,518	1,663	Mar	-			
Apr	184,195	131,574	51,587	1,035	Apr	-			
May	198,239	146,769	49,652	1,818	May	-			
Jun	194,750	152,102	41,833	816	Jun	-			
Jul	186,745	142,911	43,186	648	Jul	-			
Aug	232,619	180,993	50,744	882	Aug	-			
Sep	200,253	146,928	52,579	747	Sep	-			
Oct	188,938	145,307	42,832	799	Oct	-			
Nov	204,163	155,442	48,120	601	Nov	-			
Dec	161,554	121,016	39,746	792	Dec	-			
	2,409,386	1,808,578	588,547	12,261		202,024	152,601	49,083	339
2016 YEAR TO DATE REVENUE:						189,433	141,488	46,753	1,191
INCREASE (Decrease)						12,591	11,113	2,330	(852)

COLLECTION ACTIVITY SUMMARY FOR 2018

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Warrants Issued	52											
Suspensions Issued	21											
Payment Plans Created	75											
Receivables in Payment Plans	6967											
Payment Plans Due	68649	\$64,885										
# of Payment Plans PIF	53											
Fines worked off through Community Service	23											
\$ Worked off through Community Service	\$14,900											
Collection Agency Payments	\$0											
Electronic Payments	\$69,884											

Wood County Circuit Court
Active Non-Escrow Receivables Audit Summary (DOC/Other Collects Included)
For Month Ending 01-31-2018
Preliminary

02-08-2018
02:05 pm

Account	0-1 Month	1-2 Months	2-3 Months	3-6 Months	6-12 Months	1-2 Years	2-3 Years	3-4 Years	4-5 Years	Over 5 Years	Total
Fees	38784.98	29471.69	20941.30	70065.73	122710.71	156608.27	88273.45	60220.90	28325.47	227004.21	842406.71
Traffic	32801.30	25865.33	20483.89	57937.12	63879.32	87860.43	53079.74	32096.33	69319.93	198770.82	642094.21
Criminal	68201.70	53957.36	68437.35	210534.10	303544.32	465403.80	293296.22	174402.90	152542.31	557528.90	2347848.96
Restitution	1572.98	8219.64	2806.35	13069.95	32961.69	62447.60	59017.26	48901.10	38807.92	294945.16	562749.65
TOTAL	\$ 141,360.96	\$ 117,514.02	\$ 112,668.89	\$ 351,606.90	\$ 523,096.04	\$ 772,320.10	\$ 493,666.67	\$ 315,621.23	\$ 288,995.63	\$ 1,278,249.09	\$ 4,395,099.53

Wood County Circuit Court
Active Non-Escrow Receivables Audit Summary (DOC/Other Collects Omitted)
For Month Ending 01-31-2018
Preliminary

02-08-2018
02:07 pm

Account	0-1 Month	1-2 Months	2-3 Months	3-6 Months	6-12 Months	1-2 Years	2-3 Years	3-4 Years	4-5 Years	Over 5 Years	Total
Fees	34913.88	29443.69	20058.62	69132.13	119828.78	148697.77	83323.75	52024.95	24385.96	160308.54	742118.07
Traffic	32801.30	25865.33	20483.89	57937.12	63879.32	87860.43	53079.74	32096.33	69182.43	198092.82	641278.71
Criminal	60767.70	48067.56	59181.82	177456.77	243869.20	379589.38	229702.01	118729.29	105533.55	374686.73	1797584.01
Restitution	351.27	7047.64	325.54	5964.04	11934.38	7150.85	21815.15	13208.46	5355.60	59152.51	132305.44
TOTAL	\$ 128,834.15	\$ 110,424.22	\$ 100,049.87	\$ 310,490.06	\$ 439,511.68	\$ 623,298.43	\$ 387,920.65	\$ 216,059.03	\$ 204,457.54	\$ 792,240.60	\$ 3,313,286.23



Wood County WISCONSIN

CORPORATION
COUNSEL OFFICE

Peter A. Kastenholz
CORPORATION COUNSEL

MONTHLY REPORT TO THE JUDICIAL AND LEGISLATIVE COMMITTEE
March 2018

1. Opioid Litigation. The counsel for the Wisconsin counties involved in the opioid litigation have been stressing the confidentiality associated with the legal proceedings and internal settlement discussions in their periodic updates. These counsel do recognize, though, the need for the county corporation counsel to provide updates to our clients, the county boards, and with that in mind have prepared the following communique to be shared with the boards.

Status of Opioid Litigation: There are currently 62 Wisconsin Counties that are participating in the National Opioid Litigation. The Wisconsin Counties' cases are consolidated as part of the approximately 330 cases in the Multi-District Litigation ("MDL") pending before Judge Daniel Polster in the Northern District of Ohio (Cleveland). The MDL includes cases filed by Counties, Cities, Indian Tribes, Hospitals, Third-Party Payors and Individuals. The primary defendants are the Opioid Manufacturers and the Opioid Distributors. In addition to these MDL cases, there are approximately 75 cases pending in State Courts throughout the Nation. Cases continue to be filed on a daily basis. A Plaintiff's Leadership Team consisting of 22 attorneys has been established to steer the MDL cases throughout the Nation. Two attorneys that are representing the Wisconsin Counties are part of the Leadership Team, including the Lead Attorney Paul Hanly and Executive Committee member Erin Dickinson. Judge Polster has clearly defined his objective as attempting to resolve these lawsuits in 2018. Therefore, settlement committees have been established and will be working on a potential resolution with Judge Polster in the upcoming months. As a result of Judge Polster's current objective, dispositive motions and discovery will not take place in the immediate future. Nonetheless, it is imperative that your County continues to preserve any opioid related documents or data and assists in providing high level information to counsel related to past and future potential damages. We will be distributing additional instructions regarding document preservation in the near future.

2. Goals for 2018. Per the committee's direction last month, I have prepared the attached memo to the county board dealing with the open meetings law in general and the use of the agenda items "correspondence" and "reports" in particular. Over the next 6 months or so I will be attending at least two full meetings of each standing committee and will be making observations associated with open meeting law notice compliance.
3. Walking Quorums. Sometimes I will be contacted by a supervisor who will state that they have been in touch with a number of other supervisors on a committee and they all feel a certain way in regards to a matter or collectively have this or that concern. You cannot legally have those types of chain communications as they are known as a walking quorum and that type of activity violates the open meetings law. The consequences of a violation of the open meetings law can be a forfeiture that the county board supervisor is personally liable for and the undoing of what was discussed in the un-noticed meeting(s). Just because there may be no consequences most times a violation of the open meeting law takes place doesn't mean that there won't be a sanction if and when you violate the law. Please be mindful of this admonition.

RECEIVED

FEB 01 2018

Family Court Commissioner Activity Report to Claims and Judiciary Committee

(1/1/18 to 1/31/18)

WOOD CO. CORP. COUNSEL

I. Administrative and Procedural Matters:

I have continued to meet with the judges to obtain their advice.

II. Time Associated with Hearings:

January 4, 2018

2 Injunctions

1 Hearing

(3.5 hours, of which 0.0 hrs. pertained to the Wood County Child Support Agency)

January 5, 2018

1 Hearing

(3.5 hours, of which 0.0 hrs. pertained to the Wood County Child Support Agency)

January 11, 2018

1 Hearing

23 Child Support

(4.0 hours, of which 2.0 hrs. pertained to the Wood County Child Support Agency)

January 18, 2018

1 Hearing

1 Injunction

(4.0 hours, of which 0.0 hrs. pertained to the Wood County Child Support Agency)

January 25, 2018

5 Hearings

4 Injunctions

(5.5 hours, of which 0.0 hrs. pertained to the Wood County Child Support Agency)

Total Hearing Time was 20.5 hrs. of which 2.0 pertained to the Wood County Child Support Agency

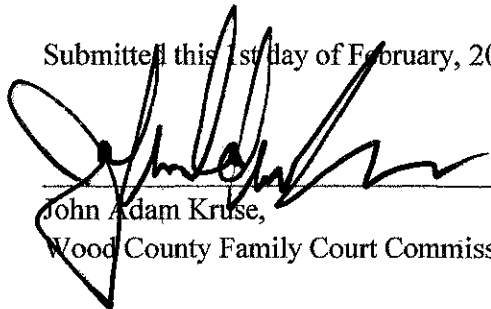
III. Total Time Associated with Mediation Orders and Dismissals was 6.4 hours.

IV. Total Time Associated with Providing Telephone Advice regarding Custody Procedures and Child Support was 10.6 hours of which 0.0 pertained to the Wood County Child Support Agency

V. Total Time for Procedural Matters was 20 hours of which 2.0 pertained to Wood County Child Support Agency.

TOTAL TIME (January 1 through January 31, 2018) WAS 57.5 HOURS, OF WHICH 2.0 HOURS PERTAINED TO THE WOOD COUNTY CHILD SUPPORT AGENCY

Submitted this 1st day of February, 2018

A handwritten signature in black ink, appearing to read 'John Adam Kruse', is written over a horizontal line.

John Adam Kruse,
Wood County Family Court Commissioner



Wood County WISCONSIN

CHILD SUPPORT
AGENCY

MARCH 2018

MONTHLY REPORT TO THE JUDICIAL AND LEGISLATIVE COMMITTEE

Prepared by Child Support Director Brent Vruwink

- On February 8th and 9th I attended WCSEA meetings in Manitowoc.
- The agency will once again be facilitating child support training in Wisconsin Rapids later this spring.
- Along with Supervisors Clendenning and Leichtnam, Tiffany Ringer and I were at the Capitol on February 21st to support AB-954. AB-954 is the Administrative Paternity legislation we have been working on for a long period of time. I was able to testify in support of the legislation. The Assembly will be adjourning for the session very soon so the odds of getting this legislation passed remain slim. We also visited with Senator Testin's office as they are working on the Senate companion bill. I want to thank Supervisors Clendenning and Leichtnam for their help.
- I will be attending the WCA Health and Human Services Steering Committee meeting on March 2nd in Stevens Point. I will be discussing the legislative issues that will be important to Child Support Agencies during the next budget process.
- I will be attending the Joint Legislative Committee meeting in Mosinee on March 12th.
- The final payment from the state for 2017 was received. This closes 2017 with a net levy of around \$50,000. The amount was around \$8,000 less than we had budgeted because we were able to secure additional revenue through the Employment and Training Partnership Plan I wrote.
- The January performance numbers have been released. We again are on target to meet all four Federal Performance Measures.
- The current IV-D case count is 3,915.

	2016 Budgeted Expenditures	2016 Actual Revenue	2016 Projected Revenue	Overage/ (Shortfall)
January	\$ 32,831.67	\$ 30,622.11	\$ 32,837.00	\$ (2,214.89)
February	\$ 32,831.67	\$ 25,924.37	\$ 32,833.00	\$ (6,908.63)
March	\$ 32,831.67	\$ 34,792.62	\$ 32,833.00	\$ 1,959.62
April	\$ 32,831.67	\$ 30,479.46	\$ 32,833.00	\$ (2,353.54)
May	\$ 32,831.67	\$ 36,744.14	\$ 32,833.00	\$ 3,911.14
June	\$ 32,831.67	\$ 47,522.11	\$ 32,833.00	\$ 14,689.11
July	\$ 32,831.67	\$ 42,452.28	\$ 32,833.00	\$ 9,619.28
August	\$ 32,831.67	\$ 46,937.33	\$ 32,833.00	\$ 14,104.33
September	\$ 32,831.67	\$ 37,904.58	\$ 32,833.00	\$ 5,071.58
October	\$ 32,831.67	\$ 40,434.15	\$ 32,833.00	\$ 7,601.15
November	\$ 32,831.67	\$ 36,186.56	\$ 32,833.00	\$ 3,353.56
December	\$ 32,831.63	\$ 38,570.20	\$ 32,833.00	\$ 5,737.20

Total	\$393,980.00	\$448,569.91	\$394,000.00	\$54,569.91
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	2017 Budgeted Expenditures	2017 Actual Revenue	2017 Projected Revenue	Overage/ (Shortfall)
January	\$ 33,726.33	\$ 32,596.62	\$ 32,835.00	\$ (238.38)
February	\$ 33,726.33	\$ 27,501.90	\$ 32,835.00	\$ (5,333.10)
March	\$ 33,726.33	\$ 31,453.59	\$ 32,835.00	\$ (1,381.41)
April	\$ 33,726.33	\$ 34,915.53	\$ 32,835.00	\$ 2,080.53
May	\$ 33,726.33	\$ 37,214.16	\$ 32,835.00	\$ 4,379.16
June	\$ 33,726.33	\$ 45,651.90	\$ 32,835.00	\$ 12,816.90
July	\$ 33,726.33	\$ 124,436.20	\$ 32,835.00	\$ 91,601.20
August	\$ 33,726.33	\$ 40,249.60	\$ 32,835.00	\$ 7,414.60
September	\$ 33,726.33	\$ 37,216.67	\$ 32,835.00	\$ 4,381.67
October	\$ 33,726.33	\$ 40,304.27	\$ 32,835.00	\$ 7,469.27
November	\$ 33,726.33	\$ 34,222.79	\$ 32,835.00	\$ 1,387.79
December	\$ 33,726.37	\$ 39,640.66	\$ 32,835.00	\$ 6,805.66

Total	\$404,716.00	\$ 525,403.89	\$394,020.00	\$ 131,383.89
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	2018 Budgeted Expenditures	2018 Actual Revenue	2018 Projected Revenue	Overage/ (Shortfall)
January	\$ 35,254.58	\$ 29,478.91	\$ 32,835.00	\$ (3,356.09)
February	\$ 35,254.58			\$ -
March	\$ 35,254.58			\$ -
April	\$ 35,254.58			\$ -
May	\$ 35,254.58			\$ -
June	\$ 35,254.58			\$ -
July	\$ 35,254.58			\$ -
August	\$ 35,254.58			\$ -
September	\$ 35,254.58			\$ -
October	\$ 35,254.58			\$ -
November	\$ 35,254.58			\$ -
December	\$ 35,254.62			\$ -

Total	\$423,055.00	\$29,478.91	\$32,835.00	(\$3,356.09)
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Charge Payment Fund: Payments received on outstanding charges.

Escrow Payment Fund: Customer money being held for future activity.

County Transfer Fee Fund: County retains 20% of all Transfer Fees collected.

County VitalChek Fee Fund: County retains \$10.00 from every person requesting a vital record online via Vitalchek.

Laredo Remote: County collects a fee from customers using Laredo software outside of the courthouse.

State DOA Fund: Signing of state budget bill 10/26/2007 increased birth certificates by \$8, marriage and death certificates by \$13.00, and the expedite fee by \$10.00. All monies to be mailed to the Department of Administration. The increase was enacted to come into compliance with recent federal laws. The monies will be used to automate outdated paper registration, archiving and copy issuance systems at the State and local vital records offices.

Reports Fund: County collects a fee (.50/page) from customers requesting reports.

Register of Deeds Fund: County retains all remaining recording fees (\$15.00 from each document recorded. \$5.00 from each first copy of every birth record sold. \$7.00 from each first copy of every death and marriage record sold. \$3.00 for each extra copy of vital records sold.)

County Land Record Fund: Effective June 25, 2010 statutes provide that \$8.00 is retained for the provision of land information on the internet and for Land Records modernization.

State Transfer Fund: State collects 80% of all Transfer Fees collected.

State Birth Fund: State collects \$7.00 of every birth record sold.

State Land Record Fund: State collects \$7.00 from each document recorded.

Account Number	Fund Name	Total Fund Amount	Total Outstanding Charges	Total Fund due
-1	CHARGE PAYMENT FUND	1,230.00	0.00	1,230.00
	Subtotal for -1:	1,230.00	0.00	1,230.00
-2	ESCROW PAYMENT FUND	34,610.00	0.00	34,610.00
	Subtotal for -2:	34,610.00	0.00	34,610.00
11	COUNTY TRANSFER FEE FUND	6,938.04	0.00	6,938.04
	Subtotal for 11:	6,938.04	0.00	6,938.04
20	COUNTY VITALCHEK FEE FUND	360.00	0.00	360.00
	Subtotal for 20:	360.00	0.00	360.00
21	LAREDO REMOTE	2,516.87	0.00	2,516.87
	Subtotal for 21:	2,516.87	0.00	2,516.87
22	STATE DOA FUND	4,522.00	0.00	4,522.00
	Subtotal for 22:	4,522.00	0.00	4,522.00
30	REPORTS FUND	51.00	0.00	51.00
	Subtotal for 30:	51.00	0.00	51.00
4	REGISTER OF DEEDS FUND	19,613.00	0.00	19,613.00
	Subtotal for 4:	19,613.00	0.00	19,613.00
5	COUNTY LAND RECORD FUND	6,088.00	0.00	6,088.00
	Subtotal for 5:	6,088.00	0.00	6,088.00
6	STATE TRANSFER FUND	27,752.16	0.00	27,752.16
	Subtotal for 6:	27,752.16	0.00	27,752.16
7	STATE BIRTH FUND	1,526.00	0.00	1,526.00
	Subtotal for 7:	1,526.00	0.00	1,526.00
9	STATE LAND RECORD FUND	5,327.00	0.00	5,327.00
	Subtotal for 9:	5,327.00	0.00	5,327.00
	Grand Total:	110,534.07	0.00	110,534.07

End of Report

FMXFES01.RPT

Fee Transaction Summary Report by Account Number

Report Criteria: TndrDate >= Date(2018, 1, 1) And TndrDate <= Date(2018, 1, 31)

Account Number	Fee Name	Count	Total Fee Amount	Total Outstanding Charges	Total Fee Due
-1	CHARGE PAYMENT FEE	5	1,230.00	0.00	1,230.00
	Subtotal for -1:	5	1,230.00	0.00	1,230.00
-2	ESCROW PAYMENT FEE	39	34,610.00	0.00	34,610.00
	Subtotal for -2:	39	34,610.00	0.00	34,610.00
14	BIRTH ADDL VITALS	94	447.00	0.00	447.00
	BIRTH ORIG VITALS	195	4,360.00	0.00	4,360.00
	DEATH ADDL VITALS	114	3,201.00	0.00	3,201.00
	DEATH ORIG VITALS	117	2,340.00	0.00	2,340.00
	MARRIAGE ADDL VITALS	46	327.00	0.00	327.00
	MARRIAGE ORIG VITALS	61	1,380.00	0.00	1,380.00
	Subtotal for 14:	633	12,055.00	0.00	12,055.00
20	VITALCHEK FEE	36	720.00	0.00	720.00
	Subtotal for 20:	36	720.00	0.00	720.00
21	LAREDO REMOTE FEE	12	2,516.87	0.00	2,516.87
	Subtotal for 21:	12	2,516.87	0.00	2,516.87
30	REPORTS FEE	4	51.00	0.00	51.00
	Subtotal for 30:	4	51.00	0.00	51.00
4	RECORDING FEES	813	22,830.00	0.00	22,830.00
	Subtotal for 4:	813	22,830.00	0.00	22,830.00
5	ABTRACTOR COPY FEE	28	235.00	0.00	235.00
	COPY FEE	69	309.00	0.00	309.00
	LAREDO REMOTE COPY FEE	125	1,287.00	0.00	1,287.00
	Subtotal for 5:	222	1,831.00	0.00	1,831.00
8	TRANSFER FEE	88	34,690.20	0.00	34,690.20
	Subtotal for 8:	88	34,690.20	0.00	34,690.20
Grand Total:		1,852	110,534.07	0.00	110,534.07

End of Report

NOTICE OF INJURY AND CLAIM

RECEIVED

FEB 01 2018

To: Wood County Clerk
400 Market Street
Wisconsin Rapids, WI 54494

WOOD CO. CORP. COUNSEL

Pursuant to sec. 893.80, Wis. Stats., you are hereby notified of this claim for damage against Wood County.

THE INCIDENT

Date: 01/16/2018

Time: 10:00 AM

Place: 4610 County Road Q, WI Rapids, WI 54495

The circumstances giving rise to my claim are as follows:

Checked my mailbox on the morning of Jan 16th
and noticed it was down. Upon closer inspection I
could see it was hit by the snowplow. I then called
Wood Co. Highway Dept. to report this and was
told to then call the Wood Co. Clerk to also report
this

The names of county personnel involved are: County Snowplow

The names of other witnesses are: County Supervisor?

THE CLAIM

I request the following monetary or other relief: mailbox 20⁰⁰
post 20⁰⁰ adhesive numbers 10⁰⁰

RECEIVED

FEB - 1 2018

01/29/2018
Date

Randy Savage
Signature
Print Name: Randy Savage
Address: 4610 County Road Q
WI Rapids, WI 54495
Phone: 715-323-2885 cell

(Rev. Feb. 09)

authn: Risk, CorpCust, Hwy



Wood County

WISCONSIN

CORPORATION COUNSEL OFFICE

Peter A. Kastenholz
CORPORATION COUNSEL

MEMORANDUM

TO: Judicial and Legislative Committee

FROM: Peter A. Kastenholz, Corporation Counsel *PAK*

DATE: March 2, 2018

RE: Arnold Notice of Injury and Claim

The short story is that you really don't need to read the Arnold notice of injury and claim or for that matter, the rest of this memo. The longer story follows.

Joan Arnold (Arnold) bought property upon which a non-metallic mining permit and reclamation plan existed. Arnold's purchase of the property was subject to the permit and reclamation plan, which were held by and the responsibility of a third party (the Miner). The Miner ended the mining operation and reclaimed the property to the satisfaction of the county at which point the county issued a certificate of completion to the Miner. Arnold was not satisfied with how the property was reclaimed and filed a request with the county to review its decision to issue the certificate of completion. I advised my client that the county could either have a paper review done (likely by the same staff who issued the certificate of completion) and then afford Arnold the right to a hearing or go directly to a hearing.

By this point, Arnold had retained counsel and she and her counsel had reviewed the file numerous times and had a dozen or so record requests responded to. The Land Conservation staff had also dealt with various experts on reclamation that had contacted the office on Arnold's behalf. This case was clearly going to make its way to an administrative hearing and from there likely on to court, so I advised my client that although there is no case law on point, I think we can skip the paper review process and go directly to a hearing. Land Conservation advised they would prefer to skip the paper review process as it seemed like a waste of time and possibly a lot of time as the file here is a good six inches thick.

An administrative hearing was set up within the tight 15-day time frame and the parties both agreed to waive the time frames and the hearing was reset for six weeks later. Meanwhile, Arnold's counsel advised that they still wanted the paper review before the hearing. The law isn't clear on whether Arnold has the right to the paper review first so I advised them, no, they would not get the paper review first but since the law wasn't clear, they could petition a court for a declaratory judgment, where the court would decide the issue of whether the county must grant the paper review first or not.

Judicial and Legislative Committee
March 2, 2018
Page Two

Arnold's counsel advised that they were going to seek the declaratory judgment from a court so we have again adjourned the hearing. Meanwhile, Arnold's counsel thought she needed to file a notice of injury and claim against the county before seeking the declaratory judgment. I don't think that is necessary but again the law isn't clear on that point either. Anyway, I have advised Arnold's counsel I would waive the s. 893.80 notice of injury and claim process here and we could proceed directly to court with a petition for a declaratory judgment.

Consequently, there is really no need for you folks to spend much time on the attached notice of injury and claim as we will not be routing it on to our insurance carrier or taking any formal action on it.

For those of you who may be interested in the Wisconsin Statute Ch. 68 administrative review process itself, there is a primer on it with forms that we use on the intranet site under corporation counsel.

Since you guys are my oversight committee and don't often get very deep into what I do around here, I will say that the further I research and assess the strength of my contention that the county can forgo the paper review process and go directly to a hearing, the less confident I am in it. By the time you actually review this, I may have capitulated on the point, maybe not, I don't know yet because I am not done mocking up the brief.

Two points I look for you to take from this additional commentary: first, I am not always right and when I conclude I am not, I will change my mind and not waste time. Secondly, the more time I spend researching a matter, the better my analysis of the law is. This is not a prelude to a request for adding another counsel in the office, just a common sense observation that there is a positive correlation between time spent by an attorney on a matter and the quality of the work product.

As always, please advise if you have any questions or concerns about this matter or any other county legal issues that come up.

Buzza Dreier & Johnson LLC

Legal Services

Gary L. Dreier
gary.dreier@bdjwislaw.com
(715) 997-9080

Landmark Professional Building
2925 Post Road
Stevens Point WI 54481

*Certified Civil Trial Lawyer
By the National Board of Trial Advocacy*

Via US Mail and email

February 15, 2018

Peter Kastenholz
Wood County Corporation Counsel
400 Market Street
Wisconsin Rapids, WI 54495-8095

MY CLIENT: JOAN ARNOLD NONMETALLIC MINING RECLAMATION REQUEST FOR REVIEW OF DETERMINATION


Dear Peter:

Joan Arnold has decided to pursue the declaratory judgment route suggested in your letter to me of February 9, 2018. Accompanying is a copy of a Notice of Circumstances of Claim and Claim, without exhibits signed by her February 14, 2018. These documents will be served as provided by statute. These documents must be served and the Claim denied before a circuit court action for declaratory judgment may be commenced.

Please confirm the hearing will be adjourned pending the outcome of the declaratory judgment action as was suggested in your letter to me of February 9, 2018.

Thank you.

Very truly yours,
Buzza Dreier & Johnson LLC
A limited liability company



Gary L. Dreier

Enc.: Notice of Circumstances of Claim and Claim without exhibits
C: Joan Arnold via US Mail and email w/enc.

RECEIVED

FEB 19 2018

CLAIM

WOOD CO. CORP. COUNSEL

TO: Wood County, Wisconsin
c/o Cynthia Cepress, its Clerk
400 Market Street
Wisconsin Rapids, WI 54495-8095

Land and Water Conservation Department, Wood County, Wisconsin
c/o Shane Wucherpennig, Wood County LWCD
111 West. Jackson Street, Wisconsin Rapids, WI 54495-8095

Land and Water Conservation Department, Wood County, Wisconsin
c/o Tracy Arnold, Wood County LWCD
111 West. Jackson Street, Wisconsin Rapids, WI 54495-8095

This Claim is made by Joan Arnold, 285 County Rd. TP Rudolph, WI 54475 (herein "Claimant") against Wood County, Wisconsin and against the Land and Water Conservation Department of Wood County, Wisconsin (herein "LWCD"), pursuant to Wis. Stat. § 893.80.

The Claimant is the owner of real estate described in the Attached Exhibit B.

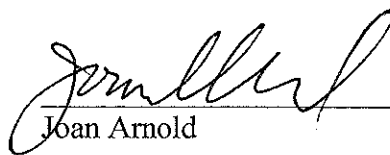
Previously or simultaneously with the service of this Claim, Claimant served on Wood County and on LWCD a Notice of Circumstances of Claim dated February 14, 2018 which requested a "paper review" of the issuance of the subject Certificate of Completion and issuance of a Decision on Review under Wis. Stat. § 68.09(5) with respect to such Certificate of Completion.

Joan Arnold is entitled to a "paper review" of the issuance of the subject Certificate of Completion and is entitled to the issuance of a Decision on Review under Wis. Stat. § 68.09(5).

Joan Arnold is entitled to a declaratory judgment to be rendered by a circuit court that she is entitled to a "paper review" of the issuance of the subject Certificate of Completion and is entitled to the issuance of a Decision on Review under Wis. Stat. § 68.09(5).

By reason of the foregoing and as set forth in the Notice of Circumstances of Claim, Joan Arnold has a Claim that Wood County and/or LWCD should conduct a review as provided by Wis. Stat. § 68.09(3) and that a Decision on Review should be issued as provided by Wis. Stat. § 68.09(5). Joan Arnold states if such review is not conducted and such Decision on Review is not provided, she may enforce her Claim by commencing an action before the Circuit Court seeking a declaratory judgment that she is entitled to such relief.

Dated this 14th day of February 2018.



Joan Arnold

FEB 19 2018

NOTICE OF CIRCUMSTANCES OF CLAIM

WOOD CO. CORP. COUNSEL

TO: Wood County, Wisconsin
c/o Cynthia Cepress, its Clerk
400 Market Street
Wisconsin Rapids, WI 54495-8095

Land and Water Conservation Department, Wood County, Wisconsin
c/o Shane Wucherpennig, Wood County LWCD
111 West. Jackson Street, Wisconsin Rapids, WI 54495-8095

Land and Water Conservation Department, Wood County, Wisconsin
c/o Tracy Arnold, Wood County LWCD
111 West. Jackson Street, Wisconsin Rapids, WI 54495-8095

This Notice of Circumstances of Claim is given by Joan Arnold, 285 County Rd. TP Rudolph, WI 54475 (herein "Claimant") to Wood County, Wisconsin and to the Land and Water Conservation Department of Wood County, Wisconsin (herein "LWCD"), pursuant to Wis. Stat. § 893.80.

The Claimant is the owner of real estate described in the Attached Exhibit B. Previously Claimant served on LWCD a Request for Review of Determination, a copy of which is attached hereto as Exhibit A without exhibits, which requested among other things that:

After submission of written evidence and argument, the Wood County Land and Water Conservation Department issue its Decision on Review which cancels, vacates or withdraws the subject Certificate of Completion and orders Badger Sandstone LLC to complete reclamation of the Joan Arnold property as required by the Wisconsin Adm. code NR 135.

Joan Arnold by her legal counsel requested issuance of a Decision on Review not only in the Request for Review of Determination but in the following letters:

1. December 19, 2017, a copy of which is attached as Exhibit C;
2. February 7, 2018, copy of which is attached as Exhibit D;
3. February 12, 2018, copy of which is attached as Exhibit E;
4. February 14, 2018, copy of which is attached as Exhibit F.

Legal counsel for Wood County and LWCD responded to the request for a "paper review" and for issuance of a Decision on Review by letter dated February 9, 2018, copy of which is attached as Exhibit G.

Joan Arnold has furnished written evidence and Argument under Wis. Stat. §68.09 (4). A copy of such Argument, without exhibits, is attached as Exhibit H and such Argument requested,

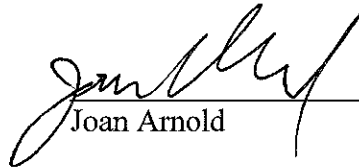
among other things, that the Decision on Review respond to the assertions in the Request For Review.

By reason of the foregoing,

1. Joan Arnold is entitled to a "paper review" of the issuance of the subject Certificate of Completion and is entitled to the issuance of a Decision on Review under Wis. Stat. § 68.09(5).
2. Joan Arnold is entitled to a declaratory judgment to be rendered by a circuit court that she is entitled to a "paper review" of the issuance of the subject Certificate of Completion and is entitled to the issuance of a Decision on Review under Wis. Stat. § 68.09(5).

WHEREFORE, Joan Arnold requests that Wood County and LWCD investigate the circumstances of this Claim, as provided by Wis. Stat. § 893.80.

Dated this 14th day of February 2018.


Joan Arnold

REQUEST FOR REVIEW OF DETERMINATION

To: Land and Water Conservation Department, Wood County, Wisconsin
111 West. Jackson Street, Wisconsin Rapids, WI 54495-8095

Shane Wucherpennig, Wood County LWCD
111 W. Jackson Street, Wisconsin Rapids, WI 54495-8095

Tracy Arnold, Wood County LWCD
111 W. Jackson Street, Wisconsin Rapids, WI 54495-8095

Joan Arnold, 285 County Road PP, Rudolph, WI 54475 hereby requests review, cancellation and vacation of the Certificate of Completion dated November 16, 2017, a copy of which is attached hereto as Exhibit A. As support and grounds for this Request for Review of Determination Joan Arnold states:

1. This Request for Review of Determination is made as provided by and in accordance with Section 802.22 of the Wood County Ordinances, Wisconsin Adm. Code § NR 135.30 (herein "NR 135.30") and Wis. Stat. §§ 68.08, 68.09, 68.10 and 68.11.
2. The undersigned, Joan Arnold, is an adult with a residence address of 285 County Road PP, Rudolph, WI 54475 who owns real estate in Wood County Wisconsin which is legally described on the Warranty Deed, copy of which is attached hereto as Exhibit B. Such property is referred to herein as the "Arnold Property."
3. Previously, Badger Sandstone LLC, Sussex, Wisconsin, applied for and received two Nonmetallic Mining Reclamation Permits to perform activities on the Arnold property, then owned by Badger Sandstone, LLC. One such permit is referenced in the attached Exhibit A. Two applications/permits for Nonmetallic Mining Reclamation Permit involving the Arnold Property are attached: Exhibit C-1 involves the 2004 application and permit; Exhibit C-2 involves the 2014 application and permit.
4. On or about November 16, 2017, the Wood County Land and Water Conservation Department issued a Certificate of Completion (Exhibit A) respecting reclamation activities by Badger Sandstone LLC on the Arnold property.
5. As of November 16, 2017, and as of the date of this Request for Review of Determination, the reclamation activities performed on the Arnold Property:
 - A. Did not comply with the requirements of Wisconsin Adm. Code § NR 135 in that:
 1. In areas on the Arnold Property to be reclaimed, insufficient topsoil was applied to support permanent vegetation. For example, in the north slope

area, vegetation is random. The absence of vegetation renders these areas of the Arnold Property unstable and highly susceptible to erosion.

2. A sinkhole approximately 4 feet in depth and up to 20 feet in diameter remains. This area is not stable.

3. The hill access road is unstable. The recent grading of the road has made it unpassable and highly susceptible to erosion.

4. A high wall, debris, waste material and side castings remain on the Arnold property and are not reclaimed.

5. There has been insufficient control of invasive species. NR 40 restricted invasive species continue to be present.

6. A large, unnecessary material storage and mining work area remains in the area of the shed which created a continuing water runoff erosion problem directly affecting adjacent agricultural fields. This former mining work area is unusable for any agricultural use and is highly susceptible to erosion.

7. The driveway on Gumz Road is unstable and liable to wash out because the volume of sheet flow of water has not been addressed.

8. Slope "shoulder" stabilization inside the treeline over much of the perimeter of the site has not been adequately addressed.

B. Did not comply with the requirements of the reclamation plan in that not all the issues of concern expressed in the June 9, 2016 communication to Badger Sandstone LLC (the attached Exhibit D) have been adequately addressed.

6. Subchapter II-Standards of NR 135 have not been followed in the attempted reclamation.

7. The criteria for assessing when reclamation is complete as set forth in NR 135.13 and NR 135.15 have not been fully complied with previous to issuance of the Certificate of Completion (Exhibit B).

8. The subject reclamation plan did not include the minimum requirements set forth in NR 135.19 and, consequently, issuance of the Certificate of Completion (Exhibit B) was premature and not in compliance with applicable standards.

9. By reason of the foregoing, the Certificate of Completion (Exhibit A) should be reviewed and withdrawn and Badger Sandstone LLC should be ordered to complete reclamation of the Joan Arnold property as required by Wisconsin Adm. Code NR 135.

WHEREFORE, Joan Arnold requests that:

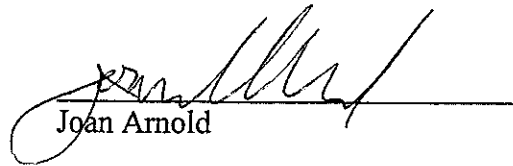
A. The issuance of the subject Certificate of Completion be reviewed in accordance with Chapter 68 of the Wisconsin Statutes and after such review be canceled, vacated or withdrawn.

B. The time for review of the issuance of the Certificate of Completion be extended as permitted by Wis. Stat. §68.09 (3).

C. After submission of written evidence and argument, the Wood County Land and Water Conservation Department issue its Decision on Review which cancels, vacates or withdraws the subject Certificate of Completion and orders Badger Sandstone LLC to complete reclamation of the Joan Arnold property as required by Wisconsin Adm. Code NR 135.

D. That a suitable period of time be established when maintenance activities under NR 135.15 must be conducted to prevent erosion, sedimentation and/or environmental pollution on the site.

Dated this 13th, day of December, 2017.


Joan Arnold

Enc.: Exhibit A—Certificate of Completion
Exhibit B—Warranty Deed;
Exhibit C-1 2004 Application and Permit
Exhibit C-2 2014 Application and Permit
Exhibit D-June 9, 2016 letter

C: Wisconsin Department of Natural Resources w/enc.

WARRANTY DEED

This Deed, made between Badger Sandstone, LLC, a Wisconsin limited liability company ("Grantor")

And Joan C. Arnold, a single person ("Grantee").

Grantor, for a valuable consideration, conveys to Grantee the following described real estate in Wood County, State of Wisconsin (the "Property"):

The Northeast Quarter of the Southeast Quarter, that part of the Northwest Quarter of the Southeast Quarter, and that part of the Southeast Quarter of the Southeast Quarter of Section 13, Township 23 North, Range 6 East, Town of Rudolph, Wood County, Wisconsin, described as follows:

Commencing at the Southwest corner of Section 13; thence N 89°10'12" E along the South line of Section 13, 2,644.93 feet to the South Quarter corner of Section 13; thence N 88°45'33" E along the South line of Section 13, 1,301.66 feet; thence N 01°14'27" W, 33.00 feet to the North right-of-way line of Gumz Road, said point being the point of beginning of the parcel to be described; thence N 00°19'27" W, 1,692.46 feet; thence S 88°45'33" W, 1,000.13 feet; thence N 00°19'27" W, 914.88 feet; thence N 88°45'33" E, 2,320.30 feet; thence S 00°19'27" E, 2,607.33 feet to the North right-of-way line of Gumz Road; thence S 88°45'33" W along the North right-of-way line of Gumz Road, 1,320.17 feet to the point of beginning.



* 2015R08390 *

2015R08390

SUSAN E. GINTER
WOOD COUNTY
REGISTER OF DEEDS
RECORDED ON:

09/18/2015 10:45AM
REC FEE: 30.00
TRANS FEE: 750.00
EXEMPT #: N/A
PAGES: 1

*McDonald
Title*

Name and Return Address

Joan C. Arnold
285 County Road PP
Rudolph, WI 54475

*300P
McDonald
Title*

CH-14540

17-00275, 17-1700272 & 17-00273A

Parcel Identification Number (PIN)

This is not Homestead property.

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except: covenants, conditions, restrictions and easements of record and except any portion thereof used for road purposes.

Dated this 11th day of September, 2015.

Badger Sandstone, LLC, By:

Thomas Halquist (SEAL)
Thomas Halquist, Vice President of Halquist Stone Company,
Inc., Member

AUTHENTICATION

Signature(s) _____

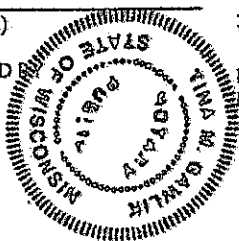
Authenticated this 11th day of September, 2015

*
TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____)
Authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Attorney Robert E. McDonald
McDonald Law Office



ACKNOWLEDGMENT

State of Wisconsin,

ss.

Portage County.

Personally came before me this 11th day of September, 2015 the above named Thomas Halquist to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Tina M. Gawlik
*Tina M. Gawlik

Notary Public, State of Wisconsin
My Commission expires: 06-21-2019

EXHIBIT

B

Buzza Dreier & Johnson LLC

Legal Services

Gary L. Dreier
gary.dreier@bdjwislaw.com
(715) 997-9080

Landmark Professional Building
2925 Post Road
Stevens Point WI 54481

*Certified Civil Trial Lawyer
By the National Board of Trial Advocacy*

Via fax: 715.421.8555

December 19, 2017

FAXED
12/19/17

Peter Kastenholz
Wood County Corporation Counsel
400 Market Street
Wisconsin Rapids, WI 54495-8095

**MY CLIENT: JOAN ARNOLD
NONMETALLIC MINING RECLAMATION ON HER PROPERTY
REQUEST FOR REVIEW OF DETERMINATION**

Dear Peter:

My client, Joan Arnold, informed me she received a Notice of Hearing in connection with her Request for Review of Determination, which notice schedules the initial hearing for December 28, 2017 at 9:00 AM. While I have not yet received such notice of hearing, I request that the initial hearing be adjourned.

For some time, I have been scheduled to represent a personal representative in Estate litigation pending before Judge Wolf, *In the matter of Jere M. Manz*, deceased, Wood County case number 2016PR219. The hearing in this probate case is scheduled to begin at 1:00 PM on December 28, 2017. I do not know how long the hearing in the above matter currently scheduled for December 28, 2017, will last. It is likely, however, that the hearing may not conclude by noon on December 28.

Second, the Petition for Review of Determination signed by Joan Arnold requested an extension of time for review of the issuance of the Certificate of Completion, as permitted by Wis. Stat. § 68.09 (3). I think it would be appropriate to extend the time for review as contemplated by that statute. Joan Arnold's Petition for Review of Determination requests review of an initial determination as defined in §68.09 (1). Such review may be extended by agreement with the person aggrieved, here Joan Arnold.

There currently is no Decision on Review as described in § 68.09 (5) from which Joan Arnold may appeal. Since Joan Arnold has not had a hearing under § 68.11, under § 68.10 she is to follow the procedures set forth in §§ 68.08 and 68.09, including the delivery of a request for review of an initial determination, which she has done. I think we are currently at the review of

Buzza Dreier & Johnson LLC

determination stage under § 68.09 rather than at the stage where a hearing on an administrative appeal is to be conducted under § 68.11. Wis. Stat. §§ 68.08–68.11 contemplate that there be a decision on review before there is a hearing on administrative appeal. Under § 68.09 (4), Joan Arnold may present written evidence and argument with respect to the initial determination, i.e. the issuance of the Certificate of Completion. As provided by § 68.09 (5), if Joan Arnold decides to appeal a future Decision on Review, she is to be advised of her right to appeal the decision, the time within which appeal shall be taken and the officer person with whom the notice of appeal shall be filed as provided by § 68.09 (5). If we reach the stage where there is an appeal from a Decision on Review, then a § 68.11 hearing on administrative appeal with the calling, examination and cross-examination of witnesses, issuance of subpoenae, and the making of a record of hearing under §68.11 (3) come into play.

To summarize, on behalf of Joan Arnold I request an adjournment of the initial hearing and, for the reasons stated above, contend the initial hearing is to be conducted under § 68.09 rather than under § 68.11.

I tried reaching you by phone late this morning. Please return my call when you can.

Thank you.

Very truly yours,
Buzza Dreier & Johnson LLC
A limited liability company



Gary L. Dreier

C: Joan Arnold via email and US Mail

Buzza Dreier & Johnson LLC

Legal Services

Gary L. Dreier
gary.dreier@bdjwislaw.com
(715) 997-9080

Landmark Professional Building
2925 Post Road
Stevens Point WI 54481

*Certified Civil Trial Lawyer
By the National Board of Trial Advocacy*

Via US Mail and email



February 7, 2018

Peter Kastenholz
Wood County Corporation Counsel
400 Market Street
Wisconsin Rapids, WI 54495-8095

**MY CLIENT: JOAN ARNOLD
NONMETALLIC MINING RECLAMATION
REQUEST FOR REVIEW OF DETERMINATION**

Dear Peter:

We discussed the above matter by phone on more than one occasion and we have exchanged letters. A hearing on Joan Arnold's Request for Review of Determination has been set for hearing for Monday, February 19, 2018 at 9:00 AM in Room 114 of the Wood County Courthouse.

I write to request that the statutory sequence found in Chapter 68 be followed and that a review of initial determination as provided in Wis. Stat. § 68.09, a so-called "paper review," be conducted and that a decision on review be made before a full-blown evidentiary hearing is conducted.

Joan Arnold's Petition For Review of Determination requested Review of an Initial Determination, as defined in § 68.09(1). There currently is no Decision on Review as described in § 68.09(5) from which Joan Arnold may appeal. Since Joan Arnold has not had a § 68.11 hearing, under §68.10, she is to follow the procedures set forth in §§ 68.08 and 68.09, including the delivery of a Request for Review of an Initial Determination, which she has done. As I mentioned in my letter to you of December 19, 2017, I think we are currently at the review of an initial determination stage under § 68.09 rather than at the stage where a hearing on an administrative appeal is to be conducted under § 68.11. Wis. Stat. §§ 68.08-68.11 contemplate that there be a Decision on Review before there is a hearing on an Administrative Appeal. Under §68.09(4) Joan Arnold may present written evidence and argument with respect to the initial determination, i.e. the issuance of the Certificate of Completion. As provided by § 68.09(5), if Joan Arnold decides to appeal a Decision on Review which has not yet been made, she is to be

Buzza Dreier & Johnson LLC

advised of her right to appeal the decision, the time within which appeal shall be taken and the office or person with whom the notice of appeal shall be filed, as provided by §68.09(5).

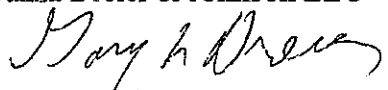
You were kind enough to forward me a copy of a two page document entitled "Ch. 68 Administrative Review Process", which I understand is often used in Wood County administrative appeals. You mentioned that in many instances, a "paper review" can be a waste of time. While I can appreciate that may be the case in some instances, I think a review under § 68.09 (a "paper review") following which a Decision on Review is made is appropriate with respect to Joan Arnold's pending Request for Review of Initial Determination for the following reasons:

1. Wis. Stat. § 68.08 – 68.11 contemplate the preparation of a Decision on Review. It is from the Decision on Review, not the initial determination, from which a party may appeal under § 68.09(5).
2. I do not read the provisions of § 68.09 to be optional. While I suspect a party may waive the provisions of this statute, Joan Arnold does not wish to do so.
3. Utilizing the "paper review" provisions of § 68.09 should narrow the issues to be presented in a § 68.11 hearing on administrative appeal which is to be a full-blown evidentiary hearing.
4. If there is an unfavorable decision in an administrative appeal and a certiorari proceeding is commenced, as authorized by § 68.13, Joan Arnold would like to be sure there is a full record, including a Decision on Review which is to be made under §68.09(5).

Andy Nelson has previously conferred with Wood County staff. As permitted by § 68.09(4), I anticipate filing his written report as well as my written argument in support of Joan Arnold's position with regard to the initial determination (issuance of the Certificate of Completion) either this Friday, February 9 or on Monday, February 12, 2018. Mr. Nelson's report and my written argument should assist in focusing the issues.

Thank you.

Very truly yours,
Buzza Dreier & Johnson LLC


Gary L. Dreier

C: Joan Arnold via US Mail and email

Buzza Dreier & Johnson LLC

Legal Services


Gary L. Dreier
gary.dreier@bdjwislaw.com
(715) 997-9080

Landmark Professional Building
2925 Post Road
Stevens Point WI 54481

*Certified Civil Trial Lawyer
By the National Board of Trial Advocacy*

Via US Mail and email

February 12, 2018

 **E-MAILED**
2/12/18

Peter Kastenholz
Wood County Corporation Counsel
400 Market Street
Wisconsin Rapids, WI 54495-8095

MY CLIENT: JOAN ARNOLD NONMETALLIC MINING RECLAMATION REQUEST FOR REVIEW OF DETERMINATION

Dear Peter:

I reviewed your letter to me dated February 9, 2018 which denies the request for a paper review of the initial determination and suggests a declaratory judgment may be necessary to determine whether Joan Arnold has a right to a paper review and a Decision on Review.

I will be speaking with Joan Arnold but in the meantime:

1. I think under applicable case law, service of a Notice of Circumstances of Claim and Claim under Wis. Stat. § 893.80 and denial of the Claim would be necessary before a declaratory judgment action could be commenced.

2. *Jennifer R. Koenig and Jenny's Bunch Home Day Care, Petitioners v. Pierce County Department of Human Services*, 367 Wis. 2d 633, 877 N.W. 2d 632, 2016 WI App 23, at ¶¶ 36, 37 and 38 suggests there is a right to a paper review and referenced the Petitioner's right to due process in connection with analyzing the paper review of the initial determination. While the facts in Joan Arnold's situation differ, I think the take away from the *Koenig* case is that there is a right to a paper review.

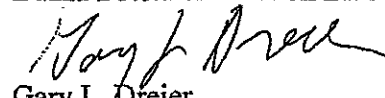
After I have had a chance to confer with Joan Arnold, I will let you know whether she will seek a declaratory judgment and, as a preliminary step, serve a notice of circumstances of claim and claim.

Thank you.

Very truly yours,

Buzza Dreier & Johnson LLC

Buzza Dreier & Johnson LLC



Gary L. Dreier

C: Joan Arnold via US Mail and email

Buzza Dreier & Johnson LLC

Legal Services

Gary L. Dreier
gary.dreier@bdjwislaw.com
(715) 997-9080

Landmark Professional Building
2925 Post Road
Stevens Point WI 54481

*Certified Civil Trial Lawyer
By the National Board of Trial Advocacy*

Via US Mail and email

February 14, 2018

Peter Kastenholz
Wood County Corporation Counsel
400 Market Street
Wisconsin Rapids, WI 54495-8095

MY CLIENT: JOAN ARNOLD NONMETALLIC MINING RECLAMATION REQUEST FOR REVIEW OF DETERMINATION

Dear Peter:

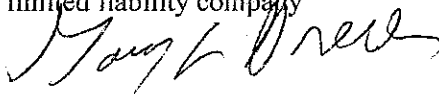
Wis. Stat. § 68.09(4) references the right to present evidence and argument, which Joan Arnold provided with my letter to you with enclosures dated February 9, 2018.

Wis. Stat. § 68.09 (5) states the municipal authority may affirm, reverse or modify the initial determination (the issuance of the Certificate of Completion) and shall mail or deliver to Joan Arnold a copy of the Decision on Review which shall state the reasons for such Decision. We do not have a Decision on Review.

I will be speaking with Joan Arnold later today about instituting a declaratory judgment action, a course you suggested she would have to follow to obtain a Decision on Review and let you know our decision either later today or tomorrow morning.

Thank you.

Very truly yours,
Buzza Dreier & Johnson LLC
A limited liability company


Gary L. Dreier

C: Joan Arnold via US Mail and email w/enc.

EXHIBIT F



Wood County WISCONSIN

CORPORATION
COUNSEL OFFICE

Peter A. Kastenholz
CORPORATION COUNSEL

February 9, 2018

Via US mail and email

Gary Dreier
Buzza Dreier & Johnson LLC
2925 Post Road
Stevens Point, WI 54481

received
2/12/18

RE: Request for Review of Determination
Nonmetallic Mining Reclamation
Your Client: Joan Arnold

Dear Gary:

I am in receipt of your letter dated February 7, 2018, concerning a request for a Review of Determination, wherein you seek to have a paper review of the initial determination prior to proceeding to the administrative hearing scheduled for February 19, 2018, at 9:00 a.m., and I now write in response thereto.

My reading of Wis. Stat. s. 68.10(1) is that it allows for the commencement of the administrative hearing process in response to either an initial determination or from a paper review of the initial determination. Due to the fact the employee who made the initial determination, Tracy Arnold, as well as her supervisor, Land Conservationist Shane Wucherpennig, have reviewed the initial determination on numerous occasions and have taken into account the position of your client and her experts, it is deemed by the county to be a waste of time and resources to perform a paper review. Instead, it is appropriate to move on to an independent arbiter of the facts and law.

If you think my construction of Ch. 68 is incorrect you can seek a declaratory judgment from a court and the county would agree to delay the hearing pending the outcome of such action.

Thank you for your attention to this matter.

Sincerely,

Peter A. Kastenholz
Wood County Corporation Counsel

Pak/ld

C: Tracy Arnold

EXHIBIT G

IN RE: NONMETALLIC MINING RECLAMATION CERTIFICATE OF COMPLETION

Joan Arnold, Petitioner

and

Land and Water Conservation Department, Wood County, Wisconsin; Shane Wucherpfennig, Wood County LWCD; and Tracy Arnold, Wood County LWCD, Respondents

To: Land and Water Conservation Department, Wood County, Wisconsin
111 West. Jackson Street, Wisconsin Rapids, WI 54495-8095

Shane Wucherpfennig, Wood County LWCD
111 W. Jackson Street, Wisconsin Rapids, WI 54495-8095

Tracy Arnold, Wood County LWCD
111 W. Jackson Street, Wisconsin Rapids, WI 54495-8095

c/o Peter Kastenholz via US Mail and email: pkastenholz@co.wood.wi.us
Wood County Corporation Counsel
400 Market Street
Wisconsin Rapids, WI 54495-8095

PETITIONER, JOAN ARNOLD'S § 68.09(4) ARGUMENT

Joan Arnold ("Petitioner"), by her attorneys, Buzza Dreier & Johnson LLC by Gary L Dreier, respectfully submits this Argument in support of her Request for Review of Determination dated December 13, 2017 ("Request for Review") This Argument is submitted as provided by Wis. Stat. §68.09(4).

1. REPORT OF ANDY NELSON

Accompanying this Argument is the report of Andy Nelson, Senior Biologist of Eco-Resource Consulting, Inc. which provides compelling facts and opinion that the subject Certificate of Completion should not have been issued because reclamation of the subject site, as of the time of issuance of such Certificate, was incomplete and not in compliance with the reclamation plan or NR 135.

Such noncompliance was summarized in Mr. Nelson's report as follows:

During ERC's site visits we observed a high wall, poor soil coverage, rill and gully erosion, unstable slopes, sparse vegetation, excessive unreclaimed areas, and lack of designed stormwater management practices on the former quarry site. Though some improvements were noted between visits, the fundamental problems of poor/absent design continue, causing portions of the site remain unvegetated and unstable. Therefore, the requirements of NR 135 Wis. Adm. Code for non-metallic mining reclamation have not been satisfied.

Mr. Nelson's report concluded:

For these reasons, it is ERC's professional opinion that the Badger Sandstone, LLC site at 130 Gumz Rd, Rudolph, WI does not conform with multiple standards within NR 135 Wis. Adm. Code. As such, the Certification of Completion should not have been issued by Wood County. We further recommend that the reclamation of the site resume until all applicable reclamation standards have been satisfied.

Andy Nelson's resume also accompanies this Argument.

2. SPECIFIC RESPONSES TO THE REQUEST FOR REVIEW SHOULD BE PROVIDED IN A DECISION ON REVIEW.

The Respondents' Decision on Review under § 68.09(5) should include a specific response to the assertions found in the Request for Review. Such assertions include those made in ¶ 5A. 1-8 as follows: (1) insufficient topsoil to support permanent vegetation; (2) a sinkhole; (3) an unstable hill access road; (4) the presence of a high wall, debris, waste material and side castings; (5) insufficient control of invasive species; (6) a large, necessary material storage and mining work area; (7) unstable driveway; (8) insufficient slope "shoulder" stabilization inside the tree line. Photos documenting these conditions are found on the accompanying flash drive. These photos are identified by various issues of concern in the accompanying Memo.

The Respondents' Decision on Review should include a specific response to the assertion found in ¶ 5. B. of the Request for Review that many issues of concern expressed in the June 9, 2016, communication to Badger Stone LLC (Exhibit D to the Request for Review) remain and have not been adequately addressed. The remaining matters of concern include the following items in that June 9, 2016, letter: 1, 3, 9, 10, 12, 14, 18 and 20.

The Respondents' Decision on Review should address the assertion in ¶ 6. of the Request for Review that the Subchapter II-Standards of NR 135 have not been followed in the attempted reclamation. Such deficiencies are highlighted in the accompanying report of Andy Nelson.

The Respondents' Decision on Review should address the assertion in ¶ 7 of the Request for Review by itemizing the criteria utilized by Respondents for assessing whether the reclamation was complete. Joan Arnold asserts such itemization will show the criteria set forth in NR 135.13 and NR 135.15 were not met.

As asserted in ¶ 8 of the Request for Review, the subject reclamation plan did not include the minimum requirements of NR 135.19 in the following respects:

A. The 2014 Reclamation Plan does not specify a proposed post – mining land use, contrary to NR 135.19(3). This is of significance because a considerable portion of the subject site has not been reclaimed to permit an agricultural use and is patently not suitable for such purpose.

B. The Reclamation Plan does not contain quantifiable standards for revegetation adequate to show that a sustainable stand of vegetation has been established which will support the approved post-mining land use, contrary to the requirements of NR 135.19(4) (g). This is of significance because vegetation and topsoil placed during the reclamation process have been washed away and eroded. Please view the photos which are included with Andy Nelson's report and the photos which are found on the accompanying flash drive.

C. The Reclamation Plan does not contain a plan and a narrative showing erosion control measures to be employed during reclamation activities, contrary to the requirements of NR 135.19(4)(h). A review of the photographs which are included with Andy Nelson's report and the photos which are found on the accompanying flash drive depict significant erosion.

D. The Reclamation Plan does not contain criteria for assuring successful reclamation, contrary to the requirements of NR 135.19(5). For example, the criteria for demonstrating successful reclamation found on page 4 of Exhibit C-1 to the request for review reads: "See reclamation plans." There appears to be no other such criteria.

Consequently, issuance of the subject Certificate of Completion was premature and should be withdrawn.

3. THE RECLAMATION CHALLENGES PRESENTED BY THE TOPOGRAPHY OF THE SUBJECT SITE HAVE NOT BEEN MET

It is apparent from Andy Nelson's report and the photographs on the accompanying flash drive that there has been a continuing washing away of the attempts at revegetation and of the topsoil placed on the property. The topographical data submitted in connection with the reclamation plan was sparse and revegetation methods were insufficiently described and insufficiently implemented to support sustained vegetation on the area which should have been reclaimed. In addition to Figure 6 referenced in Andy Nelson's Report, accompanying is a topographical map showing greater detail at near the subject site.

One cannot view the photos and Andy Nelson's report and conclude the site has been reclaimed for agricultural use.

4. THE RECLAMATION PLAN, ITS IMPLEMENTATION AND ISSUANCE OF THE CERTIFICATE ARE REQUIRED TO COMPLY WITH APPLICABLE STATUTES AND REGULATIONS

Wood County ordinance 802.13 requires submission of reclamation plans that meet the requirements of NR 135.19.

Under Wis. Stat. § 295.13(1), ordinances enacted by a county, including Chapter 802 of the Wood County Ordinances entitled Nonmetallic Mining Reclamation, must comply with rules adopted pursuant to § 295.12. NR 135 was promulgated pursuant to Chapter 295 of the Wisconsin Statutes. Wood County Ordinance 802.05 provides Chapter 802 is to be interpreted consistent with the provisions of Wisconsin Statutes and the provisions of Chapter NR 135, Wisconsin Administrative Code and that where any terms of Chapter 802 appear to be inconsistent or conflicting with Wisconsin Statutes or Chapter NR 135, the more restrictive requirements or interpretation shall apply. The reclamation plan, its implementation and the issuance of the Certificate of Completion were all required to comply with Wis. Stat. §295.12 and NR 135.

CONCLUSION

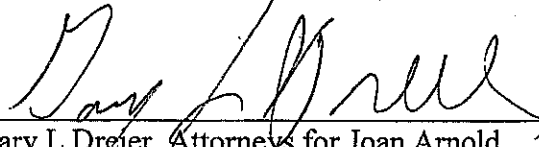
Wood County, by its Land and Water Conservation Department should determine reclamation of the subject site is not yet complete, as permitted by NR 135.40 (7)(c)1., and withdraw its Certificate of Completion.

WHEREFORE, Joan Arnold requests that the Wood County Land and Water Conservation Department issue its Decision on Review which (1) cancels, vacates or withdraws the subject Certificate of Completion and orders Badger Sandstone LLC to complete reclamation of the Joan Arnold property as required by Wisconsin Adm. Code NR 135 and (2) establishes a suitable period of time during which maintenance activities under NR 135.15 must be conducted to prevent erosion, sedimentation and/or environmental pollution on the site.

Dated this 9th day of February, 2018.

BUZZA DREIER & JOHNSON LLC

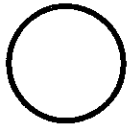
By:


Gary L. Dreier, Attorneys for Joan Arnold
State Bar No: 1016656

MAILING ADDRESS

2925 Post Road
Stevens Point, Wisconsin 54481
Phone: 715.997.9080

Enc.: Eco-Resource Consulting, Inc. Report
Figures 1-6 referred to in ERC Report
Resume of Andy Nelson
Flash drive containing photos
Memo identifying photos
Topographical Map

**RESOLUTION#**
 Introduced by Judicial & Legislative Committee
 Page 1 of 1

Motion:	Adopted: <input type="checkbox"/>	
1 st	Lost: <input type="checkbox"/>	
2 nd	Tabled: <input type="checkbox"/>	
No: <input type="checkbox"/>	Yes: <input type="checkbox"/>	Absent: <input type="checkbox"/>
Number of votes required:		
<input checked="" type="checkbox"/> Majority <input type="checkbox"/> Two-thirds		
Reviewed by: <u>PAK</u> , Corp Counsel		
Reviewed by: _____, Finance Dir.		

LAD

INTENT & SYNOPSIS: To have Wood County approve a non-binding referendum on creating nonpartisan redistricting reform in Wisconsin and encouraging other counties to do the same.

FISCAL NOTE: None.

		NO	YES	A
1	LaFontaine, D			
2	Rozar, D			
3	Feirer, M			
4	Wagner, E			
5	Fischer, A			
6	Breu, A			
7	Ashbeck, R			
8	Kremer, B			
9	Winch, W			
10	Henkel, H			
11	Curry, K			
12	Machon, D			
13	Hokamp, M			
14	Polach, D			
15	Clendenning, B			
16	Pliml, L			
17	Zurfluh, J			
18	Hamilton, B			
19	Leichtnam, B			

WHEREAS, currently under the state constitution, the legislature is directed to redraw legislative districts according to the number of inhabitants at the first session following the decennial federal census, and at the same intervals, the legislature also reapportions congressional districts pursuant to federal law, and

WHEREAS, allowing partisan redistricting encourages the gerrymandering of the legislative districts by the party currently in control, and

WHEREAS, both the Democrats and Republicans have supported the concept of nonpartisan redistricting when they are not in a strong position to control the outcome of the redistricting, and

WHEREAS, neither party can be relied upon to put the best interests of the state foremost when it comes to redistricting and the various district maps over the years, established by both parties, demonstrate this inability, and

WHEREAS, the citizens of Wood County and the entire state of Wisconsin deserve better; they deserve to have nonpartisan redistricting.

NOW, THEREFORE, THE WOOD COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES:

Section 1. To direct the Wood County Clerk to include on the November 2018 ballot the following special non-binding referenda question: "Do you support having the State of Wisconsin enact nonpartisan legislative boundary redistricting?"

Section 2. To direct the Wood County Clerk to forward a copy of this resolution to all other county clerk's in the state of Wisconsin and to the Wisconsin Counties Association.

9b

MEMORANDUM

TO: Wood County Board of Supervisors

FROM: Peter A. Kastenholtz, Corporation Counsel

DATE: March 20, 2018

RE: Using "Correspondence" and "Reports" on an Agenda

The application of the open meetings law, Wis. Stat. s. 19.81, et seq., to an agenda is very fact specific. The reason for this is that the case law construing the statutory provisions essentially creates a sliding scale with respect to the level of notice that is required to be given. Simply put, the greater the interest the public may have in a given topic, the greater the level of notice that must be provided. There is, of course, a minimum amount of notice that is required even for matters that the public is likely to have no interest in whatsoever. So, having an agenda item that says "corporation counsel attendance at conference" is sufficient, but "bonding for \$2 million" is insufficient. The public will not be interested in knowing what the topics at the educational conference will be but the public will be curious in knowing what the county intends upon using the \$2 million for.

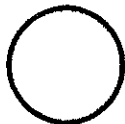
When it comes to listing on a governmental meeting agenda the topic of "correspondence" the listing itself is not problematic but the use of it may be. For example, the statement that a communication was received and a department head will be addressing the matter and will report back to the committee in regards to the issue addressed in the communication would be appropriate. If, however, the department head wanted to discuss with the committee how to deal with the matter brought up in the communication or anticipated that a committee member might want to give some input, then just bringing the communication up under correspondence is not appropriate; it should be separately listed as an agenda item, possibly under the correspondence heading or just on its own.

Admittedly, it can be difficult at times to predict the level of interest of committee members in a topic that might fit under the general heading of correspondence so as to know whether to separately identify the matter within the agenda or not, but it is better for the committee chair and the department heads putting the agenda together to be safe than sorry. A higher level of public notice than the open meetings law requires will not get you into a legal jam but a lesser amount of notice can. The concern is less the potential for legal fines to the county board members for violating the open meetings law (we all know the supervisors tend to be wealthy individuals who can afford a couple hundred dollar fine); no, the concern has more to do with the impact of what

was decided at the meeting. If the notice wasn't adequate, then one of the options a court will have and a plaintiff will likely pursue, will be to undo what was decided at the meeting. If what was decided was already acted upon, well, that can leave quite a mess. For instance, how do we undo an employee having gone to a meeting at county expense? Do we dock the employee's pay and mileage reimbursement? Fixing the wrong won't be pleasant for those involved. So, even though problems seldom result from governmental entities not providing enough notice of what will be transpiring at a meeting of a governmental entity, if things go wrong, they can get ugly quick.

Although I was asked to just opine on problems associated with the use of 'correspondence' as an agenda item, I am going to take this opportunity to caution about the use of "reports" on agendas. Often staff will have detailed reports that accompany the agenda that are available to the public and that is exactly as it should be. However, the fact that an agenda identifies that a department head will give a report does not mean it is open season to discuss anything the department head has been up to or will be dealing with. So, if my oversight committee agenda identifies a monthly report by me and I provide a written report that I had 15 mental commitment hearings, 8 guardianships, and attended 11 meetings over the course of the past month, that doesn't give me the ability to bring up at the committee meeting or for a supervisor to ask about obtaining an injunction against a local CAFO. If the CAFO is to be a part of the conversation, then the topic needs to be on the agenda, directly or indirectly via inclusion in the written report. This obligation to not abuse the use of 'reports' on committee agendas puts a burden upon the department heads as well as the committee members to make sure the agenda covers matters that you want to discuss at the committee meetings.

Taking the time to prepare agendas properly is time well spent.



RESOLUTION#

Introduced by Executive, Judicial & Legislative, and Public Safety Committees
Page 1 of 2

Motion:	Adopted:	<input type="checkbox"/>
1 st	Lost:	<input type="checkbox"/>
2 nd	Tabled:	<input type="checkbox"/>
No: _____	Yes: _____	Absent: _____
Number of votes required:		
<input checked="" type="checkbox"/> Majority	<input type="checkbox"/> Two-thirds	
Reviewed by: <u>PAK</u> , Corp Counsel		
Reviewed by: _____, Finance Dir.		

LA

INTENT & SYNOPSIS: To make the Post Employment Health Plan (PEHP) available to elected county department heads who were county employees immediately prior to their taking elective office.

FISCAL NOTE: Pursuant to GASB rules, the county has been setting aside 2% of an employee's base pay for the PEHP benefit. Since an elective official doesn't receive or accrue sick time during their term(s) in office, there would be no additional cost to the county during the term of office but by allowing retiring elected officials to draw on the pool of PEHP funds, there is an unknown financial impact on the PEHP funds and, therefore, the county.

WHEREAS, the Employee Policy Handbook provides for the ability of county employees who have worked for the county for 15 consecutive years and who qualify for WRS retirement benefits to convert up to 100 days of unused sick days into a personal fund that can be used for future health and dental insurance premiums, and

WHEREAS, elected county department heads are not covered by the Employee Policy Handbook or the PEHP benefits described therein, and

WHEREAS, several committees of the county that oversee elected department heads have considered the matter and feel that it is advantageous to the county to have long-term employees who are knowledgeable about the job duties of the elected department head positions apply for appointment to and election to these elected department head positions and, therefore, it

would be preferable to not have them lose their PEHP benefits upon taking office, and

WHEREAS, the committees are aware that Wis. Stat. s. 59.22(1)(a) does not allow the county to increase nor diminish the compensation package, including benefits, of an elected department head during their term of office. Although counsel has advised that, in his opinion, it is acceptable for the county to treat elected officials as it does other employees in modifying insurance benefits during their respective terms of office and even to allow them the same cost of living changes granted to other employees, the adding of a benefit to an elected position that was not available to it when the occupant commenced their term of office simply contravenes the statute; therefore, the granting of this PEHP benefit to elected department heads would only become effective upon new terms of office, and

WHEREAS, counsel has also advised that though there are elected department heads who have worked for the county for a number of years in a standard employee capacity and have now been elected to one or more terms of office, so long as the county makes the PEHP benefit available to the elected department head positions prior to the time nomination papers can first be taken out for the next term of office, the benefit can be applied retroactively to anyone seeking the office, if the county board so desires.



ITEM# 1-

DATE March 20, 2018

RESOLUTION# _____ Effective Date: See below

Introduced by Executive, Judicial & Legislative, and Public Safety Committees
Page 2 of 2

NOW, THEREFORE, THE WOOD COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES as follows: Commencing their next full term of office, the Post Employment Health Plan (PEHP) is available to persons elected to or appointed to the office of an elected county department head if they were a county employee for 15 consecutive years immediately prior to taking their elected county position.

11

Wood County
Security Committee Minutes
February 13, 2018

PRESENT: Judge Brazeau, Cindy Joosten, Laura Clark, Amy Kaup, Leigh Neville-Neil, Reuben Van Tassel, Bill Clendenning, Ed Wagner

Meeting Called to order at 12:00 p.m.

Old Business:

Secure Funds for Courthouse Upgrades: Judge Brazeau stated he met with the Judicial Committee regarding the courthouse security ideas from the committee. Maintenance Director Rueben Van Tassel discussed with the Committee the possible "steps" for the courthouse security upgrades.

- Step 1 is in place now, which is to secure Branch 1 entrance as well as upgrade the door access system. The cost of this is approximately \$50,000.
- Step 2 includes metal detectors/x-ray machine at main entrance, security office, secure employee entrances and main hallways, upgrade security cameras, blinds in judge's chambers, and secure hallway light switches by adding sensors. The cost of these upgrades is approximately \$300,000.
- Step 3 includes securing the Maintenance ramp; secure each department reception area with security glass, door, and cameras, as well as ballistic material in Judge's benches, and new window coverings in the courtrooms. The cost of these upgrades is approximately \$340,000.

The funding will be done in stages. The upgrades will be put on the capital improvement plan. The Public Safety Committee as well as the Judicial and Legislative Committee are on board with these upgrades. The Committee feels a commitment is needed for the funding.

New Business:

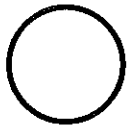
Courthouse Security Update: Rueben discussed new security cameras as well as the upgrade to the door access system. With new technology there are many features that will enhance the security of the courthouse. It is felt at least two people should man the front door security area once Step 2 is complete. Judge has been in contact with the Sheriff's Department to discuss costs regarding sworn officers manning that area. More discussion will be needed on which department will absorb these costs.

3rd Floor Remodel Meeting Synopsis: Rueben put together a 3rd floor remodel meeting held with all parties involved. The meeting consisted of discussing the 3rd floor remodel plans as well as security issues. Maintenance is currently working on the new entrance to the Branch 1 offices.

Amy Kaup from IT stated new phones will be installed on the 3rd floor throughout the year. Panic buttons will be in the same key for all phones. She stated there is an IT Security Team that will work with Maintenance to do training videos once new equipment is installed.

Next Meeting: To be determined

Adjourned: Meeting adjourned at 12:21 p.m.



RESOLUTION#

ITEM# 5-

13c

DATE March 20, 2018

Effective Date March 20, 2018

Introduced by Judicial & Legislative Committee
Page 1 of 2

LAD

Motion:	Adopted: <input type="checkbox"/>
1 st	Lost: <input type="checkbox"/>
2 nd	Tabled: <input type="checkbox"/>
No: <input type="checkbox"/> Yes: <input type="checkbox"/>	Absent: <input type="checkbox"/>
Number of votes required:	
<input checked="" type="checkbox"/> Majority	<input type="checkbox"/> Two-thirds
Reviewed by: <u>PAK</u> , Corp Counsel	
Reviewed by: _____, Finance Dir.	

INTENT & SYNOPSIS: To amend the county board rules so as to provide that committees elect their own chairpersons.

FISCAL NOTE: none

WHEREAS, the "Rules and Committees of the Wood County Board of Supervisors" currently provides at Rule #40 A. that: "In all committees, the first supervisors named on each committee by the County Board Chairperson shall act as chairperson, unless otherwise stated." Thus leaving it to the County Board Chairperson to determine who will serve as the committee chairs and, by extension thereof, which supervisors will serve on the Executive Committee, and

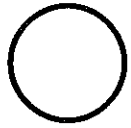
WHEREAS, allowing the committees of the county board to select their own chairpersons by election is a more democratic and egalitarian approach that should strengthen the position of the committee chair and provide for the smoother operation of the committees, and

WHEREAS, the Judicial and Legislative Committee is responsible for studying the rules of the board and making recommendations as to modifications to them and the Committee has, by a majority vote, recommended to the board that having the five main standing committees of the board (Health & Human Services; Public Safety; Conservation, Education & Economic Development; Judicial & Legislative; and Highway Infrastructure & Recreation) elect their own chairs is preferable to the present practice of having the County Board Chairperson determine the committee chairs, and

WHEREAS, this approach would still retain significant authority in the position of the County Board Chairperson in that the person elected by the board to that position would continue to automatically be a member of the Executive Committee, would serve as the chair of the Executive Committee or name another member of that committee to serve as its chair, and would continue to appoint the members of the committees, in conjunction with other authority and responsibilities attendant to that position, and

WHEREAS, Rule #36 currently provides that no supervisor shall serve on more than a total of two main committees of the board and allowing the committees to elect their own chairs would make it unclear which supervisors would be serving on the Executive Committee until after each main committee had met to select its chair and would then make it difficult for the County Board Chairperson to know how many committees a given supervisor will be on. Therefore, to resolve this problem it would be appropriate to modify Rule #36 so as to exclude the Executive Committee from the number of main committees a supervisor can be on.

NOW, THEREFORE, THE WOOD COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES to modify County Board Rule #40 A. such that the first sentence thereof is deleted and replaced with the following language: "In all main committees (except Executive), the members thereof shall elect the chairperson at the first meeting of the committee. Each main committee (except Executive) shall meet within one week of the naming of the

**RESOLUTION#**

Introduced by Judicial & Legislative Committee
Page 2 of 2

ITEM# 5-
DATE March 20, 2018
Effective Date: March 20, 2018

committee members by the County Board Chairperson. None of these main committees may elect as its chair a supervisor who is serving as a chair of another main committee, the County Board Chairperson or Vice-Chairperson, as they are already members of the Executive Committee."

BE IT FURTHER RESOLVED that County Board Rule #36 be amended to read: "No supervisor shall serve on more than a total of two (2) main committees of the County Board, not including the Executive Committee."

BE IT FURTHER RESOLVED that the provisions contained in the Rules that establish the main committees of the County Board shall have removed therefrom language that provides that the County Board Chairperson shall designate the chair of the committee. This change does not include the Executive Committee, which provides that the County Board Chairperson or his/her designee shall serve as the Chairperson of the Executive Committee.