

JUDICIAL AND LEGISLATIVE COMMITTEE

DATE: Monday, August 5, 2019

TIME: 8:00 a.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 of County Board Rules.
 - a. Mentoring of new County Board Supervisors.
 - b. County Board Restructuring Resolution.
 - c. Resolution on Role of Committee Chairs.
 - d. Committee Secretary Elimination.
5. Review for approval the vouchers and monthly reports of departments the committee oversees.
 - a. Update on State budget, Assistant District Attorney positions, and county support staff.
 - b. Review Corporation Counsel memorandum "Emergencies."
 - c. Discussion on Criminal Justice Coordinator position.
6. Review any claims and notices of injury against the County, as necessary.
7. Review any Dog License Fund claims.
8. Presentation of correspondence and legislative issues or referrals and recognition of Legislators who may be present.
 - a. Report of Citizens Groundwater Group.
 - b. Winnebago County Resolution – Support National Estuarine Research Reserve
 - c. Winnebago County Resolution – Support Increased Child Support Funding
 - d. Door County Resolution - End the Use of Personal Conviction Waivers for School and Day Care Center Immunizations
 - e. Burnett County Resolution – Support Medicaid Expansion
 - f. Addressing overweight vehicle laws and resolution.
 - g. Review draft copy of 75 WCA conference resolutions and schedule meeting.
9. Discuss having local control of CAFO livestock siting.
10. Courthouse security committee update.
11. Consideration of agenda items for next meeting.
12. Set date and time of next meeting.
13. Adjourn.

MINUTES OF THE JUDICIAL AND LEGISLATIVE COMMITTEE

DATE: July 5, 2019
 TIME: 9:00 a.m.
 PLACE: Room 115 Wood County Courthouse
 TIME ADJOURNED: 12:12 p.m.
 MEMBERS PRESENT: Chairman William Clendenning, Bill Leichtnam,
 Kenneth Curry, Brad Hamilton, Jake Hahn
 OTHERS PRESENT: Peter Kastenholz. See attached list.

1. At 9:00 a.m., Chairman Clendenning called the meeting to order.
2. Public comments. None at this time
3. The minutes for the June 7 and 18, 2019, meetings were reviewed. The Chair declared the meeting minutes for the June 7 and 18, 2019, meetings approved without objection. There were no objections.
4. The Committee reviewed monthly voucher and department reports of the departments it oversees. Moved by Hamilton, seconded by Leichtnam, to approve the reports and payment of department vouchers. All ayes.
 - a. The Corporation Counsel's memorandum entitled "Sexual Harassment - Hostile Work Environment" was reviewed by the Committee and will be forwarded to the county board.
5. There were no claims and notices of injuries.
6. There were no new animal claims against the County.
7. The Committee reviewed correspondence and legislative issues.
 - a. Report of Citizens Groundwater Group. Supervisor Leichtnam gave an update on the Group's last meeting. Discussion was had on composting animal manure verses land spreading it. There are other processes with respect to dealing with animal waste that the Group will be looking into with regard to the impact on ground water. A copy of the minutes will be included in the packet. Moved by Hamilton, seconded by Hahn, to have Clendenning and Leichtnam attend Speaker Vos' Water Quality Task Force meeting in Stevens Point. All ayes.
8. Discussion on having local control of CAFO livestock siting. Portage County referred their resolution to Wood and other counties to consider supporting. The Committee decided to hold

- off discussion until input comes from Trempealeau County.
9. Courthouse security update. Van Tassel advised that the Sheriff's Department is on track to have the Courthouse security program implemented on October 1, 2019.
 10. Mentoring for new county board supervisors. Committee discussed who would select the mentor and if the process needs some structure or not. Will be discussed further at the next meeting.
 11. County Board rules.
 - a. County Board Committee restructuring commencing 2020. The Committee addressed the following proposals:
 - "The Wood County Board will elect every two years at its organizational meeting both a County Board Chair and Vice Chair. The County Board Chair will also serve as the County Administrative Coordinator. The County Board Vice Chair will also serve as the Chairperson of the Operations Committee." Moved by Hahn, seconded by Leichtnam, to approve the provision but strike the third sentence which provides the Vice Chair will automatically chair the Operations Committee and put in its place: "The Operations Committee will elect its own chairperson." All ayes.
 - "The Executive Committee will no longer exist. The Executive Committee over time has come to serve as the Oversight Committee of the other standing committees thus giving members of the Executive Committee more formal and informal power. Good government cannot exist without a true balance of power. The Board will be comprised of six standing committees." Moved by Hamilton, seconded by Hahn, to strike all but the last sentence. 4 ayes, 1 nay. Curry voted no as he liked the explanatory language.
 - "Operations Committee. The Committee will oversee the County Treasurer, Finance Department, County Clerk, Information Technology Department, and the Human Resources Department."

The provision changes the name of the Executive Committee to the Operations Committee and removes its jurisdiction over Maintenance and Risk Management. There were no objections to the proposed changes to the Executive Committee.

- "Health and Human Services Committee. The Committee will oversee the Health Department, Human Services Department, and Veterans Department."

This provision proposes no changes to the current Health and Human Services Committee. There were no objections to this proposal.

- "Highway, Infrastructure and Recreation Committee. The Committee will oversee the Highway Department, Risk Management Department, Maintenance Department, Public Property, and Parks and Forestry Department."

This provision adds Risk Management, Maintenance, and Public Property to the Highway, Infrastructure, and Recreation Committee. Discussion had on what 'Public Property' means. The consensus was to accept the changes except to delete reference to Public Property.

- "Conservation, Planning and Zoning, and Education Committee. The Committee will oversee the Land and Water Conservation Department, UW Extension, Surveyor, the Planning and Zoning Department, and Economic Development."

There were no objections to the proposal to keep the Committee the same.

- "Judicial and Legislative Committee. The Committee will oversee Corporation Counsel, Child Support, Clerk of Courts, Register of Deeds, Victim Witness, District Attorney, Circuit Court Branches one, two, and three, the Family Court Commissioner, and Register in Probate."

There were no objections to the proposal which essentially maintains the current functions of the Judicial and Legislative Committee.

- "Public Safety Committee. The Committee will oversee the Sheriff's Department, Dispatch, Coroner, Humane Officer, Emergency Management, and Communications."

There were no objections to the proposal which essentially maintains the current Public Safety Committee.

- "All members of each committee will be appointed by the County Board Chair with confirmation by the County Board. The committees will elect their own committee chair. The County Board will be the governing authority over all oversight committees. All decisions made by the standing committees will go directly to the County Board for approval, no approval of another committee is necessary." Moved by Hamilton, seconded by Hahn, to add to the end of the first sentence: "... with the exception of the Operations Committee, which shall be elected directly by the County Board." All ayes.
 - "There will be no limit as to how many standing committees a supervisor can be appointed to, but all supervisors must have at least one appointment to a standing committee. A supervisor will only be allowed to chair one standing committee." Moved by Hamilton, seconded by Leichtnam, to change the first sentence to: "Provide that no supervisor shall be appointed to more than two standing committees unless an exception is approved by a 2/3 vote of the entire County Board." All ayes.
 - The Corporation Counsel was directed to bring back to the Committee at its regular August meeting a resolution implementing the above proposed changes.
- b. Resolution on Rule on the role of a Committee Chair. Will hold off until next month to discuss.
 - c. Per diems and salary of county board supervisors. Discussion had. No motions for changes at this time.
[Salary \$150/month
Meetings are \$50
County Board Vice Chair also gets \$80/month
Administrative Coordinator gets added \$20,000/year]
 - d. Meal allowances. Discussion had. No changes.
 - e. Consideration of staggered terms. Brief discussion had. No changes.
 - f. Committee Secretary elimination. Current County Board Rule 29 requires that a committee member maintain minutes and approve them prior to being submitted to the County Board. Periodically this has proven problematic in getting minutes to the Board timely. The Committee supported the proposal and a resolution will be

presented at next month's meeting to have committee minutes sent to the County Board without requiring a secretary's approval.

12. Agenda items for the August 2019, meeting:
 - Mentoring of new County Board Supervisors.
 - County Board Restructuring Resolution.
 - Resolution on Role of Committee Chairs.
 - Committee Secretary Elimination
13. The next regular committee meeting will be August 2, 2019, at 9:00 a.m. The budget meeting will be August 13, 2019, at 2:15 p.m.
14. Meeting adjourned without objection by the Chairperson at 12:12 p.m.

Minutes taken by Peter Kastenholz and approved by Kenneth Curry.

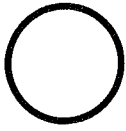
Kenneth Curry

Kenneth Curry, Secretary (signed electronically)

Judicial & Legislative Committee Meeting

Date: July 5, 2019

[illegible]



RESOLUTION#

ITEM# 5

DATE April 21, 2020

Effective Date April 21, 2020

Introduced by Judicial and Legislative Committee
Page 1 of 2

EMT

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

INTENT & SYNOPSIS: To amend the 'County Board Rules' with respect to changing the membership and oversight of several of the standing committees and related matters.

FISCAL NOTE: A small savings in county board supervisor per diems.

WHEREAS, The Judicial and Legislative Committee is responsible for studying suggestions for changes to the Rules and Committees of the Wood County Board of Supervisors, and

WHEREAS, the Judicial and Legislative Committee believes that there isn't a need for more than five members on the Executive Committee and that the membership of the Executive Committee should be selected directly by the county board at large, its name should be changed to the Operations Committee, and it should be clear to other standing (main) committees that resolutions they develop for consideration by the county board need not be approved by the Operations Committee, and

WHEREAS, the Judicial and Legislative Committee believe that in light of the duties of the county board chair serving as the Administrative Coordinator, the chair should not automatically be a member of the Executive (Operations) Committee, and

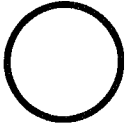
WHEREAS, it would be appropriate to place the Maintenance and Risk Management Departments under the Highway, Infrastructure and Recreation Committee in lieu of their current reporting to the Executive Committee, and

WHEREAS, the Judicial and Legislative Committee now recommends to the County Board to make the changes set forth below to the Rules and Committees of the Wood County Board of Supervisors,

NOW, THEREFORE, THE WOOD COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES to amend the Rules and Committees of the Wood County Board of Supervisors as follows:

Section 1. Rule 36 entitled: Number of Committees a Supervisor May Serve On, is amended to read as follows: "No supervisor shall serve on more than two standing committees unless authorized by a 2/3rds vote of the entire county board."

Section 2. Rule 40 entitled: Committee Officers, shall be repealed and recreated at section A to read as follows: "In all standing committees the members thereof shall elect the chairperson at the first meeting of the committee. Each standing committee shall meet within one week of the naming of the committee members. None of the standing committees may select as its chair a supervisor who is serving as the chair of another standing committee. A committee chairperson shall vote on all matters brought before the committee. A vice-chairperson and secretary shall be elected at the first meeting. When not unanimous, a vote on such elections must be recorded."

**RESOLUTION#**Introduced by Judicial and Legislative Committee
Page 2 of 2

Section 3. The Main Committee Descriptions listing of the Executive Committee shall be changed to read:

OPERATIONS COMMITTEE

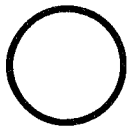
Membership shall consist of the First Vice-Chair and four members elected at large from the County Board.

The Operations Committee shall have oversight of the following departments: County Clerk, Treasurer, Finance, Human Resources, and Information Technology. The committee shall perform the following functions with respect to the departments it oversees: draft proposed budgets, audit the revenues and expenditures pursuant to the approved budgets, functions, and personnel, and oversee the management of the departments and the services they provide.

Section 4. All references to the Executive Committee within the Rules and Committees of the Wood County Board of Supervisors shall be changed to the Operations Committee.

Section 5. The Main Committee Description listing of the Highway, Infrastructure and Recreation Committee shall be changed to add to the list of departments overseen by the committee: Maintenance and Risk Management/Purchasing.

Section 6. The Wood County Committee Structure Organizational Chart shall be amended to reflect the changes set forth above.



RESOLUTION#

Introduced by Judicial and Legislative Committee
Page 1 of 3

Motion:	Adopted:	
1 st	Lost:	
2 nd	Tabled:	
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.		

LAD

INTENT & SYNOPSIS: To create new language in the county board's rules that defines the role of a committee chairperson.

FISCAL NOTE: None.

WHEREAS, Wood County keeps its internal operating rules within the "Rules and Committees of the Wood County Board of Supervisors" (Rules), and

WHEREAS, the Rules don't set forth the duties of a committee chair or the limitations of those duties, and

WHEREAS, this lack of clarity of a committee chair's responsibilities sometimes causes confusion and hard feelings and detracts from the normal collegial workings at the committee level, and

WHEREAS, the Judicial and Legislative Committee determined that it be both logical as well as an enhancement to communications by committee members to spell out what the role of a committee chair is, and

WHEREAS, the Judicial and Legislative Committee has considered this matter and suggests the addition of the language set forth in bold text, below, to the existing (regular text) contents of Rule #4 so as to make clear to all the role of a committee chair, and

WHEREAS, current language in Rule #18 E. allows a committee chair to determine not to call a regular monthly meeting when there is insufficient business to need one and then to also review and act on the bills that would have come before the committee that month, and

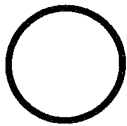
WHEREAS, the Judicial and Legislative Committee feels that since Rule 18 E. is rarely used and lends itself to at least the appearance of impropriety, it is best to rescind this rule.

NOW, THEREFORE, THE WOOD COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES to adopt 'County Board Rule' 4, as amended and set forth below and to repeal 'County Board Rule' 18 E.

Authority of County Board and Committee Chairs

A. 1. The County Board Chairperson shall preserve order and decorum, and shall decide all questions of order, subject to an appeal to the board.

2. The County Board Chairperson may appoint a board member or members to represent the interests of Wood County at any meeting within the state.

**RESOLUTION#**

Introduced by Judicial and Legislative Committee
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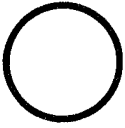
3. Whenever, in the opinion of the County Board Chairperson, an occasion arises which in the Chairperson's judgment is of sufficient importance to require certain county offices to be closed, the Chairperson may so order.

B. Chairpersons of committees, commissions and boards of the county (hereafter, committees) shall have the following authority:

1. With respect to the agenda of the committee, the committee Chair shall:
 - a) Include on the agenda referrals made by the County Board.
 - b) Include on the agenda matters the committee directed to be placed there.
 - c) Include on the agenda matters referred to the Chair by department heads, as the Chair deems appropriate. It is proper for the Chair to communicate with department heads over such matters and to ascertain the issues that will be presented to the committee for decisions.
 - d) Include on the agenda matters brought to the Chair's attention by other supervisors, staff, and members of the public that the Chair feels should come before the committee.
2. The Committee Chair shall run the committee meetings, this includes:
 - a) Calling the meeting to order at the appropriate time and with the presence of a quorum.
 - b) To announce the matters to be addressed by the committee.
 - c) To state motions made, seek and participate in discussion, and then have the committee vote on matters before it. The Chair shall then announce the results of the vote. The Chair may, if there are not objections, state matters the committee has come to consensus on without a vote such that the matters may be contained in the minutes.
 - d) Preserving order and decorum, and deciding all questions of order, subject to an appeal to the committee.
 - e) To adjourn the meeting when appropriate by motion or upon directive of the Chair if there are no objections.
3. The Committee Chair shall be familiar with the positions of the committee with respect to matters the committee has addressed and be prepared to explain the pros and cons of such matters at county board meetings.

C. Chairpersons of committees do not have authority to take the following actions unless granted to them by the committee and reflected in the minutes of the committee:

1. Speak to the news media or take other formal action on behalf of the committee.



ITEM# 5

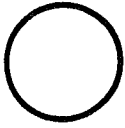
DATE July 16, 2019

Effective Date: July 16, 2019

RESOLUTION# _____

Introduced by Judicial and Legislative Committee
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2. **Conduct a formal evaluation of a department head or implement discipline of a department head.**
3. **Direct a department head (or their staff) on actions that they will or should take.**
4. **Approve or disapprove of policy proposals.**
5. **Approve or disapprove of expenditures by a department.**



RESOLUTION#

Introduced by
Page 1 of 1

Judicial & Legislative Committee

ITEM#

5-

DATE

August 20, 2019

Effective Date

August 20, 2019

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>AAK</u> , Corp Counsel		
Reviewed by: _____, Finance Dir.		

TDM

INTENT & SYNOPSIS: To eliminate the position of committee secretary for all main committees of the Wood County Board of Supervisors.

FISCAL NOTE: None

WHEREAS, there are times when frustration has been expressed on the County Board floor about the lateness, or lack, of minutes from committees being put in the county board packet, and

WHEREAS, sometimes this is attributable to the timing of the committee meeting and the deadline for items to be submitted to the County Clerk for inclusion in the packet or it is because the staff person doing the minutes has been unable to get in contact with committee secretary to approve them, and

WHEREAS, the committee is the final arbiter of their minutes and not the secretary; if there are changes in content that need to be made to the minutes, those should be made at the following committee meeting

NOW THEREFORE BE IT RESOLVED, in order to streamline and speed up the process between the preparation of the minutes and inclusion in the county board packet, the following changes be made to the

Rules and Committees of the Wood County Board of Supervisors:

SECTION I: The following paragraph be stricken from Rule #29:

Every effort shall be given by the secretary to review and approve, with evidence on the minutes reflecting the method of approval, the committee minutes prior to their submission to the County Board. If the secretary does not sign the minutes in advance, an explanation shall be given to the County Board as to the reason why.

SECTION II: The position of secretary be stricken from Rule #40 – Committee Officers

SECTION III: All references of secretary be stricken from the Main Committee descriptions.

Committee Report

County of Wood

Report of claims for: BRANCH 1 / PROBATE

For the period of: JULY 2019

For the range of vouchers: 03190034 - 03190040

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
03190034	SWITS LTD	JUNE 2019 TELEPHONICS	07/05/2019	\$51.00	
03190035	COLLINS KIMBERLY	TRANSCRIPT FEE 18CF451	05/22/2019	\$18.00	
03190036	COLLINS KIMBERLY	TRANSCRIPT FEE 16CF300,16CF351	06/20/2019	\$28.00	
03190037	COLLINS KIMBERLY	TRANSCRIPT FEES	06/21/2019	\$64.00	
03190038	COLLINS KIMBERLY	TRANSCRIPT FEES	06/21/2019	\$32.00	
03190039	COLLINS KIMBERLY	TRANSCRIPT FEE 15CF16	06/21/2019	\$42.00	
03190040	COLLINS KIMBERLY	TRANSCRIPT FEE 18CF263	06/21/2019	\$60.00	
Grand Total:				\$295.00	

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: JULY 2019

For the range of vouchers: 04190031 - 04190032

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
04190031	SWITS LTD	INTERPRETER FEES	07/05/2019	\$51.00	
04190032	WI COURT REPORTERS ASSN	MEMBERSHIP DUES - D ZAMOW	07/19/2019	\$100.00	
Grand Total:				\$151.00	

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 3 / DRUG COURT

For the period of: JULY 2019

For the range of vouchers: 05190049 - 05190051

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
05190049	ATTIC CORRECTIONAL SERVICES INC	DRUG COURT STAFF & REVENUE	07/08/2019	\$5,553.16	P
05190050	ATTIC CORRECTIONAL SERVICES INC	DRUG COURT STAFF ENHANCED	07/08/2019	\$1,833.33	P
05190051	CORDANT HEALTH SOLUTIONS	DRUG TESTING	06/30/2019	\$2,319.75	P
Grand Total:				\$9,706.24	

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: 07/2019

For the range of vouchers: 02190052 - 02190059

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
02190052	WOODTRUST BANK	PAYOFF AGENCY CREDIT CARD	07/02/2019	\$100.00	P
02190053	CW SOLUTIONS LLC	BROWN-SCANNING/EFILING COSTS	07/24/2019	\$171.20	
02190054	DNA DIAGNOSTICS CENTER	2-IND. GENETIC TESTS	07/24/2019	\$46.00	
02190055	FIELDPRINT INC	BROWN-FINGERPRINT COSTS	07/24/2019	\$7.75	
02190056	LEGAL LOGISTICS LLC	13-PROCESS OF SERVICE FEES	07/24/2019	\$795.00	
02190057	RIVER CITY PROCESS SERVERS	5-PROCESS OF SERVICE FEES	07/24/2019	\$200.00	
02190058	WI DEPT OF JUSTICE	BROWN-IRS BACKGROUND CHECK	07/24/2019	\$28.25	
02190059	WCSEA	WCSEA MEMBERSHIP-3 STAFF	07/24/2019	\$135.00	
Grand Total:				\$1,483.20	

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: JULY

For the range of vouchers: 07190998 - 07191063

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
07190998	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 19GN65	06/26/2019	\$500.00	P
07190999	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 19GN60	06/26/2019	\$500.00	P
07191000	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 19ME97	07/02/2019	\$690.00	P
07191001	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 19GN54	07/02/2019	\$500.00	P
07191002	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 19ME101	07/08/2019	\$390.00	P
07191003	DAVE MD JAGDISH S	Med Exam - 19ME97	06/27/2019	\$875.00	P
07191004	FLEXSTAFF	Contracted Clerical Services	06/12/2019	\$353.17	P
07191005	FLEXSTAFF	Contracted Clerical Services	06/19/2019	\$353.17	P
07191006	FLEXSTAFF	Contracted Clerical Services	06/26/2019	\$353.17	P
07191007	FLEXSTAFF	Contracted Clerical Services	07/03/2019	\$353.17	P
07191008	GEBERT LAW OFFICE	Atty Fee - 02GN55	07/08/2019	\$98.00	P
07191009	GEBERT LAW OFFICE	Atty Fee - 88GN201	07/08/2019	\$98.00	P
07191010	GEBERT LAW OFFICE	Atty Fee - 07GN16	07/08/2019	\$98.00	P
07191011	GEBERT LAW OFFICE	Atty fee - 17GN42	07/08/2019	\$98.00	P
07191012	GEBERT LAW OFFICE	Atty Fee - 14GN26	07/08/2019	\$98.00	P
07191013	GORSKI & WITTMAN SC	Atty Fee - 11GN07	07/03/2019	\$126.00	P
07191014	GORSKI & WITTMAN SC	Atty Fee - 11GN50	07/04/2019	\$302.35	P
07191015	GORSKI & WITTMAN SC	Atty Fee - 12GN50	07/04/2019	\$246.35	P
07191016	LLOYD PETER C LLC	Atty Fee - 19CT140	06/27/2019	\$422.89	P
07191017	NASH LAW GROUP	Atty Fee - 19CT93	06/27/2019	\$575.83	P
07191018	NASH LAW GROUP	Atty Fee - 19CF175	06/25/2019	\$771.76	P
07191019	NASH LAW GROUP	Atty Fee - 18CF295	04/11/2019	\$287.00	P
07191020	NASH LAW GROUP	Atty Fee - 18CV416	06/26/2019	\$1,729.00	P
07191021	NASH LAW GROUP	Atty Fee - 18JC08 - 18JC10	06/26/2019	\$21.00	P
07191022	NASH LAW GROUP	Atty Fee - 18JC107 & 108	06/26/2019	\$14.00	P
07191023	NASH LAW GROUP	Atty Fee - 17JC11	07/08/2019	\$140.00	P
07191024	NASH LAW GROUP	Atty Fee - 18JC64 - 67	07/08/2019	\$196.00	P
07191025	TRANSUNION RISK & ALTERNATIVE DATA SOLUTIONS	SDC People Search	07/01/2019	\$50.00	P
07191026	WRIGHT HALEY B	Atty Fee - 04GN08	07/04/2019	\$91.00	P
07191027	JOOSTEN CINDY	cake for 25th employee anniv	07/16/2019	\$29.98	P
07191028	ZIEGAHN VICKI	Mileage for Jury Training	07/11/2019	\$69.44	P

Committee Report - County of Wood

CLERK OF CIRCUIT COURT - JULY

07190998 - 07191063

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
07191029	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 18GN67	07/09/2019	\$500.00	P
07191030	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	MedExam - 19ME105	07/10/2019	\$540.00	P
07191031	ANCHOR POINT THERAPY AND EVALUATION SERVICES LLC	Med Exam - 12GN30	07/12/2019	\$500.00	P
07191032	CHOMYN PERRY	Witness Fee - 18CM513	06/20/2019	\$86.00	P
07191033	PHYSICIAN BEHAVIORAL HEALTH EVALUATIONS LLC	Med Exam - 18ME203	07/12/2019	\$845.00	P
07191034	PHYSICIAN BEHAVIORAL HEALTH EVALUATIONS LLC	Med Exam - 19ME105	07/12/2019	\$845.00	P
07191035	PHYSICIAN BEHAVIORAL HEALTH EVALUATIONS LLC	Med Exam - 19ME101	07/12/2019	\$845.00	P
07191036	PHYSICIAN BEHAVIORAL HEALTH EVALUATIONS LLC	Med Exam - 19ME69	05/14/2019	\$845.00	P
07191037	DAVE MD JAGDISH S	Med Exam - 19ME114	07/14/2019	\$787.50	P
07191038	DAVE MD JAGDISH S	Med Exam - 19ME113	07/14/2019	\$875.00	P
07191039	GEBERT LAW OFFICE	Mediation Services - June 2019	07/11/2019	\$1,425.00	P
07191040	GORSKI KENNETH	Crt Cmssner Srvc - June 19	07/11/2019	\$1,250.00	P
07191041	HILL & WALCZAK ATTYS	Mediation Services - June 2019	07/11/2019	\$150.00	P
07191042	HILL & WALCZAK ATTYS	Atty Fee - 19JI01	07/09/2019	\$287.00	P
07191043	HILL & WALCZAK ATTYS	Atty Fee - 14JG3 - 5	07/10/2019	\$420.00	P
07191044	HILL & WALCZAK ATTYS	Atty Fee - 19GN51	07/09/2019	\$940.05	P
07191045	HILL & WALCZAK ATTYS	Atty Fee - 07GN22	07/09/2019	\$329.00	P
07191046	HILL & WALCZAK ATTYS	Atty Fee - 18JC72	07/09/2019	\$325.50	P
07191047	HILL & WALCZAK ATTYS	Atty Fee - 18GN58	07/09/2019	\$511.00	P
07191048	HILL & WALCZAK ATTYS	Atty Fee - 19JC54 & 55	07/10/2019	\$511.00	P
07191049	KUJAWA DESTINY	Witness Fee - 18CM513	06/20/2019	\$16.00	P
07191050	MUSUNURU J R MD	Med Exam - 19ME109	07/11/2019	\$490.00	P
07191051	NASH LAW GROUP	Atty Fee - 19CF207 & 115	07/10/2019	\$383.13	P
07191052	NASH LAW GROUP	Atty Fee - 18JC128 & 129	07/09/2019	\$49.00	P
07191053	NASH LAW GROUP	Atty Fee - 18JC02	06/26/2019	\$14.00	P
07191054	NASH LAW GROUP	Atty Fee - 19CF248	07/16/2019	\$77.00	P
07191055	NASH LAW GROUP	Atty Fee - 15JC105	07/17/2019	\$147.00	P
07191056	NASH LAW GROUP	Atty Fee - 19CM59	07/12/2019	\$525.48	P
07191057	SCHMIDT & GRACE	Atty Fee - 18CF295,17CM619	04/30/2019	\$920.00	P
07191058	WEILAND LEGAL SERVICES	Atty Fee - 19GN60	07/07/2019	\$327.60	P
07191059	WEILAND LEGAL SERVICES	Atty Fee - 19GN65	07/07/2019	\$196.00	P
07191060	WEILAND LEGAL SERVICES	Atty Fee - 19GN52	07/07/2019	\$182.00	P
07191061	WEST PAYMENT CENTER	LL Interenet Access - June 19	07/01/2019	\$1,402.50	P
07191062	WHITED TANYA	Witness Fee - 18CM513	06/20/2019	\$57.60	P
07191063	WORDEN-WACHSMUTH LAW OFFICE	Atty Fee - 17GN37	07/11/2019	\$143.50	P
Grand Total:				\$28,178.14	

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: AUGUST 02, 2019 @ 9:00 AM

Committee Report

County of Wood

Report of claims for: Corporation Counsel

For the period of: July 2019

For the range of vouchers: 09190011 - 09190013

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
09190011	STATE BAR OF WISCONSIN	WI Employment Law	07/29/2019	\$214.94	
09190012	WEILAND LEGAL SERVICES	Outside Counsel	06/27/2019	\$100.00	
09190013	WEILAND LEGAL SERVICES	Outside Counsel	07/27/2019	\$140.00	
Grand Total:				\$454.94	

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: DISTRICT ATTORNEY

For the period of: JULY 2019

For the range of vouchers: 11190008 - 11190009

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
11190008	CLASS A	DUES & REGISTRATION - EGERER	07/15/2019	\$75.00	P
11190009	CLASS A	DUES & REGISTRATION - GROSHEK	07/16/2019	\$75.00	P
Grand Total:				\$150.00	

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: JULY 2019

For the range of vouchers: 24190022 - 24190024

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
24190022	WOOD TRUST BANK	SAFE DEPOSIT BOX RENTAL PAY	07/02/2019	\$100.00	P
24190023	FIDLAR TECHNOLOGIES INC	JUNE 2019 LAREDO USAGE	07/15/2019	\$271.70	P
24190024	PRIA (Property Records Industry Assoc)	PRIA MEMBERSHIP DUES - RINGER	07/11/2019	\$60.00	P
Grand Total:				\$431.70	

Signatures

Committee Chair:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:



Wood County WISCONSIN

CHILD SUPPORT
AGENCY

AUGUST 2019

MONTHLY REPORT TO THE JUDICIAL AND LEGISLATIVE COMMITTEE

Prepared by Child Support Director Brent Vruwink

- The focus for the month of August will be the agency budget. I am waiting for estimates from the State on what our general purpose revenue will be. We recently learned birth costs that we recover will no longer be eligible to draw down federal matching funds. This is a significant change that if left unfixed would be very harmful to counties. The Department of Children and Families has assured counties that they will find a way to make up for the lost funds for the next two years. We are also working on a legislative fix that will include an appropriation. Until we get clarity on the issue I will have a difficult time getting a firm budget to you.
- Vicki Stoflet and I attended the WCSEA Board meeting on July 11th.
- The payment for the second quarter will arrive at the end of July.
- Shannon Lobner, Nicole Stelzer and I along with staff from CW Solutions attended the official "kickoff" meeting for the new Five County Demonstration Program in Madison on July 17th. We are very excited to be able to offer enhanced services to our customers.
- Shannon Lobner attended the Continuity of Government/Cyber Security Exercise at McMillan Library on July 19th.
- I attended the WCA Health and Human Services Steering Committee Meeting on July 19th in Stevens Point.
- I attended "Supervisory Performance Evaluation Training" on July 24th.
- Kari Smith the project lead for the Five County Demonstration Program will be conducting a site visit at our office on August 8th. She will be observing our court process, touring the agency and meeting with staff.
- On August 19th I will be attending the Joint Legislative Committee meeting in Mosinee.
- Agency performance is on target to exceed Federal Performance measures. Although we are on target to meet and exceed all the measures the arrears performance measure has been more of a struggle this year. We have noticed an increased number of non-custodial parents in jail which is one reason for the struggle.
- The current IV-D case count is 3,885.

**CLERK OF COURT COLLECTED
COUNTY REVENUES
FOR THE MONTH OF JUNE 30, 2019**

Which Dept. Receives Revenue	Account Title	Current Month Totals	Previous Month Totals	Difference
Clerk of Courts	County Forfeitures	\$ 7,402.11	\$ 7,868.51	\$ (466.40)
Clerk of Courts	Occupational Lic Fee Due Co	\$ 40.00	\$ 40.00	\$ -
Clerk of Courts	County Share State Fines	\$ 13,560.40	\$ 10,307.61	\$ 3,252.79
Clerk of Courts	Attorney Fees	\$ 2,259.95	\$ 1,481.62	\$ 778.33
Clerk of Courts	Interest (from A/C # 2299-851)	\$ 22.78	\$ 22.26	\$ 0.52
Clerk's Fees				
Clerk of Courts	Clerk of Courts Fees	\$ 9,294.20	\$ 10,071.22	\$ (777.02)
Clerk of Courts	Bond Forfeitures	\$ 2,700.00	\$ 650.00	\$ 2,050.00
Clerk of Courts	Payment Plan Fees	\$ 935.00	\$ 1,044.00	\$ (109.00)
Clerk of Courts	Muni Disposal Fees	\$ 50.00	\$ 70.00	\$ (20.00)
COC Div. Mediation	Family Counseling Service Fees	\$ 405.00	\$ 490.00	\$ (85.00)
COC Div. Mediation	Family Counseling Reimbursement	\$ 45.00	\$ 445.00	\$ (400.00)
Subtotal of Clerk of Courts Revenue		\$ 36,714.44	\$ 32,490.22	\$ 4,224.22
Branch I	Juvenile Legal Fees	\$ 86.50	\$ 210.25	\$ (123.75)
District Attorney	District Attorney Witness Fees	\$ -	\$ -	\$ -
District Attorney	District Attorney Service	\$ 36.55	\$ -	\$ 36.55
District Attorney	District Attorney 10%	\$ 469.30	\$ 330.66	\$ 138.64
Victim Witness	Victim Witness 10%	\$ 469.30	\$ 330.66	\$ 138.64
Human Services	Custody Study Fees	\$ -	\$ -	\$ -
Human Services	Driver Improvement Surcharge	\$ 4,823.23	\$ 3,644.15	\$ 1,179.08
Sheriff's Dept.	Warrant Fees	\$ 2,134.22	\$ 3,525.15	\$ (1,390.93)
Sheriff's Dept.	Jail Surcharge	\$ 2,602.96	\$ 2,545.90	\$ 57.06
Sheriff's Dept.	Blood Tests	\$ 78.30	\$ 160.02	\$ (81.72)
Sheriff's Dept.	Extradition Costs	\$ 3,905.60	\$ 915.86	\$ 2,989.74
Finance Dept	Sales Tax	\$ -	\$ -	\$ -
COUNTY REVENUE		\$ 51,320.40	\$ 44,152.87	\$ 7,167.53
0700-24241 STATE REVENUES		\$ 156,222.52	\$ 140,206.52	\$ 16,016.00
SUBTOTAL		\$ 207,542.92	\$ 184,359.39	\$ 23,183.53
Municipal Pass Through Revenues		\$ 2,492.28	\$ 1,416.69	\$ 1,075.59
TOTAL		\$ 210,035.20	\$ 185,776.08	\$ 24,259.12

For the Judicial & Legislative Committee Meeting dated: August 2, 2019
Prepared by Cindy L. Joosten, Clerk of Circuit Court

ANNUAL REVENUE COMPARISON

2018					2019				
	Total	State	County	Muni		Total	State	County	Muni
Jan	202,024	152,601	49,083	339	Jan	179,852	136,758	42,461	633
Feb	213,995	156,381	56,060	1,554	Feb	212,467	158,150	52,379	1,939
Mar	200,318	147,209	51,352	1,756	Mar	194,299	142,536	49,778	1,984
Apr	216,658	157,104	58,444	1,110	Apr	189,013	139,172	48,347	1,493
May	206,201	151,893	53,396	912	May	185,776	140,207	44,153	1,417
Jun	191,610	143,283	47,584	742	Jun	210,035	156,223	51,320	2,492
Jul	195,758	149,266	45,605	887	Jul	-			
Aug	225,595	175,731	48,846	1,017	Aug	-			
Sep	176,068	132,213	42,179	1,676	Sep	-			
Oct	199,817	149,706	49,186	925	Oct	-			
Nov	188,187	144,071	42,778	1,339	Nov	-			
Dec	176,356	135,413	39,447	1,496	Dec	-			
	2,392,586	1,794,871	583,961	13,754		1,171,442	873,045	288,439	9,958
2018 YEAR TO DATE REVENUE:						1,230,805	908,472	315,919	6,414
INCREASE (Decrease)						(59,363)	(35,426)	(27,481)	3,544

COLLECTION ACTIVITY SUMMARY FOR 2019

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Warrants Issued	84	78	65	68	129	62						
Suspensions Issued	27	5	26	17	15	6						
Payment Plans Created	74	70	75	76	81	63						
Receivables in Payment Plans	7633	7592	7583	7596	7591	7548						
Payment Plans Due	\$73,847	\$70,303	\$66,774	\$64,327	\$67,816	\$64,199	\$67,150					
# of Payment Plans PIF	66	93	93	74	58	60						
Fines worked off through Community Service	24	28	15	12	27	15						
\$ Worked off through Community Service	\$11,962	\$11,711	\$6,332	\$4,089	\$8,666	\$3,578						
State Debt Collection Agency Payments	\$577	\$1,915	\$2,829	\$2,534	\$1,105	\$3,929						
Electronic Payments	\$86,974	\$89,769	\$127,966	\$82,845	\$93,777	\$84,305						

Wood County Circuit Court
Active Non-Escrow Receivables Audit Summary (DOC/Other Collects Included)
For Month Ending 06-30-2019
Final

07-12-2019
10:30 am

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	35800.46	37064.41	25614.81	59177.30	120773.13	161644.75	121338.03	77354.15	43811.34	198460.80	881039.18
Traffic	27140.76	65045.25	13094.38	31939.30	60860.32	80707.59	56669.06	41932.13	29142.35	207510.07	614041.21
Criminal	56155.30	68495.59	60528.74	126354.35	275957.74	395278.35	332181.43	221872.57	155411.21	571956.52	2264191.80
Restitution	3324.24	5458.28	23391.76	10519.40	35335.15	49542.34	49573.06	36923.75	67435.14	289428.49	570931.61
TOTAL	\$ 122,420.76	\$ 176,063.53	\$ 122,629.69	\$ 227,990.35	\$ 492,926.34	\$ 687,173.03	\$ 559,761.58	\$ 378,082.60	\$ 295,800.04	\$ 1,267,355.88	\$ 4,330,203.80

Wood County Circuit Court
Active Non-Escrow Receivables Audit Summary (DOC/Other Collects Omitted)
For Month Ending 06-30-2019
Final

07-12-2019
10:32 am

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	35800.46	35078.33	24607.71	58877.30	114025.18	154582.63	116993.40	74602.27	37497.54	145385.87	797450.69
Traffic	27140.76	65045.25	13094.38	31939.30	60745.82	80707.59	56669.06	41932.13	29142.35	206694.57	613111.21
Criminal	52777.30	64760.59	57124.52	106186.35	223334.73	322561.19	259875.98	166241.79	108209.87	400525.37	1761597.69
Restitution	2687.86	3003.67	1660.11	5253.26	21740.18	16081.71	6162.97	6112.13	24947.88	54076.07	141725.84
TOTAL	\$ 118,406.38	\$ 167,887.84	\$ 96,486.72	\$ 202,256.21	\$ 419,845.91	\$ 573,933.12	\$ 439,701.41	\$ 288,888.32	\$ 199,797.64	\$ 806,681.88	\$ 3,313,885.43



Wood County

WISCONSIN

CORPORATION
COUNSEL OFFICE

Peter A. Kastenholz
CORPORATION COUNSEL

MONTHLY REPORT TO THE JUDICIAL AND LEGISLATIVE COMMITTEE

July 2019

Reichert Litigation. Reichert's counsel has submitted some discovery requests and has indicated a plan to depose the county's likely witnesses. At this point, I am not planning to depose Reichert. The court has determined it will rule on the county's motion to dismiss at the end of the year and has tentatively set the case for a one-day trial to the court on January 22, 2020. I will keep the committee posted as the case evolves.

Annual Goals: I haven't done anything toward my goals for the last two months and probably won't again until at least September. As you may recall from the spring, I have put together a draft litigation settlement policy as well as some standardized forms for use in notifying employees about potential and pending litigation and discovery. I will get back to it when time allows but I have a jury trial coming up again along with some briefing schedules.

Krueger v. Appleton Area School District. This is the case that the state supreme court decided two years ago which extended the application of the open meetings law to meetings by staff (and others) who have been delegated functions of a governmental entity, including gathering data. As a result of the case, I have previously counselled that when a committee is going to delegate data gathering, the drafting of policy proposals, or other like responsibilities of a committee, that if it does so to more than one person, then the folks delegated the duties are treated like a governmental entity and must notice their meetings and so on. To avoid the problems inherent in being treated as a governmental entity, it is imperative that the delegation by the committee be to only one person. Whether that person is a committee member or staff doesn't matter for our purposes here. Please keep this in mind lest we build a house of cards as a policy that emanates from an unnoticed staff meeting is voidable if the meeting was based upon a directive of a committee to more than one person and the meeting wasn't noticed.

Emergencies. Emergency Management (EM) recently had a presentation that was attended by representatives of almost every department. The presentation addressed responding to emergencies, both natural and man-made. The goal of the program was to get us thinking effectively about continuity of our departmental operations, specifically, and county government, in general. I made some comments during the discussion parts of the gathering that reflect that the law is not designed to address emergencies and that department heads can't wait for a committee or county board meeting to take action, which is why EM has us prepare plans in advance. In that there are conflicts in what the law allows and some actions by department heads that need to be taken to perform their jobs in an emergency, I thought that now would be a good time to write about this. To that end, I have prepared the attached memo on dealing with emergencies from a legal perspective.



Wood County

WISCONSIN

REGISTER OF DEEDS OFFICE

Tiffany R. Ringer
Register of Deeds

JULY 2019

MONTHLY REPORT TO THE JUDICIAL AND LEGISLATIVE COMMITTEE

1. Attended County Board meeting July 16, 2019
2. On July 17th, Alex Rikken from Fidler Technologies, our software company, visited Wood County to film areas in our office for the WRDA promotional video our association is working to create.
3. July 18th, Attended WCA Steering committee meeting in Stevens Point
4. July 19th, Attended the Continuity of Government Cyber Security presentation
5. July 24th, I attended evaluation training held by Human Resources Director, Kim McGrath and Kelli Quinnell
6. July 25th, I was invited to present an overview of the Register of Deeds Office to the Sunrise Rotary club in Marshfield.
7. July 25th Attended PRIA webinar: Mortgage 101 – Hats off to Mortgage Process
8. On July 30th, I will meet with Finance Director, Cummings, to review/enter budget for 2020 and train on new budget software
9. Along with Planning and Zoning Director, Jason Grueneberg, we will conducting interviews for the GIS position
10. I will be attending the Judicial and Legislative committee meeting on August 5th
11. On Aug 6th, I am hosting an E-Recording seminar in Wood County. Michelle Wilsey, from Simplifile, will be conducting this seminar.

VICTIM WITNESS SERVICES REPORT

Michele Newman, Coordinator

May 29th to July 24th 2019

Victims/Witnesses Served:

155 Victims or Witnesses made direct contact with via phone

29 Victims or Witnesses Met in person

2 Victims assisted with preparation of Crime Victim Compensation Application

173 Initial contact packet information sent

68 No Contact order information

22 No prosecutions notification

121 Victims or Witnesses were Notified of all hearings

31 Victims or Witnesses were Notified of Plea Agreement/Sentencing

151 Victims or Witnesses Notified of Disposition on closed cases

76 Victims or Witnesses Notified of Sentencing after Revocation

36 Victims had Restitutions Requested

34 Victims requested to make Victim Impact Statements or to speak at sentencing

72 Victims Registered with VOICE/Vine service

3 Victims notified of Appeals court proceedings

Total Services, notes/events = **794** Total unique parties = **431**

Restitution:

Totaled: **\$28,026.32**

Amount for citizens = **\$ 5,848.38**

Amount for businesses = **\$20,589.58**

Amount for Wood County or State agencies = **\$1,588.36**

Trainings/Meetings/Other:

- Four jury trials during this time period
- Intern from UW Eau Claire from 5/24/19 to 8/31/19
- Volunteer from Lakeland College 7/22/19 to 8/2/19

5a.

Lisa Downs

From: William Clendenning
Sent: Tuesday, July 30, 2019 8:34 AM
To: Lisa Downs
Subject: Fwd: Update on State budget, additional DAs, additional staffing request

Sent from my iPad

Begin forwarded message:

From: "Lambert, Craig" <Craig.Lambert@da.wi.gov>
Date: July 16, 2019 at 3:27:53 PM CDT
To: "wcdistrict11@co.wood.wi.us" <wcdistrict11@co.wood.wi.us>, "wcdistrict15@co.wood.wi.us" <wcdistrict15@co.wood.wi.us>
Cc: "Groshek, Tina" <Tina.Groshek@da.wi.gov>
Subject: Update on State budget, additional DAs, additional staffing request

Gentlemen,

The recently passed State budget creates additional ADA positions. The budget originally passed would give Wood County 2 additional ADAs. The Governor's vetoes direct the State Prosecutor's Office to work with the Department of Administration to decide upon the allocation of the positions. I am still planning on 2 new ADAs. We will contact Lisa to get on the agenda to update the committee and to request additional county support staff (2 legal secretaries and a receptionist). Please contact me if you wish to discuss personally or need additional information. I am in trial most of next week and out of the office July 29 – August 1 but certainly want to speak with you if you wish.

V/r,

Craig Lambert

MEMORANDUM DRAFT

TO: Wood County Board of Supervisors

FROM: Peter A. Kastenholtz, Corporation Counsel

DATE: August 20, 2019

RE: Emergencies

Over the years, Wood County has been spending an increasing amount of staff time on preparing for emergencies, and for good reason. Whether natural or man-made, events that impair the continued operation of county government are most effectively responded to when they have been planned for. To that end, the County's Emergency Management department (EM) has encouraged each county department to complete, and periodically update, a Continuity of Operations (COOP)/Continuity of Government (COG) plan. EM has also strongly encouraged us to review the plans with our oversight committees. In a recent meeting where these COOP/COG plans were generally discussed, the topic of financing the emergency response actions came up. It was recognized that some aspects of implementing departmental COOP/COGs would require expending funds that were not budgeted and that time might not allow for calling committee and county board meetings to take some of the necessary actions to come up with the funds. I advised that at times it would not be appropriate for department heads to wait for legally allocated funding to take the necessary actions in a timely fashion; that despite the laws on point requiring the County Board to allocate funds before they are committed, the department heads should proceed consistent with their plans and the needs of the residents their department is to serve. I suggested that after the emergency had run its course, then, as department heads, our oversight committees would assess the actions we took and deal with us accordingly. After giving that advice I thought it appropriate to put it in writing and share the legal conundrum behind it such that the County Board had a chance to limit or countermand it before it is relied upon.

Wis. Stat. s. 65.90 establishes the mandate that a county develop an annual budget and operate within its parameters unless specific action is taken to deviate from it. Consequently, although the budget for my department may allow for expending \$10,000 for capital improvements or office equipment and supplies, that doesn't give me, as the department head, the authority to buy the Brooklyn Bridge for \$5,000. By the same token, if there is \$1 million in Norwood's budget to house patients there, if Norwood were to be destroyed by fire in October, the administrator of Norwood may have to immediately commit to expend more money than is remaining within the budget to contract to provide for those patients. Might the County recover via insurance policies

for the new and added expenditures? Maybe. Does the existence and scope of the insurance coverage dictate the legal and moral obligation the County has to house the folks residing at this facility? No.

Another example would be the County's computer system. Many county operations are completely reliant upon desktop and laptop computers and the servers supporting them to function. If those servers are compromised and require immediate replacement, don't we expect the IT Director to do just that, take action to replace the servers so as to bring the computer system back to life? Sure we do. And might the action being taken by IT commit the County financially beyond the resources budgeted for IT? This is certainly possible.

There are two ways the County Board can plan for these situations. First is the legal route, which would mean to set aside several million dollars in the contingency account to deal with emergencies, and then expect the County Board to meet immediately after the emergency to authorize the expenditure of some, or all of those funds. The second option, the one that isn't quite legal, but has been selected by the County Board by not funding the first option, is to recognize that department heads will need to take the necessary action to respond to the needs created by the emergency and leave the financing issues until later.

What about calling an emergency meeting of the County Board? That may well be a good idea, but the County Board won't be in a position to approve the borrowing of funds, or to reallocate funds already borrowed at such a meeting. There are lengthy statutorily mandated procedures for those approaches. The County Board can, and would likely be asked to, pass an emergency resolution, but such a resolution cannot authorize the expenditure of unbudgeted funds or the reallocation of expenditures in derogation of the s. 65.90 mandates. So what does an emergency resolution do? Well, they usually request assistance from the state and federal governments and such a resolution may, pursuant to Wis. Stat. s. 59.52(29)(b), provide that a public emergency exists such that public bidding requirements are waived for certain public works projects.

There is one other procedure that is in place when emergencies arise. The law allows the County Board to authorize the County Board Chairperson to close county offices when an occasion arises that is of sufficient importance in his or her opinion to do so. Current County Board Rule 4.C. sets forth this authorization.

In closing, I want to recognize that my perspective is not the same as that of a county board supervisor, so if you want to provide a different direction to department heads on how to deal with emergencies, that is your prerogative and your responsibility, but, you really need to do so in a unified fashion such that everyone is on the same page.

CITIZENS (WOOD COUNTY) GROUNDWATER GROUP MEETING

DATE: Monday, July 15, 2019
TIME: 2:00 p.m.
LOCATION: Wood County Riverblock Building, 111 West Jackson Street Room 206, Wisconsin Rapids WI

Present: Robert Ashbeck, Rhonda Carrell, Bill Clendenning, Bruce Dimick, Nicole Gessert, Gordon Gottbehut, Adam Groshek, Mark Holbrook, Tamas Houlihan, Kim Keech, Maria Lewandowski, Bill Leichtnam, Logan Manthe, Doug Passineau, Rick Potter, Cecile Stelzer Johnson and Nancy Turyk.

1. **Call Meeting to Order:** Bill Leichtnam called the meeting to order at 2:00 p.m.
2. **Public Comment:** None
3. **Correspondence/Updates:**
Bill Leichtnam shared six articles as handouts at the meeting:
 - A. Public Hearing set on proposed hog farm – There was a DNR public hearing on July 11th in Burnette County of a proposed hog farm CAFO of 7,500 sows and 200 boars. The hog farm expects to double in size in a few years. Concerned citizens have been very vocal about their opposition to the proposed CAFO.
 - B. State Ag Department Seeks Comments on changes to rules for large farms – The state agriculture department (DATCP) is considering changes on how the state regulates large-scale livestock farms. The rule designed to provide local regulation of livestock facilities of 500 or more animals. Proposed livestock siting changes supporting local CAFO control.
 - C. Speaker's Task Force on Water Quality Public Hearing – The Public Hearing in Stevens Point is scheduled for Wednesday, July 24th at Noon at the UWSP Dreyfus University Center.
 - D. Protecting Wisconsin Groundwater's – Suggestions from Wood County "Citizens Groundwater Group" revision July 15, 2019 organized by importance.
 - E. County passes resolution to support local CAFO control – Portage County passed an advisory resolution in support of controlling livestock on CAFO's. Wisconsin's livestock siting law, local governments are not required to have permits for large livestock operations expanding or new. Portage County's resolution would allow local governments setting standards and procedures for operations to use.
 - F. Resolution supporting local control for livestock siting – Copy of Portage County's sample resolution supporting local control for CAFO's.
4. **SPEAKER - Wood County Board Supervisor Bob Ashbeck – "Nitrogen/Crop Rotation"**
Bob Ashbeck has been a dairy farmer for over 55 years in the Milladore area. Bob Ashbeck shared that all fertilizer labels have three numbers. The first number is the amount of nitrogen (N), the second number is the amount of phosphorus (P) and the third number is the amount of potassium (K). These three numbers represent the primary nutrients. There are two types of crop rotation used in Wood County. North of Wood County (dairy producers) typically uses a 5-year rotation with rotation of alfalfa (0-0-60), alfalfa (0-0-60), corn (6-24-24), soybeans (0-14-24) and corn (6-24-24). South of Wood County (vegetable producers) typically uses a 3-year rotation with rotation of Sweet Corn (6-24-24), Potatoes (6-24-24) and Soybeans (0-14-24). Bill Ashbeck expressed that there should be a zero rotation of nitrogen grown in southern Wood County. A crop suggested would be alfalfa but there is no market for alfalfa. Lawn fertilizer labeled as 10-10-10 used for lawns, gardens, playgrounds and golf courses typically used every year with no break in between. How much damage do we do with fertilizer? Discussion followed.

Discussion highlights:
 - Heavy rainfalls this year caused only half of crops planted in northern Wood County.
 - Fertilizer may need reapplying depending on soil type due to heavy rainfalls.
 - Cost of fertilizer varies year to year.
 - Lawn fertilizer use based on soil test. UW-Extension and UW Forage Lab offer soil testing.

- The best way to select a fertilizer is to have your soil tested. The soil report will recommend a fertilizer grade for your use.
- Nutrient Management Plans will help determine the amount of fertilizer.
- Over fertilizing can damage crop fields.
- Manure comes first then fertilizer.
- Central Sands are studying irrigation application for nitrogen crediting.
- Why do people fertilize lawns?

5. **Further discussion “Ag. Waste/Composting/Other Options”**

Cecile Stelzer Johnson shared her email that she sent to Testin/Krug on composting as a tool to prevent groundwater contamination:

- A. Create a cooperative (county or regional approach) for excess manure waste. Treat manure and compost reselling manure product.
- B. Farmers profiting from excess manure.
- C. Manure is a valuable resource.
- D. Milorganite is human waste composted for lawns.
- E. Job creation for composting manure.
- F. Revenue flow for the farmer.
- G. Deal with manure before there is a groundwater problem.
- H. Rep. Krug thought idea has merit.

Wisconsin Farm Technology Days in Jefferson County is July 23-25 in Johnson Creek. The show represents agriculture with innovations in technology for growing and producing food.

Manure Treatment Technology Expert Panel Report (speaker ideas)

- A. Thermo Chemical Conversion – not aware being used in Wisconsin
- B. Composting
- C. Anaerobic Digestion – used on CAFO sized farms.
- D. Settling
- E. Mechanical Solid Liquid Separation – used in other industries
- F. Wet Chemical Treatment

6. **Wood County Corporation Counsel on CGG By-Laws** Bill Leichtnam and Bill Clendening met with Wood County Corporation Counsel attorney, Peter Kastenholz. Bill Leichtnam shared that Peter Kastenholz insists that you follow Robert's Rules of Order there is no need for by-laws especially now that there is an elected Chair and Vice-Chair. Wood County citizens can vote on agenda items since the group is a Citizens (Wood County) Groundwater Group.

7. **Prep for Speaker Vos's Task Force on Groundwater Quality (July 24, Stevens Point) and “Action Items” thereafter**

The Speaker's Task Force on Water Quality Public Hearing in Stevens Point is scheduled for Wednesday, July 24th at Noon at the UWSP Dreyfus University Center. Water lab tour scheduled for late morning.

Speakers:

- Portage County (Jen McNelly, Water Resource Specialist and Lindsay Benaszkeski, Public Health & Environmental Specialist)
- USDA-Agricultural Research Service (Mark Borchardt, Research Microbiologist, Program Director, Laboratory for Infectious Disease)
- Water Well Association (Michael Hanten, Lab Director/General Manager at Clean Water Testing & WWA Board Member)
- Central Sands Water Action Coalition (George Kraft, Professor Emeritus of Water Resources at UW Extension & UWSP)
- Farmers of Mill Creek Producer Led Group and Wood County Land Conservation (John Eron, Lead Farmer and Shane Wucherpfennig, Wood County Land Conservationist).

Bruce Dimick reported that he attended Speaker Vos's Water Quality Task Force in Racine County on July 11th. Speaker highlights of the Racine County, WI meeting:

i. Organizations represented:

- UW System – Requesting \$28 million to launch a water program statewide on UW campuses.
- DATCP Agricultural Chemical Cleanup Program – Spills have diminished. Fertilizer tax used to fund program.
- Milwaukee Metropolitan Sewerage District
- Water Counsel Alliance for Water Stewardship
- Racine County Initiative – Promoted no-till and cover crops.

ii. Citizen comments:

- Governor Evers proposed \$12.4 million in county conservation offices reduced by Joint Finance Committee to \$9.4 million.
- Governor Evers proposed \$40 million to remove lead pipe lateral pipes in Milwaukee but eliminated from the budget.
- Senator Vos commented that he does not like wetland protection that interfere with hot real estate deals.
- Farmer promoted no-till and cover crops. Grant money needed to finance education to farmers.
- PFAS – Nothing done
- Residents oppose WE Energies discharging more mercury by a factor of 3 in Lake Michigan.

Tamas Houlihan shared the Speaker Vos's Task Force on Groundwater Quality will be in Tomahawk on Tuesday, July 23rd. He will be a guest speaker representing Wisconsin Potato & Vegetable Growers Association.

Bill Leichnam shared that the "Protecting Wisconsin Groundwater" suggestions from Wood County Citizens Groundwater Group prioritized by importance reduced from 36 ideas to 29. The "Protecting Wisconsin Groundwater" document will be shared and presented to Speaker Vos's Task Force on Groundwater Quality meeting in Stevens Point.

8. **Update on MOU w/ AGC (Juneau Co Board action) & status of bottled water distribution and RO System Installation** Logan Manthe reported that 36 residences called the hotline between June 13th and July 11th about questions about water delivery or installation of systems. 34 residences were distributed bottled water. 66 access agreements signed. 48 wells under 30 ppm referred for plumbing installation. They changed plumbing firms so they are no longer working with Alliant Plumbing to install those RO Systems. 19 RO Systems have been completed using test strips by the homeowner with follow-up for an official test with the Health Department as soon as possible. Targeted outreach will continue.

The three entities testing water are AECOM from Stevens Point, Wood County Health Department and EPA. Sue Kunferman is compiling test results of all three entities. Wood County is working hard for the citizens. When will the best practices start? MOU is in place for 4 years. There are three technologies available for nitrates above 28 ppm. All three technologies are in the testing phase with none approved.

9. **"Membership Growth" & "Outreach Activities" (Making our influence felt)**
Bill Leichnam commented that there are four citizen groundwater groups in Wood County. The three citizen groups are:
- A. Groundwater Guardians (Marshfield area)
 - B. Protect Wood County
 - C. Saratoga Concerned
 - D. Citizens (Wood County) Groundwater Group

Bill Leichtnam suggested sponsoring an evening program on "Protecting Your Groundwater" in central Wood County. A suggestion made was to have the new Natural Resources Educator position once hired organize the "Protecting Your Groundwater" program. Suggested speakers: Sue Kunferman and Shane Wucherpfennig.

Other possible outreach activities:

- Portable water testing lab at a community event
- Traveling road show
- Public and Private Schools
- Central Wisconsin State Fair
- Town Association Meeting

10. **Future Speakers to invite** Bill Leichtnam will continue to look for speakers.

Suggestions for speakers:

- James Reese (Mauston Farmer) – December/January meeting
- Green Fire

11. **Roundtable**

- a. Nancy Turyk – Wood County Agricultural and Household Clean Sweep is Saturday, September 7th from 8:00 a.m.-Noon at the Saratoga Town Hall at 1116 State Highway 73, Wisconsin Rapids.
- b. Rick Potter – Saratoga Community Water Testing, Saratoga Town Hall, August 3rd (pick-up water sample bottles) and August 4th (return filled water sample bottles), 9:00 a.m.-4:00 p.m.

12. **Announcements of members / visitors (upcoming parallel events / meetings)** The Speaker's Task Force on Water Quality Public Hearing in Stevens Point is scheduled for Wednesday, July 24th at Noon at the UWSP Dreyfus University Center. Other upcoming events announced throughout the meeting.

13. **Next Meeting**

Monday, August 19th. 2:00-4:00 p.m. @ Wood Co Riverblock Building, Room 206

14. **Adjourn Groundwater Group Meeting** Bill Leichtnam adjourned @ 4:04 p.m.

Notes by Kim Keech, Planning & Zoning Office

2 **RESOLUTION: Support a National Estuarine Research Reserve (NERR) Designation for**
3 **Northeast Wisconsin**

RECEIVED cc: JSL

JUL 11 2019

6 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

7 **WHEREAS**, the designation of Wisconsin's Lake Superior Estuarine Research Reserve in 2010 provides an
8 outstanding example of the broader Impacts National Estuarine Research Reserve (NERR) sites provide to local
9 communities; and

10 **WHEREAS**, the University of Wisconsin—Green Bay is currently exploring the feasibility of developing a
11 National Estuarine Research Reserve (NERR) in Northeast Wisconsin; and

12 **WHEREAS**, our region's ecosystem is home to the largest freshwater estuary in the world, the vitality of
13 which is critical to the current and future prosperity of ecological sustainability and the broader region impacted by
14 the Great Lakes; and

15 **WHEREAS**, research activities associated with a Door County-based NERR will attract scholars on both the
16 national and international stage, providing employment opportunities to the region, stronger connectivity to the
17 University of Wisconsin—Green Bay, and ultimately inject money into local economies; and

18 **WHEREAS**, many individuals currently enrolled in local school districts value Wisconsin's natural resources
19 for the quality of life opportunities these resources provide, by shaping decisions about where they live, seek
20 employment, further their education, and raise their families; and

21 **WHEREAS**, eco-tourism is an established and growing industry in Northeast Wisconsin, and a research
22 reserve would fit well with Door County's five state parks and natural features such as the Niagara Escarpment; and

23 **WHEREAS**, a locally-based NERR will enhance place-based identity, contributing directly to talent
24 recruitment and retention efforts; and

25 **WHEREAS**, Sturgeon Bay is the Door County Seat and home to Door County's infrastructure, airport,
26 Wisconsin Department of Natural Resources Office, and high-speed Internet.

27 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
28 supports the efforts of the University of Wisconsin—Green Bay as it seeks a letter from the US Department of
29 Commerce's National Oceanic Atmospheric Administration Coastal Management Office (NOAA) requesting their
30 assistance in exploring the feasibility of an NERR designation for Northeast Wisconsin.
31

32 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that should the NERR
33 designation be incurred for Northeast Wisconsin, Winnebago County supports Door County's enthusiastic desire to
34 host an NERR site.
35

36 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the
37 Winnebago County Clerk to forward a copy of this Resolution to all Wisconsin County Clerks, the Wisconsin Counties
38 Association, each state and federal legislator representing Winnebago County constituents, the Office of the
39 Governor for the State of Wisconsin, and Chancellor Gary Miller and Vice-Chancellor Matthew Dornbush of the
40 University of Wisconsin—Green Bay.
41
42

Respectfully submitted by:

LAND CONSERVATION COMMITTEE

Committee Vote: 6-0

Respectfully submitted by:

LEGISLATIVE COMMITTEE

Committee Vote: 9-0

Vote Required for Passage: Majority of Those Present

Approved by the Winnebago County Executive this 21st day of June, 2019.

Mark L. Harris
Mark L Harris
Winnebago County Executive

RECEIVED

JUL 11 2019

TM

CC: *J+L*

160-062019

RESOLUTION: Support Increased County Child Support Funding

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, on behalf of the State of Wisconsin, Winnebago County administers the Child Support Enforcement Program for the purpose of providing services to Winnebago County residents including paternity establishment, obtaining child support and health insurance orders for children, and enforcing and modifying those orders; and

WHEREAS, our children's well-being, economic security, and success in life are enhanced by parents who provide financial and emotional support; and

WHEREAS, the Winnebago County Child Support Agency ensures that parents take responsibility for the care and well-being of their children, supports the involvement of parents in their children's lives, and provides services to both custodial and noncustodial parents; and

WHEREAS, The Child Support Enforcement Program is an effective investment in Wisconsin's future as child support increases self-sufficiency, reduces child poverty, and has a positive effect on children's well-being; and

WHEREAS, Wisconsin's Child Support Enforcement Program is ranked 2nd in the nation for collecting current support; and

WHEREAS, Wisconsin's Child Support Enforcement Program is cost-effective, collecting an average of \$5.56 in support for every dollar invested in the program; and

WHEREAS, county child support agencies collected \$934 Million in child support during 2017, 95% of which went directly to families while 5% reimbursed public assistance programs; and

WHEREAS, child support agencies save taxpayer dollars by establishing health insurance orders for 97% of cases, which reduces state Medicaid costs by moving children from public assistance to private insurance; and

WHEREAS, state funding for child support services has not increased above the 2007 funding level, while county agency costs have steadily increased due to growing caseloads, inflation, and new federal regulations; and

WHEREAS, Wisconsin's strong performance in child support is at risk without additional state funding. Diminished performance would result in reduced federal funding to Wisconsin; and

WHEREAS, decreased federal funding would lead to less funding for Winnebago County's Child Support Agency. This could lead to reductions in child support enforcement staff and services and reduced child support collections; and

WHEREAS, new state investments in child support are amplified by a generous federal match in which every \$1 of state General Purpose Revenue (GPR) grants invested in child support programs generates \$2 in federal matching funds.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby requests that state funding for county child support agencies be increased by \$1.5 Million General Purpose Revenue (GPR) grants in each fiscal year of the 2019-2021 Wisconsin state budgets, which will generate approximately \$3 Million in additional federal funding each year. This investment will ensure that counties continue to effectively provide economic support to our children.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward a copy of this Resolution to the Office of the Governor of the State of Wisconsin, State Senators and State Representatives representing Winnebago County constituents, the Secretary of the Wisconsin Department of Administration, the Wisconsin Counties Association, and each of Wisconsin's 72 counties for consideration.

Respectfully submitted by:

LEGISLATIVE COMMITTEE

Committee Vote: 9-0

Vote Required for Passage: **Majority of Those Present**

Approved by the Winnebago County Executive this _____ day of _____, 2019.

Mark L Harris
Winnebago County Executive

JUL 24 2019

Resolution No. 2019-50 Cc: J & L

PUBLIC HEALTH

RESOLUTION REQUESTING THE WISCONSIN LEGISLATURE END THE USE OF PERSONAL CONVICTION WAIVERS FOR SCHOOL AND DAY CARE CENTER IMMUNIZATIONS



DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
NEINAS			
NORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VILES WOTACHEK			
WALT			

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve

Adopted



1st

Defeated



2nd

Yes:

No:

Exc:

Reviewed by:

Corp. Counsel

Reviewed by:

Administrator

FISCAL IMPACT: There is no additional fiscal impact with the adoption of this resolution. STW

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on 23rd day of July, 2019 by the Door County Board of Supervisors.

Jill M. Lau

County Clerk, Door County

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

WHEREAS, Vaccine-preventable diseases, such as measles, are very contagious and can result in serious health complications, including pneumonia and encephalitis, and lead to death; and

WHEREAS, Outbreaks of measles have impacted multiple states in 2019; and

WHEREAS, The effectiveness and safety of vaccines have been well established; and

WHEREAS, The Affordable Care Act has improved insurance coverage for vaccinations, which are readily available in medical offices and pharmacies, and public health departments continue to serve those eligible for the Vaccines for Children Program; and

WHEREAS, Wisconsin's Immunization law § 252.04(3), Wis. Stats. and § DHS 144.05, Wis. Adm. Code permits parents to opt out or waive some or all of the vaccinations required to attend school or group day care based on their personal beliefs; and

WHEREAS, The Wisconsin Public Health Association supports a change in school and day care center immunization law that eliminates personal conviction waivers for students in Wisconsin public and private schools and for children who attend group day cares.

NOW, THEREFORE, BE IT RESOLVED, That the Door County Board respectfully requests that the Wisconsin Legislature end the use of personal conviction waivers for school and day care center immunizations.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to the Governor of Wisconsin, Wisconsin state legislators, and the Wisconsin Counties Association. *Representing Door County*

SUBMITTED BY: BOARD OF HEALTH

Megan Lundahl, Chair

 Vinni Chomeau
 Laura Viles Wotachek

Helen Bacon

Nissa Norton

Dr. James Helse
Christa Krause
Mark Moeller



**Door County
Health and Human Services**

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Public Health Division
Susan Powers, RN, BSN
Health Officer/Manager
(920) 746-2234
publichealth@co.door.wi.us

Memo:

July 17, 2019

To: County Board

From: Susan Powers, Health Officer/Manager

Under state law, parents of children attending daycare or school are required to provide evidence of immunization. In 1980, Wisconsin legislation added personal conviction as a reason to opt out of vaccines, in addition to medical or religious reasons. This was during the very public debate over safety of the Pertussis vaccine. (Since then, the Pertussis vaccine has been reformulated with less side effects.) Currently, the number of parents who opt out of vaccines is five times higher than 20 years ago. Over 90% of those who opt out do so for personal reasons as opposed to religious or medical reasons.

June 6, 2019, Wisconsin State Senate Bill 262 was introduced relating to eliminating the personal conviction exemption for immunizations (bill attached). This bill would eliminate the ability to waive immunization requirements for children in school or childcare for personal reasons. The religious or medical waivers would remain in place. Currently, Wisconsin is one of 17 states that allow parents to opt out of vaccines for personal reasons. As of July 11, 2019, there have been 1,123 confirmed cases of measles in the US, across 28 states. This is the highest number on record since 1992. Measles is a vaccine preventable disease that the Center for Disease Control declared eliminated in the US in the year 2000.

If enough people in a community receive vaccines, it is difficult for a virus, such as measles, to spread in a community. This offers protection for people who are unable to get vaccines for health reasons such as HIV, or cancer. Consistent vaccination is the primary mechanism by which individuals who remain susceptible are protected against disease. Personal conviction waivers place the health of our community at risk.

This proposed legislation is a preventative measure. We are recommending that the County Board pass a resolution supporting the change proposed in Senate Bill 262. This was discussed and approved unanimously by the Board of Health.



State of Wisconsin
2019 - 2020 LEGISLATURE

Attachment to Resolution 2019-50

LRB-8076/1

TJD:amn

2019 SENATE BILL 262

June 6, 2019 - Introduced by Senators CARPENTER, L. TAYLOR, SMITH, HANSEN, MILLER, RISSER, RINGHAND and LARSON, cosponsored by Representatives HINTZ, VORPAGEL, KOLSTE, BROSTOFF, L. MYERS, RIEMER, GOYKE, ANDERSON, STUBBS, ZAMARRIPA, B. MEYERS, SUBECK, CROWLEY, STEFFEN, SINICKI, CONSIDINE, FIELDS, DOYLE, VUWINK, SPREITZER, EMERSON, POPE, OHNSTAD, HESSELBEIN, BILLINGS, SKOWRONSKI and NEUBAUER. Referred to Committee on Health and Human Services.

- 1 **AN ACT** *to amend* 49.155 (1m) (br) and 252.04 (3) of the statutes; **relating to:**
2 eliminating personal conviction exemption from immunizations.

Analysis by the Legislative Reference Bureau

This bill eliminates the ability to waive the immunization requirement for schools, child care centers, and nursery schools for the reason of personal conviction. Under current law, a student admitted to elementary, middle, junior, or senior high school, a child care center, or a nursery school must, within 30 days of admission, present evidence of having completed the first immunization for each vaccine required for the student's grade and being on schedule for the remainder of the basic and booster immunization series for mumps, measles, rubella, diphtheria, whooping cough, poliomyelitis, tetanus, and any other diseases the Department of Health Services specifies by rule. This immunization requirement is waived, however, if the student or the student's parent, guardian, or legal custodian instead submits a written statement to the school, child care center, or nursery school objecting to the immunization for reasons of health, religion, or personal conviction. A school, child care center, or nursery school may exclude a student who does not meet the immunization requirement or does not present a waiver and is required to exclude a student who does not meet the immunization requirement or does not present a waiver if fewer than 99 percent of the students have complied with the immunization requirement or presented a waiver. A court may issue an order directing a student to comply with the immunization requirement or present a waiver by a certain date, and if the student is not in compliance, the court may require an adult student or the parent, guardian, or legal custodian of a minor student to pay a forfeiture. This bill

SENATE BILL 262

eliminates personal conviction as a reason for a waiver of the immunization requirement.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 49.155 (1m) (br) of the statutes is amended to read:

49.155 (1m) (br) The child is immunized as required under s. 252.04. Notwithstanding s. 252.04 (3), for purposes of this paragraph the immunization requirement may only be waived for reasons of health or religion.

SECTION 2. 252.04 (3) of the statutes is amended to read:

252.04 (3) The immunization requirement is waived if the student, if an adult, or the student's parent, guardian, or legal custodian submits a written statement to the school, child care center, or nursery school objecting to the immunization for reasons of health, or religion, ~~or personal conviction~~. At the time any school, child care center, or nursery school notifies a student, parent, guardian, or legal custodian of the immunization requirements, it shall inform the person in writing of the person's right to a waiver under this subsection.

(END)

grades K, 6 and 12 shall apply to students in grades K, 1, 6, 7 and 12; to students in grades K through 2, 6 through 8 and 12 in 2010-11; to students in grades K through 3, 6 through 9 and 12 in 2011-12; to students in grades K through 4, 6 through 10 and 12 in 2012-13; and to students in grades K through 12 in 2013-14 and thereafter.

(4) **FIRST DEADLINE.** Within 30 school days after having been admitted to a school or day care center, each student who has not filed a waiver form shall submit written evidence of having completed at least the first dose of each vaccine required for that student's age or grade, as outlined in Table DHS 144.03-A.

(5) **SECOND DEADLINE.** Within 90 school days after having been admitted to a school or day care center, each student who has not filed a waiver form shall submit written evidence of having received the second dose of each vaccine required for that student's age or grade, as outlined in Table DHS 144.03-A.

(6) **FINAL DEADLINE.** Within 30 school days after having been admitted to a school or day care center for the following school year, each student who has not filed a waiver form shall submit written evidence of having received the third and, if required, the fourth dose of both DTP/DTap/DTTd and polio vaccines and the final dose of Hep B in grades required under sub. (3) and, for students in day care centers, the final dose of Hib vaccine, if a dose has not been received at or after 15 months of age.

(7) **RECORDS OF VACCINATION.** Any person who immunizes a student under s. 252.04, Stats., shall maintain records identifying the manufacturer and lot number of the vaccine used, the date of immunization and the name and title of the person who immunized the student.

(10) **RELEASE OF IMMUNIZATION INFORMATION.** (a) *Between vaccine providers and schools or day care centers.* Vaccine providers shall disclose a student's immunization information, including the student's name, date of birth and gender and the day, month, year and name of vaccine administered, to a school or day care center upon written or verbal request from the school or day care center. Written or verbal permission from a student or parent is not required to release this information to a school or day care center.

(b) *Among vaccine providers.* Immunization information, including the student's name, date of birth and gender and the day, month, year and name of vaccine administered, shall be provided by one vaccine provider to another without written or verbal permission from the student or the parent.

History: Cr. Register, June, 1981, No. 306, eff. 7-1-81; r. and rec. (2) and (3), am. (4) to (6), Register, June, 1988, No. 390, eff. 7-1-88; am. (2) (a) to (d), (3) (a) and (b), r. (2) (c), Register, January, 1989, No. 397, eff. 2-1-89; am. (2) (a), (4) and (5), r. and rec. (3), Tables 144.03-A and B, Register, July, 1990, No. 415, eff. 8-1-90; corrections made under s. 13.93 (2m) (b) 7., Stats., Register, August, 1995, No. 476; r. and rec. (2) (a), Table 144.03-A and (3), am. (2) (c) and (4) to (7), cr. (2) (e) and (10), r. Table 144.03-B, Register, June, 1997, No. 498, eff. 7-1-97; r. and rec. (2) (a) and Table 144.03-A, cr. (2) (f), (g) and (3m), am. (3) (a) and (6), Register, May, 2001, No. 545, eff. 6-1-01; CR 03-033: am. (2) (b), (c), (e) and Table 144.03-A Register December 2003 No. 576, eff. 1-1-04; CR 07-077: r. and rec. (2) (a), (f), (3), (3m) and Table-A, cr. (2) (h) and (l), am. (10) (a) and (b) Register February 2008 No. 626, eff. 3-1-08.

DHS 144.04 Waiver for health reasons. Upon certification by a licensed physician that an immunization required under s. 252.04, Stats., is or may be harmful to the health of a student, the requirements for that immunization shall be waived by the department. Written evidence of any required immunization which the student has previously received shall be submitted to the school or day care center with the waiver form.

History: Cr. Register, June, 1981, No. 306, eff. 7-1-81; correction made under s. 13.93 (2m) (b) 7., Stats., Register, August, 1995, No. 476.

DHS 144.05 Waiver for reason of religious or personal conviction. Immunization requirements under s. 252.04, Stats., shall be waived by the department upon presentation of a signed statement by the parent of a minor student or by the adult student which declares an objection to immunization on religious or personal conviction grounds. Written evidence of any required

immunization which the student has previously received shall be submitted to the school or day care center with the waiver form.

History: Cr. Register, June, 1981, No. 306, eff. 7-1-81; correction made under s. 13.93 (2m) (b) 7., Stats., Register, August, 1995, No. 476; am. Register, June, 1997, No. 498, eff. 7-1-97.

DHS 144.06 Responsibilities of parents and adult students. The parent of any minor student or the student, if an adult, shall secure the immunizations required under s. 252.04, Stats., from available health care sources such as physicians' offices, hospitals or local health departments, or shall submit the waiver form.

History: Cr. Register, June, 1981, No. 306, eff. 7-1-81; correction made under s. 13.93 (2m) (b) 7., Stats., Register, August, 1995, No. 476; am. Register, June, 1997, No. 498, eff. 7-1-97.

DHS 144.07 Responsibilities of schools and day care centers. (1) The responsibilities of schools under these rules shall be those of the local school board and the school administrator. The licensee for each day care center shall be responsible for compliance with these rules. The school or day care center shall assure compliance with s. 252.04 (2), Stats.

(1m) By the 15th school day after a child or adult is admitted to a school or day care center and again by the 25th school day after a child or adult is admitted to a school or day care center, the school or day care center shall notify the adult student or the parent of any minor student who has not submitted either written evidence of immunization or a waiver form. Notification shall include instructions for complying with the requirements of s. 252.04 (2), Stats., including a list of missing immunizations, the availability of waivers for reasons of health, religion or personal conviction, and an explanation of the penalty for noncompliance.

(2) For any student who has received the first dose of each immunization required for that student's age or grade under s. DHS 144.03, but who has not received all of the required doses, the school shall obtain written evidence that the student has received the required subsequent doses of immunization as they are administered, but no later than the deadlines described in s. DHS 144.03.

(3) If any minor student for whom a waiver form is not filed fails to comply with the immunization requirements described in s. DHS 144.03 by the date of admission to the school or day care center, the school or day care center shall, within 60 school days of that failure to comply, notify the district attorney in writing, with the notice to include the student's name and the name and address of the student's parent, and request the district attorney to seek a court order under s. 48.13 (13), Stats. The school or day care center shall keep the district attorney apprised of the subsequent compliance of a student initially reported to the district attorney.

(4) (a) The school shall report to the local health department and the day care center shall report to both the local health department and the department:

1. The degree of compliance with s. 252.04, Stats., and this chapter by students in that school or day care center.

2. The name and immunization history of any incompletely immunized student, including those students with waivers and those students in the process of being immunized.

(b) These reports shall be in a format prescribed by the department and shall be made by schools within 40 school days after the beginning of the term and by day care centers at intervals prescribed by the department. Updated reports shall be filed by the school on students who are in the process of being immunized. These updated reports shall be filed within 10 school days after the deadlines listed in s. DHS 144.03.

(5) The school and the day care center shall maintain on file the immunization history for each student and any waiver form submitted. Immunization histories shall be updated with information supplied by the local health department, parents or private physicians.

252.03 COMMUNICABLE DISEASES

Updated 17-18 Wis. Stats. 2

(3) If the local authorities fail to enforce the communicable disease statutes and rules, the department shall take charge, and expenses thus incurred shall be paid by the county or municipality.

(4) No person may interfere with the investigation under this chapter of any place or its occupants by local health officers or their assistants.

History: 1981 c. 291; 1993 s. 27 s. 285; Stats. 1993 s. 252.03.

252.04 Immunization program. (1) The department shall carry out a statewide immunization program to eliminate mumps, measles, rubella (German measles), diphtheria, pertussis (whooping cough), poliomyelitis and other diseases that the department specifies by rule, and to protect against tetanus. Any person who immunizes an individual under this section shall maintain records identifying the manufacturer and lot number of the vaccine used, the date of immunization and the name and title of the person who immunized the individual. These records shall be available to the individual or, if the individual is a minor, to his or her parent, guardian or legal custodian upon request.

(2) Any student admitted to any elementary, middle, junior, or senior high school or into any child care center or nursery school shall, within 30 school days after the date on which the student is admitted, present written evidence to the school, child care center, or nursery school of having completed the first immunization for each vaccine required for the student's grade and being on schedule for the remainder of the basic and recall (booster) immunization series for mumps, measles, rubella (German measles), diphtheria, pertussis (whooping cough), poliomyelitis, tetanus, and other diseases that the department specifies by rule or shall present a written waiver under sub. (3).

(3) The immunization requirement is waived if the student, if an adult, or the student's parent, guardian, or legal custodian submits a written statement to the school, child care center, or nursery school objecting to the immunization for reasons of health, religion, or personal conviction. At the time any school, child care center, or nursery school notifies a student, parent, guardian, or legal custodian of the immunization requirements, it shall inform the person in writing of the person's right to a waiver under this subsection.

(4) The student, if an adult, or the student's parent, guardian, or legal custodian shall keep the school, child care center, or nursery school informed of the student's compliance with the immunization schedule.

(5) (a) By the 15th and the 25th school day after the date on which the student is admitted to a school, child care center, or nursery school, the school, child care center, or nursery school shall notify in writing any adult student or the parent, guardian, or legal custodian of any minor student who has not met the immunization or waiver requirements of this section. The notices shall cite the terms of those requirements and shall state that court action and forfeiture penalty could result due to noncompliance. The notices shall also explain the reasons for the immunization requirements and include information on how and where to obtain the required immunizations.

(b) 1. A school, child care center, or nursery school may exclude from the school, child care center, or nursery school any student who fails to satisfy the requirements of sub. (2).

2. Beginning on July 1, 1993, if the department determines that fewer than 98 percent of the students in a child care center, nursery school, or school district who are subject to the requirements of sub. (2) have complied with sub. (2), the child care center or nursery school shall exclude any child who fails to satisfy the requirements of sub. (2) and the school district shall exclude any student enrolled in grades kindergarten to 6 who fails to satisfy the requirements of sub. (2).

3. Beginning on July 1, 1995, if the department determines that fewer than 99 percent of the students in a child care center, nursery school, or school district who are subject to the requirements of sub. (2) have complied with sub. (2), the child care center or nursery school shall exclude any child who fails to satisfy the

requirements of sub. (2) and the school district shall exclude any student enrolled in grades kindergarten to 6 who fails to satisfy the requirements of sub. (2).

4. No student may be excluded from public school under this paragraph for more than 10 consecutive school days unless, prior to the 11th consecutive school day of exclusion, the school board provides the student and the student's parent, guardian or legal custodian with an additional notice, a hearing and the opportunity to appeal the exclusion, as provided under s. 120.13 (1) (c) 3.

(6) The school, child care center, or nursery school shall notify the district attorney of the county in which the student resides of any minor student who fails to present written evidence of completed immunizations or a written waiver under sub. (3) within 60 school days after being admitted to the school, child care center, or nursery school. The district attorney shall petition the court exercising jurisdiction under chs. 48 and 938 for an order directing that the student be in compliance with the requirements of this section. If the court grants the petition, the court may specify the date by which a written waiver shall be submitted under sub. (3) or may specify the terms of the immunization schedule. The court may require an adult student or the parent, guardian, or legal custodian of a minor student who refuses to submit a written waiver by the specified date or meet the terms of the immunization schedule to forfeit not more than \$25 per day of violation.

(7) If an emergency arises, consisting of a substantial outbreak as determined by the department by rule of one of the diseases specified in sub. (2) at a school or in the municipality in which the school is located, the department may order the school to exclude students who are not immunized until the outbreak subsides.

(8) The department shall provide the vaccines without charge, if federal or state funds are available for the vaccines, upon request of a school district or a local health department. The department shall provide the necessary professional consultant services to carry out an immunization program, under the requirements of sub. (9), in the jurisdiction of the requesting local health department. Persons immunized may not be charged for vaccines furnished by the department.

(9) (a) An immunization program under sub. (8) shall be supervised by a physician, selected by the school district or local health department, who shall issue written orders for the administration of immunizations that are in accordance with written protocols issued by the department.

(b) If the physician under par. (a) is not an employee of the county, city, village or school district, receives no compensation for his or her services under par. (a) and acts under par. (a) in accordance with written protocols issued by the department, he or she is a state agent of the department for the purposes of ss. 165.25 (6), 893.82 (3) and 895.46.

(c) The department may disapprove the selection made under par. (a) or may require the removal of a physician selected.

(9m) A pharmacist or pharmacy that administers a vaccine under this section to a person 6 to 18 years of age shall update the Wisconsin Immunization Registry established by the department within 7 days of administering the vaccine.

(10) The department shall, by rule, prescribe the mechanisms for implementing and monitoring compliance with this section. The department shall prescribe, by rule, the form that any person immunizing a student shall provide to the student under sub. (1).

(11) Annually, by July 1, the department shall submit a report to the legislature under s. 13.172 (3) on the success of the statewide immunization program under this section.

History: 1993 s. 27 ss. 181, 470; 1995 s. 32, 77, 222; 2009 s. 185; 2015 s. 53. Cross-referenced. See also chs. DHS 144 and 146, Wis. adm. code.

252.041 Compulsory vaccination during a state of emergency. (1) Except as provided in sub. (2), during the period under which the department is designated as the lead state agency, as specified in s. 250.042 (2), the department, as the public health authority, may do all of the following as necessary to address a public health emergency:

Medicaid Expansion

RECEIVED

JUL 25 2019

cc: J+L

To the Honorable members of the Burnett County Board of Supervisors;

WHEREAS, Governor Evers' 2019-2021 Executive Budget recommends the use of available federal funding for Medicaid expansion; and

WHEREAS, Medicaid eligibility would expand from the current 100% of the federal poverty level (approximately \$12,000 annual income for a household of one per federal poverty guidelines effective February 1, 2019) to 138% of the federal poverty level (approximately \$17,000 annual income for a household of one per federal poverty guidelines effective February 1, 2019); and

WHEREAS, from 2014 through 2016, states were reimbursed for 100% of the cost of covering newly-eligible groups, with a declining federal share in subsequent years until reaching 90% in 2020 and thereafter; and

WHEREAS, the standard federal medical assistance percentage for Wisconsin is currently approximately 59%; and

WHEREAS, Medicaid expansion will allow the state to draw down new federal funds resulting in \$324.5 million in state general purpose revenue savings; and

WHEREAS, the Governor's Administration estimates that expansion will enable approximately 82,000 additional individuals to access affordable health insurance coverage, of which an estimated 320 are Burnett County residents; and

WHEREAS, the Wisconsin Department of Health Services provided a summary of \$6 million of Medicaid expansion benefits specific to Burnett County with no negative fiscal impact to Burnett County, which is attached to this resolution.

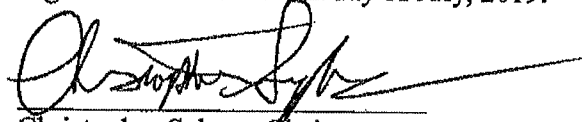
NOW, THEREFORE, BE IT RESOLVED, THAT the Burnett County Board of Supervisors does support Medicaid expansion as proposed in Governor Evers' 2019-2021 Executive Budget; and

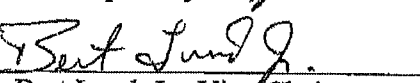
BE IT FURTHER RESOLVED, THAT the Burnett County Board of Supervisors directs the County Clerk to forward a copy of this resolution to the office of the Wisconsin Governor, the office of Wisconsin Department of Health Secretary, Burnett County Legislators and Wisconsin Counties Association.

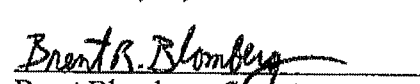
Respectfully submitted and recommended for adoption by the Health and Community Services Committee.

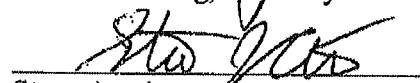
Medicaid Expansion

1 Signed and dated this 9th day of July, 2019.

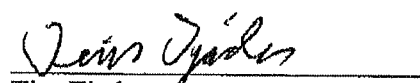
2 
3
4 Christopher Sybers, Chair

5
6 
7 Bert Lund, Jr., Vice-Chair

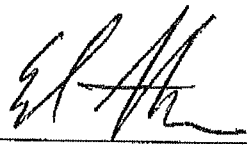
8
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11 Brent Blomberg, Secretary

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14 Steve Austin


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17 Dr. Blaise Vitale

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20 Tim Tjader

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Ed Fisher


Dorothy Richard

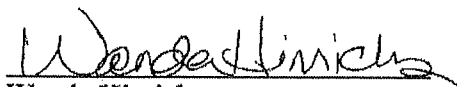

Don Taylor


Priscilla Bauer


Laurel Stusek

State of Wisconsin
County of Burnett

I, Wanda Hinrichs, the duly elected and qualified County Clerk in and for Burnett County, do hereby certify that the attached Resolution 2019-21, "Medicaid Expansion" was adopted by the Burnett County Board of Supervisors at a legally assembled meeting at which a quorum was present and acted throughout. The date of passage was July 18, 2019.


Wanda Hinrichs,
Burnett County Clerk

Lisa Downs

To: William Clendenning
Subject: RE: Overweight vehicle forfeiture violations

From: William Clendenning <wcdistrict15@co.wood.wi.us>
Sent: Tuesday, July 30, 2019 8:36 AM
To: Lisa Downs <ldowns@co.wood.wi.us>
Subject: Fwd: Overweight vehicle forfeiture violations

Sent from my iPad

Begin forwarded message:

From: Cindy Joosten <Cindy.Joosten@wicourts.gov>
Date: July 10, 2019 at 2:24:19 PM CDT
To: <pkastenholz@co.wood.wi.us>, Roland Hawk <rhawk@co.wood.wi.us>, "Adam Fischer" <wcdistrict05@co.wood.wi.us>, Douglas Machon <wcdistrict12@co.wood.wi.us>, <wcdistrict15@co.wood.wi.us>
Subject: RE: Overweight vehicle forfeiture violations

Peter,

Rarely to I reply "same here" to e-mails, however, in this case I have done the same as Roland. I have shared this with the Wisconsin Clerk of Circuit Court Association and it was discussed at the last Legislative Committee meeting. The committee agrees legislative changes are needed as several counties have also attempted to accomplish this in the past with no luck.

The committee recommends supporting the necessary legislative changes.

Thank you Peter!

*Cindy L. Joosten
Wood County
Clerk of Circuit Court
(715) 421-8495*

>>> On 7/10/2019 at 9:46 AM, in message
<4e061dfde88b46b9b5e42038421efd03@co.wood.wi.us>, Roland Hawk
<rhawk@co.wood.wi.us> wrote:

Peter,

I have shared this with Wisconsin County Highway Association and it is on the next Legislative Committee Agenda. My few conversations with members of our organization leads me to believe we will be pushing for legislation change. It appears to me that several counties in the past have raised this topic but not to the level Wood County has.

Other counties struggled to dig and sort through the various department layers at both the state and county levels. I appreciate your tenacity and will to clear up the confusion so a solution is evident.

Roland Hawk, PE
Highway Commissioner
Wood County Highway Department
555 - 17th Avenue North
Wisconsin Rapids, WI 54495-1966
Phone: (715) 421-8875
Fax: (715) 421-8874
rhawk@co.wood.wi.us

From: Peter Kastenholtz <pkastenholtz@co.wood.wi.us>

Sent: Tuesday, July 9, 2019 1:37 PM

To: Cindy Joosten <Cindy.Joosten@wicourts.gov>; Roland Hawk <rhawk@co.wood.wi.us>; Adam Fischer <wcdistrict05@co.wood.wi.us>; Douglas Machon <wcdistrict12@co.wood.wi.us>; William Clendenning <wcdistrict15@co.wood.wi.us>

Subject: FW: Overweight vehicle forfeiture violations

Hi Folks,

So, the "state" has finally gotten back to me on the allocation of overweight vehicle forfeitures problem. See attached. The state is essentially saying that we need to either get a legislative fix or get an AG opinion which the Director of State Courts and CCAP would presumably honor.

My thinking is that we should take both approaches. To that end, I will be asking my oversight committee for permission to seek an opinion from the AG's office. Although legally I don't need such permission, since requesting advice from the AG is inherently a political move, to the best of my recollection I have always asked for this authority.

In so far as the process of changing the law, my intent is to draft a resolution setting forth what change is needed and running that through the J&L Committee as well. I recognize that there are other means of seeking legislative action but this is the one that is available to me. Cindy and Roland may wish to get their associations involved as well.

Well, that is what I have and my plans in regards to it. If someone wants to weigh in at this juncture, please feel free to do so.

Thanks. Peter

From: Jean Bousquet <Jean.Bousquet@WICOURTS.GOV>

Sent: Tuesday, July 9, 2019 11:31 AM

To: Peter Kastenholtz <pkastenholtz@co.wood.wi.us>

Subject: Overweight vehicle forfeiture violations

Mr. Kastenholtz,

Please see attached letter in regard to your concerns regarding overweight vehicle forfeitures.

Thanks, Jean

DRAFT

August 5, 2019

Wisconsin Attorney General Josh Kaul
Wisconsin Department of Justice
P.O. Box 7857
Madison, WI 53707-7857

Dear Attorney General Kaul:

Please accept this communication as a request for an opinion from your office as to the application of Wisconsin statutes pertaining to the allocation of overweight vehicle forfeitures. Normally I wouldn't seek your advice on a matter of statutory interpretation when I think I can construe the law, but per the attached correspondence from the Consolidated Court Automation Program (CCAP), that entity has concluded that the law contains enough ambiguity that it needs clarification by your office or a legislative re-write. Since this is a matter of statewide concern and involves a state agency, it makes sense to burden you with promulgating an opinion.

The fact scenario is that Wood County has enacted a local ordinance that adopts Wis. Stat. 348. Within Ch. 348 is s. 348.21, the penalty provision for overweight vehicles. At s. 348.21(2)(a) there is a range of forfeitures for a first violation (\$50-100) and second and subsequent violations (\$100-200). CCAP has programmed its mandated circuit court software forfeiture program so as to allocate the base forfeiture to Wood County when the county is the citation-issuing jurisdiction. I have no concerns about that.

Next, we have Wis. Stat. s. 348.21(3) – (3g) providing for additional forfeitures for the offending vehicle owner/operator that are dependent upon the amount of pounds by which the vehicle exceeds the highway weight restrictions. For these weight related forfeiture amounts, CCAP has programmed its software system to allocate 0% to the county even when the county has issued the citation based upon a local ordinance that is in strict conformity with state law. Therein is our concern.

In looking at the law so as to explain to my client, Wood County, why none of this weight related added forfeiture comes back to the County so that we can internally allocate it to road repairs, I don't have an answer. From what I can tell, Wis. Stat. s. 58.25(3)(j) directs what is to happen with forfeitures not otherwise controlled by law for violations of Chs. 341 to 347, 349, and 351 but doesn't address forfeitures arising under Ch. 348, which is what we are dealing with here. At s. 59.25(3)(k) the county treasurer is directed to forward 40% of state forfeitures and fines under Ch. 348 to the state. Since we aren't dealing with a state forfeiture, though, rather we have a county forfeiture based upon a county issued citation, this section of the law also would seem to be inapplicable. Consequently, there is no directive for a county treasurer under s. 59.25 to remit any of the weight related forfeiture to the state and yet via the CCAP forfeiture allocation program, all of this excess money is going to the state.

Wis. Stat. s. 66.0114(3)(c) does provide that forfeitures for certain violations coming under Ch. 348 that exceed \$150 are to be transmitted by the county treasurer to the state's secretary of administration, but the section doesn't address what happens to these forfeitures when they arise out of overweight vehicle citations on a county highway or another highway a county is responsible for maintaining. These are the forfeitures Wood County is concerned about and this statute just doesn't address them. There being no statutory directive for the county's treasurer to remit these weight related overweight vehicle forfeitures to the state, I have been unable to explain to the county's officials why the CCAP funding formula does just that.

As a result, on behalf of my client, Wood County, I asked the CCAP Steering Committee to fix the CCAP funding allocation program as it relates to overweight vehicles such that the part of the forfeiture tied to the amount the vehicle's weight exceeds the weight restrictions on county highways and other highways a county is responsible for maintaining, be left with the county, which of course would be the governmental entity that is responsible for maintaining the highway at issue. CCAP felt the laws, when read together, were ambiguous and, therefore, declined the invitation to modify the software program as requested.

I concur that the law is not a model of clarity and contains gaps in coverage that facially, at least, aren't logical. Nonetheless, these gaps do exist and allow for a clear conclusion that the weight-related vehicle forfeitures from county-issued citations on county highways and roads maintained by the county go to the county, not the state.

Well, often enough I miss something or the other and I am seeking your opinion on the allocation of these forfeitures.

Thank you for your time and consideration. Please advise if you have any questions or concerns about what it is I am asking.

Sincerely,

Peter A. Kastenholz
Corporation Counsel

pak/ld
Enclosure

Word: AG letter overweight vehicles Aug 2019.docx

Honorable Randy Koschnick
Director of State Courts

Jean M. Bousquet
Chief Information Officer
110 East Main St. Suite 500
Madison, WI 53703-3328
Telephone: 608/267-3728
FAX: 608/261-6655

July 9, 2019

Dear Mr. Kastenholz,

Thank you for your inquiry regarding the distribution of forfeitures relating to overweight vehicle ordinance violations that occur on roadways maintained by counties. The matter was considered by the CCAP Steering Committee on June 19, 2019, and it was determined that the programming would remain the same until CCAP and the Director of State Courts Office receive more information that would warrant a change.

As you acknowledge, there is some ambiguity in the statutes and it has not been determined with certainty how ss. 59.25(3), 66.0114(1) and (3), and 778.105, Wis. Stats., relate to violations of county ordinances in conformity with ch. 348, Wis. Stats. The CCAP Steering Committee serves as an advisory committee to the Director of State Courts on technology and policy-related issues. The committee voted to keep in place the current programming for these forfeitures unless and until it receives a definitive directive that the programming is incorrect. To that end, you may wish to request legislative clarification of the statutes or an Attorney General's Opinion on the matter.

Thank you again for calling our attention to this matter.

Sincerely,



Jean Bousquet
Chief Information Officer

CO-SPONSORSHIP MEMORANDUM

To: All Legislators

FROM: Senator Tom Tiffany and Representative John Spiros

DATE: July 31st, 2019

RE: Co-Sponsorship of LRB-0400 and LRB-3820, relating to: Overweight permits for vehicles or vehicle combinations with six or more axles.

DEADLINE: August 14, 2019

According to WisDOT, in 2017, 390 million tons of freight valued at over \$350 billion moved by truck from, to or through Wisconsin. Unfortunately, Wisconsin has a lower maximum truck weight limit than many of our neighboring states. Lower weight limits make it more difficult for Wisconsin companies to move their product in the most efficient way possible and puts them at a competitive disadvantage.

We are introducing legislation to create a permit that allows for a truck weight limit increase from 80,000 pounds to 91,000 pounds on state highways. In order to receive the permit, the bill requires the tractor/trailer combination to have six axles. The permit would not allow trucks to travel on local roads, except for a 15-mile variance to reach fuel, maintenance, repair, or the loading or unloading destination. It does not allow an overweight truck to travel on posted roads.

Allowing trucks to haul heavier loads will decrease the amount of trucks driving on Wisconsin roads. Fewer trucks means less traffic and safer roads. Additionally, the amount of freight will continue to increase while the trucking industry faces a critical shortage of drivers. Again, heavier maximum loads allow fewer trucks to be needed.

There are a few advantages of six-axle trucks as well. A six-axle tractor/trailer carrying 91,000 pounds creates less wear and tear on roads than trucks with five-axles carrying 80,000 pounds. This is because there is less weight per axle. The six-axle configuration also adds an additional set of breaks which makes the trucks safer.

If you would like to co-sponsor this legislation, please contact Senator Tiffany's office (6-2509) or Representative Spiros' office (6-1182). Co-sponsors will automatically be signed onto both bills.

Analysis by the Legislative Reference Bureau

This bill authorizes the Department of Transportation to issue permits for the operation of vehicle combinations that exceed maximum gross weight limitations by not more than 11,000 pounds if the vehicle combination has six or more axles and meets specified weight limits based on the number of axles and distances between axles. The bill provides that the permits may be issued for operation only on state trunk highways and on local highways for a distance up to 15

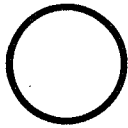
miles in order to travel to and from a state trunk highway or to reach fuel, food, maintenance, repair, rest, staging, terminal or vehicle assembly facilities, or points of loading or unloading. The permits do not authorize operation of vehicles in excess of special or seasonal weight limits imposed on a highway or weight restrictions on heavy traffic routes.

Under the bill, an applicant for a permit must include a description of the proposed route they will travel, and DOT must minimize the operation of overweight vehicles on state trunk highways in residential areas. If DOT issues a permit that approves a route through a 1st class city, DOT must notify the city.

Under current law, with limited exceptions, no person may operate upon a highway any vehicle or combination of vehicles that exceeds certain statutory weight limits unless the person obtains a permit issued by DOT or a local authority.

Because this bill concerns an exception to the vehicle weight limits specified in ch. 348, stats., the Department of Transportation, as required by law, will prepare a report to be printed as an appendix to this bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.



RESOLUTION#

ITEM# 5-

DATE August 20, 2019

Effective Date August 20, 2019

 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 request the state legislature to amend the statutes to clarify that certain overweight vehicle forfeitures be allocated to the governmental entities issuing the citations such that the funds can be used to repair roads damaged by the overweight traffic.

FISCAL NOTE: Unknown. A reallocation of a part of the overweight vehicle forfeitures from the state to the governmental entities responsible for the roads.

		NO	YES	A
1	LaFontaine, D			
2	Rozar, D			
3	Feirer, M			
4	Zaleski, J			
5	Fischer, A			
6	Breu, A			
7	Ashbeck, R			
8	Hahn, J			
9	Winch, W			
10	Holbrook, M			
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, the Wisconsin statutes are a bit of a mess when it comes to ascertaining how the different components of overweight vehicle forfeitures are to be disbursed, and

WHEREAS, the county's counsel has construed the laws such that the component of the overweight vehicle forfeiture that is based upon how much the vehicle exceeds the legal limits should be going to the county when the ticket is issued on a county highway or other road a county is responsible for maintaining, and

WHEREAS, the state via the Consolidated Court Automation Programs (CCAP) has programmed the software disbursement system that county clerks of court are required to use such that these forfeitures are remitted to the state instead of the counties, and

WHEREAS, when this error was brought to the attention of the CCAP Steering Committee, that entity found the law to be ambiguous and refused to make a change to the forfeiture allocation software program at this time but suggested the legislature could be looked to in order to remedy the problem, and

WHEREAS, it is logical to have the part of the overweight vehicle forfeitures that are based upon the amount of excess weight carried by the offending vehicles be sent to the jurisdictions that are responsible for maintaining the roads that are being damaged.

NOW, THEREFORE, THE WOOD COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES to go on record in encouraging all state legislators to support creating Wis. Stat. s. 348.21(3v) to read as follows: "(3v) for all forfeitures set forth in sub. (3)-(3g) that portion of the forfeiture shall be remitted in full to the jurisdiction that owns the road upon which the violation occurred."

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded by the County Clerk to all state legislative representatives of Wood County.

County	Resolution	Resolution Number
Bayfield	Enact Stronger Regulations to Limit the Spread of CWD	2019-38
Bayfield	Conduct Additional Research on Chronic Wasting Disease to Improve Testing, Treatment and Management Options	2019-37
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Dunn	Requesting WCA to Include Support for Increased State Funding for Circuit Courts, District Attorneys' Offices and State Public Defenders	62
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Eau Claire	Requesting and Supporting the Efforts of WI, the Fed. Government, Cities and Villages in Eau Claire Co. to Regulate Conversion Therapy and Prohibit Paid Conversion Therapy by Mental Health Prof.	18-19/057
Eau Claire	Supporting an Increase in County Child Support Funding	18-19/068
Eau Claire	Requesting Increased funding and Oversight Reforms for Wisconsin's Child Protective Services System	18-19/076
Eau Claire	Urging the State of Wisconsin to Increase Compensation for Defense Counsel Assigned by the State Public Defender	18-19/078
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Eau Claire	Support for Legislation Aimed at Decreasing the Level of Poverty and Racial Disparities in the State of WI	18-19/103
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La Crosse	Support Expansion of AmTrak Services Chicago-Milwaukee-La Crosse- Twin Cities	8-6/19
Milwaukee	Request to Permit county Governments to Generate New Revenue and Reduce the Reliance on Property Taxes	19-556
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