



LEGAL AFFAIRS COMMITTEE MEETING – Thursday April 11, 2019

The Legal Affairs Committee meeting was called to order by Chair Mike Leis, at 11:30 a.m. on Thursday, April 14, 2019 in Room 309 at the Courthouse Annex.

Members Present: Mike Leis, David Eggen, Kay Stanek and Dave Strudthoff. Justin Running was absent.

Others in attendance were Ron Hoff, Nikki Swayne, Dave Stouvenel, Amanda Hoff, Rachel Hanson, Serena Inman, Tim Hundt, Dennis Brault and Lonnie Muller.

Affirmation of proper public notice of meeting was given.

Review of the March 14, 2019 minutes. Motion to approve the minutes as written by Eggen, second by Stanek. Motion carried.

Review/approval of vouchers/budget status. Motion by Strudthoff, second by Stanek to approve the vouchers presented at the April 11, 2019 meeting. Motion carried.

Audience to Visitors. Dave Stouvenel would like to be on next month's agenda referring to discrimination and also response to the last Corporation Counsel letter. Stouvenel stated he will have a paper prepared by next meeting regarding the discrimination. Stouvenel would like to meet with Corp Counsel to answer any questions they may have. Strudthoff asked for the letter by April 29, 2019 so the County Clerk can mail it in the packet.

Citizens United. Eggen would like to see this go to the County Board for approval and put on ballot for advisory vote for the April 2020 election. Swayne will draft a resolution for the next Legal Affairs meeting.

Corporation Counsel Survey. Strudthoff feels this survey would be a good idea for feedback from all the Departments. Inman will send the survey to all Department Heads and have the results at the next meeting.

Loss Control report & Workers Compensation report. Hoff reported loss control we still have open claims for the Nursing Home (1) and Human Resources (2). For 2018 Expense paid - \$5,610.00, 2017 Expense paid - \$4,105.05 and 2016 Expense paid - \$67,606.00. 2018 Total incurred - \$61,466.80, 2017 Total incurred - \$66,695.84 and 2016 Total incurred - \$351,501.81. For 2018 year end on Workers Compensation we had had 29 claims, 27 days' work loss and paid \$39,759.34, 2017 23 claims, 106 days' work loss and paid \$76,847.00, and 2016 26 claims, 84 days' work loss and paid \$96,348.00. For 2019 we have 8 claims, zero lost time and \$682.92 paid. Hoff stated the budget is at 24%.

Committee Members reports/questions. Eggen stated the owner of a trailer and land not quite in floodway in the Town of Christiana has passed away. The tenant has paid taxes for 27 years and is buying the land on land contract. Eggen was wondering how the Town of Christiana can resolve this problem. Leis suggested taking this problem to the Town of Christiana Board.

Corporation Counsel Update with Nikki Swayne, Abt Law. Swayne discussed the ordinance on Exotic Animals. The DNR has confiscated a New World Owl monkey. Our ordinance stated they cannot own Old World animals. Swayne feels we should review this ordinance. Swayne feels this would be a good time to look at the list of excluded exotic animals to clean it up. Strudthoff asked if we could set up an ordinance to monitor living

conditions of animals. Tim Hundt stated the County has had problems with exotic animal issues in 2011. Swayne discussed Wisconsin Safe at Home Program. Swayne explained the purpose is to protect victims and not have their name on the County website. The Committee feels we will leave the program as it is with no new policy. Hanson discussed the re imposition of a fee to property owners subject to re foreclosure for costs associated with the foreclosure process. Hanson explained the County can set fees when we reposes properties. Hanson stated the average cost to the County is \$217.00. **Motion by Strudthoff, second by Eggen to set a \$300 flat fee for foreclosure process. Motion carried.** Swayne discussed the possible action regarding Board Rules and Ordinances related to public bidding on County contracts. Swayne explained we could repeal the past County rule on bidding and replace it with the new Board rule. Swayne stated several Department Heads agree that a change in the rule is needed. Amanda Hoff stated she would like clarification on when bidding is mandatory. Swayne stated bidding for public works is a different scenario. The resolution will be presented at the April 16, 2019 County Board meeting for approval. **Motion by Strudthoff, second by Stanek to amend the resolution from last month's meeting, March 14, 2019, omitting the recommendation of creating a new Board Rule in lieu of the Ordinance 2-63. Motion carried.** Swayne will meet with Department Heads and come to the next meeting with recommendations.

Messer ERD Litigation – Nikki Swayne, Abt Swayne Law. The Chair will entertain a motion to enter into closed session, pursuant to Wisconsin Statute 19.85 (1) (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Motion by Eggen, second by Stanek to enter into closed session. Motion Carried. The committee entered into closed session. **Reconvene in open session pursuant to WIS. Stat. 19.85(2). Motion by Eggen, second by Stanek to reconvene into open session. Motion carried.** The committee reconvened into open session.

Set next meeting. May 9, 2019 at 11:30 a.m. in Room 309, third floor Courthouse Annex.

Motion by Strudthoff, second by Stanek to adjourn at 1:07 p.m. Voice vote. Motion carried.

Minutes respectfully submitted by Ron Hoff, County Clerk