



LEGAL AFFAIRS COMMITTEE MEETING – Thursday, October 9, 2014

The Legal Affairs Committee meeting was called to order by Vice Chair A. Richard Brose, at 11:01 a.m. on Thursday, October 9, 2014 in room 308 of the Courthouse Annex.

Members Present: Jerry Cade, Dennis Brault, Cade Cary and A. Richard Brose. Kevin Gobel excused.

Others in attendance were Gregory M. Lunde, Tena Fredrickson, and Phil Hewitt

Motion by Cade/second by Brault to excuse Kevin Gobel from the meeting. All in favor. Motion carried.

Affirmed proper public notice of meeting.

Review of the August 14, 2014 meeting minutes:

Motion by Cade/second by Brault to approve the minutes as written. All in favor. Motion carried.

Next was Review of vouchers and Corp. Counsel Budget status: Lunde voiced concern over County departments not budgeting for computer replacement in 2015 as it was understood the IT was to budget for all county departments, but after having transferred all of his departments' computer budget into the IT account, has learned that the Finance Committee did not approve centralized purchasing, so now he has no funding available, nor does IT. Lunde also noted how the zero percent budget increase is getting increasingly harder to run a business on even in a small office with minimal expenditures.

Motion by Cade/second by Cary to approve the vouchers/transfers. All in favor. Motion carried.

Next was Audience to Visitors: None

Next was Option B Ordinance, 1st reading: Hewitt discussed Option B, stating there were 4 options the County could choose from, and stated that the State included in infamous and husbandry legislation to try to help counties and infamous and husbandry work together, and all the other options required permitting and would require the enforceability of overloaded vehicles, in which the County does not have the staff available to enforce that. Hewitt stated that this option, Option B, basically puts us back in time to where it was before the state incorporated infamous and husbandry. What this means, he stated, is that all roads are still posted at 80,000 pounds, with the exception of infamous and husbandry, and they can run as they see fit at any length and any weight, unless posted. Lunde noted that this would not apply to town roads however and Hewitt agreed. Hewitt stated all this is about the Class B equipment, which is the heavy, articulated 4-wheel drive tractors with large manure wagons or grain buggys, etc. He stated it provides authority to post for things like bridges, seasonal restrictions, special restrictions, etc., which is why the Highway Committee decided to go with Option B so that business can go on as usual. Lunde stated they were going to suggest to townships to adopt the county ordinance when completed, so there is a uniform ordinance and no one has to enforce it, deal with permitting, or have someone available all the time to weigh vehicles, much less buy all the portable scales to see if an axel meets the criteria of the ordinance. Brault questioned the outcome of not passing any of the ordinance choices, and Hewitt stated not choosing one is not a choice.

Motion by Cade/second by Cary to approve Option B and send it on to the Highway Committee and County Board. 4-votes yes, 1-absent. Motion carried.

Next was Closed Session if adopted: Closed session not necessary.

Next was Robert Rules of Order: None

Next was Committee member's reports/questions: Cade asked about attorney fees, and the situation with aging regarding the grant fees that were to pay the grant writer's wages and Lunde stated the grant writing fees situation was resolved internally, and stated that we are at 91% regarding the other and that he didn't anticipate any further bills coming in. Lunde further stated that to his knowledge, about \$100,000.00 should be coming in soon from the bankruptcy case from the trust account for the back taxes.

Lunde asked if the committee would be interested in an updated report from the Register in Probate or someone from Child Support, and the committee declined at this time.

Next was Corporation Counsel activity update: Lunde stated as usual, his office was busy with mental health cases and he had a full schedule in court. He stated the cases that are coming in are more serious than in previous years and are harder to deal with, harder to place, and are getting confusing for many involved; the Judge even expressed frustration recently in comprehending the need for both guardianship and commitment of the same individual. Lunde explained that the law states a guardian cannot place a ward into a psychiatric hospital (when under guardianship), so the only way to get them admitted is to do commitment. Lunde also informed the committee of another email Pam Eitland received from Winnebago stated that they are at double capacity, and to please divert new patients elsewhere.

Lunde also noted that regarding some recent ordinances, Susan Burkhamer is working on updating the wetland/shore land ordinance and trying to track changes as it is fairly extensive. Regarding the cemetery ordinance, and family burial plots, Lunde stated, there are now more questions than answers; Apparently Richland County has allowed one, so we are checking into that to determine if it was per the county or township or what exactly. He stated that Vernon County's cemetery ordinance is very restrictive and yet it's not enforced upon the Amish. Cade expressed concerns over unmarked graves in unregistered cemeteries because roads can change and could end up going right through a cemetery that is unknown and unmarked. Lunde agreed, especially with the recently acquired knowledge that they sometimes double and triple stack people within the same grave.

Next meeting date: The next meeting was tentatively set for November 13, 2014 at 11:00 a.m. Cary noted that 11:00 a.m. is a struggle for him to be able to attend, and that earlier or way later would work better for him. Lunde suggested a scheduling discussion be added to the next agenda as it was to his recollection that it was generally held at 11:00 a.m. to accommodate the Committee Chair's schedule. The committee agreed to add discussion of meeting times to the agenda.

Motion by Cade/second by Brose to adjourn the meeting at 11:29 a.m. All in favor. Motion carried.

Minutes respectfully submitted by Tena M. Fredrickson, Corporation Counsel Administrative Assistant.