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**Waupaca County
Legislative, Judicial, Ethics, Safety & Security Committee
October 8, 2018 – Minutes**

Chair Kussmann called the meeting to order at 10:00 a.m. and gave the open meeting statement.

Roll call: Chair Kussmann, Supr. Mary Kay Poehlman, Kevin Will and Fred Zaug. Supr. Terry Murphy was excused. A quorum was established. Others present: Jill Lodewegen, Diane Meulemans, Veronica Isherwood, Judge Nielsen, Brent Wyland and Ryan Brown.

Agenda: Motion: Supr. Zaug moved and Supr. Will seconded the motion to approve the agenda. The motion was carried without a negative vote.

Approve minutes: Motion: Supr. Poehlman moved and Supr. Will seconded to approve the minutes of the September 10, 2018 meeting. Motion carried without a negative vote.

Public Comment – No comments.

Reports of LJES&S Depts.

Judicial – No report. Supr. Zaug let the committee know that at the Wisconsin Counties Association 2018 Conference Resolution 29 requesting the State of Wisconsin fully fund treatment courts was passed and will be sent on.

District Attorney – DA Isherwood provided a budget review for the committee. She will be asking to carry over some funds for review of a child abuse case due to the waiting list of the doctor who will be reviewing.

She also let the committee know that she has hired a legal secretary that would be starting October 22. The committee agreed that it would be helpful for her to provide a “case of the month”, to give an update on what may be happening in a certain case and item D “Use of CORE system in Drug Court” under the DA report will be added to the next agenda due to Judge Clusman being unable to attend.

Finally, DA Isherwood requested use of an investigator pursuant to sec. 978.047 which is required to be approved by County Board. Because the investigator that is being considered to be retained when needed would not be a full time employee, but a contracted person from another county and no contract or resolution was provided for the committee to review, the committee asked her to work with staff from both Corporation Counsel and Human Resources to work out details. They also asked for her to obtain sample resolutions from other counties. DA Isherwood did note that she had talked to the Attorney General’s office regarding the process, however due to the position not being full time but contracted, and portion of 978.047 regarding police powers of the investigator, the committee felt additional research would be needed before it could be brought to County Board. Chair Kussmann said a special meeting of this committee could be arranged if needed, prior to the October 30 County Board if details are worked out in time.

Clerk of Courts: – No report.

Corporation Counsel Diane Meulemans: Ms. Meulemans gave an update on the activity for civil action, as well as CHIPS and TPR cases.

Ms. Meulemans then provided the Child Support Agency September 2018 performance report and reviewed with the committee pointing out a new texting program that the department now uses that reminds clients of court dates, payments etc. The program cost only \$35 a month and if they add a translator option, would be an additional \$2 a month.

She reported that Assistant Corporation Counsel Dave Been had attended the WCSEA Annual Conference and gave a brief overview of topics such as evaluating payment plans to be more realistic.

She concluded her report with presenting Res. No. 28 (18-19) Increase Child Support Funding. **Motion:** Supr. Zaug moved and Supr. Will seconded the motion to approve Res. No. 28 (18-19) and forward to the full County Board. Motion carried without a negative vote.

Resolutions-

Ryan Brown reviewed Res. No. 24 (18-19) Comprehensive Plan Amendment with the committee. **Motion:** Supr. Zaug moved and Supr. Will seconded the motion to approve Res. No 24 (18-19) and forward to the full County Board. Motion carried without a negative vote.

Mr. Brown then reviewed Res. No. 25 (18-19) Septic Maintenance Fee with the committee. He noted that starting with the 2019 taxes, the \$5 a year septic maintenance fee which is paid by residents to the Planning & Zoning department once every 3 years for a total of \$15 after their tanks had been inspected, will now be assessed on their taxes and not paid separately. P&Z has been working with pumpers who are in support of this and also noted that many surrounding counties have gone this way. Because it is a change, they will do outreach by sending out flyers, have articles in the paper, and provide information for municipal newsletters. **Motion:** Supr. Zaug moved and Supr. Poehlman seconded the motion to approve Res. No 25 (18-19) and forward to the full County Board. Motion carried without a negative vote.

Updates to Chapter 2: Clerk Lodewegen gave an update on the changes needed for Chapter 2 which include looking into how it is organized, order of business due to requirements from Planning & Zoning, considerations for 2nd vice chair, research into section 2.03 and numerous other updates. She was asked if the Chapter should have been updated at the April meeting, to which she noted that it was discussed prior to that meeting while updating Chapter 1 that it would not be completed. She was unable to give a completion date at this time due to the volume of changes that are required to be made and the need to make sure that it is done accurately. When asked if a deadline should be set for the completion, Chair Kussmann stated that he felt it was more important to make sure that the updates were done correctly versus quickly. Clerk Lodewegen will continue to work on updates to this Chapter and several other ordinances, which she briefly explained to the committee, that have been noted to her that may require updates.

Electronic Communication Policy Discussion: Supr. Poehlman said that she was the one that asked for this item to be on the agenda. She questioned why the policy, which included paying for copies and postage, was done by the IT department. IT Director Brent Wyland stated that when this policy was first discussed, he was not the director. However at that time, IT was tasked by the former County Clerk Robbins to provide a policy because of the iPads that were purchased for use by the County Board. Although he mentioned that the initial discussion regarding the creation of a policy happened prior to Corporation Counsel Meulemans being hired, the policy was created using version from other counties by IT with her help, with several drafts going thru the IT Committee and final version thru the Finance Committee. The bulk of the policy is regarding use of an electronic communication device. The portion regarding paying for copies and postage was part of other policies and was included and approved by committees. Any change to the policy would need to be done through the Finance Committee.

New Meeting Date: November 12 at 10 a.m.

Adjourn: Motion: Supr. Zaug moved and Supr. Will seconded the motion to adjourn at 11:25 a.m. The motion carried without a negative vote. The meeting was adjourned.

Jill Lodewegen
County Clerk

These minutes will be posted to the website prior to approval from the committee and are considered to be in draft form until approved at the next scheduled meeting.

Resolution No. 22 (2018-2019)

SUBJECT: SERVICE OF PROCESS FEES

WHEREAS, Section 814.70(1), Wis. Stat. establishes a statutory rate for Services of Process fees at the rate of \$12 per respondent or defendant served and Section 814.70(3), Wis. Stat. establishes a statutory rate for mileage reimbursement for Service of Process at the rate of \$0.25 for each mile actually and necessarily traveled; and

WHEREAS, Section 814.705(1), Wis. Stat. permits a County Board to establish a higher fee for collection by the Sheriff in performance of Service of Process; and

WHEREAS, Waupaca County Sheriff's Office Service of Process fees were last set by resolution of the County Board of Supervisors in October 1999; and

WHEREAS, a flat fee rate including successful Service of Process, up to three attempts at Service of Process if unsuccessful, and mileage costs of \$55 in accordance with the fees established by surrounding counties; and

WHEREAS, raising the Service of Process fees will help reduce actual costs incurred by the Sheriff's Office in completing a law enforcement function; and

WHEREAS, if a Cooperative Agreement is executed between the Sheriff and the Child Support Agency, fees associated with Service of Process for Waupaca County Child Support Agency court actions are reimbursable by the State to the Child Support Agency at the rate of 66% on the dollar of funds spent by the Agency; thus, funds paid by the Agency to the Sheriff's Office are revenue to the Sheriff's Office and reimbursement by the State is revenue to the Child Support Agency.

NOW, THEREFORE, BE IT RESOLVED, that the Waupaca County Board of Supervisors does hereby authorize the Sheriff's Office to raise its Service of Process fees to a flat rate of \$55, inclusive of service, up to three attempts at service, and mileage.

Passed this _____ day of _____,
2018

APPROVED AS TO FORM:

_____ Ayes _____ Nays

ATTEST:

Jill Lodewegen

Waupaca County Clerk

Diane L. Meulemans, Corporation Counsel

RECOMMENDED FOR INTRODUCTION BY
THE WAUPACA COUNTY LAW
ENFORCEMENT COMMITTEE

RECOMMENDED FOR INTRODUCTION BY
THE WAUPACA COUNTY LEGISLATIVE,
JUDICIAL, ETHICS, SAFETY & SECURITY
COMMITTEE

RESOLUTION NO. 30 (2018/19)

SUBJECT: Requesting Increased Funding and Oversight Reforms for Wisconsin's Child Protective Services System

WHEREAS, the Wisconsin child welfare system is county-operated and state-supervised, except Milwaukee County, where the system is administered by the Wisconsin Department of Children and Families (DCF), Division of Milwaukee Child Protective Services (DMCPS); and

WHEREAS, the State of Wisconsin, through DCF provides insufficient funding to counties for the provision of child abuse and neglect services including prevention, investigation, treatment, and out-of-home placement costs, though the state has primary responsibility for compliance with federal requirements and shares liability for ensuring the system is meeting its obligations to children and families in all 72 counties; and

WHEREAS, in recent years the state of Wisconsin added numerous mandates and practice expectations which increased county child protective services (CPS) workload and costs; and

WHEREAS, the opioid and methamphetamine epidemics have brought Wisconsin's child welfare system to a point of crisis, with increasing concern about the system's ability to meet its obligations to children and families; and

WHEREAS, rising county contributions to the CPS system have far outpaced increases to the DCF Children and Family Aids allocation and counties have used reserve funding to cover CPS expenses and increase staffing; and

WHEREAS, maintaining sufficient resources for Wisconsin's child welfare system is critical to secure the safety and future of our most vulnerable children; and

WHEREAS, without a proportional increase in the DCF Children and Family Services allocation, the CPS system has been stressed for over a decade, causing caseloads for CPS workers to grow, contributing to high levels of staff turnover in some counties and an overrun of out-of-home care costs above what counties can sustain within available resources; and

WHEREAS, Wisconsin's CPS system leaves significant gaps in state-level oversight for all counties except Milwaukee County, including the absence of caseload standards, no process for regular legislative evaluation and prioritization of CPS needs and the absence of a legislative committee that provides regular policy guidance concerning CPS system issues such as adequate funding, performance, cost sharing and long-term stability; and

WHEREAS, along with DMCPS, all eleven of Wisconsin's peer states with county-administered CPS systems have either adopted caseload standards for CPS caseworkers, completed thorough workload studies as a basis of determining funding needs, or otherwise have made significant recommendations related to keeping CPS workloads manageable; and

WHEREAS, the children within Wisconsin's CPS system are too important to allow the current level of under resourcing, oversight gaps and, disparity of attention, while shifting the burden to property taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Health and Human Services Board and Waupaca County Board of Supervisors do hereby request that the state of Wisconsin increase the Children and Family Aids Allocation to counties in the 2019-21 state biennial budget by \$30 million annually in order to cover a greater share of out-of-home care costs and increase staffing levels based on the caseload standards developed by the Wisconsin County Human Services Association (WCHSA) so Wisconsin's CPS system can meet its obligations; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor Scott Walker, Department of Children and Families Secretary Eloise Anderson, Department of Administration Secretary Ellen Nowak, area legislators, and the Wisconsin Counties Association.

Passed this _____ day of
_____, 2018

_____ Ayes _____ Nays

ATTEST:

APPROVED AS TO FORM:

Jill L. Lodewegen
Waupaca County Clerk

Diane L. Meulemans
Corporate Counsel

RECOMMENDED FOR INTRODUCTION
BY WAUPACA COUNTY LEGISLATIVE
AND JUDICIAL COMMITTEE

RECOMMENDED FOR INTRODUCTION
BY WAUPACA COUNTY
DEPARTMENT OF HEALTH AND
HUMAN SERVICES BOARD
