AMENDED AGENDA
FOR THE
DOUGLAS COUNTY BOARD OF SUPERVISORS
Thursday, March 19, 2020, 6:00 p.m., Board Room, Second Floor, Government Center
1316 North 14th Street, Superior, Wisconsin

(County Board to maintain a two-hour meeting limit or take action to continue meeting beyond that time.)

Meeting called to order by Chairman Mark Liebaert.

Pledge of Allegiance to be recited.

Roll call taken by County Clerk Susan Sandvick.

Approval of the January 16, 2020, meeting minutes.

CORRESPONDENCE

1. Outagamie County, resolution regarding legislation to change sexual misconduct second degree assault to first degree assault if victim is over 60 years of age. (Refer to Health and Human Services Board and Public Safety Committee.)

2. DNR, notice of pending application for proposed wetland permit in Town of Superior by BNSF. (Refer to Land Conservation Committee.)

PRESENTATIONS

Pattison Park Centennial Celebration; Update on 2018 Storm Recovery Pattison Park – Kevin Feind, DNR Property Manager

Kathy Ronchi, Douglas County Public Health Officer – COVID-19

PUBLIC COMMENT

Public comment will be allowed on action items listed on the agenda. All comments shall be limited to three minutes in length, unless otherwise directed by the board.

RESOLUTIONS

#8-20: Resolution by the Zoning Committee adopting Policy to Prohibit Use of Excessive Force and the Barring of Entrances/Exits for Non-Violent Civil Rights Demonstrations.

#9-20: Resolution by Supervisor Liebaert committing to Douglas County government’s partnering with the U.S. Census Bureau and the State of Wisconsin to achieve 2020 Census goals.

#10-20: Resolution by the Administration Committee approving 2019 carry-overs and reserves. (Exhibit A-3-20)
#11-20: Resolution by the Administration Committee approving budgetary transfers. (Exhibit B-3-20)

#12-20: Resolution by the Forest, Parks and Recreation Committee recommending land purchase for county forest. (Exhibit C-3-20)

#13-20: Resolution by the Forest, Parks and Recreation Committee recommending increase of cap for Forestry land acquisition reserve account.

#14-20: Resolution by the Forest, Parks and Recreation Committee recommending Minnesuing County Park easement exchange. (Exhibit D-3-20)

#15-20: Resolution by Supervisors Liebaert and Jaques recommending approval of Acute Respiratory Illness (Infectious Disease) Emergency Policy. (Exhibit E-3-20)

#16-20: Resolution by Supervisor Liebaert recommending ratification of Proclamation of County Emergency in Douglas County declared by Douglas County Board Chair Mark Liebaert and County Administrator Ann Doucette on March 16, 2020.

COUNTY ADMINISTRATOR REPORT

COUNTY BOARD CHAIR REPORT

APPOINTMENTS:

By County Board Chair: County Administrator – Ann Doucette; Local Emergency Planning Committee (LEPC) - Marc Franta (Hawkins Water Treatment Group) and Lindsey Dahlberg (UW-S)

By County Administrator: Aging and Disability Resource Center Advisory Committee – Diane Arnold, Chair; Shawna Anderson, Vice Chair

COMMITTEE REPORTS

YOUTH REPRESENTATIVE REPORT

APPROVAL OF BILLS AND CLAIMS (on iPad paperless drive)

FUTURE AGENDA ITEMS

ADJOURNMENT: Next regularly scheduled meeting – April 9, 2020; reorganization meeting – April 21, 2020.

Submitted by,

Susan T. Sandvick
Douglas County Clerk

NOTE: Attachments to agenda available in County Clerk's Office for viewing or copying, or on county's website www.douglascountywi.org. Action may be taken on items on the agenda. The County of Douglas complies with the Americans
with Disabilities Act of 1990. If you are in need of an accommodation to participate in the public meeting process, please contact the Douglas County Clerk's Office at (715) 395-1341 by 4:00 p.m. on the day prior to the scheduled meeting. Douglas County will attempt to accommodate any request depending on the amount of notice we receive. TDD (715) 395-7521.


By: Susan T. Sandvick 03-18-2020
### RESOLUTION #8-20

**RESOLUTION BY THE ZONING COMMITTEE**

Subject: Policy to Prohibit Use of Excessive Force and Barring of Entrances/Exits for Non-Violent Civil Rights Demonstrations

WHEREAS, Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended (42 U.S.C. 69 §5304) prohibits the state from expending or obligating any Community Development Block Grant funds to any unit of general local government that does not have or adopt a policy prohibiting the use of excessive force by local law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and a policy of enforcing State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction, and

WHEREAS, it is in the interest of Douglas County to pursue Community Development Block Grant Funds and to adopt policy that complies with Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended (42 USC 69 §5304).

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Zoning Committee and adopts the following Policy:

It is POLICY of Douglas County to prohibit the use of excessive force by law enforcement agencies within the county's jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.

It is POLICY of Douglas County to enforce applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within the county's jurisdiction.

The officials and employees of Douglas County shall assist in the orderly prevention of all excessive force within Douglas County by implementing the authority and enforcement procedures set forth in Title I of the Housing and Community Development Act of 1974.

The Douglas County Board directs the Douglas County Sheriff to implement this resolution by amending applicable Douglas County Sheriff Department procedures.

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Dated this 19th day of March, 2020.

(Committee Action: Unanimous)
(Fiscal Note: None)
RESOLUTION #9-20
RESOLUTION BY SUPERVISOR LIEBAERT

Subject: Census 2020 Partnership with U.S. Census Bureau and State of Wisconsin Goals

WHEREAS, the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of the population and provides a historic opportunity to help shape the foundation of society and play an active role in American democracy, and

WHEREAS, Douglas County is committed to ensuring every resident is counted, and

WHEREAS, federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing, and

WHEREAS, census data helps determine how many seats each state will have in the U.S. House of Representatives and is necessary for an accurate and fair redistricting of state legislative seats, county supervisory districts, city aldermanic districts and voting districts, and

WHEREAS, information from the 2020 Census and American Community Survey are vital tools for economic development and increased employment, and

WHEREAS, the information collected by the census is confidential and protected by law, and

WHEREAS, a united voice from business, government, community-based and faith-based organizations, educators, media and others, will enable the 2020 Census message to reach more residents.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors is committed to partnering with the U.S. Census Bureau and the State of Wisconsin, and will:

- Support the goals and ideals for the 2020 Census and the Douglas County Complete Count Committee;

- Encourage all Douglas County residents to participate in events and initiatives that will raise the overall awareness of the 2020 Census and increase participation;
BE IT FURTHER RESOLVED that nationwide, April 1, 2020, is observed as Census Day, and by this date, every home will receive an invitation to participate in the 2020 Census; and the Douglas County Complete Count Committee plans to hold events at various locations within Douglas County to promote participation.

Dated this 19th day of March, 2020.

(Fiscal Note: None)
RESOLUTION #10-20
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Year-End 2019 Carry-Overs and Reserves

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approves the year-end 2019 carry-overs and reserves as set forth in Exhibit A-3-20.

Dated this 19th day of March, 2020.

(Committee Action: Unanimous)
(Fiscal Note: Reserves created from 2019 budget surpluses, one-time revenues, or from existing reserves, restricted, committed or assigned funds; included in Exhibit A-3-20)
(Administrative Note: Two-thirds vote of Board-elect required)
EXHIBIT A-3-20
Resolution #10-20
2019 Carry-Overs and Reserves

Presented by Administration Committee

DOUGLAS COUNTY BOARD OF SUPERVISORS
March 19, 2020
Douglas County, Wisconsin  
Budget Carry-overs/Restricted/Committed /Assigned Funds  
12/31/2019

Approval Required:
General Fund:

158,821  2018 Capital Projects
156,872  2019 Capital Projects
306,765  Courthouse/Govt Center Maintenance Fund
1,000,000  Timber Sales Revenue Reserve
- Communications Upgrades
  69,410  Elections/Election Equipment (Repayment from Towns)
  15,000  Comprehensive Planning Grant Match
1,000,000.00  Sales Tax Reserve
306,067  Land Conservation
30,145  Fairgrounds Improvements
487,465  Land & Development
59,500  Exodus Reserve
54,000  City Trail Reserves
54,226  Tank Removal
134,426  Septic Loans

HUMAN SERVICES

386,705  Remaining Supplemental Funds Designation
14,638  Veterans Van (Moved to Fund 201 HHS in January 2019)

HEALTH

25,000  PNCC Audit Costs
71,156  Software/Equipment

FORESTRY

45,422  Mooney Dam Repairs
56,839  Bird Sanctuary
15,005  Non-Lapsing Account for Lucius Woods sound shell
  (funding from concert fee revenue).
278,454  Remaining land acquisition designation, estb. 2007
33,281  Surveying
149,108  Reforestation reserve - salvage timber sales revenues
139,432  Miscellaneous Park Improvements
115,454  2018 Capital Operating Budget
434,916  2018 Capital Projects

HIGHWAY

1,780,262  STP Projects Restricted
196,171  2019 Equipment Carryover
3,367,000  Construction funding
504,063  County Bridge Aid designated
137,902  County Bridge Aid undesignated
65,000  Underground storage tank reserve

Informational:

Reserves approved in the Annual Budget

25,755  Medical Examiner Van
10,504  Zoning Car
38,682  Emergency Mgmt. Vehicle
1,527  Surveyor Vehicle

Reserves required by State Statute:

92,454  Jail Assessment
131,761  Register of Deeds Computer Maintenance
24,346  Court Commissioner/Marriage Counseling Fees
30,923  Veterans Soldiers & Sailors
143,366  Retained fees

Reserves required for Audit

11,286  Long-Term Receivables
15,930  Septic Loan Receivable
305,926  Prepaid
214,051  Public Safety Accounts (NACU)
2,018,142  Compensated Absences (All funds)
1,470,846  *Tax Collections (Not adjusted until after 2/29/2020)
# RESOLUTION #11-20

**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Budgetary Transfers

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approves budgetary transfers as set forth in Exhibit B-3-20.

Dated this 19th day of March, 2020.

(Committee Action: Unanimous)
(Fiscal Note: Included in B-3-20)
(Administrative Note: Two-thirds vote of Board-elect required)
EXHIBIT B-3-20

RESOLUTION #11-20

Budgetary Transfers

Presented by Administration Committee
<table>
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<tr>
<th>Department</th>
<th>Amount</th>
<th>Explanation</th>
<th>Document #</th>
<th>Fiscal Note</th>
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<tr>
<td>Veterans 2019</td>
<td>10,000</td>
<td>Release funds from the Soldiers and Sailors Reserve</td>
<td>212928</td>
<td>Increase Emergency Services (Db 47200.5714), Decrease Soldiers and Sailors Reserve (Cr 47200.3421.5)</td>
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<tr>
<td>Non Departmental 2019</td>
<td>75,000</td>
<td>Release funds from 2019 Capital Project Reserves for Merit Rewards</td>
<td>214258</td>
<td>Increase Personnel Cost by $42,960.21 (Db 15210.5199), Increase Health Savings Contributions by $32,039.79 (Db 19325.5739), Decrease 2019 Capital Project Reserve by $75,000 (Cr 15420.3443.19)</td>
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<td>Probate 2019</td>
<td>5,000</td>
<td>Record Additional State Reimbursement to Legal Fee Expense</td>
<td>214717</td>
<td>Increase Professional Services Expense by $5,000 (Db 12310.5212.1), Increase Intergovernmental Revenue by $5,000 (Cr 12310.4352.32)</td>
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<tr>
<td>Land Records 2020</td>
<td>77,082</td>
<td>Release funds from 2019 Capital Project Reserves for Pictometry</td>
<td>214329</td>
<td>Increase Purchased Services (Db 14610.5219), Decrease 2019 Capital Project Reserve (Cr 15420.3443.19)</td>
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<tr>
<td>Land Conservation 2020</td>
<td>4,000</td>
<td>Adjust budget for acceptance of Clean Boat Clean Water Grant</td>
<td>214348</td>
<td>Increase Purchased Services (Db 61425.5299), Increase Intergovernmental Revenues (Cr 61425.4358)</td>
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<td>Land Conservation 2020</td>
<td>4,589</td>
<td>Release 2019 Capital Projects funds for groundwater testing project</td>
<td>214666</td>
<td>Increase Purchased Services (Db 61240.5299.1), Decrease 2019 Capital Projects (Cr 15420.3443.19)</td>
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<td>Sheriff - Jail 2020</td>
<td>300,000</td>
<td>Record additional revenue by providing texting services. To be used to upgrade camera system for Central Control &amp; Lobby.</td>
<td>214720</td>
<td>Increase Contracted Service Expense (Db 27110.5219.1), Increase Other Revenue (Cr 27110.4699)</td>
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<td>Forestry</td>
<td>139,432</td>
<td>Release reserve funding for miscellaneous park improvements and projects</td>
<td>214615</td>
<td>Increase Purchased Services by $10,000 (Db 52113.5299) Increase Fixed Assets - Boat Launch by $16,000 (Db 61101.1871) Increase Contracted Services by $48,932 (Db 61115.5249) Increase Fixed Assets - Equipment by $35,000 (Db 61101.1851) Increase Fixed Assets - Other by $14,000 (Db 61101.1889) Increase Fixed Assets - Other by $7,500 (Db 61101.1889) Increase Fixed Assets - Other by $6,000 (Db 61101.1889) Increase Fixed Assets - Land by $2,000 (Db 61101.1822) Decrease Misc Park Improvement Reserve by $139,432 (Cr 61101.3316.2)</td>
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<td>Forestry</td>
<td>33,281</td>
<td>Release reserve funding for surveying costs</td>
<td>214615</td>
<td>Increase Forestry contracted service expense (Db 61112.5249) Decrease Surveying Reserve (Cr 61101.3316.6)</td>
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<td>Forestry</td>
<td>24,500</td>
<td>Release reserve funding for County Reforestation Project</td>
<td>214615</td>
<td>Increase Purchased Services by $24,500 (Db 61114.5299) Decrease County Reforestation Reserve by $24,500 (Cr 61101.3316.9)</td>
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<td>Forestry</td>
<td>360,700</td>
<td>Release Capital Projects reserve funding for land purchase - Upper St. Croix forest land acquisition</td>
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<td>Increase Forestry fixed assets (Db 61101.1821) Decrease Capital Project Reserve (Cr 61101.3316.18CP)</td>
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<td>Forestry</td>
<td>15,005</td>
<td>Release Capital Projects reserve funding for Lucius Woods staining project</td>
<td>214615</td>
<td>Increase Fixed Assets Construction in Progress (Db 61101.1871) Decrease Capital Project Reserve (Cr 61101.3316.11)</td>
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<td>Forestry</td>
<td>30,000</td>
<td>Release Land Acquisition funds to purchase property in Town of Solong Springs</td>
<td>214776</td>
<td>Increase Fixed Assets - Land by $30,000 (Db 61101.1821) Decrease Land Acquisition Reserve by $30,000 (Cr 61101.3316.7)</td>
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RESOLUTION #12-20
RESOLUTION BY FOREST, PARKS AND RECREATION COMMITTEE

Subject: Land Purchase for County Forest

WHEREAS, the Douglas County Forest, Parks and Recreation Committee, recommends purchasing approximately 70.0 acres from Mathy Construction Company to meet objectives of the Douglas County Forest Comprehensive Land-Use Plan 2006-2020, and

WHEREAS, the property is described as follows:

Part of the Northeast Quarter of the Southwest Quarter (NE¼ of SW¼) and the Southeast Quarter of the Southwest Quarter (SE¼ of SW¼), Section Twenty-Six (26), Township Forty-Five (45) North, Range Thirteen (13) West, Town of Solon Springs, Douglas County, Wisconsin, containing approximately 70.0 acres more or less (PIN’s #SO-026-01299-00 and #SO-026-01302-00), and

WHEREAS, said property is further described in Exhibit C-3-20, and

WHEREAS, acquisition of this property will perpetually provide opportunities to supply the local economy with forest products and generate revenues to Douglas County, provide outdoor recreation opportunities to the public, protect approximately 2,300 feet of frontage along the Moose River, conserve ecological and biological attributes, and enhance blocking of and access to lands open to public use, and

WHEREAS, the County Board has the authority to acquire said property for the purpose of establishing County Forest Land pursuant to SS59.52(6) and 28.10, Stats.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Forest, Parks and Recreation Committee and approves the purchase of approximately 70.0 acres from Mathy Construction Company, at a purchase price not to exceed Thirty-Thousand and 00/100 Dollars ($30,000.00); said price includes value of the land ($28,000) and estimated real estate transaction closing expenses not to exceed ($2,000).

BE IT FURTHER RESOLVED that the purchased property herein described be applied for regular lands entry under the Wisconsin County Forest Law.
BE IT FURTHER RESOLVED that the Forest, Parks and Recreation Committee is directed to forward said application for entry to the Wisconsin Department of Natural Resources for approval.

BE IT FURTHER RESOLVED that the Director of Forestry and Natural Resources for Douglas County, be hereby authorized to act on behalf of Douglas County as sole signatory on all real estate documents and other related instruments necessary to successfully complete the acquisition, including but not limited to deeds, transfers, assignments, agreements, contracts, obligations, closing statements, and/or County Forest Law entry applications.

Dated this 19th day of March, 2020.

(Committee Action: Unanimous)
(Fiscal Note: Increase Forestry Fixed Assets – Land by $30,000; decrease Land Acquisition Reserve by same)
EXHIBIT C-3-20

RESOLUTION #12-20
Land Purchase for County Forest

Presented by Forest, Parks and Recreation Committee

DOUGLAS COUNTY BOARD OF SUPERVISORS
March 19, 2020
LAND ACQUISITION PROJECT (approx. 70 acres)
Part of the NESW and SESW Section 26, T45N - R13W, Town of Solon Springs, Douglas County, Wisconsin
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**RESOLUTION #13-20**

**RESOLUTION BY FOREST, PARKS AND RECREATION COMMITTEE**

Subject: Land Acquisition Reserve Account Cap Increase

WHEREAS, the Douglas County Board of Supervisors on June 21, 2007, adopted resolution #45-07 approving establishing a non-lapsing reserve account, capped at $350,000, for the purchase of forest crop land, and

WHEREAS, land prices have progressively increased over the last 13 years, and

WHEREAS, $500,000 cap would provide room for reserve expansion to be utilized towards important future land acquisitions.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Forest, Parks and Recreation Committee and approves increasing the land acquisition reserve account cap from $350,000 to $500,000.

Dated this 19th day of March, 2020.

(Committee Action: Unanimous)
(Fiscal Note: None)
RESOLUTION #14-20
RESOLUTION BY FOREST, PARKS AND RECREATION COMMITTEE

Subject: Easement Exchange Minnesuing County Park

WHEREAS, Douglas County owns the following described parcel more commonly referenced as Lake Minnesuing County Park:

Part of Government Lot 1 of Section Ten (10), Township Forty-Six (46) North, Range Eleven (11) West, Town of Bennett, State of Wisconsin (PIN #BE-004-00087-00), and

WHEREAS, David A. Lambert owns the following described parcels, adjacent to said Douglas County owned parcel herein referenced:

Part of Lot 1 of Harris Addition to Minnesuing Lake located in Government Lot 2, Section Nine (9), Township Forty-Six (46) North, Range Eleven (11) West, Town of Hawthorne, State of Wisconsin (PIN #HA-014-00988-00, and

Part of Lot 1 of Harris Addition to Minnesuing Lake located in Government Lot 1, Section Nine (10), Township Forty-Six (46) North, Range Eleven (11) West, Town of Bennett, State of Wisconsin (PIN #BE-004-00089-00), and

WHEREAS, Robert and Kendra Zupke own the following described parcel, adjacent to said Douglas County owned parcel herein referenced:

Lot 1 of CSM #1089 located in part of Government Lot 1 of Section Ten (10), Township Forty-Six (46) North, Range Eleven (11) West, Town of Bennett, State of Wisconsin (PIN #BE-004-00090-01), and

WHEREAS, Jacqueline R. Lange (Life Estate) owns the following described parcel, adjacent to said Douglas County owned parcel herein referenced:

Lot 2 of CSM #1089 located in part of Government Lot 1 of Section Ten (10), Township Forty-Six (46) North, Range Eleven (11) West, Town of Bennett, State of Wisconsin (PIN #BE-004-00090-02), and

WHEREAS, all said properties herein referenced are shown in Exhibit D-3-20, and
WHEREAS, a common driveway, formerly County Road P, located in and between all four landowners herein identified has a long history of being utilized in whole or part as access to the respective properties.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Forest, Parks and Recreation Committee and hereby approves exchanging access easements between all four landowners herein identified to provide resolution to this matter.

BE IT FURTHER RESOLVED that the Director of Forestry and Natural Resources for Douglas County, be authorized to act on behalf of Douglas County as sole signatory on all documents and other related real estate related instruments necessary to successfully complete this easement exchange.

Dated this 19th day of March, 2020.

(Committee Action: Unanimous)
(Fiscal Note: None)
EXHIBIT D-3-20
RESOLUTION #14-20
Minnesuing Park Easement Exchange

Presented by Forest, Parks and Recreation Committee

DOUGLAS COUNTY BOARD OF SUPERVISORS
March 19, 2020
The west line of Gov't. Lot 1 bears 500°08'38"E and is referenced to the Douglas County Coordinate System.

Legend:
- Denotes 3/4" rebar found.
- Denotes brass capped iron pipe found.
RESOLUTION #15-20
RESOLUTION BY SUPERVISORS LIEBAERT AND JAQUES

Subject: Acute Respiratory Illness (Infectious Disease) Emergency Policy

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of Supervisors Liebaert and Jaques and approves the Acute Respiratory Illness (Infectious Disease) Emergency Policy as set forth in Exhibit E-3-20.

Dated this 19th day of March, 2020.

(Fiscal Note: None)
EXHIBIT E-3-20
Resolution #15-20
Acute Respiratory Illness (Infectious Disease)
Emergency Policy

Presented by Supervisors Liebaert and Jaques
ACUTE RESPIRATORY ILLNESS (INFECTIOUS DISEASE) EMERGENCY POLICY

POLICY: To take appropriate measures to protect the workplace in the event of an acute respiratory illness/infectious disease outbreak. Douglas County will strive to operate effectively and ensure all essential services are continuously provided and employees are safe within the workplace.

A. Prevention: Employees are asked to cooperate in taking steps to reduce the transmission of infectious disease in the workplace. Employees who exhibit symptoms of acute respiratory illness (fever plus at least a cough or sore throat and possibly other symptoms like runny nose, body aches, chills, fatigue, vomiting and diarrhea) are recommended to stay home.

Employees who have symptoms of acute respiratory illness should not come to work until they are free from fever (100.4 degrees Fahrenheit, 37.8 degrees Celsius or greater using an oral thermometer), and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants).

Douglas County may limit all nonessential travel during an infectious disease outbreak. Employees should consult with their supervisor or department manager for clarification.

Telecommuting/telework requests will be handled on a case by case basis. Not all positions will be eligible. Temporary requests shall be submitted to an employee’s supervisor or department manager for consideration. The Human Resource Department must be notified of all requests that are granted.

B. Notification by Employee: Employees who exhibit, or are aware of, any acute respiratory illness symptoms themselves, or employees who must care for family or other household members with symptoms, must report the situation to their immediate supervisor or department manager immediately. Department managers must report the illness to the Human Resource Department.

C. Exclusion from Employment: Douglas County will take appropriate action to prevent, suppress, and control any acute respiratory illness or other communicable disease. In order to maintain a safe, work environment, Douglas County may exclude employees from employment that are exhibiting symptoms of acute respiratory illness.

Department managers or supervisors must consult with the Human Resource Department before excluding an employee from employment. Employees excluded from employment will not be allowed to return to their worksite until Public Health recommendations are met.
D. **Leave Benefits:** Employees who are excluded from employment due to the provisions in the Infectious Disease Policy, will be eligible for applicable paid sick leave benefits.

Employees with insufficient accrued time off balances, who are experiencing acute respiratory systems and stay home, or are excluded from employment, shall be allowed to take time-off without pay. This provision is temporary and non-precedence setting.

Employees may request additional time-off to care for family or other household members. Regular departmental, time-off request procedures must be followed.

**Douglas County may advance additional paid leave or grant unpaid leave to employees in the event of a designated emergency. In all cases the Human Resource Department shall be informed of leave requests due to acute respiratory illness.**

E. **Continuity of Government:** Management will take the prudent, necessary, and lawful measures needed to minimize the disruptions to the workplace, preserve the public health, and continue needed public services. All provisions set forth in this Policy shall be in effect only upon declaration of an Acute Respiratory Illness/Infectious Disease Emergency by the County Administrator or the County Board Chair. This declaration may be in addition to a Public Health Emergency as designated by the Douglas County Health Officer.

Every County Department, elected or appointed, shall refer to their Continuity of Operations Plan (COOP), if needed, regarding issues such as: plans and procedures, essential functions, minimum staffing levels, and order of succession.
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**AMENDED RESOLUTION #16-20**

**RESOLUTION BY SUPERVISOR LIEBAERT**

Subject: Proclamation of County Emergency in Douglas County

WHEREAS, the World Health Organization designated the 2019 novel Coronavirus outbreak as a Public Health Emergency of International Concern, and

WHEREAS, the United States Health and Human Services Secretary declared a Public Health Emergency for the entire United States, to aid the nation’s healthcare community in responding to the 2019 novel Coronavirus “COVID-19”, which is a contagious, and at times fatal, respiratory disease, and

WHEREAS, the Governor of the State of Wisconsin has declared a public health emergency under Wisconsin Statute 323.10, and

WHEREAS, the Office of Emergency Management of Douglas County does hereby declare that Douglas County must undertake efforts to prevent the spread of COVID-19, and

WHEREAS, the County of Douglas is responsible for the well-being of its employees and the public it serves and must undertake efforts to prevent the spread of COVID-19, and

WHEREAS, the County Board Chair and County Administrator proclaimed a local public health emergency in Douglas County pursuant to Sections 323.11 and 323.14(b) of the Wisconsin Statutes and Douglas County Ordinance 6.01, and

WHEREAS, Section 323.14(4)(b) of the Wisconsin Statutes states such proclamation shall be subject to ratification, alteration, modification, or repeal by the governing body.

NOW, THEREFORE BE IT RESOLVED that the Douglas County Board of Supervisors ratifies the March 16, 2020, Proclamation of County Emergency in Douglas County by Douglas County Board Chair Mark Liebert and Douglas County Administrator Ann Doucette.

BE IT FURTHER RESOLVED that during the period of emergency prescribed by this resolution, the Douglas County Board of Supervisors may order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection and welfare of persons and property within the County; and
BE IT FURTHER RESOLVED that the Douglas County Board of Supervisors hereby vests Douglas County Board Chair and Douglas County Administrator with the general authority to order, subject to ratification if practicable, whatever is necessary and expedient for the health, safety, protection and welfare of persons and property within Douglas County during this emergency.

BE IT FURTHER RESOLVED, that the Douglas County Board Chair and Douglas County Administrator, acting under the powers granted pursuant to Wis. Stat. § 323.14(4)(b), for and on behalf of the employees and residents of Douglas County, will do whatever is necessary and expedient to protect the health and well-being of Douglas County, including the issuance of Administrative Orders and other directives as may be required.

BE IT FURTHER RESOLVED that the County Administrator is hereby authorized and directed by the board to coordinate and administer the county’s emergency management response and to carry out the orders of the board related thereto.

BE IT FURTHER RESOLVED that the head of Emergency Management of Douglas County is authorized and directed to carry out his duties under the County’s Emergency Management Plan under the supervision and direction of the County Administrator and perform such other duties as may be directed by further resolution of the board.

BE IT FURTHER RESOLVED that during the period of emergency the Douglas County Board of Supervisors are hereby authorized to attend meetings of the board and vote remotely, and the board shall take all actions necessary to effectuate the same in compliance with all other applicable laws.

BE IT FURTHER RESOLVED that, based upon the information available to the board and the ongoing threat posed by the spread of COVID-19, the period of emergency shall continue for sixty (60) days from the effective date of this resolution unless sooner terminated or extended by further resolution of the board.

BE IT FURTHER RESOLVED that all actions heretofore taken by the board and other appropriate officers and agents of Douglas County with respect to the matters contemplated under this resolution are hereby ratified and confirmed and approved.

Dated this 19th day of March, 2020.

(Fiscal Note: None)
CORRESPONDENCE
(as listed on Agenda #1)
OUTAGAMIE COUNTY BOARD MEETING
January 14, 2020

RESOLUTION NO. 79--2019-20
ROLL CALL to adopt & lock in. RESOLUTION NO. 79—2019-20 IS ADOPTED AS AMENDED & LOCKED IN.

VOTE RESULTS: Passed By Majority Vote

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OUTAGAMIE COUNTY BOARD MEETING
January 14, 2020

RESOLUTION NO. 79--2019-20
Supervisor Gabrielson moved, seconded by Supervisor Spears, to reconsider Resolution No. 79 for the purpose of lock in.

ROLL CALL to reconsider. RESOLUTION NO. 79—2019-20 IS RECONSIDERED.

VOTE RESULTS: Passed By Majority Vote

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RESOLUTION NO. 79--2019-20
ROLL CALL to adopt as amended. RESOLUTION NO. 79—2019-20 IS ADOPTED AS AMENDED.

OUTAGAMIE COUNTY BOARD MEETING
January 14, 2020

Res. No. 79--19-20
Adopt as amended
VOTE RESULTS: Passed By Majority Vote

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PROPOSED AMENDMENT TO
RESOLUTION NO.: 79—2019-20

(see underlined text)

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

There is pending legislation that will change any act of sexual misconduct that is currently a second degree sexual assault to a first degree sexual assault if the victim is 60 years of age or older regardless of whether or not the offender knew the victim’s age.

The pending legislation would create the crime of physical abuse of a person that is 60 years of age or older that is modeled after the current law prohibition of physical abuse of a child regardless of whether or not the offender knew the victim’s age.

The pending legislation creates a procedure for a court to freeze or seize assets from a defendant who has been charged with a financial exploitation crime when the victim is at least 60 years old.

The pending legislation allows anyone who is 60 years or older who is seeking a domestic violence, individual-at-risk, or harassment restraining order to appear in a court hearing by telephone or live audiovisual means.

The pending legislation could have a financial impact on local governments responsible for implementing the various changes in the law. Pending legislation should include allocations of state funding for local governments to implement the legislation.

NOW THEREFORE, the undersigned members of the Health and Human Services Committee and the Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending legislation that would change any act of sexual misconduct that is currently a second degree sexual assault to a first degree sexual assault if the victim is 60 years of age or older regardless of whether or not the offender knew the victim’s age, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does support pending legislation that would create the crime of physical abuse of a person that is 60 years of age or older that is modeled after the current law prohibition of physical abuse of a child regardless of whether or not the offender knew the victim’s age, and
BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does support pending legislation that would create a procedure for a court to freeze or seize assets from a defendant who has been charged with a financial exploitation crime when the victim is at least 60 years old, and

BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does support pending legislation that would allow anyone who is 60 years or older who is seeking a domestic violence, individual-at-risk, or harassment restraining order to appear in a court hearing by telephone or live audiovisual means, and

BE IT STILL FURTHER RESOLVED, that the legislation will respond to the financial impact on the various entities that are responsible for implementing the law, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Lobbyist, all Wisconsin Counties, and the Wisconsin Counties Association.

Dated this ___ day of October, 2019

Respectfully Submitted,

HEALTH AND HUMAN SERVICES COMMITTEE AND
PUBLIC SAFETY COMMITTEE

Dan Gabrielson

Justin Krueger

Christine Lamers

Cathy Thompson
RESOLUTION NO. 79--2019-20
Supervisor Gabrielson moved, seconded by Supervisor T. Thyssen, for adoption.

Supervisor Gabrielson moved, seconded by Supervisor T. Thyssen, to amend Resolution No. 79 as shown on the desk: Under the explanatory language (line 16), add “The pending legislation could have a financial impact on local governments responsible for implementing the various changes in the law. Pending legislation should include allocations of state funding for local governments to implement the legislation.” After the final BE IT STILL FURTHER ERSOLVED, add another clause to read, “BE IT STILL FURTHER ERSOLVED, that the legislation will respond to the financial impact on the various entities that are responsible for implementing the law, and”.

ROLL CALL to amend. AMENDMENT CARRIED.

VOTE RESULTS: Passed By Majority Vote

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RESOLUTION NO.: 79–2019-20

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:  

There is pending legislation that will change any act of sexual misconduct that is currently a second degree sexual assault to a first degree sexual assault if the victim is 60 years of age or older regardless of whether or not the offender knew the victim’s age.

The pending legislation would create the crime of physical abuse of a person that is 60 years of age or older that is modeled after the current law prohibition of physical abuse of a child regardless of whether or not the offender knew the victim’s age.

The pending legislation creates a procedure for a court to freeze or seize assets from a defendant who has been charged with a financial exploitation crime when the victim is at least 60 years old.

The pending legislation allows anyone who is 60 years or older who is seeking a domestic violence, individual-at-risk, or harassment restraining order to appear in a court hearing by telephone or live audiovisual means.

The pending legislation could have a financial impact on local governments responsible for implementing the various changes in the law. Pending legislation should include allocations of state funding for local governments to implement the legislation.

NOW THEREFORE, the undersigned members of the Health and Human Services Committee and the Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending legislation that would change any act of sexual misconduct that is currently a second degree sexual assault to a first degree sexual assault if the victim is 60 years of age or older regardless of whether or not the offender knew the victim’s age, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does support pending legislation that would create the crime of physical abuse of a person that is 60 years of age or older that is modeled after the current law prohibition of physical abuse of a child regardless of whether or not the offender knew the victim’s age, and
BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does support pending legislation that would create a procedure for a court to freeze or seize assets from a defendant who has been charged with a financial exploitation crime when the victim is at least 60 years old, and

BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does support pending legislation that would allow anyone who is 60 years or older who is seeking a domestic violence, individual-at-risk, or harassment restraining order to appear in a court hearing by telephone or live audiovisual means, and

BE IT STILL FURTHER RESOLVED, that the legislation will respond to the financial impact on the various entities that are responsible for implementing the law, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Lobbyist, all Wisconsin Counties, and the Wisconsin Counties Association.

Dated this ___ day of January, 2020

Respectfully Submitted,

HEALTH AND HUMAN SERVICES COMMITTEE AND PUBLIC SAFETY COMMITTEE

Dan Gabrielson
Christine Lamers
Kelly Schroeder

Justin Krueger
Cathy Thompson
Katrin Patience
Resolution No. 79—2019-20

Dan Dillenberg

James Duncan

Mike Woodzicka

Dominic Renteria

Duly and officially adopted by the County Board on: January 14, 2020

Signed: [Signature]
Board Chairperson

[Signature]
County Clerk

Approved: 1.16.20

[Signature]
County Executive

Vetoed: ___________________
2019 SENATE BILL 427

September 17, 2019 - Introduced by Senators TESTIN, CARPENTER, BEHNKIER, NASS, OLSEN, PETROWSKI and WANGGAARD, cosponsored by Representatives MACCO, WITTE, BALLweg, BOwen, BRANDTJEN, DITTRICH, EdMing, GUNDRUM, HORBACHER, JAMES, KRUG, KULR, MagnAfICi, MURSAU, NOVAK, PETERSEN, PETERSK, PIUMER, QUINN, RAMTHUN, ROHrKASTE, SIEFEN, SUMMERFIELD, TITTI, TRANEL, and SkoprKonski. Referred to Committee on Judiciary and Public Safety.

AN ACT to renumber 813.125 (1) (am) 1. and 813.125 (1) (am) 2.; to amend 48.57

(3p) (g) 2., 48.685 (1) (c) 2., 50.065 (1) (e) 1., 103.34 (1) (b) 2., 165.84 (7) (ab) 1.,

301.048 (2) (bm) 1. a., 302.11 (1g) (a) 2., 303.07 (2), 813.123 (1) (eg), 813.125 (1)

(am) (intro.), 895.45 (1) (a), 938.208 (1) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b)

3., 939.62 (2m) (a) 2m. b., 939.632 (1) (e) 1., 941.29 (1g) (a), 941.291 (1) (b),

949.03 (1) (b), 968.26 (1b) (a) 2. a., 969.035 (1), 969.03 (10) (b), 973.01 (2) (c) 2.

a., 973.0135 (1) (b) 2., 973.06 (1) (av) 2. a., 973.06 (1) (av) 2. b., 973.123 (1) and

801.01 (6) (b); and to create 343.12 (7) (c) 9j., 813.12 (1) (ar), 813.12 (5b),

813.123 (6g), 813.125 (1) (am) 3., 813.125 (1) (am) 4. (intro.), 813.125 (5b),

939.623, 940.198, 940.225 (1) (d) and 971.109 of the statutes; relating to:

increased penalties for crimes against elder persons; restraining orders for

elder persons; freezing assets of a defendant charged with financial
exploitation of an elder person; sexual assault of an elder person; physical abuse of an elder person; and providing a penalty.

Analysis by the Legislative Reference Bureau

SEXUAL ASSAULT OF AN ELDER PERSON

Under this bill, any act of sexual misconduct that is currently a second degree sexual assault is a first degree sexual assault if the victim is 60 years of age or older. Under current law, if a person engages in any of the specified acts of sexual misconduct, he or she is guilty of a Class C felony. Under the bill, he or she is guilty of a Class B felony if the victim is 60 years of age or older, whether or not he or she knew the victim’s age.

PHYSICAL ABUSE OF AN ELDER PERSON

This bill creates the crime of physical abuse of an elder person that is modeled after the current law prohibition of physical abuse of a child. Under the bill, an elder person is anyone who is 60 years of age or older, and a person may be prosecuted irrespective of whether he or she knew the age of the crime victim. Under the bill, the penalties range from a Class C felony for intentionally causing great bodily harm to a Class I felony for recklessly causing bodily harm.

FREEZING OF ASSETS

This bill creates a procedure for a court to freeze or seize assets from a defendant who has been charged with a financial exploitation crime when the victim is an elder person. Under the bill, if a person is charged with a financial exploitation crime, the crime involves property valued at more than $2,500, and the crime victim is at least 60 years old, a prosecuting attorney may file a petition with the court to freeze the funds, assets, or property of the person in an amount up to 100 percent of the alleged value of property involved in the person’s pending criminal proceeding for purposes of preserving the property for future payment of restitution to the crime victim.

INCREASED PENALTIES

This bill creates a scheme that allows a term of imprisonment that is imposed for a criminal conviction to be increased in length if the crime victim was an elder person. Under the bill, a maximum term of imprisonment of one year or less may be increased to not more than two years; a maximum term of imprisonment of more than one year but not more than ten years may be increased by not more than four years; and a maximum term of imprisonment of more than ten years may be increased by not more than six years. Under the bill, the term of imprisonment may be lengthened irrespective of whether the defendant knew the age of the crime victim.

RESTRAINING ORDERS FOR AN ELDER PERSON

This bill allows an elder person who is seeking a domestic violence, individual-at-risk, or harassment restraining order to appear in a court hearing by
SENATE BILL 427

telephone or live audiovisual means. Under the bill, an elder person is anyone who is 60 years old or older.

Under current law, a person seeking a domestic violence, individual-at-risk, or harassment restraining order must appear in person in the courtroom at a hearing to obtain a restraining order.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

SECTION 1. 48.57 (3p) (g) 2. of the statutes is amended to read:

48.57 (3p) (g) 2. The person has had imposed on him or her a penalty specified in s. 939.64, 1999 stats., or s. 939.641, 1999 stats., or s. 939.6195, 939.62, 939.621, 939.623, 939.63 or 939.645 or has been convicted of a violation of the law of any other state or federal law under circumstances under which the person would be subject to a penalty specified in any of those sections if convicted in this state.

SECTION 2. 48.685 (1) (c) 2. of the statutes is amended to read:

48.685 (1) (c) 2. A violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19, 940.285 (2), 940.29, 940.295, 942.09 (2), 948.02 (1) or (2), 948.025, 948.03 (2) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081, 948.085, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (2), 948.215, 948.30, or 948.53.

SECTION 3. 50.065 (1) (e) 1. of the statutes is amended to read:

50.065 (1) (e) 1. "Serious crime" means a violation of s. 940.19 (3), 1999 stats., a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (4), (5) or (6), 940.196 (2), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1), 948.025 or 948.03 (2) (a) or (5) (a) 1., 2., or 3., or a violation of the law of
any other state or United States jurisdiction that would be a violation of s. 940.19 (3),
1999 stats., or a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (4),
(5) or (6), 940.198 (2), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29,
940.295, 948.02 (1), 948.025 or 948.03 (2) (a) or (5) (a) 1., 2., or 3. if committed in this
state.

SECTION 4. 103.34 (1) (b) 2. of the statutes is amended to read:
103.34 (1) (b) 2. A violation of s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.07,
940.08, 940.09, 940.10, 940.19 (2), (4), (5), or (6), 940.198 (2), 940.21, 940.225 (1), (2),
or (3), 940.23, 940.235, 940.24, 940.25, 940.30, 940.302, 940.305, 940.31, 943.02,
943.03, 943.04, 943.10, 943.30, 943.31, 943.32, 944.32, 944.34, 946.10, 948.02 (1) or
(2), 948.025, 948.03 (2), (3), or (5) (a) 1., 2., 3., or 4., 948.04, 948.05, 948.051, 948.055,
948.06, 948.07, 948.075, 948.08, 948.085, 948.11 (2) (a) or (am), 948.12, 948.13,
948.21 (2), 948.215, or 948.30 or of a substantially similar federal law or law of
another state.

SECTION 5. 165.84 (7) (ab) 1. of the statutes is amended to read:
165.84 (7) (ab) 1. A felony violation of s. 940.01, 940.05, 940.198 (2), 940.21,
940.225 (1), (2), or (3), 940.235, 940.30, 940.302 (2), 940.305, 940.31, 940.32 (2), (2e),
or (2m), 940.43, 940.45, 941.20, 941.21, 941.327, 943.02, 943.06, 943.10, 943.23 (1g)
or (2), 943.32, 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c) or (5) (a) 1., 2., 3., or 4.,
948.05, 948.051, 948.055, 948.07, 948.08, 948.085, 948.095, or 948.30 (2).

SECTION 6. 301.048 (2) (bm) 1. a. of the statutes is amended to read:
301.048 (2) (bm) 1. a. A crime specified in s. 940.19 (3), 1999 stats., s. 940.195
(3), 1999 stats., s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01,
940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (4) or (5), 940.195 (4)
or (5), 940.198 (2), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23,
SENATE BILL 427

2019 - 2020 Legislature

SECTION 6

1 940.235, 940.285 (2) (a) 1. or 2., 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2., or 3., 940.31,
2 940.43 (1) to (3), 940.45 (1) to (3), 941.20 (2) or (3), 941.25, 941.30, 941.327, 945.01
3 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), 943.30,
4 943.32, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.051,
5 948.06, 948.07, 948.08, 948.085, or 948.30.
6
7 SECTION 7. 302.11 (1g) (a) 2. of the statutes is amended to read:
8 302.11 (1g) (a) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m),
9 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s. 940.02,
10 940.03, 940.05, 940.09 (1c), 940.19 (5), 940.195 (5), 940.198 (2), 940.21, 940.225 (1)
11 or (2), 940.305 (2), 940.31 (1) or (2) (b), 943.02, 943.10 (2), 943.23 (1g), 943.32 (2),
12 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c) or (5) (a) 1., 2., 3., or 4.,
13 948.05, 948.06, 948.07, 948.08, or 948.30 (2).
14
15 SECTION 8. 303.07 (2) of the statutes is amended to read:
16 303.07 (2) When convicted persons are subject to commitment to the county
17 jail, or to the Wisconsin state prisons under s. 939.62 (1) (a) or 939.623 (2) (a) for a
18 term not exceeding 2 years, the court may instead commit them for equivalent terms
19 to a reforestation camp authorized under sub. (1).
20
21 SECTION 9. 343.12 (7) (c) 9j. of the statutes is created to read:
22 343.12 (7) (c) 9j. Physical abuse of an elder person under s. 940.198 (2).
23
24 SECTION 10. 813.12 (1) (ar) of the statutes is created to read:
25 813.12 (1) (ar) “Elder person” means any individual who is 60 years of age or
26 older.
27
28 SECTION 11. 813.12 (5b) of the statutes is created to read:
813.12 (5b) ELDER PERSON PETITIONER. If the petitioner is an elder person, the
court shall permit the petitioner to participate in hearings under this section by
telephone or live audiovisual means.

SECTION 12. 813.123 (1) (eg) of the statutes is amended to read:
813.123 (1) (eg) "Harassment" has the meaning given in s. 813.125 (1) (am) 4.

SECTION 13. 813.123 (6g) of the statutes is created to read:
813.123 (6g) ELDER ADULT-AT-RISK PETITIONER. If the petitioner is an elder adult
at risk, the court shall permit the petitioner to participate in hearings under this
section by telephone or live audiovisual means.

SECTION 14. 813.125 (1) (am) (intro.) of the statutes is amended to read:
813.125 (1) (am) (intro.) In this section, "harassment" means any of the
following:

SECTION 15. 813.125 (1) (am) 1. of the statutes is renumbered 813.125 (1) (am)
4. a.

SECTION 16. 813.125 (1) (am) 2. of the statutes is renumbered 813.125 (1) (am)
4. b.

SECTION 17. 813.125 (1) (am) 3. of the statutes is created to read:
813.125 (1) (am) 3. "Elder person" means any individual who is 60 years of age
or older.

SECTION 18. 813.125 (1) (am) 4. (intro.) of the statutes is created to read:
813.125 (1) (am) 4. (intro.) "Harassment" means any of the following:

SECTION 19. 813.125 (5b) of the statutes is created to read:
813.125 (5b) ELDER PERSON PETITIONER. If the petitioner is an elder person, the
court shall permit the petitioner to participate in hearings under this section by
telephone or live audiovisual means.
SECTION 20. 895.45 (1) (a) of the statutes is amended to read:

895.45 (1) (a) "Abusive conduct" means domestic abuse, as defined under s. 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined under s. 813.125 (1) (am) 4., sexual exploitation by a therapist under s. 940.22, sexual assault under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under ss. 948.02 to 948.11.

SECTION 21. 938.208 (1) (a) of the statutes is amended to read:

938.208 (1) (a) Probable cause exists to believe that the juvenile has committed a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.198, 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025, 948.03, or 948.085 (2), if committed by an adult.

SECTION 22. 938.34 (4m) (b) 1. of the statutes is amended to read:

938.34 (4m) (b) 1. The juvenile has committed a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.198, 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025, 948.03, or 948.085 (2) if committed by an adult.

SECTION 23. 938.355 (2d) (b) 3. of the statutes is amended to read:

938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3), 1999 stats., or s. 940.19 (2), (4), or (5), 940.198 (2) (a) or (3) (a), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a), (3) (a), or (5) (a) 1., 2., or 3., or 948.085 or a violation of the law of any other state or federal law, if that violation would be a violation of s. 940.19 (2), (4), or (5), 940.198 (2) (a) or (3) (a), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, or 948.03 (2) (a), (3) (a), or (5) (a) 1., 2., or 3. if committed in this state, as evidenced by a final judgment of conviction, and that the violation resulted
in great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as
defined in s. 939.22 (38), to the juvenile or another child of the parent.

SECTION 24. 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

939.62 (2m) (a) 2m. b. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s.
940.01, 940.02, 940.03, 940.05, 940.09 (1c), 940.16, 940.19 (5), 940.195 (5), 940.196
(2) (a) or (c), 940.21, 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02,
943.10 (2), 943.23 (1g), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2)
(a) or (c) or (5) (a) 1., 2., 3., or 4., 948.05, 948.06, 948.07, 948.075, 948.08, 948.081,
948.085, or 948.30 (2).

SECTION 25. 939.623 of the statutes is created to read:

939.623 Increased penalty for elder person victims. (1) In this section, “elder person” means any individual who is 60 years of age or older.

(2) If the crime victim is an elder person, and the present conviction is for any crime for which imprisonment may be imposed, the maximum term of imprisonment prescribed by law for that crime may be increased as follows:

(a) A maximum term of imprisonment of one year or less may be increased to not more than 2 years.

(b) A maximum term of imprisonment of more than one year but not more than 10 years may be increased by not more than 4 years.

(c) A maximum term of imprisonment of more than 10 years may be increased by not more than 6 years.

(3) This section applies irrespective of whether the defendant had actual knowledge of the crime victim’s age. A mistake regarding the crime victim’s age is not a defense to an increased penalty under this section.
SECTION 26. 939.632 (1) (e) 1. of the statutes is amended to read:

939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09
(1c), 940.19 (2), (4) or (5), 940.198 (2) (a) or (c), 940.21, 940.225 (1), (2) or (3), 940.235,
940.305, 940.31, 941.20, 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), 943.32 (2),
948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051,
948.055, 948.07, 948.08, 948.085, or 948.30 (2) or under s. 940.302 (2) if s. 940.302
(2) (a) 1. b. applies.

SECTION 27. 940.198 of the statutes is created to read:

940.198 Physical abuse of an elder person. (1) Definitions. In this
section:

(a) "Elder person" means any individual who is 60 years of age or older.
(b) "Recklessly" means conduct that creates a situation of unreasonable risk of
harm to and demonstrates a conscious disregard for the safety of the elder person.

(2) INTENTIONAL CAUSATION OF BODILY HARM. (a) Whoever intentionally causes
great bodily harm to an elder person is guilty of a Class C felony.
(b) Whoever intentionally causes bodily harm to an elder person is guilty of a
Class H felony.
(c) Whoever intentionally causes bodily harm to an elder person under
circumstances or conditions that are likely to produce great bodily harm is guilty of
a Class F felony.

(3) RECKLESS CAUSATION OF BODILY HARM. (a) Whoever recklessly causes great
bodily harm to an elder person is guilty of a Class E felony.
(b) Whoever recklessly causes bodily harm to an elder person is guilty of a Class
I felony.
(c) Whoever recklessly causes bodily harm to an elder person under circumstances or conditions that are likely to produce great bodily harm is guilty of a Class H felony.

(4) KNOWLEDGE OF AGE NOT REQUIRED. This section applies irrespective of whether the defendant had actual knowledge of the victim’s age. A mistake regarding the victim’s age is not a defense to a prosecution under this section.

SECTION 28. 940.225 (1) (d) of the statutes is created to read:

940.225 (1) (d) Commits a violation under sub. (2) against an individual who is 60 years of age or older. This paragraph applies irrespective of whether the defendant had actual knowledge of the victim’s age. A mistake regarding the victim’s age is not a defense to a prosecution under this paragraph.

SECTION 29. 941.29 (1g) (a) of the statutes is amended to read:

941.29 (1g) (a) “Violent felony” means any felony under s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., this section, or s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.198, 940.20, 940.201, 940.203, 940.21, 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302, 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.2905, 941.292, 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), 943.32, 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.051, 948.06, 948.07, 948.08, 948.085, or 948.30.

SECTION 30. 941.291 (1) (b) of the statutes is amended to read:

941.291 (1) (b) “Violent felony” means any felony, or the solicitation, conspiracy, or attempt to commit any felony, under s. 943.23 (1m) or (1r), 1999 stats., or s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.198, 940.20, 940.201, 940.203, 940.21, 940.225, 940.23, 940.285 (2), 940.29, 940.295 (3),
SENATE BILL 427

SECTION 30

1 940.30, 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28,
2 941.29, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06,
3 943.10 (2), 943.23 (1g), 943.32, 943.81, 943.82, 943.83, 943.85, 943.86, 943.87,
4 943.88, 943.89, 943.90, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04,
5 948.05, 948.06, 948.07, 948.08, 948.085, or 948.30; or, if the victim is a financial
6 institution, as defined in s. 943.80 (2), a felony, or the solicitation, conspiracy, or
7 attempt to commit a felony under s. 943.84 (1) or (2).

SECTION 31. 949.03 (1) (b) of the statutes is amended to read:

949.03 (1) (b) The commission or the attempt to commit any crime specified in
9 s. 346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,
10 940.09, 940.10, 940.19, 940.198, 940.20, 940.201, 940.21, 940.22 (2), 940.225, 940.23,
11 940.235, 940.24, 940.25, 940.255, 940.29, 940.30, 940.302 (2), 940.305, 940.31,
12 940.32, 941.327, 942.09, 943.02, 943.03, 943.04, 943.10, 943.20, 943.23 (1g), 943.32,
13 943.31, 943.36, 943.37, 948.02, 948.025, 948.03, 948.04, 948.05, 948.051, 948.06,
14 948.07, 948.075, 948.08, 948.085, 948.09, 948.095, 948.20, 948.21 (1), 948.30 or
15 948.51.

SECTION 32. 968.26 (1b) (a) 2. a. of the statutes is amended to read:

968.26 (1b) (a) 2. a. Section 940.04, 940.11, 940.19 (2), (4), (5), or (6), 940.195
19 (2), (4), (5), or (6), 940.198 (2) (b) or (c) or (3), 940.20, 940.201, 940.203, 940.205,
20 940.207, 940.208, 940.22 (2), 940.225 (3), 940.29, 940.302 (2) (c), 940.32, 941.32,
21 941.38 (2), 942.09 (2), 943.10, 943.205, 943.32 (1), 946.43, 946.44, 946.47, 946.48,
22 948.02 (3), 948.03 (2) (b) or (c), (3), or (4), 948.04, 948.055, 948.095, 948.10 (1) (a),
23 948.11, 948.13 (2) (a), 948.14, 948.20, 948.23 (1), (2), or (3) (c) 2. or 3., or 948.30 (1).

SECTION 33. 969.035 (1) of the statutes is amended to read:
2019 - 2020 Legislature - 12 -  

SENATE BILL 427  

SECTION 34. 969.08 (10) (b) of the statutes is amended to read:  

969.08 (10) (b) "Serious crime" means any crime specified in s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 346.62 (4), 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195, 940.195 (5), 940.198 (2) (a) or (c), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25, 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2. or 3., 940.302 (2), 940.31, 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.03, 943.04, 943.06, 943.10, 943.23 (1g), 943.30, 943.32, 943.31, 943.82, 943.83, 943.85, 943.86, 943.87, 943.88, 943.89, 943.90, 946.01, 946.02, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.05, 948.06, 948.07, 948.085, or 948.30 or, if the victim is a financial institution, as defined in s. 943.80 (2), a crime under s. 943.84 (1) or (2).

SECTION 35. 971.109 of the statutes is created to read:

971.109 Freezing assets of a person charged with financial exploitation of an elder person. (1) DEFINITIONS. In this section:

(a) "Elder person" means any individual who is 60 years of age or older.

(b) "Financial exploitation" has the meaning given in s. 46.90 (1) (cd).

(2) SEIZURE OF ASSETS. (a) If a defendant is charged with a crime that is financial exploitation, the crime involves the taking or loss of property valued at more than $2,500, and the crime victim is an elder person, a prosecuting attorney may file a petition with the court in which the defendant has been charged to freeze the funds, assets, or property of the defendant in an amount up to 100 percent of the
alleged value of funds, assets, or property in the defendant’s pending criminal
proceeding for purposes of restitution to the crime victim. The hearing on the
petition may be held ex parte if necessary to prevent additional exploitation of the
victim.

(b) If there is a showing of probable cause in the hearing, the court shall issue
an order to freeze or seize the funds, assets, or property of the defendant in the
amount calculated under par. (a). A copy of the order shall be served upon the
defendant whose funds, assets, or property has been frozen or seized.

(c) The court’s order shall prohibit the sale, gifting, transfer, or wasting of the
funds, assets, or real or personal property of the elder person that are owned by or
vested in the defendant without the express permission of the court.

(3) RELEASE OF FUNDS. (a) At any time within 30 days after service of the order
under sub. (2) (b), the defendant or any person claiming an interest in the funds,
assets, or property may file a petition to release the funds, assets, or property. The
court shall hold a hearing on the motion within 10 days from the date the motion is
filed.

(b) In any proceeding under par. (a), the state has the burden of proving by a
preponderance of the evidence that the defendant used, was using, is about to use,
or is intending to use any funds, assets, or property in a way that constitutes or would
constitute financial exploitation. If the court finds that any funds, assets, or property
were used, are about to be used, or are intended to be used in a way that constitutes
or would constitute financial exploitation, the court shall order the funds, assets, or
property frozen or held until further order of the court.
Resolution No. 79—2019-20

2019 - 2020 Legislature

SENATE BILL 427

- 14 -

LRB-0956/1
MLJ-hjf

SECTION 35

(4) DISMISSAL OR ACQUITTAL. If the prosecution of a charge of financial exploitation is dismissed or if a judgment of acquittal is entered, the court shall vacate the order issued under sub. (2) (b).

SECTION 36. 973.01 (2) (c) 2. a. of the statutes is amended to read:

973.01 (2) (c) 2. a. Sections 939.621, 939.623, 939.632, 939.635, 939.645, 946.42 (4), 961.442, 961.46, and 961.49.

SECTION 37. 973.0135 (1) (b) 2. of the statutes is amended to read:

973.0135 (1) (b) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., s. 940.01, 940.02, 940.03, 940.05, 940.09 (1c), 940.16, 940.19 (5), 940.195 (5), 940.198 (2) (a) or (c), 940.20, 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051, 948.06, 948.07, 948.075, 948.08, or 948.30 (2).

SECTION 38. 973.06 (1) (av) 2. a. of the statutes is amended to read:

973.06 (1) (av) 2. a. The defendant was charged under s. 946.41 solely because he or she recanted a report of abusive conduct, including interspousal battery, as described under s. 940.19 or 940.20 (1m), domestic abuse, as defined in s. 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined in s. 813.125 (1) (am) 4., sexual exploitation by a therapist under s. 940.22, sexual assault under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under ss. 948.02 to 948.11.

SECTION 39. 973.06 (1) (av) 2. b. of the statutes is amended to read:

973.06 (1) (av) 2. b. The defendant was a victim of abusive conduct, including interspousal battery, as described under s. 940.19 or 940.20 (1m), domestic abuse, as
defined in s. 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined
in s. 813.125 (1) (am) 4., sexual exploitation by a therapist under s. 940.22, sexual
assault under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child
abuse under ss. 948.02 to 948.11, and he or she was charged under s. 946.41 based
on information he or she omitted or false information he or she provided during the
course of an investigation into the crime committed against him or her.

**SECTION 40.** 973.123 (1) of the statutes is amended to read:

973.123 (1) In this section, “violent felony” means any felony under s. 943.23
(1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01, 940.02, 940.03, 940.05,
940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.198, 940.20, 940.201, 940.203,
940.21, 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302,
940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.29,
941.292, 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.23
(1g), 943.32, 943.37, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05,
948.051, 948.06, 948.07, 948.08, 948.085, or 948.30.

**SECTION 41.** 980.01 (6) (b) of the statutes is amended to read:

980.01 (6) (b) Any crime specified in s. 940.01, 940.02, 940.03, 940.05, 940.06,
940.19 (2), (4), (5), or (6), 940.195 (4) or (5), 940.198 (2) or (3), 940.30, 940.305, 940.31,
941.32, 943.10, 943.32, or 948.03 that is determined, in a proceeding under s. 980.05
(3) (b), to have been sexually motivated.

(END)
RESOLUTION NO.: 79—2019-20

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:                           MAJORITY

There is pending legislation that will change any act of sexual misconduct that is currently
a second degree sexual assault to a first degree sexual assault if the victim is 60 years of age or older regardless of whether or not the offender knew the victim’s age.

The pending legislation would create the crime of physical abuse of a person that is 60 years of age or older that is modeled after the current law prohibition of physical abuse of a child regardless of whether or not the offender knew the victim’s age.

The pending legislation creates a procedure for a court to freeze or seize assets from a defendant who has been charged with a financial exploitation crime when the victim is at least 60 years old.

The pending legislation allows anyone who is 60 years or older who is seeking a domestic violence, individual-at-risk, or harassment restraining order to appear in a court hearing by telephone or live audiovisual means.

NOW THEREFORE, the undersigned members of the Health and Human Services Committee and the Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending legislation that would change any act of sexual misconduct that is currently a second degree sexual assault to a first degree sexual assault if the victim is 60 years of age or older regardless of whether or not the offender knew the victim’s age, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does support pending legislation that would create the crime of physical abuse of a person that is 60 years of age or older that is modeled after the current law prohibition of physical abuse of a child regardless of whether or not the offender knew the victim’s age, and
Notice of Pending Application for Proposed Wetland Individual Permit

Johnathan Gilmore, 4515 Kansas Avenue South, Kansas City, KS 66106 has applied on behalf of BNSF railroad to the Department of Natural Resources for a permit for wetland impacts or disturbance near Nemadj River.

The project is located in the NW1/4 of the SW1/4 of Section 14, Township 48 North, Range 14 West, Town of Superior, Douglas County.

BNSF is proposing to place temporary access to the bridge abutment for Bridge No. 29-9.4 over the Nemadj River. The railroad proposes to repair the pedestals for the bridge which will require a slight expansion of each pedestal. The permeant impacts for the pedestals will be .04 acres the temporary impacts for access will be .64

The Department will review the proposal provided by the applicant and any information from public comments and a public informational hearing, if requested. The Department will determine whether the proposal complies with ss. 1.11 and 281.36,401 CWA, Stats., and ch. NR 150, Wis. Adm. Code, and ensure that the required mitigation meets the standards ins. 281.36(3r), Stats. if the project impacts wetlands.

The Department has made a tentative determination that it will modify the permit or contract for the proposed activity.

If you would like to know more about this project or would like to see the application and plans, please visit the Department's permit tracking website (It https://permits.dnr.wi.gov/water/SitePages/Permit%20Search.aspx and search for WP-1P-N0-2020-16-X01-31T15-58-1 0.

Reasonable accommodation, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request.

Any person may submit comments and/or request a public informational hearing by emailing Steven.LaValley@wisconsin.gov or writing to Steven LaValley, 1701 North Fourth Street,, Superior, WI 54880 by U.S. mail. If you are submitting general comments on the proposal, they must be emailed or postmarked within 30 days after the date this notice is published on the Department's website. If you are requesting a public informational hearing, the request must be emailed or postmarked within 20 days after the date this notice is published on the Department's website. A request for hearing must include the docket number or applicant name and specify the issues that the party desires to be addressed at the informational hearing.

If no hearing is requested, the Department may issue its decision without a hearing. If a public informational hearing is held, comments must be postmarked no later than 10 days following the date on which the hearing is completed.

The final decision may be appealed as indicated in the decision document.

Docket Number IP-N0-2020-16-00323

WISCONSIN DEPARTMENT OF NATURAL RESOURCES
For the Secretary

______________________________        __________________________
Steven LaValley                      Date February 19, 2020
Water Management S Giaffst