

RESOLUTION # 8-2017

Resolution offered by the Supervisors of the Administration Committee

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, Corporation Counsel Office represents the County in a variety of civil legal matters; and

WHEREAS, charges to dismiss Detective Sergeant Sara Welcenbach (f.k.a. Gardner) have been filed by the Sheriff, Chief Deputy and Oneida County Civil Service Commission with the Oneida County Law Enforcement Grievance Committee; and

WHEREAS, the Corporation Counsel Office has provide the Sheriff, Chief Deputy and Civil Service Commission legal advice throughout the process of filing the aforementioned charges; and

WHEREAS, the Corporation Counsel Office has also provided the Sheriff with legal advice regarding other legal matters involving the aforementioned Detective Sergeant; and

WHEREAS, the aforementioned Detective Sergeant has due process rights associated with the matters before the Law Enforcement Grievance Committee including a fair and impartial decision maker; and

WHEREAS, given the fact that the Corporation Counsel Office has provided legal advice to the Sheriff, Chief Deputy and Civil Service Commission on these matters a conflict of interest arises with providing legal advice Law Enforcement Grievance Committee; and

WHEREAS, Oneida County code s. 1.39 allows for the Chairman to retain counsel for Oneida County when a conflict of interest is present subject to the County Board reviewing that decision at the subsequent regularly scheduled County Board meeting; and

WHEREAS, the County has hired the law firm of Mallery & Zimmerman to represent the Law Enforcement Grievance Committee; and

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that outside counsel, the law firm of Mallery & Zimmerman, is approved provide legal counsel to the Law Enforcement Grievance Committee regarding the issues stated above; and

BE IT FURTHER RESOLVED by the Oneida County Board of Supervisors that the County budget for fiscal year 2017 shall be amended to meet all projected costs with monies to come from the contingency fund.

Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

The County Board has the legal authority to adopt: Yes 3/8 No _____ as reviewed by the Corporation Counsel, [Signature], Date: 1/9/17

Approved by the Administration Committee this 9th day of January , 2017.

Consent Agenda Item: YES NO

Offered and passage moved by:

[Signature]
Supervisor
[Signature]
Supervisor
[Signature]

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Bob Mott Supervisor

Emily Cole Supervisor

Supervisor

_____ Ayes

_____ Nays

_____ Absent

_____ Abstain

_____ Adopted

by the County Board of Supervisors this _____ day _____, 2017.

_____ Defeated

Tracy Hartman, County Clerk

David Hintz, County Board Chair