



# SHEBOYGAN COUNTY

**Crystal H. Fieber**  
*Corporation Counsel*

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February 2, 2020

Honorable Members of the Sheboygan County Board and County Administrator Adam Payne,

Please find enclosed the 2019 Annual Report of the Sheboygan County Corporation Counsel.

Wis. Stat. § 59.42(3) offers counties considerable flexibility in how they handle their civil legal needs, including the option to contract for services with private counsel. Sheboygan County has taken advantage of this flexibility and has had legal counsel provided through a contract with Alex Hopp and his law firm since 1955. As a member of Alex Hopp's successor law firm, I am privileged to have been designated to act as lead attorney in providing legal services to Sheboygan County. In 2019 the County Board expanded the role of Corporation Counsel to include termination of parental rights (TPR) and children in need of protective services (CHIPS) matters, and we have hired an associate attorney, Grant Scaife, to exclusively respond to this demand.

I completed my first year as lead Corporation Counsel in 2019. I am grateful for the cooperation and assistance of the other members of my firm – Attorneys Michael J. Bauer, J. Phil Mueller, Paul Dirkse, Herb Humke III, Oliver Bauer, and Grant Scaife and our principal staff person Dianne Hohenstern – in serving as Corporation Counsel.

We look forward to continuing to work for the benefit of the citizens of Sheboygan County, their County Administrator, and their County Board in 2020 and beyond.

Very truly yours,

Crystal H. Fieber

## **Mission Statement and Summary of Responsibilities**

*As the civil legal advisor for the County Board and its Committees, and the County Administrator and his Departments, the mission of the Corporation Counsel is to provide policy-makers and administrators with counsel of the highest caliber with integrity, respect, courtesy, and adherence to professional ethics.*

The responsibility of the Corporation Counsel is set forth in Wis. Stat. § 59.42 and Chapter 42 of the Code of General Ordinances of Sheboygan County. The responsibility is to provide all civil legal services that the County may require on any matter that is not covered by County insurance. The categories of such services include:

- Advise, counsel, and represent the County Board, Committees, Boards, commissions, officers, County Administrator, and Department Heads, and where appropriate, other County employees and agents.
- Prepare and review Resolutions, Ordinances, directives, and other legal documents, providing direction regarding completeness and correctness.
- Attend all County Board meetings and Committee Meetings as requested, and serve as parliamentarian, providing interpretation and explanation of County Board rules.
- Interpret the powers and duties of the Board, County officers, and Committees.
- Function as liaison between the judicial, legislative, and administrative branches of County government.
- Draft and approve contracts and leases executed by the County and review construction bids, contracts, and bonds.
- Prosecute and defend civil actions not covered by County insurance and in which the County is a party in interest.
- Provide representation before the Equal Rights Division, the Equal Employment Opportunities Commission, and other state and federal agencies as directed by the County Board.
- Meet periodically with the Human Resources Committee to review pending claims and litigation and summarize legal services provided since the previous reporting period.
- Review policies and procedures of the County to ensure compliance with federal, state, and County directives.
- Assist the County Treasurer in preparing, instituting, and completing annual litigation for *in rem* foreclosure of tax liens.
- Represent the County's interest in Wis. Stat. ch. 51, 54, 55, and 980 matters.

## **Goals and Objectives Achieved in 2019**

Our 2019 goals were in the nature of providing continuing changes rather than having tasks that are completed and checked off of a list. In 2019, we made progress with the following goals:

- Continue work with County staff and the Kohler Company to install a U.S. Customs agent at the Sheboygan County Memorial Airport. To this end, we successfully

negotiated an agreement with Kohler Company to provide funding for operation of the U.S. Customs facility.

- Explore and implement, in connection with the Finance Department, the Community Development Block Grant Close-out (CDBG-CLOSE) Program. As of the preparation of this report, we have drafted, with input from the Finance Director and County Administrator, an Ordinance, Articles of Incorporation, and Bylaws related to the creation of the Sheboygan County Industrial Redevelopment and Revolving Loan Agency. The Executive Committee has reviewed the drafts of these documents.
- Develop a grievance procedure manual for the Human Resource Department for union and non-union grievances. The manual has been completed.

## **Budget**

Corporation Counsel was budgeted to spend \$331,379, \$228,418 of which was tax levy. At year end, \$357,895 was spent after adjustments were made to begin transition of the TPR/CHIPS/guardianship work to Corporation Counsel. We finished the year with a negative balance of \$220. The 2020 adopted budget is \$496,786, which includes the cost of TPR/CHIPS/guardianship work, and property tax levy total is \$237,709.

## **Issues and Challenges Ahead**

I primarily handle the duties of the Corporation Counsel but other firm members assist intermittently with County business including Attorney Phil Mueller who provides guidance to the County Treasurer, particularly in the growing area of tax foreclosures; Attorney Herb Humke who assists in litigation and has taken a lead role in implementing the termination of parental rights (TPR) and children in need of protective services (CHIPS) transition to Corp Counsel; Attorney Michael Bauer who works on public records, open meetings, contractual and real estate issues; Attorney Paul Dirkse who supports the County mental health and child support enforcement functions, as well as special administrations in connection with the Medical Examiner; Attorney Oliver Bauer who handles general collections, lead-based paint abatement, maltreatment cases, and sanitary ordinance enforcement as well as assisting with CHIPS cases; and Attorney Grant Scaife who works exclusively with Health and Human Services on TPR, CHIPS, and guardianships. The overall services provided to the County are ably coordinated by Dianne Hohenstern, legal assistant.

## **Goals and Objectives for 2020**

In 2020, I will continue to provide assistance to the County Administrator in fulfilling the goals assigned to him by the Executive Committee. I also expect to work on the following, in addition to the general legal services our firm provides:

- Further streamline TPR, CHIPS, and guardianship matters.
- Update the Sheboygan County Agenda and Minutes Manual.
- Participate in the implementation and drafting of loan guidelines for the revolving loan program under the newly-created Sheboygan County Industrial Development and Revolving Loan Agency.