



RESOLUTION#

Introduced by Public Safety and Operations Committees

Page 1 of 1

Motion:	Adopted:	<input type="checkbox"/>
1 st	Lost:	<input type="checkbox"/>
2 nd	Tabled:	<input type="checkbox"/>
No: _____	Yes: _____	Absent: _____
Number of votes required:		
<input checked="" type="checkbox"/> Majority	<input type="checkbox"/> Two-thirds	
Reviewed by: _____, Corp Counsel		
Reviewed by: _____, Finance Dir.		

LAD

INTENT & SYNOPSIS: To settle former Sheriff Reichert's lawsuit against the county for a benefit the county does not believe him to have been eligible for.

FISCAL NOTE: \$3,000.00. The funds for the settlement would come from the "OPEB Sick Leave Conversion to Health" account #704-9500-51934-000-341. This account is located within the Finance Department. For 2020, \$500,000 was budgeted for this account so this settlement is not likely to put the account over budget.

		NO	YES	A
1	LaFontaine, D			
2	Rozar, D			
3	Feirer, M			
4	Wagner, E			
5	Fischer, A			
6	Breu, A			
7	Ashbeck, R			
8	Hahn, J			
9	Winch, W			
10	Thao, L			
11	Curry, K			
12	Valenstein, L			
13	Hokamp, J			
14	Polach, D			
15	Clendenning, B			
16	Pliml, L			
17	Zurfluh, J			
18	Hamilton, B			
19	Leichtnam, B			

WHEREAS, former Sheriff Thomas Reichert has sued the county to receive PEHP (Post Employment Health Benefits) for sick time hours he accrued prior to becoming the sheriff; the claim is based upon the resolution setting the compensation for his final term of office; the wording on the resolution provides that the sheriff would receive the same retirement benefits as non-elected department heads and Reichert claims that the PEHP is a retirement benefit and hours accrued 14 years previous as a deputy sheriff can be used now to apply to the PEHP, and

WHEREAS, the case is currently set for a two-day trial to the court in late May but the parties recently concluded a court ordered mediation and the mediator pointed out the strengths and weaknesses of each side's case and Reichert has, as a part of this process, offered to settle the case for \$3,000.00, and

WHEREAS, the Public Safety and Operations Committees have discussed the risks associated with proceeding to trial and potentially losing wherein Reichert could be awarded his full claim for relief of approximately \$45,000 plus costs and attorney fees, and

WHEREAS, the county has a strong case but there are no guarantees and payment of the \$3,000.00 may/would conclude the case and Reichert would be responsible for his own legal fees and costs and the county would not incur further costs; the settlement would not create any binding precedents for the county and sometimes paying nuisance value to make a case go away is the best approach.

NOW, THEREFORE, THE WOOD COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES to go on record in authorizing the Corporation Counsel to settle the case of Reichert v. Wood County (Case no. 18-CV-436) in an amount not to exceed \$3,000.00 with the funds therefor coming from the OPEB Sick Leave Conversion to Health" account #704-9500-51934-000-341

MIKE FEIRER

WILLIAM WINCH

DENNIS POLACH

BRAD HAMILTON

JOSEPH H. ZURFLUH

ED WAGNER

LANCE PLIML

ADAM FISCHER

DONNA ROZAR

Adopted by the County Board of Wood County, this _____ day of _____ 20 _____.

County Clerk

County Board Chairman