



**TELECONFERENCE/VIRTUAL
CEMETERY BOARD
Room 121C, 1400 E. Washington Avenue, Madison
Contact: Dan Williams (608) 266-2112
June 21, 2018**

The following agenda describes the issues that the Cemetery Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Cemetery Board.

AGENDA

10:30 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes of September 28, 2017 (4)

C. Administrative Matters – Discussion and Consideration

- 1) Staff Updates
- 2) Election of Officers
- 3) Appointment of Liaisons and Alternates
- 4) Delegation of Authorities **(5-7)**
- 5) Board Members – Term Expiration Dates
 - a) Kathleen Cantu – 07/01/2012
 - b) Patricia Grathen – 07/01/2018
 - c) Francis Groh – 07/01/2020 (*Reappointed but not yet confirmed*)
 - d) John Reinemann – 07/01/2020 (*Reappointed but not yet confirmed*)
 - e) Bernard Schroedl – 07/01/2018
 - f) Vacant – Cemetery Member

D. Legislative and Administrative Rule Matters – Discussion and Consideration

- 1) Adoption of CB 1 – 5, Relating to Mausoleums and Burial Records **(8-14)**
- 2) Update on Pending and Possible Rulemaking Projects

E. Request by Wheatland Township for Easement – Discussion and Consideration (15-21)

F. Items Received After Preparation of the Agenda – Discussion and Consideration

- 1) Introductions, Announcements and Recognition
- 2) Election of Board Officers
- 3) Appointment of Board Liaison(s)
- 4) Administrative Matter

- 5) Education and Examination Matters
- 6) Credentialing Matters
- 7) Practice Matters
- 8) Legislation/Administrative Rule Matters
- 9) Liaison Report(s)
- 10) Informational Item(s)
- 11) Disciplinary Matters
- 12) Presentations of Petitions for Summary Suspension
- 13) Petitions for Designation of Hearing Examiner
- 14) Presentation of Proposed Stipulations, Final Decisions and Orders
- 15) Presentation of Proposed Final Decision and Orders
- 16) Presentation of Interim Orders
- 17) Petitions for Re-Hearing
- 18) Petitions for Assessments
- 19) Petitions to Vacate Orders
- 20) Requests for Disciplinary Proceeding Presentations
- 21) Motions
- 22) Petitions
- 23) Appearances from Requests Received or Renewed
- 24) Speaking Engagement(s), Travel, or Public Relation Request(s)

G. Future Agenda Items

H. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

I. Deliberation on Division of Legal Services and Compliance (DLSC) Matters

1) Case Closings

- a) 17 RLC 007 – C.C.A. **(22-25)**

J. Deliberation of Items Received After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Disciplinary Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Administrative Warnings
- 10) Review of Administrative Warnings
- 11) Proposed Final Decision and Orders

- 12) Matters Relating to Costs/Orders Fixing Costs
- 13) Case Closings
- 14) Proposed Interim Orders
- 15) Petitions for Assessments and Evaluations
- 16) Petitions to Vacate Orders
- 17) Remedial Education Cases
- 18) Motions
- 19) Petitions for Re-Hearing
- 20) Appearances from Requests Received or Renewed

K. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

L. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

M. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING DATE: AUGUST 14, 2018

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED
WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 1400 East Washington Avenue, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**CEMETERY BOARD
MEETING MINUTES
SEPTEMBER 28, 2017**

PRESENT: Patricia Grathen (*via GoToMeeting*), Francis Groh, John Reinemann, Bernard Schroedl

EXCUSED: Kathleen Cantu

STAFF: Dan Williams, Executive Director; Laura Smith, Bureau Assistant; Greg DiMiceli, Administrative Rules Coordinator and other Department staff.

CALL TO ORDER

Francis Groh, Vice Chair, called the meeting to order at 9:30 a.m. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

MOTION: Bernard Schroedl moved, seconded by John Reinemann, to approve the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF MAY 9, 2017

MOTION: Bernard Schroedl moved, seconded by Patricia Grathen, to approve the minutes of May 9, 2017 as published. Motion carried unanimously.

**9:30 A.M. PUBLIC HEARING ON CLEARINGHOUSE RULE 17-050 RELATING
TO MAUSOLEUMS AND BURIAL RECORDS**

Review and Respond to Public Comments and Clearinghouse Report

MOTION: John Reinemann moved, seconded by Bernard Schroedl, to reject Clearinghouse comment number 5.d.(2), and to accept all remaining Clearinghouse comments for Clearinghouse Rule 17-050 relating to mausoleums and burial records. Motion carried unanimously.

MOTION: John Reinemann moved, seconded by Bernard Schroedl, to authorize the Chair to approve the Legislative Report and Draft for Clearinghouse Rule 17-050 relating to mausoleums and burial records for submission to the Governor's Office and Legislature. Motion carried unanimously.

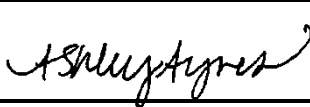
ADJOURNMENT

MOTION: Bernard Schroedl moved, seconded by John Reinemann, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:20 a.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Ashley Ayres Monitoring and Intake Supervisor Division of Legal Services and Compliance		2) Date When Request Submitted: December 18, 2017 <div style="border: 1px solid black; padding: 5px;"> Items will be considered late if submitted after 4:30 p.m. and less than: ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others </div>	
3) Name of Board, Committee, Council, Sections: Cemetery Board			
4) Meeting Date: February 27, 2018	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Appointment of Monitoring Liaison and Delegated Authority Motion	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed: Adopt or reject the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today's agenda packet.			
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> 11)  Signature of person making this request </div> <div style="width: 60%; text-align: right;"> Authorization December 18, 2017 Date </div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> Supervisor (if required) </div> <div style="width: 60%; text-align: right;"> Date </div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </div> <div style="width: 60%; text-align: right;"> Date </div> </div> <hr/> <div style="background-color: #f0f0f0; padding: 5px;"> Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. </div>			

Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors to enforce Board/Section orders as explained below.

Current Authorities Delegated to the Monitoring Liaison

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing education.
6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain the signature or written authorization from the Liaison.
8. Grant or deny a request to appear before the Board/Section in closed session.
9. *(Except Pharmacy)* Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review.
10. *(Except Pharmacy)* Grant Respondent’s petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison.
 - a. Year 1: 49 screens (including 1 hair test, if required by original order)
 - b. Year 2: 36 screens (plus 1 hair test, if required by original order)
 - c. Year 3: 28 screens plus 1 hair test
 - d. Year 4: 28 screens plus 1 hair test
 - e. Year 5: 14 screens plus 1 hair test
11. *(Dentistry only)* – Ability to approve or deny all requests from a respondent.

Current Authorities Delegated to the Department Monitor

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if CE is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
 2. Suspend the license if Respondent has not completed Board/Section-ordered CE and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof completion and/or payment have been received.
 3. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
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Proposed (New) Delegations to the Monitoring Liaison

The Monitoring Unit is proposing the following additions to the Monitoring Liaison's authority:

1. Board Monitoring Liaison may determine whether Respondent's petition is eligible for consideration by the full Board/Section.
2. Board Monitoring Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Greg DiMiceli, Administrative Rules Coordinator		2) Date When Request Submitted: May 11, 2018											
		Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting											
3) Name of Board, Committee, Council, Sections: Cemetery Board													
4) Meeting Date: June 5, 2018	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislative and Administrative Rule Matters – Update and Consideration of: 1. Adoption of CB 1 – 5, relating to mausoleums and burial records 2. Update on Pending and Possible Rulemaking Projects											
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:											
10) Describe the issue and action that should be addressed: Review CB 1-5 order for purposes of adopting final rule.													
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;"> 11) Greg DiMiceli </td> <td style="width: 40%; text-align: right; border-bottom: 1px solid black;"> Authorization May 11, 2018 </td> </tr> <tr> <td style="border-bottom: 1px solid black;"> Signature of person making this request </td> <td style="text-align: right; border-bottom: 1px solid black;"> Date </td> </tr> <tr> <td style="border-bottom: 1px solid black;"> Supervisor (if required) </td> <td style="text-align: right; border-bottom: 1px solid black;"> Date </td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;"> Date </td> </tr> </table>				11) Greg DiMiceli	Authorization May 11, 2018	Signature of person making this request	Date	Supervisor (if required)	Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
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STATE OF WISCONSIN
CEMETERY BOARD

IN THE MATTER OF RULE-MAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	CEMETERY BOARD
CEMETERY BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 17-050)

ORDER

An order of the Cemetery Board to renumber and amend CB 5.03 (3); to amend ch. CB 2 (title) and CB 2.01; and to create CB 2.05, 2.06, and ch. CB 6, relating to mausoleums and burial records.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Sections 157.12 (2) and 157.62 (5), Stats.

Statutory authority: Sections 157.12 (2) (a), 157.62 (5), and 440.905 (2), Stats.

Explanation of board authority: Section 157.12 (2) (a), Stats., requires the cemetery board to promulgate rules governing the location, material, and construction of mausoleums. Section 440.905 (2), Stats., grants the cemetery board rule-making authority and the authority to promulgate rules relating to the regulation of cemetery authorities, cemetery salespersons, and cemetery preneed sellers.

Related statute or rule: Sections SPS 361.30, 361.36 (1) (f), 361.41 (3), 361.50, and 362.3100, and chs. 157 and 440, Stats.

Plain language analysis:

The rule creates a cemetery burial record and provides cemetery board guidance for the oversight of mausoleum and public mausoleum construction and inspections.

Summary of, and comparison with, existing or proposed federal regulation:

This rule updates cemetery and mausoleum provisions according to 2015 Wisconsin Act 237 for mausoleum and public mausoleum construction standards.

Comparison with rules in adjacent states:

Illinois: In 2010 the state of Illinois passed the cemetery oversight act. This act included provisions guiding cemetery licensing, reporting, ethics, continuing education, and cemetery sales.

Iowa: All forms, certificates and reports pertaining to the registration of death events are the property of the Iowa regulatory agency and are required to be surrendered to the state registrar

upon demand. Under Iowa code 641- 97.17 and 641- 97.18 the funeral director is responsible for recording final disposition records.

Michigan: Cemeteries are required maintain accurate, complete, and legible records of any books, contracts, records, or documents pertaining to, prepared in, or generated by, the cemetery operation including, but not limited to, forms, reports, accounting records, ledgers, internal audit records, correspondence, and personnel records. All records are required to be maintained for at least 7 years from the date of record completion.

Minnesota: Cemeteries are not licensed by the state of Minnesota but are governed by local units of government.

Summary of factual data and analytical methodologies:

The cemetery board reviewed the rule and statutory requirements.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The rule was posted for public comment on the economic impact of the proposed rule, including how this proposed rule may affect businesses, local government units, and individuals for a period of 14 days.

Fiscal Estimate and Economic Impact Analysis:

This rule was posted for economic comments for 14 days and no comments were received. The rule does not have any fiscal or economic impact on specific businesses, business sectors, public utility rate payers, local governmental units or the state's economy as a whole.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Kirsten.Reader@Wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Greg DiMiceli, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-266-0955; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Greg DiMiceli, Rule Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before September 28, 2017, to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. Chapter CB 2 (title) is amended to read:

CHAPTER CB 2
FILING OF ANNUAL REPORTS AND MAINTAINING BURIAL RECORDS BY CEMETERY
AUTHORITIES AND PRENEED SELLERS.

SECTION 2. CB 2.01 is amended to read:

CB 2.01. Authority. This chapter is adopted pursuant to ss. 157.62 (2), (5), and (7), 157.63, 227.11 (2), 440.905, and 440.92 (6) (k), Stats.

SECTION 3. CB 2.015 is created to read:

CB 2.05. Definition. In this chapter, “cemetery authority” has the meaning given in 157.061 (2), Stats.

Note: Crematory authority is defined in s. 440.70 (9), Stats.

SECTION 4. CB 2.06 is created to read:

CB 2.06. Burial record. (1) A cemetery authority or licensee shall maintain a record for all human remains buried within a cemetery. This record shall include the following information:

- (a) The name of the deceased.
- (b) The last-known address of the deceased.
- (c) The date of birth of the deceased.
- (d) The date of death as listed on the disposition of human remains.
- (e) The date that the remains are placed in the grave, niche, or crypt.
- (f) The exact location in the cemetery where the human remains are buried or placed. The specific location shall correspond to the map or plat maintained by the cemetery authority or licensee.
- (g) The name of the person authorizing the burial and his or her relationship to the deceased.
- (h) The name of the funeral establishment, as defined in s. 445.01 (6), Stats.
- (i) The type of burial vault used, if any, including poured concrete, precast concrete, plastic, or polyurethane.
- (j) The type of the grave marker or monument, including granite, along with the marker style, including flush, upright, or slanted.

Note: The burial records listed in s. CB 2.05 (1) are different from the records that a cemetery authority is required to keep and maintain in accordance with s. 157.62 (4), Stats.

(2) A cemetery authority or licensee shall record burial information under sub. (1) no more than 10 business days following the burial. All burial records completed after the effective date of this section ... [LRB inserts date] shall be maintained either in an electronic format that is easily accessible for review or in a legibly written format.

(3) All burial records shall be maintained by the cemetery authority. Upon conveyance of a cemetery, burial records shall be transferred to the new cemetery authority who shall then maintain the transferred records.

SECTION 5. CB 5.03 (3) is renumbered CB 1.015 and amended to read:

CB 1.015. Definitions. As used in chs. CB 1 to 6, “~~Board~~ board” means the cemetery board.

SECTION 6. Chapter CB 6 is created to read:

CHAPTER CB 6 MAUSOLEUMS

CB 6.01 Authority. The rules in this chapter are adopted pursuant to ss. 157.12 (2) (a), 157.62 (5), 227.11 (2), and 440.905 (2), Stats.

CB 6.02 Definitions. In this chapter:

(1) “Mausoleum” has the meaning given in s. 157.061 (9), Stats.

(2) “Public Mausoleum” has the meaning given in s. 157.061 (14), Stats.

Note: Columbarium is defined in s. 440.70 (4), Stats.

CB 6.03 Mausoleum plan review. (1) Prior to the construction or alteration of any mausoleum or conversion of a building or other structure to a mausoleum the board or its designee shall review, in accordance with the provisions in chs. SPS 361 to 366, the plans for mausoleum construction, alteration, or building conversion.

(2) The construction, alteration, or building conversion of any mausoleum may not occur prior to written approval of the plans by the board or its designee in accordance chs. SPS 361 to 366 and s. 157.12 (2) (a), Stats.

(3) Plans shall expire 3 years after the date indicated on the approved building plans of the building shell if not closed within those 3 years.

CB 6.04 Revision to approved plans. No modifications to the approved plans or amendments to the plan specifications beyond cosmetic changes may be made without prior written approval from the board or its designee in accordance with chs. SPS 361 to 366 and s. 157.12 (2) (a), Stats.

CB 6.05. Supervision of construction. (1) Construction of any public mausoleum shall be supervised by the board or its designee in accordance with chs. SPS 361 to 366 and s. 157.12 (2) (b), Stats.

(2) The supervising professional shall provide a written compliance statement in accordance with chs. SPS 361 to 366 within 30 days following completion of the construction, alteration, or conversion of a public mausoleum.

CB 6.06 Inspection. The board, or its designee, shall inspect the construction of any public mausoleum in accordance chs. SPS 361 to 366 and s. 157.12 (2) (b), Stats., to ascertain whether the construction, alteration, or building conversion complies with approved plans.

CB 6.07 Reinspection. (1) If the board or its designee determines that, except for certain minor defects, the construction, alteration, or conversion complies with the approved plans, the board or its designee may provide the cemetery authority with a written progress report that is contingent on the correction of those minor defects.

(2) If a cemetery authority with a progress report notifies the board or its designee in writing before the expiration date of the temporary certification that the defects in the construction, alteration, or conversion of the public mausoleum have been corrected, the board or its designee shall, within 30 days after receiving the notice, reinspect the public mausoleum and provide the cemetery authority with a final inspection report as to whether the construction, alteration, or conversion complies with the approved plans.

Note. See s. 440.70, Stats. for the definition of ‘Columbarium’ or “see subch. VII of ch. 440, Stats. for information regarding columbaria and matters relating to Crematory Authorities.”

CB 6.08 Mausoleum sales. No person may sell a mausoleum space, except an undeveloped space that is sold in accordance with s. 440.92, Stats., or bury human remains in the public mausoleum until all inspection defects are corrected and the board or its designee reinspects the public mausoleum and provides the cemetery authority with a final inspection report that indicates the construction, alteration, or conversion complies with the approved plans.

CB 6.09 Mausoleum location. The board, or its designee, shall review the location of the mausoleum to ensure the mausoleum is located in accordance with s. 157.065 (2), Stats.

CB 6.10. Compliance requirements. In addition to board construction requirements, mausoleum construction shall follow the requirements of s. SPS 362.3100.

CB 6.11. Mausoleum and public mausoleum construction material. A mausoleum or public mausoleum shall be constructed to last as long as possible, taking into consideration the technology and economics applicable to mausoleum construction at the time of construction with construction materials reviewed by the board, or its designee, in accordance with chs. SPS 361-366 and s. 157.12 (2) (d) Stats.

CB 6.12. Mausoleum and public mausoleum fees. The board or its designee may charge a reasonable fee to the cemetery authority for each review and inspection provided under this chapter. Fees for reviews and inspections shall be submitted in accordance with ch. SPS 302.

CB 6.13. Initial applicability. This chapter first applies to construction, alteration, or conversion of mausoleums and public mausoleums initiated after the effective date of this chapter ... [LRB inserts date].

CB 6.14. Reports. The board may request reports from its designee on any activity it delegates in this section.

SECTION 7. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

Dated _____

Agency _____

Chairman,
Cemetery Board

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Dan Williams Executive Director		2) Date When Request Submitted: <div style="border: 1px solid black; padding: 2px; font-size: small;">Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</div>	
3) Name of Board, Committee, Council, Sections: Cemetery Board			
4) Meeting Date: June 5, 2018	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Request from Wheatland Township Easement - Discussion and Consideration Under 157.08(2)(b) the Board must review to see if there is cause to reject the encumbrance	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: <p>Dan,</p> <p>Thank you for the response. I will attempt to answer your questions. If not satisfactory, please contact me.</p> <ol style="list-style-type: none"> 1. Map showing easement location - see "Easement Exhibit" attached file. 2. Explanation of how ATC will use the easement - see "Easement Acquisition" attached file. 3. Cemetery lots adequately protected - see (Current View Cemetery" attached file and also attached "Easement Exhibit." <p>ATC poles will be located outside the cemetery parcel in the road right-of-way. Easement is required for clearance of undergrowth, bushes, and any trees necessary which may be located in that small easement.</p> <p>The Town of Wheatland Town Board believes the property will not be harmed by this easement given to ATC and that all owners of cemetery lots are fully protected.</p> <p>Thank you!</p> <p><i>Sheila M. Siegler</i> Wheatland Town Clerk Phone: 262.537.4340 Fax: 262.537.4261 34315 Geneva Rd. (Kenosha County) P.O. Box 797, New Munster, WI 53152 Population: 3359</p>			

**State of Wisconsin
Department of Safety & Professional Services**

11) Greg DiMiceli	Authorization April 27, 2017
Signature of person making this request	Date
Supervisor (if required)	Date
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.	

TOWN OF WHEATLAND

34315 Geneva Road · P.O. Box 797 · New Munster, Wisconsin 53152-0797
Phone: (262) 537-4340 · Fax (262) 537-4261
E-mail: smsiegler@townwheatland.com

- Chairman - William M. Glembocki
- Supervisor - Andrew J. Lois
- Supervisor - Kelly A. Wilson
- Clerk - Sheila M. Siegler
- Treasurer - Deborah K. Vos

March 29, 2018

Wisconsin State Cemetery Board
DSPS
PO Box 8366
Madison, WI 53708-8366

Dear Board Members:

Re: Resolution No. 2018-002 - ATC Easement

American Transmission Company LLC has requested an easement across the Wheatland Cemetery property for the approved new Spring Valley - North Lake Geneva transmission route.

The attached resolution approves the easement offer subject to the written approval by the cemetery board. Please contact us if there are any questions either by e-mail - smsiegler@townwheatland.com or phone - 262.537.4340.

Thank you for consideration of this request.

Yours truly,



Sheila M. Siegler, Clerk
Town of Wheatland

SMS:

enc: 1

Town of Wheatland, Kenosha County, Wisconsin

Resolution No. 2018 -- 002

Approval of Easement to ATC - Wheatland Cemetery site, 6400 368th Ave.

WHEREAS, the American Transmission Company LLC (ATC) has received a Certificate of Public Convenience and Necessity (CPCN) from the Wisconsin Public Service Commission for the Spring Valley - North Lake Geneva (SPV-NLG) route, and

WHEREAS, the route crosses the Wheatland Cemetery site (a town-owned historic cemetery) on the east side of the cemetery along the 368th Ave. right-of-way; and

WHEREAS, the Town of Wheatland is required by Wis. Stat. §196.49(3e) to convey, at fair market value, the interest in land necessary for the construction, operation and maintenance of the line; and

WHEREAS, ATC has offered an easement document and an appraisal for the property in question (Tax Parcel #95-4-119-042-0730) that supports their offering price of \$3,400.

WHEREAS, the Town Board of the Town of Wheatland hereby accepts the offering price of \$3,400 for an easement along the east property line of Tax Parcel #95-4-119-042-0730 (Wheatland Cemetery) as described on the easement document affecting 0.054 acres, and

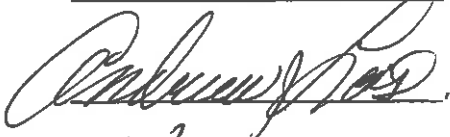
WHEREAS, the Town Board of the Town of Wheatland is required by Wis. Stat. §157.08(2)(b)(a) to notify the Wisconsin Cemetery Board in writing of the proposed encumbrance with this Resolution No. 2018 -- 002 subject to that written approval.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of Wheatland, adopts Resolution No. 2018 -- 002 approving the easement to ATC, subject to Wisconsin Cemetery Board approval.

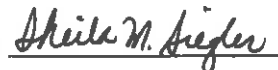
Adopted March 26, 2018

TOWN OF WHEATLAND, KENOSHA COUNTY, WISCONSIN
TOWN BOARD OF SUPERVISORS

 William M. Glembocki, Town Chairman

 Andrew J. Lois, Town Supervisor

 Kelly A. Wilson, Town Supervisor

Attest:  Sheila M. Siegler, Town Clerk

BIRDSEYE VIEW OF SUBJECT FACING WEST



Easement Exhibit



ACQUISITION AND REMAINDER

Acquisition

Transmission Line Easement: 0.054 acres

The Easement is a strip of land extending along the site's county road frontage as highlighted on the following exhibit. The HVTL right-of-way is 25 feet on either side of the centerline. The width of the easement within the property boundary varies between 14.4 feet and 14.8 feet wide. A full description of the Easement rights and restrictions is included in the generic Easement document in the addenda. The easement area consists of vacant land and wooded area. Trees in this area consist of mature deciduous trees and underbrush.

The Easement is necessary to construct a new 69-kV transmission line. Two, wood, monopole structures (Pole Nos.140017 and 140018) will be located just outside the subject's northeastern and southeastern property boundary along the roadway. The structures will be 86 and 76 feet tall respectively. The approximate locations of the structures are identified on the following aerials.

Remainder

The Easement does not impact the size of the subject. In the After Condition, the location of the new wood structures is similar to the location of the existing electrical distribution poles in the Before Condition. The electrical conductors (wires) from the existing distribution line will be carried together with the new electrical conductors for the 69-kV transmission line in the After Condition. The distribution line wires will remain at similar height between 30 and 40 feet above the ground while the new transmission line wires will range from 50 to 90 feet above the ground. The loss of value associated with the land within the Easement and severance damages are analyzed in the After Value section.