

CITY OF RICHLAND CENTER

AGENDA ITEM DATA SHEET

Agenda Item: Status Update on Pending Legal Litigation (Richland County Circuit Court Case No. 26CV98)

Meeting Date: General Government Committee on 10/27/2026

Prepared by: Ashley Oliphant, City Administrator

Background: This case concerns the City's claim for the care of veterans' graves under Wis. Stat. § 45.85. State law requires the county to pay the cost of caring for the graves of veterans and their spouses. Municipalities report these costs to the County Clerk by September 1 each year. The City's claim was submitted late and covers 1,449 graves at Richland Center Cemetery and 46 graves at Bowen Cemetery, for a total of \$17,859.83.

Timeline

August 30, 2026: The City certified its Statement of Account forms.

September 14, 2026: The City Clerk delivered the claim in person to the County Clerk's office. County staff said nothing could be done because the September 1 deadline had passed.

September 15, 2026: The City Administrator emailed the County Clerk to confirm whether the County was denying the claim. The County Clerk replied the same day advising that there is "no extension or workaround allowed under the law" and the County could not take action or make payment.

September 21, 2026: City Attorney Michael Windle sent a letter to the County Clerk and County Board Chair asking the County to reconsider and requested a response by September 25.

September 25, 2026: The County's attorney emailed Attorney Windle that the County was keeping its denial "as of now" but had "not ruled out" reimbursement and asked the City to wait until County leadership could discuss it.

September 29, 2026: The County's attorney sent a letter formally denying the claim. The County said the September 1 deadline is strict and that it enforces all deadlines equally.

October 1, 2026: The City filed a petition for writ of mandamus in Richland County Circuit Court. A writ of mandamus is a court order directing a government body to carry out a duty required by law. The Mayor and Council were notified via email the same day.

October 6, 2026: The Common Council ratified the filing and directed that a settlement with the County be pursued.

October 7, 2026: Judge Wood signed the writ. The writ found that the September 1 deadline does not cancel the City's right to reimbursement. It ordered the County to accept and review the claim on its merits and pay \$17,859.83, or the amount found eligible, within 30 days. The County could instead ask the Court to cancel the writ within 14 days. Separately, County Board Chair and Vice Chair met with the Mayor and Council President to discuss the situation.

October 20, 2026: The County filed a motion to quash the writ. This asks the judge to cancel the writ so the County would not be required to act on the claim. Under Wis. Stat. § 783.01, it is treated like a motion to dismiss the case.

November 3, 2026: Judge Wood will issue an oral ruling on the motion to quash at 10:30 a.m.

Past Practice: The County has paid the City's claim every year regardless of timely submission.

Financial Impact: \$17,859.83 in claimed reimbursement.

Recommended Action: None. Informational only.

Attachment(s): None.