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THE NORTHWOODS RIVER NEWS

School district
receives
\$25,000 grant

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Social and emotional learning a focus for SDR

By Heather Schaefer
OF THE RIVER NEWS

There was a time when education was referred to as primarily consisting of reading, writing and arithmetic. While all of those subjects remain integral to preparing a young person for the workforce, and the adult world as a whole, education now includes social and emotional learning (SEL).

The July 17 meeting of the School District of Rhinelander Board of Education, held at the Cedric A. Vig Outdoor Classroom (CAVOC), included a discussion on the district's efforts to ensure every graduate walks out the door "Hodag Ready" to use the district's phraseology.

Education consultant Lisa Stein, the meeting's guest speaker, started the discussion by challenging the group to consider the knowledge, skills and habits students need to acquire while in school in order to be successful in the workplace.

See SEL... page 14

Judge denies defense motions ahead of overdose death trial

By Heather Schaefer
OF THE RIVER NEWS

An Oneida County judge last week denied a pair of motions brought by the attorney representing the 24-year-old Rhinelander woman charged in connection with the overdose death of a 29-year-old Town of Pelican man last year.

The defense had sought to suppress the statement Jasmine M. Lariviere made to police following a May 2022 traffic stop and asked to be allowed to suggest to the jury that two other people may have given Kyle Polinski the drugs that ended his life on April 18, 2022.

Lariviere and her code-

fendant, Malik I. Jones, 24, were charged with reckless homicide, as party to the crime, last September after toxicology results showed Polinski died from fentanyl toxicity.

Fentanyl is a synthetic opioid analgesic 50 to 100 times stronger than morphine.

Shortly after Polinski

died, police received information indicating a crime may have occurred and that Jones and Lariviere might have been involved. Law enforcement later obtained a warrant to place a GPS device on the couple's vehicle and track their movements.

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JEREMY MAYO/RIVER NEWS

DISTRICT CHAMPIONS

The Rhinelander 10U Little League All-Star team captured the District 5 title Thursday, July 20 in Rib Mountain, defeating Wausau American, 8-5 in the championship game. Pictured in the front row, from left to right, are William Sundby, Blake Sundby, Jeter Vander Gailen, Rylan Pasanen, Cooper Clark, Mason Paulson and Jaxon Eades. In the back row are manager Dan Bauer, Griffin Rady, Eli Bauer, Nick Schneider, Easton Sieker, coach Josh Clark, Easton Ostrom and coach Jeremy Vander Gailen. For more on the Hodags' victory, see Sports, Page 8.

PFAS plan in limbo

BY WISPOLITICS.COM

Following Gov. Tony Evers' signing of the state budget, \$125 million to combat PFAS contamination remains in limbo as lawmakers discuss potential changes to GOP legislation to tackle the forever chemicals.

Sen. Eric Wimberger told WisPolitics he had hoped to get the measure approved before September but said efforts to get the bill to Evers' desk will likely stretch into the fall because it is "too complicated" to get done sooner.

The bill would implement a municipal grant program for per- and polyfluoroalkyl chemicals testing and mitigation, but would also limit the Department of Natural Resources' authority to regulate PFAS.

Evers had proposed more than \$106 million in the budget to address PFAS, but Republicans rejected his plan. The

DNR has said it will need more staff and money to implement the GOP bill.

Wimberger indicated he is open to a compromise with Evers.

"If the governor has a big deal about one thing or another, and it's a poison pill, and it's not completely defeating the whole purpose of the idea of helping people with their PFAS problems," Wimberger said,

"I think there's a high likelihood we're going to work together on that, and some things might come out, some things might go in."

The Green Bay Republican said the ongoing challenge will be to make sure people are eligible for funding while also "not opening everyone up to government control."

Sen. Kelda Roys, who sits on the Joint Finance Committee, criticized bill language that would mean DNR would have to go to the committee to get the funding.

The Madison Democrat told WisPolitics the \$125 million is "basically pretend" until JFC approves it. The dollars can't be used unless the bill is signed into law, at which time DNR would have to go to JFC to request it.

She also argued that restrictions on DNR authority to regulate PFAS shift liability from polluters to taxpayers.

She said while public funds will play an important role in PFAS cleanup, "we should absolutely not be directing those scarce public resources to letting polluters off the hook."

Despite a recent substitute amendment to the bill led by Wimberger and fellow Green Bay-area Republican Sen. Rob Cowles, environmental groups also worry about bill language they think would undermine DNR's ability to combat PFAS.

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Motions

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The two were arrested in early May 2022 following a traffic stop. At the time, they were under bond and/or probation conditions prohibiting them from having any contact.

Various amounts and types of illicit substances were found in the vehicle during the traffic stop, including pills located inside Lariviere's purse. According to the complaint, the pills matched the description of the pill Lariviere and Jones later told police they delivered to Polinski in April. The pills were sent to the state crime lab for testing and came back positive for the presence of fentanyl, according to the complaint.

According to testimony during Jones' preliminary hearing, Jones and Lariviere purchased what they were told were Percocet pills from a contact outside of the area and traveled to Oneida County to deliver one of the pills to Polinski.

The police interviews indicate Jones and Lariviere believed the pills were Percocet but were aware that there were "fake Percocet" pills circulating at the time.

Earlier this year, pursuant to a plea agreement, Jones pled guilty to first-degree reckless homicide-drug delivery (as party to the crime) as well as possession of narcotics and schedule IV drugs with intent to deliver. He is serving a 3 1/2 year prison sentence to be followed by eight years extended supervision.

As part of the agreement, he has agreed to testify truthfully should Lariviere's case go to trial.

The case was scheduled for trial this month but had to be postponed after the state discovered it had witness availability issues.

Instead, a hearing on the defense motions took place on July 18, exactly 15 months after Polinski's death.

The crux of the defense argument for suppression of Lariviere's statement to police was that the investigators knew she had an attorney representing her on another criminal matter, a person she referenced but did not specifically ask for during the interview in question, according to a recording of the interview played during the hearing.

The defense also noted that Lariviere was arrested at gun-point during a traffic stop, was under the influence of marijuana at the time of the interview and didn't fully understand her rights with respect to representation by counsel.

Based on the "totality of the circumstances" defense attorney Antoni Apollo argued the statement was not voluntary.

In response, Oneida County assistant district attorney Mary Sowinski argued that Lariviere was properly read her Miranda rights and that the right to counsel under the Sixth Amendment "only attaches to the charged offenses."

For the interview in question, the officers wished to speak to Lariviere about a matter separate from the case for which she had legal representation, the prosecutor noted.

"Furthermore, they made it very clear that it was up to her to decide what questions to answer, whether to ask for an attorney at any time, and when to end the interview," she added.

Reading from the transcript, she quoted one of the investigator's exact words: "Really, how the conversation progresses and where it goes and when it ends is really in your court," the officer told Lariviere.

Judge Mary Roth Burns denied the suppression motion, noting that the investigators were "thorough" in reciting the defendant's rights and making it clear that she could end the interview or contact her attorney at any time. The judge also noted that it appeared Lariviere was comfortable in the interview room and made a knowing decision to speak with the investigators.

"Certainly, she did mention her attorney before she was read her Miranda rights, but I thought that law enforcement was very thorough in explaining to her that she could ask for an attorney or stop the questioning at any point if she felt uncomfortable," the judge said, adding that "law enforcement gave her multiple chances to say she needed her attorney or wanted to call him. She seemed very comfortable in that room. She did not seem afraid or worried..."

Burns also denied Apollo's request to be allowed to argue to the jury that two other people — associates of Polinski — might have delivered the substance that ended his life.

In making his argument, Apollo referenced a non-fatal fentanyl-related overdose that took place a week before Polinski died. That incident, he argued, bears some similarity to what is believed to have taken place when Polinski perished and involved a substance allegedly provided by someone who was known to use drugs with Polinski in the past.

He also referenced a statement made by one of Polinski's associates who claimed that Polinski had talked about traveling to another state to try to get drugs from a contact who had moved away from this area.

Prosecutor Sowinski strongly objected to the defense's attempts to tie these other people to Polinski's death. One of the individuals — the one the defense argued was involved in the earlier non-fatal overdose — was actually in jail the week before Polinski died, she stressed.

The other individual resides in a state some distance from Wisconsin and there's no evidence connecting that person to Polinski in the days before his death.

Sowinski called the defense's attempts to point to these individuals as potential third-party perpetrators as "rank speculation" that should not be permitted.

Burns agreed with the state, though she noted that if the incarcerated individual had actually been free during the relevant timeframe, she likely would have granted the motion.

"The connection with (the incarcerated individual) is too distant in time because he was locked up," she said, adding that there is no actual evidence tying the person who resides in another state to Polinski during the timeframe in question.

After denying both motions, Burns set a status conference for Sept. 5. This is a "placeholder" date, she said, as her term in office will end on July 31. She was appointed by Gov. Tony Evers to fill the remainder of the term left unserved following the retirement of Judge Patrick O'Melia last summer.

Oneida County district attorney Michael Schiek will take over as Branch 1 circuit judge on Aug. 1, having defeated Burns in the spring election.

Previously, the parties in the Lariviere case indicated they would like to see a new judge assigned as soon as possible so that the matter can be resolved in a timely manner. A new trial date will be set after a new judge is assigned.

Finally, Burns amended Lariviere's bond conditions to prohibit any use of social media.

According to Sowinski, a concern was raised about her allegedly commenting on the case on social media.

If convicted of reckless homicide, Lariviere faces a maximum sentence of 40 years in prison.

Heather Schaefer may be reached at heather@rivernewsjournal.com.

LEGAL NOTICES

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Oneida County Board of Adjustment will hold a public hearing at

The Oneida County Courthouse, Committee Room #2, 2nd Floor on August 3, 2023, beginning at 1:00 pm, to consider the appeal described herein. All interested persons should attend and may present testimony orally at the hearing, or in writing at or prior to the hearing. The appellant must be present or represented. Provisions of the Wisconsin Open Meeting Law will govern.

Appeal No. 23-008 of Michelle Thedens, owner, appealing the enforcement of the removal of eight (8) sitting areas within 75' of the Ordinary High Water Mark of Nokomis Lake/Tomahawk River. The property is located at 10223 Prairie Rapids Road further described as par Government Lot 8, Section 28, T36N, R6E, PIN NO 322-1, Town of Nokomis, Oneida County, Wisconsin.

Oneida County Board of Adjustment Rules of Procedure, Section 17.05(12), Chapter 17, Oneida County Code of Ordinances, provide that a timely appeal shall stay all proceedings and furtherance of the action appealed from, unless such stay would cause imminent peril to life or property.

The Board of Adjustment will conduct an inspection of the property involved in this appeal beginning at approximately 10 am prior to the hearing. Pertinent property boundaries and locations of existing and proposed structures shall be clearly identified. Proposed structures shall be marked with stakes, flags, ribbon, etc., as accurately as possible. A representative of the appellant must be present. The inspector shall be open to the public.

Following adjournment of the public hearing, the Board will vote in open session for a decision on this appeal. Information on the decision can be had by calling or visiting the Planning & Zoning Office during normal business hours on or after the next or a later day set by the Board during the hearing. The appellant will be notified of the decision via certified mail.

Copies of appeals and related documents are available for public inspection during normal business hours at the Planning & Zoning Office, Oneida County Courthouse, Rhinelander, WI 54501. The Oneida County Zoning & Shoreland Protection Ordinance is available on the Internet at <http://www.co.oneida.wi.gov/>.

HARLAND LEE, CHAIRMAN
Oneida County Board of Adjustment
Planning & Zoning Office, Courthouse
PO Box 400, Rhinelander, WI 54501
109807 7/18,7/25 WNAXLF

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Oneida County Board of Adjustment will hold a public hearing at The Oneida County Courthouse, Committee Room #2, 2nd Floor, on August 10, 2023 beginning at 1:00 pm, to consider the appeal described herein. All interested persons should attend and may present testimony orally at the hearing, or in writing at or prior to the hearing. The appellant must be present or represented. Provisions of the Wisconsin Open Meeting Law will govern.

Appeal No. 23-010, of Bradley Hjorth, owner, appealing the denial of a zoning permit to construct a garage only 45' from the center line and 7'8" from the right-of-way of Hideaway Lane. The property is located at 6542 Hideaway Lane, further described as Neuvilles Joy Camp Lot 1, part Government Lot 1, Section 18, T38N, R6E, PIN HJ 842, Town of Hazelhurst, Oneida County, Wisconsin.

Oneida County Board of Adjustment Rules of Procedure, Section 17.05(12), Chapter 17, Oneida County Code of Ordinances, provide that a timely appeal shall stay all proceedings and furtherance of the action appealed from, unless such stay would cause imminent peril to life or property.

The Board of Adjustment will conduct an inspection of the property involved in this appeal beginning at approximately 10 am prior to the hearing. Pertinent property boundaries and locations of existing and proposed structures shall be clearly identified. Proposed structures shall be marked with stakes, flags, ribbon, etc., as accurately as possible. A representative of the appellant must be present. The inspector shall be open to the public.

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HARLAND LEE, CHAIRMAN
Oneida County Board of Adjustment
Planning & Zoning Office, Courthouse
PO Box 400, Rhinelander, WI 54501
110791 7/25,8/1 WNAXLF

STATE OF WISCONSIN, CIRCUIT COURT, MARATHON COUNTY

Case No. 23CV313

CREATIVE FINANCE, INC.
815 Business Park Road
PO Box 454
Wisconsin Dells, WI 53965,
Plaintiff,

-v-
PAMELA ANN MARIE ARMSTRONG
1632 Ontario Street
Oshkosh, WI 54901

JEREMY SCOTT PELTO
6153 Twin Oaks Drive
Rhinelander, WI 54501

SUMMONS

THE STATE OF WISCONSIN

To each person named above as a Defendant:
You are hereby notified that the Plaintiff named above Creative Finance, Inc., by its attorney, Christopher M. Kern, filed a lawsuit or other legal action against you.
Within Forty (40) days the 19th day of July, 2023, you must respond with a written demand for a copy of the Complaint. The demand must be sent or delivered to the Court, whose address is: Clerk of Circuit Court, Marathon County Courthouse, 500 Forest Street, Wausau Wisconsin 54403, and to Plaintiff's attorney, Christopher M. Kern, 815 Business Park Road, PO Box 454, Wisconsin Dells, Wisconsin, 53965. You may have an attorney help or represent you.
If you do not provide a proper answer within forty (40) days, the Court may grant judgment against you for the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future and may also be enforced by garnishment or seizure of property.
Dated this 19th day of July, 2023.
General Counsel for Plaintiff

Signed By: Christopher M. Kern
Christopher M. Kern
State Bar Number: 1093883
Creative Finance, Inc.
815 Business Park Road
P.O. Box 454
Wisconsin Dells, WI 53965
Phone: (608) 254-6855
Fax: (608) 253-5005
legal@creativefinanceinc.com

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SEL

From page 1

"Social and emotional learning naturally fits into career readiness," she said, noting that critical thinking, adaptability, collaboration, empathy, resilience and self-management are essential in the workforce and in life.

Acquiring these competencies is a "lifelong process," for which "there's no mastery," she added, noting that it's important for teachers to serve as positive examples so that students can see what social and emotional competency looks like. "They are the first models that our students see," she said. "They are able to show what it looks like to make deci-

sions, what went into decisions, how we interact with people, how you can have a conflict and still get the job done."

When the discussion shifted to the district's SEL initiative, James Williams Middle School Principal Richard Gretzinger and SDR college and career counselor Lexi Allen shared information gleaned through the administration's meetings with local industry leaders regarding the "soft skills" and traits local employers are looking for in new hires.

Allen said the industry employers stressed that they are looking for employees who will arrive on time, make and maintain eye contact, listen for instructions, maintain a positive attitude and put their cellphones

down. The pair also talked about a curricula called CharacterStrong the district has implemented at the elementary, middle school and high school levels.

According to Gretzinger, the goal of the program is to increase students' sense of belonging and engagement in learning.

As part of this program, students are dared to do things like open the door for someone or leave a positive note on someone's locker, he said.

Service learning projects are another component of this initiative, as such projects illustrate for students the benefits of "doing things for the community and for others," Gretzinger explained.

Allen told the board her goal for the upcoming school year is to meet with every single student in grades 6-12 to assist in ensuring they understand the classes they must take for their particular course of study and future plans. While students' plans for the future can and do change, she said the district's mission is to ensure students are ready for the next step post-graduation, whether it be attending college, entering the military or immediate entry into the workforce.

"Every single student that graduated (in 2023) had a plan for what they were doing next," she noted.

Heather Schaefer may be reached at heather@rivernewsjournal.com.