



April 6, 2026

SHERRY VOLUNTEER FIRE DEPARTMENT LLC
3942 MAIN STREET
MILLADORE WI 54454

DECISION ON REVIEW OF NOTICE OF VIOLATION AND ORDER

Re: 25 COM 0256 – Order #0021125

TO WHOM IT MAY CONCERN:

On February 5, 2026, the Department of Safety and Professional Services (DSPS or the Department) entered a Notice of Violations and Orders against Sherry Volunteer Fire Department LLC (the Fire Department). The Order was entered after a Department investigation found the Fire Department in violation of Wis. Admin. Code Chapters SPS 330 and 314. The Order provided appeal rights to the Fire Department which stated that “any employer or other person interested either because of ownership in or occupation of any property affected by any such order, or otherwise, may petition for a hearing on the reasonableness of any order of the department in the manner provided in this subchapter. All requests must be received within 30 days of the date of this Order and shall set out specifically and in full detail the order upon which a hearing is desired and every reason why such order is unreasonable, and every issue to be considered by the department on the hearing. The petitioner shall be deemed to have finally waived all objections to any irregularities and illegalities in the order upon which a hearing is sought other than those set forth in the petition.”

On February 23, 2026, DSPS Attorney Matthew McCasland received a phone call from the Fire Department (715-652-2881) where the Fire Department stated that because they were a private fire department the Orders should not apply to them as the Department lacks jurisdiction. McCasland instructed the Fire Department that a request for hearing should be sent in writing to the Department within the 30 day deadline.

That same day McCasland received an email from the Vic Kryzowski (polishvic@tds.net) stating “Included is a FAQ document from DSPS website stating that private sector fire departments under 181 or 213 statute SPS 330 does not apply to them.” Attached to the email was a pdf titled “Sherry Update of Articials (sic) of Organization to 18102232026” and a pdf of a DSPS FAQ concerning Fire Department Safety and Health Standards.

This was the only communication and documents received by the Department. Upon information and belief this was the Fire Department’s attempt to request a hearing as allowed per Wis. Stat. § 101.02(6).

Per statute the Department must review the request as follows: Upon receipt of such petition, if the issues raised in such petition have theretofore been adequately considered, the department shall determine the same by confirming without hearing its previous determination, or if such hearing is necessary to determine the issues raised, the department shall order a hearing thereon and consider and determine the matter or matters in question at such times as shall be prescribed. Notice of the time and place of such hearing shall be given to the petitioner and to such other persons as the department may find directly interested in such decision.

Having reviewed the petition and the file I find that the issues raised in the petition were already adequately considered by the Department and I am confirming the Department’s previous determination.

In the original complaint file the original complainant states that the Town of Milladore gives the Fire Department nearly \$50,000 a year as do 2 other neighboring communities. Also in the complaint is a August 11, 2025, email from Chad Greenwood, Area Director for OSHA, to April Hammond, Department Fire Prevention/Safety & Health & POWTS Section Chief, stating that “We understand that the department is registered as a non-stock corporation, but on its surface and with limited details available, the fire department appears to be a political subdivision of the state. An additional hurdle to demonstrate OSHA jurisdiction would be the volunteer status (are there employees and are/were employees exposed). Given the multitude of factors, we are declining jurisdiction and referring to DSPS.”

I then spoke to April Hammond who stated that the Department has routinely found that if a fire department is organized under Wis. Stat. Chapter 181 and has received public funds OSHA has declined jurisdiction and DSPS has enforced jurisdiction to its statutes and

code. Hammond confirmed with the Town of Milladore that it had made payments to the Fire Department. I note an absurd result would be reached if OSHA declined jurisdiction and the Department lacked jurisdiction: a fire department that had no regulatory oversight.

For these reasons I find that the issues raised in the Fire Department's request for a hearing have already been adequately considered by the Department and thus no hearing is necessary.

This decision can be appealed per the requirements of Wisconsin Stat. ch. 227.1¹



**Branden Piper | Division Administrator | Industry Services
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¹ PLEASE NOTE that you are entitled to judicial review of this decision. To exercise this right, you must comply with the procedural requirements of Wis. Stat. § 227.53. Within 30 days after the date the Department mailed this letter, you must start the judicial review proceeding by filing a petition for review with the clerk of circuit court for Dane County or for the county where you reside. The petition must state the nature of your interest (that is, how you are involved in the matter), the facts showing you are aggrieved by the Department's decision, and the grounds specified in Wis. Stat. § 227.57 upon which you contend that the court should reverse the Department's decision. You must title the petition in your name, calling yourself the petitioner, with the Department's name as the respondent. *See* Wis. Stat. § 227.53(1)(b). You must also serve a copy of the petition either personally or by certified mail upon the Department (or one of its officials) at:

Wisconsin Department of Safety and Professional Services
P.O. Box 8368, Madison, WI 53708-8368
4822 Madison Yards Way, Madison, WI 53705

and upon each party who is listed in the Department's decision for purposes of judicial review and who appeared before the Department in the administrative proceeding that led to the decision, or upon the Department's attorney of record. *See* Wis. Stat. § 227.53(1)(a).

Wisconsin statutes are available in most libraries and courthouses, and online at www.legis.wisconsin.gov.