

**REGULAR SESSION
of the
JACKSON COUNTY BOARD OF SUPERVISORS**

March 20, 2023

The Regular Session of the Jackson County Board of Supervisors was called to order at 5:30 P.M., on Monday, March 20, 2023, at the Jackson County Courthouse in the County Board Room by Chairman Amo.

County Clerk, Cindy Altman, took roll call with 17 members present and 2 excused (Supervisor Swanson and Supervisor Schmidt).

The Pledge of Allegiance was given.

Chairman Amo asked for a moment of reflection in honor of former County Board Chairman Ray Ransom who recently passed away.

Chairman Amo asked if there were any corrections or additions to the minutes of the previous meeting. Supervisor Chamberlain made a motion to approve the minutes. This was seconded by Supervisor Peloquin. Voice vote was taken with 17 present voting Aye.

PROCLAMATION

TO: The Honorable Jackson County Board of Supervisors

RE: Proclaiming April 2023 as Child Abuse Prevention Month

WHEREAS, child abuse and neglect is a complex and ongoing problem across society, affecting families in Jackson County; and,

WHEREAS, the Jackson County Department of Health & Human Services Children & Families Division received 504 reports of child abuse or neglect in the year 2023; and,

WHEREAS, Jackson County has dedicated individuals and organizations who work to counter the problems caused by child abuse and to help families obtain the assistance that they need to raise their children in a safe and nurturing environment; and,

WHEREAS, effective child abuse prevention programs succeed because of partnerships among non-profit agencies, schools, religious organizations, law enforcement agencies, and the business community; and,

WHEREAS, Jackson County will become a stronger and healthier community if everyone is aware of the signs and symptoms of child abuse and work together to help parents raise their children in safe nurturing environments; and,

WHEREAS, proclaiming April 2023 as Child Abuse Prevention Month will allow the Children & Families Division at the Department of Health & Human Services to raise awareness about child abuse prevention.

NOW, THEREFORE, BE IT RESOLVED that the Jackson County Board of Supervisors urges all citizens, organizations, and businesses to be aware of the signs of child abuse and neglect, and to provide assistance when able, to help parents raise our community's children in safe nurturing environments; and,

IT IS FURTHER RESOLVED that the Jackson County Board of Supervisors proclaims that April 2023 will be recognized as Child Abuse Prevention Month.

Jeffrey Amo, Chairmen, Jackson County Board of Supervisors

Date

Sheriff Duane Waldera, Jackson County Sheriff's Office

Date

Chief Jeremy Isensee, Black River Falls Police Department

Date

Christine Hovell, Jackson County DHHS Director

Date

Supervisor Hart made a motion to adopt this proclamation. This was seconded by Supervisor Rolbiecki. Daina Dobbs, Children and Families Manager spoke and was present for questions. Voice vote was taken with 17 present voting Aye.

RESOLUTION # 05-03-2023

RESOLUTION TO DEVELOP A FUTURE HIGHWAY

DEPARTMENT FACILITY PLAN

WHEREAS, it has been recognized that the Jackson County Highway Department is in need of expanding and modernizing its' equipment storage and maintenance facilities, and

WHEREAS, the current facility in Black River Falls is made-up of a shop built in 1929 with additions that were added in 1939, 1954, and 1973, and

WHEREAS, the number and size of plow trucks with equipment has increased over the years that has created very crowded and at times unsafe conditions in the truck storage areas, and

WHEREAS, the 1929 equipment repair shop is very antiquated and does not allow for the use of modern maintenance items such as truck hoists which would make repairing trucks more efficient, and

WHEREAS, it would be desirable to have a semi-automatic truck wash, with underbody washing capabilities, as part of a new highway facility, and

WHEREAS, it has been debated whether any new facility should be built at the present downtown site or at the Highway 54 "lower shop" property located south of Black River Falls, and

WHEREAS, an experienced design consultant should be used to help determine the best location and design the necessary buildings and supporting infrastructure to meet the needs of the Highway Department for the present and into the future, and

THEREFORE BE IT RESOLVED, that the Jackson County Highway Committee hire a qualified design consultant to accomplish the goals as outlined in this Resolution, and

BE IT FURTHER RESOLVED, that funding for such consultant be allocated from American Rescue Plan funds not to exceed \$150,000.

Adopted this 20th day of March 2023

Highway Committee
s/Alton Staff
s/Ed Chamberlain
s/Chuck Jensen
s/Adrian Swanson
s/Mike Kunes

Executive & Finance Committee
s/Jeff Amo
s/Ron Carney
s/Michelle Greendeer-Rave
s/Alton Staff
s/John Higgins

Supervisor Chamberlain made a motion to adopt this resolution. This was seconded by Supervisor Jensen. Jay Borek, Highway Commissioner, was present for questions. Discussion took place. Voice vote was taken with 17 present voting Aye.

RESOLUTION 06-03-2023

TO: The Honorable Jackson County Board of Supervisors

RE: Reorganization of Animal Shelter Department

WHEREAS, Jackson County Animal Shelter opened their new building in May of 2020, and;

WHEREAS, the increased building and capacity size, there was a need for additional staff in order to maintain the building and animal needs, and;

WHEREAS, in February 2022, the Personnel and Bargaining Committee approved the job description and hiring of a project Shelter Manager for up to a one-year trial period, and;

WHEREAS, the Shelter Manager position would be responsible for managing and supervising staff and the operations of the Animal Shelter, and;

WHEREAS, it has been determined the need to reorganize the staffing levels, making this a full-time, permanent position and changing the Animal Control/Humane Officer position to part-time, non-benefited, less than 30 hour per week position. Carlson Dettmann Consulting has reviewed these positions and placed the Shelter Manager at Grade 9 and the Animal Control/Humane Officer at Grade 8, and;

WHEREAS, the financial analysis for these positions is attached, and;

NOW, THEREFORE, BE IT RESOLVED, that the Jackson County Board of Supervisors hereby authorizes the Shelter Manager to become a full-time, benefited position in Jackson County and changes the Animal Control/Humane Officer position to a part-time, non-benefited, with less than 30 hours per week position, and;

BE IT FURTHER RESOLVED that the resolution will become effective the next full pay period upon passage by the Jackson County Board of Supervisors.

Respectfully Submitted,

Personnel & Bargaining Committee
s/Jeff Amo
s/Garth Rolbiecki
s/Alton Staff
s/Ed Chamberlain
s/Chuck Jensen
s/John Higgins
s/Ron Carney

Executive & Finance Committee
s/Jeff Amo
s/John Higgins
s/Michelle Greendeer-Rave
s/Ron Carney
s/Alton Staff

Supervisor Rolbiecki made a motion to adopt this resolution. This was seconded by Supervisor Carney. Susie Meinerz, Human Resources Director was present for questions. Discussion took place. Voice vote was taken with 17 present voting Aye.

RESOLUTION NO. 07-03-2023

RE: Authorize Procedures and Approve Expenditures for Opioid Settlement Funds

WHEREAS, Jackson County has been participating in a class action suit for many years against pharmaceutical manufacturers and companies, with many other Wisconsin counties and States as co-defendants, to support efforts to combat the use and abuse of opioids; and

WHEREAS, Jackson County has received and will receive settlement funds from these “opioid settlements” over the course of 16 years; and

WHEREAS, Jackson County has received \$110,510 as of January 1, 2023 and could potentially receive on average \$63,276 per year over 16 years; and

WHEREAS, Jackson County, by its County Board Chair and County Clerk/Administrative Coordinator, are required to report the receipt and use of these funds to various reporting agencies annually; and

WHEREAS, it is appropriate to set up procedures to authorize the use of said funds pursuant said reporting requirements to abate the opioid epidemic; and

WHEREAS, the Executive and Finance Committee hereby requests the County Board approve and authorize the Executive and Finance Committee to have full and final approval of all projects proposed to be financed by these funds.

NOW THEREFORE BE IT RESOLVED that the Jackson County Board of Supervisors authorizes the Executive and Finance Committee to have full and final approval of all projects proposed to be financed by any opioid settlement funds in the county’s efforts to abate the opioid epidemic.

Respectfully Submitted:
Executive & Finance
s/Jeff Amo
s/John Higgins
s/Michelle Greendeer-Rave
s/Ron Carney
s/Alton Staff

Supervisor Greendeer-Rave made a motion to adopt this resolution. This was seconded by Supervisor Staff. Discussion took place. Voice vote was taken with 17 present voting Aye.

RESOLUTION NO. 08-03-2023

TO: THE HONORABLE COUNTY BOARD OF SUPERVISORS

RE: HIRE OF VETERANS SERVICE OFFICER

WHEREAS, per Chapter 4 of the County Code of Ordinances, a county board resolution is required to fill the vacancy of the Veterans Service Officer; and,

WHEREAS, a screening and interview process was conducted by members of the Executive and Finance Committee, Human Resources Director and a neighboring County

Veteran Service Officer, and a written exam was administered to the final candidates; and,

WHEREAS, Hunter Rudnick has demonstrated through the interview and testing process that he possesses the requirements and qualifications to perform the essential functions of this position.

NOW THEREFORE BE IT RESOLVED, The Honorable County Board of Supervisors hereby approves the hire of Hunter Rudnick as Jackson County's Veterans Service Officer.

Respectfully Submitted:

Executive & Finance
s/Jeff Amo
s/John Higgins
s/Ron Carney
s/Michelle Greendeer-Rave
s/Alton Staff

Personnel & Bargaining
s/Jeff Amo
s/Garth Rolbiecki
s/Ed Chamberlain
s/John Higgins
s/Charles Jensen
s/Alton Staff

Supervisor Higgins made a motion to adopt this resolution. This was seconded by Supervisor Chamberlain. Chairman Amo introduced Hunter Rudnick. Voice vote was taken with 17 present voting Aye.

RESOLUTION 09-03-2023

TO: The Honorable Jackson County Board of Supervisors

RE: Request for Creation of a Seasonal Park Lead / Security Employee

WHEREAS, programs and duties within the Parks Department, have continued to change creating the need for additional staffing; and,

WHEREAS, this includes the addition of a Seasonal Parks Lead/ Security Employee in order to increase opportunities for efficiencies when responding to department needs; and,

WHEREAS, after thorough review of the needs of the Parks Department, it has been determined the need to add a Seasonal Parks Lead/Security Employee position within the Forestry and Parks Department and the Seasonal Parks Lead/Security Employee may be filled with multiple people, and is limited to the annual budgeted seasonal line of the Forestry and Parks Department; and,

WHEREAS, it has been determined that the Seasonal Parks Lead/Security Employee be placed on the Jackson County Wage Scale, Appendix B – Seasonal-Casual at \$14.00 and position is eligible for weekend differential pay; and,

NOW, THEREFORE, BE IT RESOLVED, that the Jackson County Board of Supervisors hereby authorizes the addition of a Seasonal Parks Lead/ Security Employee position,

BE IT FURTHER RESOLVED, that the resolution will become effective upon passage by the Jackson County Board of Supervisors and is subject to the recruitment process outlined in the County’s Personnel Policy – Chapter 4.

Respectfully Submitted:

Forestry & Parks
Committee
s/Ed Chamberlain, Chairman
s/John Higgins
s/Thomas Clark
s/Dale Hoff
s/Jerrold Schmidt

Personnel & Bargaining
Committee
s/Jeff Amo, Chairman
s/Charles Jensen
s/Alton Staff
s/Ron Carney
s/Garth Rolbiecki
s/Ed Chamberlain
s/John Higgins

Executive & Finance
Committee
s/Jeff Amo, Chairman
s/Ron Carney
s/Michelle Greendeer-Rave
s/Alton Staff
s/John Higgins

Supervisor Higgins made a motion to adopt this resolution. This was seconded by Supervisor Chamberlain. James Zahasky, Forestry Administrator was present for questions. Discussion took place. Voice vote was taken with 17 present voting Aye.

RESOLUTION 10-03-2023

TO: The Honorable Jackson County Board of Supervisors

RE: Request for one (1.0) FTE Environmental/Public Health Technician

WHEREAS, programs and duties within the Public Health Division, in particular Environmental Health, have continued to change creating the need for restructure and,

WHEREAS, this restructure includes the addition of an Environmental/Public Health Technician in order to increase opportunities for efficiencies with responding to department needs, and,

WHEREAS, this restructure will create increased collaboration and cohesion between Local Municipalities, DNR, DATCP, Regional & Local Environmental Health Programs and Water Labs, and,

WHEREAS, after thorough review of the needs of the Public Health Division, the Public Health Manager & Health Officer, DHHS Director and Human Resources Director have

determined the need to add an Environmental/Public Health Technician within the Public Health Division and,

WHEREAS, it has been determined that the Environmental/ Public Health Technician be placed on the Jackson County Wage Scale pay group 8, by the Jackson County DHHS Director, Jackson County Public Health Manager & Health Officer, Jackson County Human Resources Director with approval from Carlson Dettmann Consulting and,

NOW, THEREFORE, BE IT RESOLVED, that the Jackson County Board of Supervisors hereby authorizes the addition of an Environmental/Public Health Technician position,

BE IT FURTHER RESOLVED that the resolution will become effective the first full pay period after passage by the Jackson County Board of Supervisors.

Respectfully Submitted,

DHHS Committee

s/Ron Carney, Chairman

s/Tom Clark

s/Daryl Boe

s/Sarah Peloquin

s/Desiree Gearing-Lancaster

s/Max Hart

v/Michelle Clark-Forsting

v/Lori Chown

v/Beth Smetana

Personnel & Bargaining
Committee

s/Jeff Amo, Chairman

s/Garth Rolbiecki

s/Alton Staff

s/Ed Chamberlain

s/Chuck Jensen

s/John Higgins

s/Ron Carney

Executive & Finance
Committee

s/Jeff Amo, Chairman

s/John Higgins

s/Ron Carney

s/Michelle Greendeer-Rave

s/Alton Staff

Supervisor Hart made a motion to adopt this resolution. This was seconded by Supervisor Peloquin. Tammy Handly, Public Health Manager was present for questions. Discussion took place. Voice vote was taken with 17 present voting Aye.

RESOLUTION NO: 11-03-2023

TO APPROVE THE ANNUAL COUNTY FOREST WORK PLAN

TO THE HONORABLE JACKSON COUNTY BOARD OF SUPERVISORS:

WHEREAS, Jackson County has lands enrolled in the Wisconsin County Forest Land Program commonly referred to as the Jackson County Forest; and

WHEREAS, the Jackson County Forest Comprehensive Land Use Plan requires an annual work plan to be approved by the Jackson County board of Supervisors to be eligible for certain grant funding per §28.11(5)(b), Wis. Stats.; and

WHEREAS, Jackson County Forestry and Parks Committee approved the 2023 Annual Work Plan at their regular meeting held February 7, 2023; and

WHEREAS, the Jackson County Board of Supervisors adopted the 2023 Forestry and Parks budget at its budget meeting November 15, 2022.

NOW THEREFORE BE IT RESOLVED, that the County Board of Supervisors approves the 2023 Annual Work Plan for the Forestry and Parks.

Respectfully Submitted:

Forestry and Parks Committee:

s/Ed Chamberlain, Chairman
s/John Higgins
s/Jerry Schmidt
s/Tom Clark
s/Dale Hoff

Executive & Finance Committee:

s/Jeff Amo, Chairman
s/Ron Carney
s/Michelle Greendeer-Rave
s/Alton Staff
s/John Higgins

Supervisor Chamberlain made a motion to adopt this resolution. This was seconded by Supervisor Higgins. James Zahasky, Forestry Administrator was present for questions. Voice vote was taken with 17 present voting Aye.

JACKSON COUNTY FOREST AND PARKS
2023 WORK PLAN

Timber Sales

The County will be offering 30 to 40 timber tracts for sale. The major timber types will be an aspen-oak mix, oak, jack pine and red pine thinning.

Forest Reconnaissance information for allowable cut acreage:

Regeneration harvest		
	Oak	400 acres (Approx. 1000 acres of backlog)
	Aspen	300 acres
	Red Pine	175 acres
	Jack Pine	500 acres
	White Pine	200 acres
	<u>Misc. Species</u>	<u>100 acres</u>
Totals for 2023 allowable cut		1675 acres
Thinning		
	Red Pine	400 acres
	<u>White Pine</u>	<u>300 acres</u>
	Total	700 acres

This information was adjusted from WisFIRS (state inventory) to spread out the oak harvest over a number of years. The other adjustment is from forester' perspective that not everything on the recon would be ready for harvest, being mostly on sandy soil type our growth is less than average.

The Jackson County Forest plans to even out the age distribution of aspen by harvesting some early and others late.

The Jackson County Forest plans to encourage forest types of oak, jack pine and aspen where it is practical and opportunity presents itself.

Aspen and other pulpwood markets have significantly declined since the closure of the Verso Papermill in Wisconsin Rapids. The revenue collected from the County Forest will reflect this trend until the mill resumes operation or new demands for the pulp wood are found.

Timber Sale Administration

Jackson County Forestry Staff will monitor all timber sale activity for compliancy with the sale contract, accountability for all cut products and completion of the contract.

Timber sales sold and under contract	43
Active timber sales per year	25

Moss Sales

The County will have 3 to 4 moss marshes available in May for public bidding. The average size is less than ten acres. Revenue from the moss harvesting is approximately \$5,000 annually. Mossing is unique to Jackson County without it the marshes would be encroached with woody brush.

Forest Inventory

County forest personnel will complete 3000 acres of forest reconnaissance. The County will be entering the information using the DNR's WisFIRS program for reconnaissance updates.

Reforestation

Jackson County will plant 62 acres with 78,000 red pine seedlings to maintain the red pine type on a stand that was harvested in 2021. That same year in the fall the site was power drenched creating a furrow to plant the seedlings. In 2022 the site was chemically treated to reduce competition for the seedlings.

County staff will determine sites that need preparation for planting. Currently two sites approximately 70 acres will need some type of site prep.

All sites that have regeneration harvested in the past 3-4 years will be inspected for adequate regeneration.

All sites that have been planted in 2022 will be inspected for tree survival.

Timber Stand Improvement

County is planning on doing an oak release on one site of 29 acres, in which the competing maple and white pine will be removed.

Wildlife Habitat

The five cents-an-acre grant fund will be used for monitoring the Karner Blue Butterfly, prescribe burns for prairie maintenance, invasive weed control, mowing, gate installation or berming hiking and walking trails.

Jackson County Forest is receiving matching grants from RMEF to maintain and improve wildlife openings. This includes mowing, seeding and fertilizing the openings. Not all of this work is done every year it depends on the opening as to what it needs. The openings are inventoried and the annual work done on each one is recorded.

Small aspen stands that are not sellable because of access and poor quality will be cut by Forestry staff to regenerate the aspen depending on time available.

Since 2020 we had a disabled veterans deer hunt at Wazee and plan to continue to provide assistance to those who are participating in the deer hunt.

Invasive Species

The County will use the state's Best Management Practices for Invasive Species for guidance as to what areas to treat and what treatments to use. The highest priority will be to control the leading edge or pockets to slow the spread. We would also look at treating areas that invasive species effect forest regeneration. Monitoring and follow up treatment will be needed to effectively slow the spread of invasives. Large areas maybe contracted out if funds can be found to cover the cost.

Road Improvements

The Forestry Department receives \$2,845 from the State to maintain approximately 10 miles of County Forest roads. The roads are mowed, graded and gravel is added as needed and funds available.

An inventory of are main non-gas taxed roads was started last year and will be completed this year. The inventory will include our gas tax roads and other non-funded roads that provide access to the County Forest. The inventory will include annual work done on the road as well as any culvert replacement and the year it was done. This will help monitor and maintain our roads on a regular basis.

Facilities

The Forestry Department will work on maintaining the current facilities as need arises. The Forestry office is over twenty years old and showing signs of aging. Maintaining the office will be done to offset the aging process.

Study the possibility of entering into a carbon market project on the County Forest.

2023 Parks Work Plan

Wazee solar power installation

Solar panels will be installed at Wazee maintenance shop for electricity to recharge power tool batteries and lighting in the building. This solar system will act as the power source for this building. This will be the first phase in the planned replacement of the existing shop which met the needs of the program when the park was in its early stages of development. This is no longer the case and the shop needs to be replaced. We have added two extensions on the building and have completely run out of room for storage.

New Beach Parking Area

The parking at the Wazee beach has become a serious safety issue for visitors. When the existing designated parking areas are full, vehicles are parking along both sides of the main road creating hazardous conditions for pedestrians crossing the road. A new parking area will be constructed adjacent to the existing parking area. This parking lot was included in the original design of the facility, but the County elected not to build it until use dictated the need.

East Arbutus Shop Repairs

The East Arbutus shop roof is leaking and causing damage to the upper attic storage area. The staff has temporarily patched the leaks but additional work needs to be done for permanent repair.

East Arbutus ATV/UTV Upgrades

Jackson County will apply for a grant to expand and upgrade the electrical to 10 sites next to the current ATV section.

West Arbutus Shower house

Plans will be started for the new shower house facility at West Arbutus to replace the existing facility that is in need of major repairs.

East Arbutus Boat launch Expansion

This will include excavation of a hill next to the boat landing to provide additional parking at the landing. The parking lot will be gravel.

East Arbutus Exit Road

We currently have an unimproved exit from East Arbutus County Park that will be used in the event that a flood would render the entrance road unusable. Improvements need to be made to this road to make it passable for vehicles towing campers to exit the park in case of an emergency. The Town of Komensky has completed their improvements to Klima Road which makes this project feasible at this time. This project will be completed before the start of the 2023 camping season.

Seal Coating of Park roads

We plan for seal coating annually to cover as much budget allows as we have \$20,000 planned for 2023 and should cover about 3/4mile of road at Lake Wazee.

Electronics and Technology growth

The department will continue to make improvements in our electronics and information sharing to improve the parks visitor stay.

APPROVAL OF JACKSON COUNTY SPECIES AND HABITAT CONSERVATION AGREEMENT

Resolution No. 12-03-2023

WHEREAS, Jackson County manages approximately 122,000 acres of County Forest Lands along with numerous recreational trails and facilities which are managed for multiple benefits; and

WHEREAS, the Northern Long-eared Bat and Tri-colored Bat are expected to be listed as federally endangered in 2023 and the Little Brown Bat is under review for listing; and

WHEREAS, the states of Wisconsin, Minnesota and Michigan have jointly developed the Lakes States Forest Management Bat Habitat Conservation Plan in order to receive an incidental take permit for forest management activities issued by the U.S. Fish and Wildlife Service; and

WHEREAS, Jackson County plans to engage in activities that could result in the incidental take of the bats and seeks to be included under the Incidental Take Permit issued to the Wisconsin Department of Natural Resources; and

WHEREAS, Jackson County will comply with the terms of the Species and Habitat Conservation Agreement.

THEREFORE, BE IT RESOLVED, that the Jackson County Board of Supervisors in consideration of the needs to conserve the bat populations in Wisconsin while continuing multiple use management consistent with the Jackson County Forest Comprehensive Land Use Plan, hereby agree to enter into a Landowner Agreement and Certificate of Inclusion into the Lakes States Forest management Bat Habitat Conservation Plan; and

BE IT FURTHER RESOLVED, that the County Forest Administrator be authorized to sign the agreement and submit this document to the Wisconsin Department of Natural Resources.

Submitted for adoption this 20th day of March, 2023 by:

Executive & Finance Committee
s/Jeff Amo, Chairman
s/Ron Carney
s/Michelle Greendeer-Rave
s/Alton Staff
s/John Higgins

Forestry & Parks Committee
s/Ed Chamberlain, Chairman
s/John Higgins
s/Thomas Clark
s/Dale Hoff
s/Jerrold Schmidt

Supervisor Clark made a motion to adopt this resolution. This was seconded by Supervisor Greendeer-Rave. James Zahasky, Forestry Administrator was present for questions. Voice vote was taken with 17 present voting Aye.

RESOLUTION: 13-03-2023

RE: Approve Issuance of Tax Deed

WHEREAS, Wisconsin State Statutes 75.14 (1) requires the county board to pass a resolution to order issuance of deeds for tax delinquent properties; and

WHEREAS, all procedures were executed to provide proper notice to the land owner and creditors.

NOW THEREFORE BE IT RESOLVED that the Jackson County Board of Supervisors orders issuance of deeds for:

Mary E. Adams - #136-0437.0005
Village of Hixton: Tax Years 2016 – 2022

Ruth H.S. Davis - #006-0614.0015
Town of Alma: Tax Years 2016 – 2022

Werner Feuerstein - #022-0012.0010
Town of Garfield: Tax Years 2017 – 2022

Carol Lietz & Bernice Bares - #206-1854.0000
City of Black River Falls: Tax Years 2017 – 2022

Carol Lietz & Bernice Bares - #206-1856.0000
City of Black River Falls: Tax Years 2017 – 2022

Carol Lietz & Bernice Bares - #206-1857.0000
City of Black River Falls: Tax Years 2017 – 2022

Carol Lietz & Bernice Bares - #206-1858.0000
City of Black River Falls: Tax Years 2017 – 2022

Carol Lietz & Bernice Bares - #206-1859.0005
City of Black River Falls: Tax Years 2017 – 2022

August Luther & Roxie Luther - #010-0616.0020
Town of Brockway: Tax Years 2017 – 2022

Unknown - #038-0376.0035
Town of North Bend: Tax Years 2009 – 2019, 2021 – 2022

Respectfully Submitted;
Executive & Finance Committee
s/John Higgins
s/Alton Staff
s/Jeff Amo

s/Ron Carney
s/Michelle Greendeer-Rave

Supervisor Carney made a motion to adopt this resolution. This was seconded by Supervisor Chamberlain. Tabitha Chonka-Michaud, County Treasurer was present for questions. Discussion took place. Voice vote was taken with 17 present voting Aye.

RESOLUTION NO. 14-03-2023

Authorizing Jackson County to Enter Into the Settlement Agreements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walgreen Co., Walmart, Inc., CVS Health Corporation and CVS Pharmacy, Inc., Agree to the Terms of the Addendum to the MOU Allocating Settlement Proceeds, and Authorize Entry Into the MOU with the Attorney General

WHEREAS, the County Board of Supervisors previously authorized the County to enter into an engagement agreement with von Briesen & Roper, s.c., Crueger Dickinson LLC and Simmons Hanly Conroy LLC (the “Law Firms”) to pursue litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the “Opioid Defendants”) in an effort to hold the Opioid Defendants financially responsible for the County’s expenditure of vast money and resources to combat the opioid epidemic;

WHEREAS, on behalf of the County, the Law Firms filed a lawsuit against the Opioid Defendants;

WHEREAS, the Law Firms filed similar lawsuits on behalf of 66 other Wisconsin counties and all Wisconsin cases were coordinated with thousands of other lawsuits filed against the same or substantially similar parties as the Opioid Defendants in the Northern District of Ohio, captioned *In re: Opioid Litigation*, MDL 2804 (the “Litigation”);

WHEREAS, four (4) additional Wisconsin counties (Milwaukee, Dane, Waukesha, and Walworth) hired separate counsel and joined the Litigation;

WHEREAS, since the inception of the Litigation, the Law Firms have coordinated with counsel from around the country (including counsel for Milwaukee, Dane, Waukesha, and Walworth Counties) to prepare the County's case for trial and engage in extensive settlement discussions with the Opioid Defendants;

WHEREAS, the settlement discussions with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walgreen Co., Walmart, Inc., CVS Health Corporation and CVS Pharmacy, Inc. (the "Settling Defendants") resulted in a tentative agreement as to settlement terms pending agreement from the County and other plaintiffs involved in the Litigation;

WHEREAS, copies of the various settlement agreements relating to the Settling Defendants (collectively "Settlement Agreements") representing the terms of the tentative settlement agreements with the Settling Defendants have been provided with this Resolution;

WHEREAS, the Settlement Agreements provide, among other things, for the payment of certain sums to Participating Subdivisions (as defined in the Settlement Agreements) upon the occurrence of certain events detailed in the Settlement Agreements;

WHEREAS, the County is a Participating Subdivision in the Settlement Agreements and has the opportunity to participate in the benefits associated with the Settlement Agreement provided the County (a) approves the Settlement Agreements; (b) approves the Memorandum of Understanding allocating proceeds from the Settlement Agreements among the various Wisconsin Participating Subdivisions, a copy of which is attached to this Resolution (the "Allocation MOU"); (c) approves the Memorandum of Understanding with the Wisconsin Attorney General regarding allocation of settlement proceeds, a copy of which is attached to this Resolution (the "AG MOU"); and (d) the Legislature's Joint Committee on Finance approves the terms of the Settlement Agreements and the AG MOU;

WHEREAS, 2021 Wisconsin Act 57 created Section 165.12 of the Wisconsin Statutes relating to the settlement of all or part of the Litigation;

WHEREAS, pursuant to Wis. Stat. § 165.12(2), the Legislature's Joint Committee on Finance is required to approve the Settlement Agreements and the AG MOU;

WHEREAS, pursuant to Wis. Stat. § 165.12(2), the proceeds from any settlement of all or part of the Litigation are distributed 70% to local governments in Wisconsin that are parties to the Litigation and 30% to the State;

WHEREAS, Wis. Stat. § 165.12(4)(b)2. provides the proceeds from the Settlement Agreement must be deposited in a segregated account (the “Opioid Abatement Account”) and may be expended only for approved uses for opioid abatement as provided in the Settlement Agreements;

WHEREAS, Wis. Stat. § 165.12(7) bars claims from any Wisconsin local government against the Opioid Defendants filed after June 1, 2021;

WHEREAS, the definition of Participating Subdivisions in the Settlement Agreements recognizes a statutory bar on claims such as that set forth in Wis. Stat. § 165.12(7) and, as a result, the only Participating Subdivisions in Wisconsin are those counties and municipalities that were parties to the Litigation (or otherwise actively litigating a claim against one, some, or all of the Opioid Defendants) as of June 1, 2021;

WHEREAS, the Legislature’s Joint Committee on Finance is not statutorily authorized or required to approve the allocation of proceeds of the Settlement Agreements among Wisconsin Participating Subdivisions;

WHEREAS, the Law Firms have engaged in extensive discussions with counsel for all other Wisconsin Participating Subdivisions resulting in the proposed Allocation MOU, which is an agreement between all of the entities identified in the Allocation MOU as to how the proceeds payable to those entities under the Settlement Agreements will be allocated;

WHEREAS, the proposed Addendum to the MOU (“Addendum”) provided with this Resolution provides for allocation of settlement proceeds among the Wisconsin Participating Subdivisions according to the same percentages as that provided in the previously-approved MOU allocating the settlement proceeds of the settlements involving McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc.;

WHEREAS, there is provided with this Resolution a summary of the essential terms of the Settlement Agreements, the deadlines related to the effective dates of the Settlement Agreements, the ramifications associated with the County’s refusal to enter into the Settlement Agreements, the form of the Addendum, the form of the AG MOU, and an overview of the process for finalizing the Settlement Agreements;

WHEREAS, the County, by this Resolution, shall deposit the proceeds of the Settlement Agreements consistent with the terms of this Resolution and Wis. Stat. § 165.12(4)(b);

WHEREAS, pursuant to the County’s engagement agreement with the Law Firms, the County shall pay up to an amount equal to 25% of the proceeds from successful resolution of all or part of the Litigation, whether through settlement or otherwise, plus the Law Firms’ costs and disbursements, to the Law Firms as compensation for the Law Firms’ efforts in the Litigation and any settlement;

WHEREAS, the Law Firms anticipate making application to the national fee fund established in the Settlement Agreements seeking payment, in whole or part, of the fees, costs, and disbursements owed the Law Firms pursuant to the engagement agreement with the County;

WHEREAS, it is anticipated the amount of any award from the fee fund established in the Settlement Agreements will be insufficient to satisfy the County's obligations under the engagement agreement with the Law Firms;

WHEREAS, the County, by this Resolution, and pursuant to the authority granted the County in the applicable Order emanating from the Litigation in relation to the Settlement Agreements and payment of attorney fees, shall authorize and direct the escrow agent responsible for the receipt and distribution of the proceeds from the Settlement Agreements to establish an account for the purpose of segregating funds to pay the fees, costs, and disbursements of the Law Firms owed by the County (the "Attorney Fees Account") in order to fund a local "backstop" for payment of the fees, costs, and disbursements of the Law Firms;

WHEREAS, in no event shall payments to the Law Firms out of the Attorney Fees Account and the fee fund established in the Settlement Agreements exceed an amount equal to 25% of the amounts allocated to the County in the Addendum;

WHEREAS, the intent of this Resolution is to authorize the County to enter into the Settlement Agreements, the Addendum, and the AG MOU, establish the County's Opioid Abatement Account, and establish the Attorney Fees Account; and

WHEREAS, the County, by this Resolution, shall authorize the County's corporation counsel to finalize and execute any escrow agreement and other document or agreement necessary to effectuate the Settlement Agreements and the other agreements referenced herein;

NOW, THEREFORE, BE IT RESOLVED: the County Board of Supervisors hereby approves:

1. The execution of the Settlement Agreements and any and all documents ancillary thereto and authorizes the [Board Chair] or designee to execute same.
2. The final negotiation and execution of the Addendum in form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the [Board Chair] or designee to execute same upon finalization provided the percentage share identified as allocated to the County is substantially similar to that identified in the Addendum provided to the Board with this Resolution.

3. The final negotiation and execution of the AG MOU in form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the [Board Chair] or designee to execute same.
4. The execution by the [Board Chair] or designee of any additional documents or agreements for the receipt and disbursement of the proceeds of the Settlement Agreements as referenced in the Addendum.

BE IT FURTHER RESOLVED: all proceeds from the Settlement Agreements not otherwise directed to the Attorney Fees Account shall be deposited in the County's Opioid Abatement Account. The Opioid Abatement Account shall be administered consistent with the terms of this Resolution, Wis. Stat. § 165.12(4), and the Settlement Agreements.

BE IT FURTHER RESOLVED: the County hereby authorizes the establishment of an account separate and distinct from any account containing funds allocated or allocable to the County which shall be referred to by the County as the "Attorney Fees Account." An escrow agent shall deposit a sum equal to up to, but in no event exceeding, an amount equal to 20% of the County's proceeds from the Settlement Agreements into the Attorney Fees Account. If the payments to the County are not enough to fully fund the Attorney Fees Account as provided herein because such payments are made over time, the Attorney Fees Account shall be funded by placing up to, but in no event exceeding, an amount equal to 20% of the proceeds from the Settlement Agreements attributable to Local Governments (as that term is defined in the Allocation MOU) into the Attorney Fees Account for each payment. Funds in the Attorney Fees Account shall be utilized to pay the fees, costs, and disbursements owed to the Law Firms pursuant to the engagement agreement between the County and the Law Firms provided, however, the Law Firms shall receive no more than that to which they are entitled under their fee contract when considering the amounts paid the Law Firms from the fee fund established in the Settlement Agreements and allocable to the County. The Law Firms may make application for payment from the Attorney Fees Account at any time and the County shall cooperate with the Law Firms in executing any documents necessary for the escrow agent to make payments out of the Attorney Fees Account.

BE IT FURTHER RESOLVED that all actions heretofore taken by the Board of Supervisors and other appropriate public officers and agents of the County with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved.

Adopted by the **Jackson** County Board of Supervisors this 20th day of March, 2023.

s/Cindy Altman, County Clerk

Supervisor Hart made a motion to adopt this resolution. This was seconded by Supervisor Gearing-Lancaster. Cindy Altman, County Clerk spoke on the resolution. Discussion took place. Voice vote was taken with 17 present voting Aye.

Supervisor Strandberg made a motion to read the following zone petitions only one time. This was seconded by Supervisor Carney. Voice vote was taken with 17 present voting Aye.

**PETITION #2023-05
TOWN OF CLEVELAND**

REPORT OF THE ZONING COMMITTEE

TO THE JACKSON COUNTY BOARD OF SUPERVISORS:

The Jackson County Zoning Committee, having considered Petition #2023-05 to amend the Jackson County Zoning Ordinance filed by Brian Pedersen on the 11th day of January, 2023 to change 5-Acres of the Official Zoning Map from the A-2 (Forestry & Limited Agriculture) District to the R-2 (Residential) District on the following described lands:

On property known as Lot 2 located in the SE1/4-SE1/4, Section 16, T24N, R5W, Town of Cleveland, Jackson County, WI. The request is to change 5.00 acres of the A-2 (Forestry and Limited Agriculture) District to the R-2 (Residential) District for the construction of a single-family home.

Located in the Town of Cleveland, and having held public hearing thereon pursuant to Sec. 59.97(5)(e), Wis. Stats., notice thereof having been sent as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

That the zone change be approved pending town approval.

Dated this 20th day of February 2023.

JACKSON COUNTY ZONING COMMITTEE
BY: s/Hoyt Strandberg, Chairman

Supervisor Chamberlain made a motion to accept this zone change. This was seconded by Supervisor Pelouquin. Voice Vote was taken with 17 present voting Aye.

**PETITION #2023-06
TOWN OF CLEVELAND**

REPORT OF THE ZONING COMMITTEE

TO THE JACKSON COUNTY BOARD OF SUPERVISORS:

The Jackson County Zoning Committee, having considered Petition #2023-06 to amend the Jackson County Zoning Ordinance filed by Pascal & Donna D'Huyvetter on the 23rd day of January, 2023 to change 1.5 Acres of the Official Zoning Map from the A-1 (Agriculture) District to the R-2 (Residential) District on the following described lands:

On property located in the NE1/4-NW1/4, Section 12, T24N, R05W, Town of Cleveland, Jackson County, WI. The request is to change 1.5 acres of the A-1 (Agriculture) District to the R-2 (Residential) District for the construction of a single-family home.

Located in the Town of Cleveland, and having held public hearing thereon pursuant to Sec. 59.97(5)(e), Wis. Stats., notice thereof having been sent as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

That the zone change be approved pending town approval.

Dated this 20th day of February 2023.

JACKSON COUNTY ZONING COMMITTEE
BY: s/Hoyt Strandberg, Chairman

Supervisor Rolbiecki made a motion to accept this zone change. This was seconded by Supervisor Chamberlain. Voice Vote was taken with 17 present voting Aye.

**PETITION #2023-07
TOWN OF ADAMS**

REPORT OF THE ZONING COMMITTEE

TO THE JACKSON COUNTY BOARD OF SUPERVISORS:

The Jackson County Zoning Committee, having considered Petition #2023-07 to amend the Jackson County Zoning Ordinance filed by Edward Szabo on the 28th day of January, 2023 to change 5 Acres of the Official Zoning Map from the A-2 (Forestry and Limited Agriculture) District to the R-6 (Residential-Rural Ag) District on the following described lands:

On property located in the NE1/4-NW1/4, Section 30, T22N, R03W, Town of Adams, Jackson County, WI. The request is to change 5.00 acres of the A-2 (Forestry and Limited Agriculture) District to the R-6 (Rural Residential) District for the construction of a single-family home with the ability to have animals at some point in the future.

Located in the Town of Adams, and having held public hearing thereon pursuant to Sec. 59.97(5)(e), Wis. Stats., notice thereof having been sent as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

That the zone change be approved with conditions given by Gaylord Olson II.

Dated this 20th day of March 2023.

JACKSON COUNTY ZONING COMMITTEE
BY: s/Hoyt Strandberg, Chairman

Supervisor Staff made a motion to accept this zone change. This was seconded by Supervisor Greendeer-Rave. Voice Vote was taken with 17 present voting Aye.

Chairman Amo stated that the annual reports for the Jackson County Fair, Register of Deeds, County Clerk, Medical Examiner and Animal Shelter were all included in the packets.

Chairman Amo asked for committee reports. Chairpersons of the various committees reported on the activities in their committees.

Supervisor Hart made a motion to adjourn. This was seconded by Supervisor Peloquin. All present voted Aye by voice vote. Meeting adjourned at 6:43 P.M.

