

**JEFFERSON COUNTY BOARD MINUTES  
TUESDAY, December 14, 2021, 7:00 P.M.**

Chair Steven Nass presiding.

County Clerk Audrey McGraw called the roll, all members being present in person except David and Lund who were present via Zoom.

Supervisors Morris and Nelan were absent and both having given prior notification, were excused.

District 1.. Richard C. Jones	District 2 ..... Mike Kelly
District 3..... Greg David	District 4 .....Karl Zarling
District 5 James B. Braugher	District 6 ..... Dan Herbst
District 7. Dwayne C. Morris	District 8 .... Michael Wineke
District 9..... Amy Rinard	District 10 .... Lloyd Zastrow
District 11..... Jeff Johns	District 12 ..... Jeff Smith
District 13..... Anita Martin	District 14 ..... Kirk Lund
District 15.... Steven J. Nass	District 16 ..... Laura Payne
District 17..... Russell Kutz	District 18 ... Brandon White
District 19..... Dave Drayna	District 20 .. Curtis Backlund
District 21. John C. Kannard	District 22 .... Blane Poulson
District 23... George Jaeckel	District 24 ..... Roger Lindl
District 25. Matthew Foelker	District 26 ....Joan Fitzgerald
District 27..... Conor Nelan	District 28 ..... Dick Schultz
District 29.. Mary K. Roberts	District 30 Walt Christensen

Kelly led the Pledge of Allegiance. A moment of silence was observed.

Wehmeier certified compliance with the Open Meetings Law.

Approval of the Agenda. Herbst moved to accept as drafted. Seconded by Johns and passed.

Rinard, Executive Committee Chair, moved to approve the County Board minutes from November 09, 2021, as presented. Seconded by Schultz and passed.

**Communications:**

**County Clerk McGraw presented the following communications:**

1. Treasurer's Report.
2. Notice of Public Hearing from the Jefferson County Planning and Zoning Committee for a hearing to be held on December 16, 2021, at 7:00 p.m.

**Public Comment: None**

**Annual Reports:**

Overview of new online per diem system given by Oral Rowland, MIS. Administration Report, Ben Wehmeier, County Administrator and Zoning/Land Information Report, Matt Zangle, Director. Treasurer report will be rescheduled. The annual reports were received, placed on file, but not printed in the minutes pursuant to Board Rule 3.03(13).

Tuesday, December 14, 2021

**Resolutions and Ordinances:**

**Wehmeier, County Administrator, introduced Resolution No. 2021-49.**

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

1. The execution of the Distributors Settlement Agreement and any and all documents ancillary thereto and authorizes the Board Chair to execute same.
2. The execution of the Janssen Settlement Agreement and any and all documents ancillary thereto and authorizes the Board Chair to execute same.
3. The final negotiation and execution of the Allocation MOU in a form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the Board Chair to execute same upon finalization provided the percentage share identified as allocated to the County is substantially similar to that identified in the Allocation MOU provided to the Board with this Resolution.
4. The final negotiation and execution of the AG MOU in a form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the Board Chair to execute same.
5. The corporation counsel's negotiation and execution of the Escrow Agreement for the receipt and disbursement of the proceeds of the Settlement Agreements as referenced in the Allocation MOU.

BE IT FURTHER RESOLVED Jefferson County hereby establishes an account separate and distinct from the County's general fund which shall be titled "Opioid Abatement Account." All proceeds from the Settlement Agreements not otherwise directed to the Attorney Fees Account established under the Escrow Agreement shall be deposited in the 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 Jefferson County hereby authorizes the escrow agent under the Escrow Agreement to establish 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." The 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)

Tuesday, December 14, 2021

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 Jefferson County 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.

*Fiscal Note: Jefferson County's allocation of the settlement, is \$2,959,875.98 with a net amount after attorney fees, of \$2,367,901. This amount may increase based on additional attorney fees being paid by the national attorney fee fund. This settlement will be paid out over the course of 18 years beginning in April of 2022. An initial needs assessment will be conducted by Jefferson County staff and stakeholders to determine the best use of these funds for the upcoming year that will be guided by allowed uses under Exhibit "E" as attached. Recommended uses and a corresponding budget adjustment will be proposed by the Human Service Board and reviewed by the Finance Committee for recommendation to the Board of Supervisors. Beyond 2022, programs or program enhancements arising from this settlement shall be reviewed on an annual basis through the budget process to determine that the funds are being directed towards the highest needs of Jefferson County.*

**Martin moved to amend a sentence in the fiscal note, as underlined above.** Seconded by Christensen and passed.

**Rinard moved for the adoption of Resolution No. 2021-49.** Seconded by Herbst and passed. Ayes 28 (Jones, Kelly, David, Zarling, Braughler, Herbst, Wineke, Rinard, Zastrow, Johns, Smith, Martin, Lund, Nass, Payne, Kutz, White, Drayna, Backlund, Kannard, Poulson, Jaeckel, Lindl, Foelker, Fitzgerald, Schultz, Roberts, Christensen), Noes 0, Abstain 0, Absent 2 (Morris and Nelan).

**Jones, Finance Committee Chair, introduced Resolution No. 2021-50.**

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is hereby directed to contract with Ehlers Investment Advisory Services at the price of 7 basis points contained in its proposal for investment advisory services for investment of debt proceeds.

Tuesday, December 14, 2021

*Fiscal Note: The cost of Investment Advisory Services shall be 7 basis points. Estimated earnings on the bond proceeds are \$160,000 over the next three years, net of fees. The investment income is intended to supplement any proposed issuance of debt and will be used for debt-related purposes such as further improvements to County campuses.*

**Jones moved for the adoption of Resolution No. 2021-50.** Seconded by Zarling and passed. Ayes 27 (Jones, Kelly, Zarling, Braughler, Herbst, Wineke, Rinard, Zastrow, Johns, Smith, Martin, Lund, Nass, Payne, Kutz, White, Drayna, Backlund, Kannard, Poulson, Jaeckel, Lindl, Foelker, Fitzgerald, Schultz, Roberts, Christensen), Noes 1 (David), Abstain 0, Absent 2 (Morris and Nelan).

**Jaeckel, Planning and Zoning Committee Chair, introduced the following report:** REPORT TO THE HONORABLE MEMBERS OF THE JEFFERSON COUNTY BOARD OF SUPERVISORS by the Jefferson County Planning and Zoning Committee recommending approval of petitions to amend the official zoning map of Jefferson County.

**Jaeckel, Planning and Zoning Committee Chair, introduced Ordinance No. 2021-14.**

WHEREAS, the Jefferson County Board of Supervisors has heretofore been petitioned to amend the official zoning map of Jefferson County, and

WHEREAS, Petition R4361A-20 was referred to the Jefferson County Planning and Zoning Committee for public hearing on November 18, 2021, and

WHEREAS, the proposed amendment has been given due consideration by the Board of Supervisors in open session,

NOW, THEREFORE, BE IT ORDAINED that the Jefferson County Board of Supervisors does amend the official zoning map of Jefferson County as follows.

**Jaeckel moved for the adoption of Ordinance No. 2021-14.** Seconded by Poulson and passed.

#### **Appointments.**

**Wehmeier, County Administrator, introduced the following appointments:**

By virtue of the authority vested in me under Section 59.18(2)(b) of the Wisconsin Statutes, I respectfully request confirmation of the following appointments:

Michael Clish, Fort Atkinson, WI, to the Veterans Service Commission for a three-year term ending December 31, 2024.

Brandon White, Jefferson, WI, to the Veterans Service Commission for a three-year term ending December 31, 2024.

**Jaeckel moved to confirm the above appointments.** Seconded by Braughler and passed.

Tuesday, December 14, 2021

**Public Comment: (General)**

Supervisor Smith

**Announcements:**

Supplemental information presented at the December 14, 2021, Jefferson County Board meeting will be available at the County Clerk's office upon request during regular Courthouse hours or on the County's website at [www.jeffersoncountywi.gov](http://www.jeffersoncountywi.gov).

**There being no further business, Jaeckel moved that the Board adjourn.** Seconded by Backlund and passed at 8:00 p.m.