

JEFFERSON COUNTY BOARD MINUTES
TUESDAY, March 14, 2023, 7:00 P.M.

Chair Steven Nass presiding.

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

Supervisor Turville-Heitz was absent.

District 1.....	Richard C. Jones	District 2..	Cassie B. Richardson
District 3.....	Robert Preuss	District 4.....	Karl Zarling
District 5.....	James B. Braugher	District 6.....	Dan Herbst
District 7.....	Dwayne C. Morris	District 8.....	Michael Wineke
District 9.....	Bruce Degner	District 10.....	Mark Groose
District 11.....	Jeff Johns	District 12.....	Jeff Smith
District 13.....	Anita Martin	District 14.....	Kirk Lund
District 15.....	Steven J. Nass	District 16.....	Meg Turville-Heitz
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.....	Joan Callan	District 28.....	Anthony Gulig
District 29.....	Mary K. Roberts	District 30.....	Walt Christensen

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

Wehmeier certified compliance with the Open Meetings Law.

Approval of the Agenda. Poulson moved to accept as drafted. Seconded by Backlund and passed.

Wineke, Executive Committee Chair, moved to approve the County Board minutes from February 14, 2023. Seconded by Poulson and passed.

Communications:

County Clerk McGraw presented the following communications:

1. Notice of Public Hearing from the Jefferson County Planning and Zoning Committee for a hearing to be held on March 16, 2023, at 7:00 p.m.
2. Proposed Board Rule Amendment for the election of County Board Chair and Vice Chairs
3. Treasurer's Report.

Public Comment: None

Resolutions and Ordinances:

Jones, Finance Committee Chair, introduced Resolution No. 2022-72. Amending the Jefferson County Fund Balance Policy

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby amends
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the Jefferson County Fund Balance Policy by adopting the attached amendments.

Fiscal Note: The adoption of this resolution will assist the Finance Committee in managing fund balance by excluding items that would distort trends in working capital, and ensure the County has adequate reserves available to fund its outstanding insurance claims.

Jones moved for the adoption of Resolution No. 2022-72. Seconded by Jaeckel and passed.

Jones, Finance Committee Chair, introduced Resolution No. 2022-73. Authorizing Settlement Agreements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walgreen Company, Walmart, Inc., CVS Health Corporation, and CVS Pharmacy, Inc.; entering into a Memorandum of Understanding with the Wisconsin Attorney General for Allocation of Opioid Settlement Proceeds; and executing an Addendum to the original Memorandum of Understanding Allocating Settlement Proceeds to incorporate the pending opioid settlements

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

1. The execution of the Settlement Agreements and any and all documents ancillary thereto and authorizes the Jefferson County Board Chair or designee to execute same.
2. The final negotiation and execution of the Addendum in a form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the Jefferson County 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 a form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the Jefferson County Board Chair to execute same.
4. The execution by the Jefferson County 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 Coun-

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ty'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.

Fiscal Note: Jefferson County's allocation of this second settlement, is an estimated \$3,397,583 with a net amount after attorney fees, of \$2,548,187. This net amount may increase based on additional attorney fees being paid by the national attorney fee fund. Final settlement amounts will be determined upon the number of parties that "opt-in" to the settlement agreement. This settlement will be paid out as follows: Allergan – 6 years, Teva – 13 years, Walgreens – 15 years, CVS – 10 years and Wal-Mart – 5 years.. An updated assessment will be conducted by Jefferson County staff and stakeholders to determine the best use of these funds for the 2024

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fiscal year guided by allowed uses under Exhibit "E" made available to Jefferson County through the County Clerk's Office and the County Administrator's Office. The first round of settlement dollars have assisted with a crisis response position focused on opioid response and assistance in the Drug Treatment Court. Updated recommended uses and a corresponding budget recommendation for 2024 and beyond with funds being directed towards the highest and most impactful needs of Jefferson County. Funds will be deposited into a segregated project code for accountability.

Jones moved for the adoption of Resolution No. 2022-73. Seconded by Jaeckel and passed.

Jones, Finance Committee Chair, introduced Resolution No. 2022-74. Authorizing budget amendments to offset fiscal year 2022 departmental deficits

NOW, THEREFORE, BE IT RESOLVED that the aforementioned increases in revenues and expenditures are hereby approved and the 2022 budget is amended to reflect the same.

Fiscal Note: Health Department: COVID cases and related expenditures were higher than anticipated during 2022. The Health Department received grant funding to offset the increase in costs.

Highway Department: Due to cooperative weather and low asphalt costs, the Highway Department was able to do some additional work that was not anticipated during the 2022 budget process and also was required to adjust their equipment rates mid-year during 2022, resulting in higher costs than anticipated.

As a budget amendment, this resolution requires twenty (20) out of thirty (30) affirmative votes from the total membership of the County Board for passage.

Jones moved for the adoption of Resolution No. 2022-74. Seconded by Jaeckel and passed. Ayes 28 (Jones, Richardson, Preuss, Zarling, Braughler, Herbst, Morris, Wineke, Degner, Johns, Smith, Martin, Lund, Nass, Kutz, White, Drayna, Backlund, Kannard, Poulson, Jaeckel, Lindl, Foelker, Fitzgerald, Callan, Gulig, Roberts, Christensen), Noes 1 (Goose), Abstain 0, Absent 1 (Turville-Heitz), Vacant 0.

Jones, Finance Committee Chair, introduced Resolution No. 2022-75. Authorizing year-end requests to carry over budget appropriations from fiscal year 2022 to fiscal year 2023 and amending the 2023 budget

NOW, THEREFORE, BE IT RESOLVED that the funds in the accounts identified in the Finance Committee minutes of March 8, 2023, and referenced above,

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totaling \$16,476,737.89, are designated as non-lapsing in the 2022 budget and carried over to the 2023 departmental budgets which are hereby amended in the respective amounts.

BE IT FURTHER RESOLVED the appropriations for operational costs, projects and plans through net available fund balance and working capital allocation as provided in the Executive Summary hereby amends the 2023 budget accordingly.

BE IT FURTHER RESOLVED that the 2023 budget be amended for the acceptance of the following grants that were not included in the original 2023 budget; Producer-led Watershed Grant, \$50,356; Healthy Lakes Grant - \$8,000; APRA (Federal) - \$1,000,000; and ARPA (State) - \$92,000; and Lead in Water Testing and Remediation grant - \$24,000.

BE IT FURTHER RESOLVED that the ARPA (Federal) - \$1,000,000 is activated in partnership with ThriveED and the Greater Watertown Health Foundation for the purpose of establishing a housing fund with final terms and conditions to be reviewed by the Finance Committee.

BE IT FURTHER RESOLVED that the Lead in Water Testing and Remediation Grant will authorize a current part-time Public Health Nurse position to be increased to full-time. If sufficient funding is not available in future years, the number of hours worked by this position will be reduced accordingly.

BE IT FURTHER RESOLVED that the 2023 budget is amended to include the above projects, in the amount of \$2,707,000, to be funded by a combination of excess general fund balance (\$654,955), transfers of fund balance in excess of carry forward requests (\$982,559), and loan from the general fund's working capital balance (\$1,069,486).

Fiscal Note: As a budget amendment, this resolution requires twenty (20) out of thirty (30) affirmative votes from the total membership of the County Board for passage.

Explanation of governmental funds: Non-spendable funds are funds that include prepaid items, deposits, and inventory accounts. Spendable, restricted funds are funds that are legally restricted by statutes, contracts, or funding source. Spendable, committed funds are funds that are spendable at the discretion of the County.

Explanation of proprietary funds (Highway): Capital net position represents items that are depreciated along with land (which is not depreciated). Restricted net position relates to municipal deposits for subsequent year work by the County. Non-restricted net position

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includes both required items and discretionary items.

Jones moved for the adoption of Resolution No. 2022-75. Seconded by Jaeckel and passed. Ayes 28 (Jones, Richardson, Preuss, Zarling, Braughler, Herbst, Morris, Wineke, Degner, Johns, Smith, Martin, Lund, Nass, Kutz, White, Drayna, Backlund, Kannard, Poulson, Jaeckel, Lindl, Foelker, Fitzgerald, Callan, Gulig, Roberts, Christensen), Noes 1 (Goose), Abstain 0, Absent 1 (Turville-Heitz), Vacant 0.

Jones, Finance Committee Chair, introduced Resolution No. 2022-76. Amending the 2023 Human Services budget to become the fiscal agent for a youth crisis stabilization facility and entering into contracts to operate the facility

NOW, THEREFORE, BE IT RESOLVED that the Human Services Department budget is amended to increase its budget by \$1,660,257, by accepting Department of Health Services grants and serving as Fiscal Agent for these funds which will be allocated to a new segregated business account, and

BE IT FURTHER RESOLVED, that the Jefferson County Administrator is authorized to contract with Wisconsin Communities Services, Inc, for purposes of running the facility and providing consulting service, and

BE IT FURTHER RESOLVED, the Jefferson County Administrator is authorized to enter into a lease with the Greater Watertown Health Foundation for the building and grounds to be used as the Youth Crisis Stabilization Facility, and

BE IT FURTHER RESOLVED, the Human Services Board is authorized to approve professional services contracts and contracts with other counties for use of this facility to include the establishment of daily rates and fees, and

BE IT FURTHER RESOLVED, the Human Service Director is authorized to seek the appropriate licensing requirements for this facility with the State of Wisconsin. *Fiscal Note: Fiscal Note: The Consolidated Appropriations Act funding of \$800,000 is available to be used March 15, 2022, to March 14, 2023. Because of an extension expected to be granted by DHS, the funding will be able to be used until February 29, 2024. The Program Revenue funding of \$538,737 is available to be used by June 30, 2023. The additional Program Revenue funding of \$498,000, if awarded, is available to be used July 1, 2023, to June 30, 2024. Jefferson County will receive reimbursement for costs incurred during that time. Please see the attached Budget Adjustment or Amendment Request form for the proposed adjustments to the 2023 budget. Unspent grant funds would be included in the 2024 budget. As a budget amendment, this res-*

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olution requires twenty (20) out of thirty (30) affirmative votes from the total membership of the County Board for passage.

Jones moved for the adoption of Resolution No. 2022-76. Seconded by Zarling and passed. Ayes 29 (Jones, Richardson, Preuss, Zarling, Braughler, Herbst, Morris, Wineke, Degner, Groose, Johns, Smith, Martin, Lund, Nass, Kutz, White, Drayna, Backlund, Kannard, Poulson, Jaeckel, Lindl, Foelker, Fitzgerald, Callan, Gulig, Roberts, Christensen), Noes 0, Abstain 0, Absent 1 (Turville-Heitz), Vacant 0.

Christensen, Parks Committee Chair, introduced Ordinance No. 2022-21. Repealing and recreating section 8.09 of the Jefferson County Parks Ordinance regulating electric vehicles on Jefferson County bike paths

NOW, THEREFORE, BE IT ORDAINED that the Jefferson County Board of Supervisors hereby repeals and recreates the Jefferson County Parks Ordinance, Section 8.09 Non-Motorized Vehicles as described herein to provide further clarification and regulation for a wider array of uses on Jefferson County bike paths and park trails.

BE IT FURTHER ORDAINED, that this Ordinance shall become effective upon publication as provided by law.

Fiscal Note: There is no fiscal impact to this amendment to the Jefferson County Parks Ordinance.

Christensen moved for the adoption of Ordinance No. 2022-21. Seconded by Johns and passed.

Christensen, Parks Committee Chair, introduced Resolution No. 2022-77. Authorizing recreational trail grant application and acceptance

NOW, THEREFORE, BE IT RESOLVED that the Parks Department is authorized to seek funding from the Wisconsin Department of Transportation, Transportation Alternatives Program and other Bipartisan Infrastructure Law grant programs for this multi-use recreational trail.

BE IT FURTHER RESOLVED that if grant funds are awarded in sufficient amounts to pay for the costs of construction, the County Administrator is hereby authorized to accept said grant funds on behalf of Jefferson County, enter into grant contracts, and perform all other duties necessary to comply with and fulfill the grant provisions.

Fiscal Note: The Wisconsin Department of Transportation and the Transportation Alternatives Program grant funds 80% of the cost of construction estimated at \$1,609,692.95. The County is responsible for 20% of the

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cost of construction estimated at \$321,938.59. Thereafter, Jefferson County would be responsible for maintenance which is estimated at \$600 - \$900 per mile per year over the approximately 10 miles of trail that would be added. The County will continue to promote Adopt-A-Trail relationships to lessen the cost of maintenance.

Christensen moved for the adoption of Resolution No. 2022-77. Seconded by Zarling and passed.

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. 2022-22. Amending Official Zoning Map

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

WHEREAS, Petition R4457A-12 was referred to the Jefferson County Planning and Zoning Committee for public hearing on February 16, 2023, 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. 2022-22. Seconded by Poulson and passed.

Kannard abstained from voting due to potential conflict of interest.

Wehmeier, County Administrator, introduced Proclamation No. 2022-03. Proclaiming April 9-15, 2023 as National 9-1-1 Telecommunicator Week

Morris moved for the adoption of Proclamation No. 2022-03. Seconded by Backlund and passed.

Public Comment: (General) – None

Appointments by County Board Chair:

By virtue of the authority vested in me under Section 59.54(8) I hereby request confirmation of the following appointments:

Samantha LaMuro, Hospital Representative – Fort HealthCare to the Local Emergency Planning Committee (LEPC) for an indeterminate term.

Morris moved to confirm the above appointment. Seconded by Poulson and passed.

Scott Johnson, State Elected Official, Representative
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tive to the Assembly, District 33, to the Local Emergency Planning Committee (LEPC) for an indeterminate term.

Backlund moved to confirm the above appointment. Seconded by Morris and passed.

Appointments by County Administrator:

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

Ryan Hayes as the Director of Facilities Management for an indeterminate term.

Braugher moved to confirm the above appointment. Seconded by Backlund and passed.

By virtue of the authority vested in me under Section 59.18(2)(c) of the Wisconsin Statutes, I respectfully request confirmation of the appointments as listed in the agenda.

Samantha LaMuro, to the Board of Health for a three-year term ending May 12, 2026.

Dr. Donald Williams, to the Board of Health for a three-year term ending May 12, 2026.

Morris moved to confirm the above appointments. Seconded by Johns and passed.

Announcements:

Supplemental information presented at the March 14, 2023, 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.

There being no further business, Jaeckel moved that the Board adjourn. Seconded by Poulson and passed at 7:49 p.m.

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