

CHIPPEWA COUNTY

COUNTY BOARD

REGULAR MEETING

MARCH 14, 2023

CHIPPEWA COUNTY COURTHOUSE, RM 302

6:00 PM

NOTE: THE COUNTY BOARD MEETING WILL BE LIVE STREAMED ON YOUTUBE.

During the meeting you can access the video by using the link provided below.

<https://youtube.com/live/6bLocbZospA?feature=share>

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
3. **ROLL CALL**

Attendee Name	Organization	Title	Status	Arrived
Dean Gullickson	Chippewa County	District 5 (Chair)	Present	
Ken Schmitt	Chippewa County	District 3 (Vice-Chair)	Present	
James Flater	Chippewa County	District 1	Present	
Harold Steele	Chippewa County	District 2	Present	
David Bischel	Chippewa County	District 4	Absent	
Glen Sikorski	Chippewa County	District 6	Present	
Jason Bergeron	Chippewa County	District 7	Present	
James Ericksen	Chippewa County	District 8	Present	
Joel Seidlitz	Chippewa County	District 9	Present	
Matthew Peterson	Chippewa County	District 10	Present	
Roger Calkins	Chippewa County	District 11	Present	
Charles Bomar	Chippewa County	District 12	Present	
Caden Berg	Chippewa County	District 13	Present	
Robert Teuteberg	Chippewa County	District 14	Present	
David Eisenhuth	Chippewa County	District 15	Present	
Ronald McGill	Chippewa County	District 16	Present	
George Rohmeyer	Chippewa County	District 17	Present	
Annette Hunt	Chippewa County	District 18	Present	
Chuck Hull	Chippewa County	District 19	Present	
Dean Mueller	Chippewa County	District 20	Present	
Kari Ives	Chippewa County	District 21	Present	

others present in room 302 were Randy Scholz, Lori Zwiefelhofer, Andy Bauer, Chris Elstran, Brian Kelley, Matt Hansen, Traci Bremness, Todd Pauls, Jaclyn Sadler

4. **APPROVAL OF AGENDA**

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Charles Bomar, District 12
SECONDER:	James Flater, District 1
AYES:	Gullickson, Schmitt, Flater, Steele, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives
ABSENT:	Bischel

5. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

Matthew Holub, Town of Colburn, spoke against the milk hauling ordinance.

Kim Bremmer of Venture Dairy Cooperative spoke against the milk hauling ordinance.

Corey Geiger, Managing Editor of Hoard's Dairyman spoke against the milk hauling ordinance.

6. CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Harold Steele, District 2
SECONDER:	Matthew Peterson, District 10
AYES:	Gullickson, Schmitt, Flater, Steele, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives
ABSENT:	Bischel

1. Approval of Minutes

County Board - Regular Meeting - Feb 14, 2023 6:00 PM

County Board - Special Meeting - Feb 21, 2023 6:00 PM

7. REPORTS

A. County Administrator Review and Update

B. Department Reports

1. Cobban Bridge Update - Brian Kelley
Highway Commissioner, Brian Kelley, provided an update to the board on the Cobban Bridge project.

C. General Reports

8. BUSINESS ITEMS

1. Ord. 02 - 23 : Ordinance to Amend Sec. 2-82(e) to Establish a Permit for Licensed Milk Trucks - Brian Kelley - First Reading
Prior to discussion County Board Chair Gullickson asked for a motion to suspend the rules for needing a second reading. Motion made by Supervisor Sikorski and second made by Supervisor Hull. Motion needed 2/3 members present to approve. 18 supervisors voted yes, 2 voted no (Supervisors Hunt and Ives).

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Motion to Amend made by Supervisor Teuteberg - to sunset program after 2023 spring road bans lifted. Second made by Supervisor McGill. 10 supervisors voted yes, 10 supervisors voted no. Supervisors voting yes were Gullickson, Steele, Sikorski, Ericksen, Calkins, Berg, Teuteberg, Eisenhuth, McGill and Mueller. Supervisors voting no were Peterson, Flater, Schmitt, Bergeron, Seidlitz, Bomar, Rohmeyer, Hunt, Hull and Ives. Amendment fails.

Motion to Amend made by Supervisor Bergeron - to replace "do not exceed eight (8) tons for the steer axle, six (6) tons for each pusher/tag axle, and eight (8) tons for each rear drive axle" with "are consistent with normal road conditions." Second made by Supervisor Schmitt. After review from Corporation Counsel the amendment could potentially take away authority from the Highway Commissioner. Supervisors Bergeron and Schmitt rescinded their amendment.

Motion to Amend by Supervisor Peterson to strike "An annual spring milk hauling permit will be granted for axle weights on seasonally-posted county trunk highways that do not exceed eight (8) tons for the steer axle, six (6) tons for each pusher/tag axle, and eight (8) tons for each rear drive axle." Second made by Supervisor Bomar. Amendment passes - 14 yes, 6 No, 1 Absent. Supervisors voting yes were Flater, Steele, Schmitt, Gullickson, Bergeron, Ericksen, Peterson, Bomar, Berg, Teuteberg, Eisenhuth, Hunt, Hull and Mueller. Supervisors voting no were Sikorski, Seidlitz, Calkins, McGill, Rohmeyer and Ives.

RESULT:	APPROVED AS AMENDED [17 TO 3]
MOVER:	Glen Sikorski, District 6
SECONDER:	Chuck Hull, District 19
AYES:	Gullickson, Schmitt, Flater, Steele, Sikorski, Bergeron, Ericksen, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, Rohmeyer, Hunt, Hull, Mueller
NAYS:	Seidlitz, McGill, Ives
ABSENT:	Bischel

2. Ord. 03 - 23 : Ordinance to Amend Sec. 58-39 Designating ATV/UTV Routes to Add ATV/UTV Routes on CTH F, M and Q - Brian Kelley - First Reading

RESULT:	FIRST READING	Next: 4/18/2023 6:00 PM
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3. Res. 12 - 23 : Resolution to Enter into Landowner Agreement and Certificate of Inclusion - Lynda Schweikert
Matt Hansen, County Forest Administrator, explained the resolution to the board.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Caden Berg, District 13
SECONDER:	Annette Hunt, District 18
AYES:	Gullickson, Schmitt, Flater, Steele, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives
ABSENT:	Bischel

4. Res. 13 - 23 : Resolution to Authorize Chippewa County to Enter into Opioid Settlements - Randy Scholz

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County Administrator, Randy Scholz, spoke on the resolution.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kari Ives, District 21
SECONDER:	Caden Berg, District 13
AYES:	Gullickson, Schmitt, Flater, Steele, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives
ABSENT:	Bischel

9. COUNTY BOARD CHAIR APPOINTMENTS

- County Board Chair Appointments - MPO, Airport
Supervisor Mueller abstained from voting as he is one of the appointees.

RESULT:	APPROVED [19 TO 0]
MOVER:	Robert Teuteberg, District 14
SECONDER:	Ronald McGill, District 16
AYES:	Gullickson, Schmitt, Flater, Steele, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Ives
ABSTAIN:	Mueller
ABSENT:	Bischel

10. COUNTY ADMINISTRATOR APPOINTMENTS

- County Administrator Appointments - ADRC, HHSB, Housing LCFM, LEPC, Veterans
Supervisor Hull abstained from voting as he is one of the appointees.

RESULT:	APPROVED [19 TO 0]
MOVER:	Kari Ives, District 21
SECONDER:	Robert Teuteberg, District 14
AYES:	Gullickson, Schmitt, Flater, Steele, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSTAIN:	Hull
ABSENT:	Bischel

11. AGENDA ITEMS FOR FUTURE CONSIDERATION

12. ADJOURN

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	James Ericksen, District 8
SECONDER:	Chuck Hull, District 19
AYES:	Gullickson, Schmitt, Flater, Steele, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives
ABSENT:	Bischel

CHIPPEWA COUNTY**COUNTY BOARD****REGULAR MEETING****FEBRUARY 14, 2023****CHIPPEWA COUNTY COURTHOUSE, RM 302****6:00 PM****NOTE: THE COUNTY BOARD MEETING WILL BE LIVE STREAMED ON YOUTUBE.**

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1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
3. **ROLL CALL**

Attendee Name	Organization	Title	Status	Arrived
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Jason Bergeron	Chippewa County	District 7	Present	
James Ericksen	Chippewa County	District 8	Present	
Joel Seidlitz	Chippewa County	District 9	Present	
Matthew Peterson	Chippewa County	District 10	Present	
Roger Calkins	Chippewa County	District 11	Present	
Charles Bomar	Chippewa County	District 12	Present	
Caden Berg	Chippewa County	District 13	Present	
Robert Teuteberg	Chippewa County	District 14	Present	
David Eisenhuth	Chippewa County	District 15	Present	
Ronald McGill	Chippewa County	District 16	Present	
George Rohmeyer	Chippewa County	District 17	Present	
Annette Hunt	Chippewa County	District 18	Present	
Chuck Hull	Chippewa County	District 19	Present	
Dean Mueller	Chippewa County	District 20	Present	
Kari Ives	Chippewa County	District 21	Present	

others present in room 302 were Randy Scholz, Lori Zwiefelhofer, Andy Bauer, Brian Kelley, Curt Dutton, Toni Hohlfelder, Lynda Scheikert, Allyson Wisniewski, Jackie Boos, Todd Pauls, Traci Bremness, Jaclyn Sadler, Doug Clary and Melanie McManus

4. **APPROVAL OF AGENDA**

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RESULT: APPROVED [UNANIMOUS]
MOVER: Charles Bomar, District 12
SECONDER: Chuck Hull, District 19
AYES: Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives

5. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

Kim Bremmer, spoke on Spring weight limits and milk haulers.

6. CONSENT AGENDA

RESULT: APPROVED [UNANIMOUS]
MOVER: Jason Bergeron, District 7
SECONDER: James Ericksen, District 8
AYES: Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives

1. Approval of Minutes

County Board - Regular Meeting - Jan 10, 2023 6:00 PM

7. REPORTS

A. County Administrator Review and Update

1. Update on WI Broadband, Equity, Access and Deployment (BEAD) Local Planning Grant Program - Randy Scholz
County Administrator, Randy Scholz, provided a brief update on the WI Broadband, Equity, Access and Deployment Local Planning Grant Program.
2. CIP Project Update 2020-2023 - Randy Scholz/Lori Zwiefelhofer
Finance Director, Lori Zwiefelhofer, provided an update on the CIP Projects for 2020 - 2023.
3. Update on Implementation of Fraud Hotline - Randy Scholz/Lori Zwiefelhofer
County Administrator, Randy Scholz, provided an update on the implementation of a Fraud Hotline including a history of audits of operations and why the County set up the Fraud Hotline.
4. Health Insurance Plan Update - Randy Scholz
Human Resources Director, Toni Hohlfelder, provided an update on the Health Insurance Plan including the history, why the County chose to be self-insured and a fiscal update.

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B. Department Reports

1. Spring Weight Limits for Milk Haulers - Brian Kelley
Highway Commissioner, Brian Kelley, explained the spring weight limits and the permitting process for milk haulers.

C. General Reports

1. Tourism Council Report and Chamber Update - Jackie Boos and Allyson Wisniewski
Jackie Boos, Tourism Director and Allyson Wisniewski, Chippewa Falls Area Chamber of Commerce President introduced themselves. Ms. Boos explained about Go Chippewa County.

8. BUSINESS ITEMS

1. Res. 04-23: Resolution to Reauthorize Payment of American Rescue Plan Act Funding to Bloomer Telephone Company for a Broadband Expansion Project in the Towns of Eagle Point, Lafayette and Tilden - Randy Scholz
Travis from Bloomer Telephone Company provided a construction proposal for 2023.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Annette Hunt, District 18
SECONDER:	James Flater, District 1
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives

2. Res. 05-23: Resolution to Reauthorize Payment of American Rescue Plan Act Funding to Ntera, LLC for a Broadband Expansion Project in the Towns of Cleveland and Ruby - Randy Scholz
Randy Scholz explained that Ntera has a possible revision to increase the number of homes serviced. Ryan Hartzell from Ntera, LLC presented a revised request.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jason Bergeron, District 7
SECONDER:	David Bischel, District 4
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives

3. Res. 06-23: Resolution to Authorize the Use of American Rescue Act Funding for the Contaminate Mitigation in Residential Wells Project - Randy Scholz and Lynda Schweikert
Randy Scholz and Lynda Schweikert, Land Conservation and Forest Management Director, explained the project and how the funds will be used for providing clean water in the short term.

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RESULT: APPROVED [UNANIMOUS]
MOVER: David Bischel, District 4
SECONDER: Charles Bomar, District 12
AYES: Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives

4. Amended 2021-2026 ARPA Plan – Randy Scholz
County Administrator Scholz provided the amended 2021-2026 ARPA Plan to the board.

RESULT: APPROVED [UNANIMOUS]
MOVER: Matthew Peterson, District 10
SECONDER: Roger Calkins, District 11
AYES: Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives

5. Res. 07-23: Resolution to Authorize the Sale of Tax Deed Lands Acquired by Foreclosure of Tax Certificates In Rem - Doug Clary
Planning and Zoning Director, Doug Clary, explained the resolution and the process for cleaning up the properties and selling them.

RESULT: APPROVED [UNANIMOUS]
MOVER: Caden Berg, District 13
SECONDER: George Rohmeyer, District 17
AYES: Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives

6. Res. 08-23: Resolution to Request that the State Revise the Current Real Estate Transfer Fees Revenue Sharing Formula to a 50/50 Share with Counties - Melanie McManus
Register of Deeds, Melanie K. McManus provided a history of the sharing formula and asking the State to return to the previous formula of the 50/50 split.

RESULT: APPROVED [UNANIMOUS]
MOVER: James Flater, District 1
SECONDER: Harold Steele, District 2
AYES: Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives

7. Res. 09-23: Resolution to Authorize the Purchase of TruNarc Handheld Narcotics Analyzers for the Sheriff's Department with Opioid Litigation Settlement Funds - Curt Dutton

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Chief Deputy Curt Dutton explained what the TruNarc handheld narcotics analyzers are and why they are needed.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Teuteberg, District 14
SECONDER:	Annette Hunt, District 18
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives

8. Res. 10-23: Resolution to Authorize Compensation and Mileage Reimbursement for Up to 100 Days of Committee Meetings in 2023 - Randy Scholz
County Administrator Randy Scholz explained the resolution. The resolution needed a 2/3 of the members present for approval.

RESULT:	APPROVED [20 TO 1]
MOVER:	James Ericksen, District 8
SECONDER:	Chuck Hull, District 19
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hull, Mueller, Ives
NAYS:	Hunt

9. Ordinance to Amend Chapter 2, Division III. Appointed Officials Enumerated and Section 2-226. Emergency Management Director of the Chippewa County Code of Ordinances - Second Reading - Randy Scholz
This was a second reading and County Administrator Scholz was available for any questions.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Bischel, District 4
SECONDER:	James Flater, District 1
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives

10. New Advance Primary Care Clinic Health Reimbursement Account (HRA) Incentive Policy - First Reading - Randy Scholz and Toni Hohlfelder
Due to the timing of the policy the County Board Chair asked to suspend the rules to waive the second reading. Motion to suspend the rules made by Supervisor Hull. Second made by Supervisor Schmitt. All supervisors present voted yes. 21 Yes, 0 No.

Supervisor Teuteberg abstained from the vote on the policy due to being a user of the County insurance as spouse is a County employee.

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RESULT:	APPROVED [20 TO 0]
MOVER:	Annette Hunt, District 18
SECONDER:	Kari Ives, District 21
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives
ABSTAIN:	Teuteberg

9. COUNTY BOARD CHAIR APPOINTMENTS

1. 2023 Fire Warden Appointments

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Harold Steele, District 2
SECONDER:	Jason Bergeron, District 7
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives

10. COUNTY ADMINISTRATOR APPOINTMENTS

11. AGENDA ITEMS FOR FUTURE CONSIDERATION

County Board Chair reminded the board that there is a special County Board meeting at 6 pm on Tuesday, February 21, 2023.

12. ADJOURN

RESULT:	APPROVED [UNANIMOUS]
MOVER:	James Ericksen, District 8
SECONDER:	Caden Berg, District 13
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives

Minutes Acceptance: Minutes of Feb 14, 2023 6:00 PM (Consent Agenda)

CHIPPEWA COUNTY**COUNTY BOARD****SPECIAL MEETING****FEBRUARY 21, 2023****CHIPPEWA COUNTY COURTHOUSE, RM 302****6:00 PM**

NOTE: THE COUNTY BOARD MEETING WILL NOT BE LIVE STREAMED ON YOUTUBE DUE TO THE MEETING BEING A CLOSED SESSION

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- 3. ROLL CALL**

Attendee Name	Organization	Title	Status	Arrived	Departed
Dean Gullickson	Chippewa County	District 5 (Chair)	Present		
Ken Schmitt	Chippewa County	District 3 (Vice-Chair)	Present		
James Flater	Chippewa County	District 1	Present		
Harold Steele	Chippewa County	District 2	Present		
David Bischel	Chippewa County	District 4	Present		
Glen Sikorski	Chippewa County	District 6	Present		
Jason Bergeron	Chippewa County	District 7	Present		
James Ericksen	Chippewa County	District 8	Present		
Joel Seidlitz	Chippewa County	District 9	Present		
Matthew Peterson	Chippewa County	District 10	Present		
Roger Calkins	Chippewa County	District 11	Present		
Charles Bomar	Chippewa County	District 12	Present		
Caden Berg	Chippewa County	District 13	Present		
Robert Teuteberg	Chippewa County	District 14	Present		
David Eisenhuth	Chippewa County	District 15	Absent		
Ronald McGill	Chippewa County	District 16	Present		
George Rohmeyer	Chippewa County	District 17	Present		
Annette Hunt	Chippewa County	District 18	Present		
Chuck Hull	Chippewa County	District 19	Present		6:23 PM
Dean Mueller	Chippewa County	District 20	Present		
Kari Ives	Chippewa County	District 21	Present		

Others present in room 302 were Lori Zwiefelhofer, Randy Scholz, Doug Clary, Todd Pauls, Traci Bremness, Jaclyn Sadler, Charlie Walker and Dan

- 4. APPROVAL OF AGENDA**

Minutes Acceptance: Minutes of Feb 21, 2023 6:00 PM (Consent Agenda)

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Charles Bomar, District 12
SECONDER:	David Bischel, District 4
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives
ABSENT:	Eisenhuth

5. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

There were no members of the public wishing to be heard.

6. BUSINESS ITEMS

1. Res. 11 - 23 : Resolution to Authorize Participation in the BEAD Grant Program

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chuck Hull, District 19
SECONDER:	Ronald McGill, District 16
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives
ABSENT:	Eisenhuth

2. Closed Session - The County Board will convene in Closed Session pursuant to Wisconsin State Statutes Sec. 19.85(1)(e) "Deliberating or negotiating the purchase of public properties . . . or conducting other specified business, whenever competitive or bargaining reasons require a closed session" (Report on potential site location(s) for future business park).

The County Board went into closed session. The following people went into closed session with the County Board Supervisors: Randy Scholz, Lori Zwiefelhofer, Doug Clary, Todd Pauls, Traci Bremness, Charlie Walker and Jaclyn Sadler

RESULT:	APPROVED [19 TO 0]
MOVER:	Jason Bergeron, District 7
SECONDER:	Annette Hunt, District 18
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Peterson, Calkins, Bomar, Berg, Teuteberg, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives
ABSTAIN:	Seidlitz
ABSENT:	Eisenhuth

3. The County Board will reconvene to open session to continue with the agenda

Minutes Acceptance: Minutes of Feb 21, 2023 6:00 PM (Consent Agenda)

County Board

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Glen Sikorski, District 6
SECONDER:	Jason Bergeron, District 7
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Eisenhuth, Hull

7. AGENDA ITEMS FOR FUTURE CONSIDERATION

8. ADJOURN

RESULT:	APPROVED [UNANIMOUS]
MOVER:	James Ericksen, District 8
SECONDER:	David Bischel, District 4
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives
ABSENT:	Eisenhuth

Minutes Acceptance: Minutes of Feb 21, 2023 6:00 PM (Consent Agenda)



Cobban Bridge Update

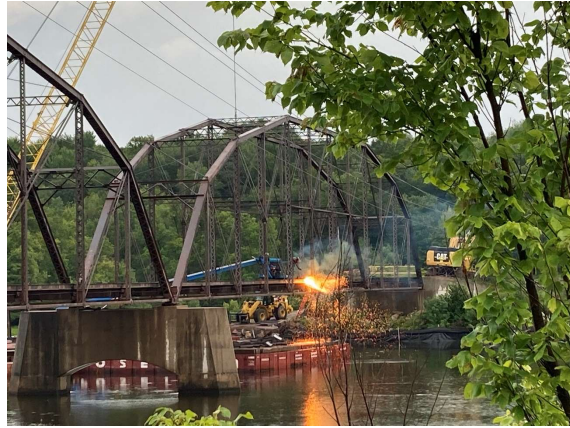
Brian Kelley – Highway Commissioner

March 14, 2023

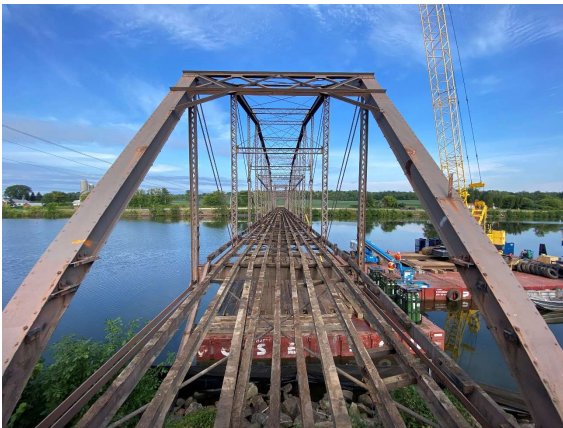
Project History

- January 2009 – Federal funding approved for the location study and preliminary engineering.
- August 2, 2017 – Cobban bridge closed permanently.
- May 2018 – After 3 failed applications, federal construction funding is finally approved. Final design was to be 100% county funded.
- January 2022 – Low bid for construction was \$4,699,000... about \$1,000,000 below engineer's estimate.
- Savings allowed WisDOT to reimburse the County for 80% of the final design.
- Construction project began August 8, 2022.
- Bridge demolition started August 16, 2022.

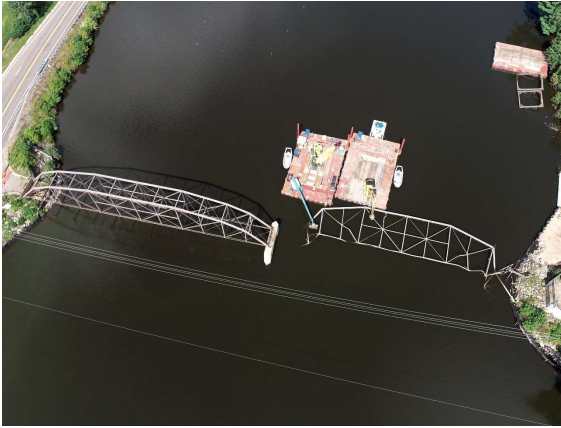
August 24, 2022 – Deck Removal



August 25, 2022 – Stringer Removal



September 6 & 8, 2022 – East & West Truss Demolition



Wood Turtle

- Threatened Species in Wisconsin.
- Lives in the Chippewa River.
- Turtles overwinter in the river bottom.
- Wisconsin DNR required the contractor to dive twice daily in search of turtles. (Oct. – Dec.)
- If found, turtles would be rehabilitated.
- **To date, zero turtles have been found.**
- As part of DNR permit, Chippewa County will also install turtle crossing signs on CTH R at Bob Creek and CTH K to the north and south of the bridge project.



December 2022 – Cofferdam & Pier Construction



January 17, 2023 – Pier & Abutment Construction



February 14, 2023 – First Day of Setting Beams



March 2, 2023 – Forming up the Deck



Project Progress

- Contractor is currently forming up the deck and will be placing reinforcement bars.
- In-stream DNR work restrictions for fish spawning will limit the amount of work the contractor can do between March 15 and June 15.
 - They are typically not allowed to move and anchor barges at this time of year.
- Construction completion date is October 31, 2023.
- Project is on schedule and on budget.
- Highway Department will pave CTH TT from the new bridge to STH 27 in the Fall of 2023.



Questions & Answers



STATEMENT OF EXPLANATION

Ordinance No. 02 - 23

ORDINANCE TO AMEND SECTION 2-82(E) OF THE CHIPPEWA COUNTY CODE OF ORDINANCES TO ESTABLISH A PERMIT FOR LICENSED MILK HAULERS TO TRANSPORT LOADS THAT EXCEED POSTED SEASONAL WEIGHT LIMITS ON COUNTY TRUNK HIGHWAYS WITH SEASONAL WEIGHT RESTRICTIONS - BRIAN KELLEY - FIRST READING

1 The Highway Commissioner has recommended that a new “Spring Milk Hauling” permit
2 be created in order to simplify the process for milk haulers to receive a permit to haul loads of
3 milk in excess of posted seasonal weigh limits on county trunk highways that are subject to
4 spring seasonal weight restrictions.

5
6 The current ordinance requires milk haulers to obtain an over-sized load permit at a cost
7 of \$100 per year. This proposed ordinance amendment will reduce the annual fee to \$0 for
8 each truck.

9
10 A spring milk hauling permit will be granted for axle weights on seasonally-posted
11 county trunk highways that do not exceed eight (8) tons for the steer axle, six (6) tons for each
12 pusher/tag axle, and eight (8) tons for each rear drive axle.
13

Ordinance No. 02 - 23

**ORDINANCE TO AMEND SECTION 2-82(E) OF THE CHIPPEWA COUNTY CODE OF ORDINANCES
TO ESTABLISH A PERMIT FOR LICENSED MILK HAULERS TO TRANSPORT LOADS THAT EXCEED
POSTED SEASONAL WEIGHT LIMITS ON COUNTY TRUNK HIGHWAYS WITH SEASONAL WEIGHT
RESTRICTIONS - BRIAN KELLEY - FIRST READING**

SEE ATTACHMENT

FINANCIAL IMPACT:

By passage of these ordinance amendments the fiscal impact to Chippewa County will be a reduction from the current \$100 to \$0 per permit for milk haulers.

03/14/2023 County Board

RESULT: APPROVED AS AMENDED [17 TO 3]

MOVER: Glen Sikorski, District 6

SECONDER: Chuck Hull, District 19

AYES: Gullickson, Schmitt, Flater, Steele, Sikorski, Bergeron, Ericksen, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, Rohmeyer, Hunt, Hull, Mueller

NAYS: Joel Seidlitz, Ronald McGill, Kari Ives

ABSENT: David Bischel

History:

02/22/23 Highway Committee FORWARD TO COUNTY BOARD

Approved as to Form:

Todd A. Pauls

Todd A. Pauls, Corporation Counsel

2/13/2023

Lori Zwiefelhofer

Lori Zwiefelhofer, Finance Director

2/13/2023

Randy B. Scholz

Randy B. Scholz, County Administrator

2/13/2023

**ORDINANCE TO AMEND SECTION 2-82(e) OF THE CHIPPEWA COUNTY CODE OF ORDINANCES
TO ESTABLISH A PERMIT FOR LICENSED MILK HAULERS TO TRANSPORT LOADS THAT EXCEED
POSTED SEASONAL WEIGHT LIMITS ON COUNTY TRUNK HIGHWAYS WITH SEASONAL WEIGHT
RESTRICTIONS**

1. That Section 2-82(e) of the Chippewa County Code of Ordinances is amended as follows:

Chapter 2. GENERAL GOVERNMENT AND ADMINISTRATION

Sec. 2-82 County Board Standing Committees, Roles and Duties.

- (e) The Highway Committee provides policy oversight to the Highway Department asset forth in Wis. Stats. § 83.015(1)(a).

- (1) Condemnation and relocation.

The Board of Supervisors authorizes the county highway committee under Wis. Stats. § 32.05(1), to issue relocation orders as needed for the public purposes listed in Wis. Stats. Ch. 32.

- (2) Use of county gravel by towns.

a. Permission required. Before any gravel may be taken from the several piles of crushed gravel of the county Highway Department for the use of the town or residents therein, the chair of the town shall obtain the permission to take the gravel from the highway commissioner.

b. Highway department to load. No gravel may be taken from the several piles of crushed gravel of the county highway department under any circumstances unless such gravel to be taken is loaded by the county Highway Department.

- (3) Access to county highway right-of-way.

Pursuant to Wis. Stats. § 86.07(2) the County Board of Supervisors authorizes the county Highway Department to permit the following activities on county trunk highway right-of-way. In addition, permit and application fees as set forth in this section shall be established by the Highway Committee and assessed by the county Highway Department to offset the cost involved in the permit or application review. All necessary permits are to be obtained prior to the occurrence of the associated activities.

a. Access driveways. A permit shall be obtained from the county Highway Department for all new driveways/accesses or modifications of existing

access onto the county trunk highways. The county Highway Department shall assess a fee of \$200.00 for each residential driveway or field entrance permit application and a fee of \$250 for each commercial driveway permit application. An additional deposit of \$100 shall be assessed to access driveway permit applications. Upon successful completion of all permit application requirements, the deposit shall be refunded. If permit application requirements are not met within 6 months of permit issuance, the deposit will not be refunded.

- b. Public and private road access. A permit shall be obtained from the county Highway Department for all new public or private road access on to county trunk highways. The county Highway Department shall assess a fee of \$400.00 for each public and private road access permitted. An additional deposit of \$100 shall be assessed to public and private road access permit applications. Upon successful completion of all permit application requirements, the deposit shall be refunded. If permit application requirements are not met within 12 months of permit issuance, the deposit will not be refunded.
- c. Work in right-of-way permit. A permit shall be obtained from the county Highway Department for any type of private work to be performed within the Chippewa County right-of-way. There shall be no fee for this permit.
- d. Utilities. The county Highway Department shall issue permits for the construction or alteration of utility facilities on county trunk highway right-of-way. The county Highway Department shall assess fees for utility permits according to the following schedule:

Utility Activity	Fee
First service installation	\$80.00
First 200 feet of run parallel to centerline of right-of-way	80.00
Additional service installations	60.00
Each additional 1000 feet of run parallel to centerline of right-of-way	60.00

- (4) Over-sized load permit. A permit shall be obtained from the county Highway Department anytime a load is moved on county trunk highways which is above statutory limitations for width, height, or weight. The county Highway Department shall assess a fee for \$20 for each single-trip permit issued and \$100 for each annual permit issued.

(5) Spring milk hauling permit. An annual spring milk hauling permit shall be obtained from the county Highway Department by a licensed milk hauler for each milk truck owned, leased or operated by such licensed milk hauler prior to hauling loads of milk on county trunk highways that are subject to spring seasonal weight restrictions whenever such loads are to be in excess of posted seasonal weight limits. ~~An annual spring milk hauling permit will be granted for axle weights on seasonally posted county trunk highways that do not exceed eight (8) tons for the steer axle, six (6) tons for each pusher/tag axle, and eight (8) tons for each rear drive axle.~~ There shall be no fee for the annual spring milk hauling permit.

(65) Application fee for new ATV/UTV routes on county highways. The fee for an application for a new ATV/UTV route on a county highway, made pursuant to §58-39, shall be \$300 and shall be included with the application. The fee shall cover the costs of the initial review and approval of the application by the county Highway Department, as well as any future reviews of the designated route.

2. That this ordinance amendment shall take effect upon passage and publication.

Forwarded to the County Board by the Highway Committee.

5 Axle Straight Truck - Spring Road Ban **"Maximum Allowable Axle Weights"**

Please note the permitted **"Maximum Allowable Axle Weights"** are for optimum weight distribution but do not allow for gross weight to exceed the truck's licensed limits.



7 Axle Straight Truck - Spring Road Ban **"Maximum Allowable Axle Weights"**

Please note the permitted **"Maximum Allowable Axle Weights"** are for optimum weight distribution but do not allow for gross weight to exceed the truck's licensed limits.



4 Axle Straight Truck - Spring Road Ban **"Maximum Allowable Axle Weights"**

Please note the permitted **"Maximum Allowable Axle Weights"** are for optimum weight distribution but do not allow for gross weight to exceed the truck's licensed limits.



3 Axle Straight Truck- Spring Road Ban **"Maximum Allowable Axle Weights"**

Please note the permitted **"Maximum Allowable Axle Weights"** are for optimum weight distribution but do not allow for gross weight to exceed the truck's licensed limits.



6 Axle Semi Tractor Trailer Truck- Spring Road Ban **"Maximum Allowable Axle Weights"**

Please note the permitted **"Maximum Allowable Axle Weights"** are for optimum weight distribution but do not allow for gross weight to exceed the truck's licensed limits.



Steer Axle – 8 Tons

Rear Drive
Tandems
– 16 Tons

Rear Trailer Triples –
18 Tons Front &
Rear Lift Axles



STATEMENT OF EXPLANATION

Ordinance No. 03 - 23

ORD. 03-23: ORDINANCE TO AMEND SECTION 58-39 OF THE CHIPPEWA COUNTY CODE OF ORDINANCES DESIGNATING ALL-TERRAIN VEHICLE (ATV) AND UTILITY TERRAIN VEHICLE (UTV) ROUTES TO ADD ATV/UTV ROUTES ON COUNTY HIGHWAYS F, M AND Q - BRIAN KELLEY - SECOND READING

1 If approved, these ordinance amendments to Section 58-39 of the Chippewa County
2 Code of Ordinances will authorize the creation of three additional segments of County highway
3 ATV/UTV routes on County Highways F, M and Q, as follows:

- 4
- 5 1. A new route on County Highway AA in the Village of New Auburn from County
- 6 Highway SS to East Street, a distance of 350 feet.
- 7 2. A new route on County Highway F in the Town of Sampson, from 80th Street to
- 8 295th Avenue, a distance of .5 miles.
- 9 3. A new route on County Highway M in the Village of New Auburn, from 50th
- 10 Street north to south, a distance of .5 miles.
- 11 4. A new route on County Highway Q in the Village of New Auburn, from Tarr Road
- 12 to County Highway SS, a distance of .45 miles.
- 13

14 These routes have met the County's safety criteria and are recommended for approval
15 by the Highway and Sheriff's departments. These routes were reviewed by the Highway
16 Committee and are now being forwarded to the County Board for approval.
17

Ordinance No. 03 - 23

**ORD. 03-23: ORDINANCE TO AMEND SECTION 58-39 OF THE CHIPPEWA COUNTY CODE OF
ORDINANCES DESIGNATING ALL-TERRAIN VEHICLE (ATV) AND UTILITY TERRAIN VEHICLE (UTV)
ROUTES TO ADD ATV/UTV ROUTES ON COUNTY HIGHWAYS F, M AND Q - BRIAN KELLEY -
SECOND READING**

SEE ATTACHMENT

FINANCIAL IMPACT:

There is no fiscal impact to Chippewa County by passage of these ordinance amendments.

03/14/2023	County Board
RESULT:	FIRST READING Next: 4/18/2023 6:00 PM

History:

02/22/23 Highway Committee FORWARD TO COUNTY BOARD

Approved as to Form:

Todd A. Pauls
Todd A. Pauls, Corporation Counsel

2/13/2023

Lori Zwiefelhofer
Lori Zwiefelhofer, Finance Director

2/13/2023

Randy B. Scholz
Randy B. Scholz, County Administrator

2/13/2023

DRAFT**ORDINANCE TO AMEND SECTION 58-39 DESIGNATING ALL-TERRAIN AND UTILITY TERRAIN VEHICLE ROUTES****Chapter 58 TRAFFIC AND VEHICLES*****Sec. 58-39. Designating All-Terrain and Utility Terrain Vehicle Routes**

- (a) *Intent.* The County of Chippewa adopts the following All-Terrain Vehicle (ATV) and Utility Terrain Vehicle (UTV) routes for the operation of ATV's and UTV's upon the County highways listed in subsection (c). Following due consideration of the recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, these routes have been created.
- (b) *Statutory Authority.* These routes are created pursuant to § 23.33(8)(b), Wis. Stats. In addition, the provisions of § 23.33, Wis. Stats., and the provisions of Wisconsin Administrative Code NR 64 regulating ATV/UTV operation are hereby adopted.
- (c) *Routes.* The following described County highways are designated as ATV/UTV routes:
- (1) C.T.H. "AA" in the Village of New Auburn, from C.T.H. "SS" to East Street, a distance of 350'.
 - (2) C.T.H. "D" in the Town of Delmar, from 125th Avenue to 130th Avenue, a distance of 0.5 miles.
 - (23) C.T.H. "E" in the Town of Cleveland, from 245th Avenue south to trail, a distance of 0.8 miles.
 - (34) C.T.H. "EE" in the Towns of Arthur and Estella, from 170th Avenue to S.T.H. 64, a distance of 5 miles.
 - (5) C.T.H. "F" in the Town of Sampson, from 80th Street to 295th Avenue, a distance of 0.5 miles.
 - (64) C.T.H. "G" in the Town of Ruby, from C.T.H. "M" to 310th Avenue, a distance of 3 miles.
 - (75) C.T.H. "G" in the Town of Ruby, from S.T.H. 64 north to Buckhorn Trail, a distance of 2.25 miles.
 - (86) C.T.H. "K" in the Towns of Anson and Arthur, from C.T.H. "S" to 170th Avenue, a distance of 3 miles.
 - (97) C.T.H. "K" in the Town of Anson, from 107th Avenue to 108th Avenue, a distance of 350'.
 - (108) C.T.H. "K" in the Town of Anson, from 127th Avenue to 220th Street, a distance of 275'.

- (~~119~~) C.T.H. "K" in the Town of Lafayette, from 40th Avenue east to west, a distance of 0.5 miles.
 - (~~120~~) C.T.H. "K" in the Town of Lafayette, from 50th Avenue east to west, a distance of 0.1 miles.
 - (~~131~~) C.T.H. "K" in the Town of Estella, from 250th Street to 205th Avenue, a distance of 0.5 miles.
 - (~~142~~) C.T.H. "M" in the Towns of Birch Creek and Lake Holcombe, from S.T.H. 27 west to ATV parking lot, a distance of 5.2 miles.
 - (~~135~~) C.T.H. "M" in the Town of Ruby, from 275th Avenue to C.T.H. "G", a distance of 0.65 miles.
 - (~~146~~) C.T.H. "M" in the Town of Sampson, from 152nd Street to 160th Street, a distance of 0.75 miles.
 - (17) C.T.H. "M" in the Village of New Auburn, from 50th Street north to south, a distance of 0.5 miles.
 - (18) C.T.H. "Q" in the Village of New Auburn, from Tarr Road to C.T.H. "SS", a distance of 0.45 miles.
 - (~~195~~) C.T.H. "S" in the Town of Anson, from C.T.H. "K" west to trail, a distance of 1.1 miles.
 - (~~2016~~) C.T.H. "S" in the Town of Arthur, from 270th Avenue north to south, a distance of 0.5 miles.
 - (~~2117~~) C.T.H. "VV" in the Town of Ruby, from 290th Avenue east to west, a distance of 0.5 miles.
 - (~~2218~~) C.T.H. "Y" in the Town of Eagle Point, from 145th Street to 155th Street, a distance of 1 mile.
 - (~~2319~~) C.T.H. "Y" in the Town of Anson, from 143rd Avenue west across the Chippewa River Bridge, a distance of 0.25 miles.
- (d) *Annual Reviews of ATV/UTV Routes.* All ATV/UTV routes established pursuant to this ordinance shall be reviewed annually by the Chippewa County Highway Committee to consider the continued value, efficacy or need for the ATV/UTV routes or the inclusion of additional ATV/UTV routes, all pursuant to the intent of this ordinance.
- (e) *Conditions.* In addition to all statutory and regulatory requirements for ATV/UTV operation, as a condition for the use of these routes, the following conditions shall apply to all ATV/UTV operators (and passengers) when operating on the routes:
- (1) All ATV/UTV operators shall observe posted ATV/UTV speed limits not to exceed 30 MPH.

- (2) All ATV/UTV operators shall ride single file.
 - (3) All ATV/UTV operators shall slow the vehicle to 10-mph or less when operating within 150 feet of a dwelling or pedestrians except when operating on County Highway M between 276th Street and County Highway CC (250th Street) in the Town of Lake Holcombe.
 - (4) Routes must be signed in accordance with NR 64.12, and NR 64.12(7)c.
 - (5) Headlights and tail lights must be turned on at all times.
 - (6) All ATV/UTV operators at least 12 years of age and who are born on or after January 1, 1988, shall have a valid ATV/UTV safety certificate and be accompanied by a parent or legal guardian until possessing a valid driver's license.
 - (7) All persons under 18 operating and/or riding on an ATV/UTV must wear a helmet approved by the Wisconsin Department of Transportation.
 - (8) Use of these routes is only allowed during daylight hours which shall be defined as from one-half hour before sunrise to one-half hour after sunset.
 - (9) ATV/UTV operators shall drive only on the outside portion of the paved roadway surface.
- (f) *Creation of New Routes.* The County will consider applications for new routes submitted by the Chippewa Valley ATV Council or local municipality. All new ATV/UTV routes shall be created pursuant to procedures that are adopted by the Highway Committee. Any changes to those procedures shall be approved by the Highway Committee. The procedures shall be available to the public at the Chippewa County Highway Department as well as on the Highway Department's website.
 - (g) *Closure of Routes.* The Highway Commissioner shall have the authority to temporarily or permanently close routes for safety, maintenance or other appropriate reasons. Such closures shall be subject to review and final determination by the Highway Committee. The Highway Department shall erect temporary signs indicating the route closure. The route signage shall be entirely removed by the Highway Department if the designated route is permanently closed.
 - (h) *Enforcement.* This ordinance shall be enforced by the Chippewa County Sheriff's Department.
 - (i) *Penalties.* The penalties as set forth in § 23.33(13)(a) Wis. Stats., are adopted by reference.
 - (j) *Severability.* The provisions of this ordinance shall be deemed severable and it is expressly declared that Chippewa County would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other person's circumstances shall not be deemed affected.

(Ord. No. 01-10, 02-19-10; Ord. No. 18-12, 07-10-2012; Ord. No. 03-16, 03-08-2016; Ord. No. 01-18, 01-09-2018; Ord. No. 05-18, 08-14-2018; Ord. No. 06-19, 04-09-2019; Ord. No. 03-20, 03-10-2020; Ord. No. 08-20, 06-09-2020; Ord. No. 01-22, 04-19-2022)

ATV Route Designation Application for Chippewa County Highway

General Information

Name	Naburn Roadrunners	Date	08/12/2022
Address	PO Nox 51	Phone	715-933-1799
City	New Auburn	State	WI
		Zip	54757
Email	naburnroadrunner@yahoo.com	naburnroadrunners@yahoo.com	
Representing: (check one)	☒ Chippewa Valley ATV Council	☐ Town of	

Application Checklist

	Attached?
1) Attach a map of the requested route. Indicate trail-ends and approved municipal routes to be connected. Highlight and list businesses that will be served.	☒
2) Attach a list of all property owners on the proposed routes and copy of the notice that was mailed to them.	☒
3) Attach a map of all alternative routes that were pursued prior to requesting the proposed route.	☒
4) Attach the local municipality's approved ordinance or resolution authorizing the proposed route. <i>will get next Sampson mtg</i>	☐
5) Attach payment for non-refundable application fee of \$100 with check made payable to "Chippewa County Highway Department".	☒

Route Information

County Highway	F	Route Length	.5 miles
Starting Location	80th Street	GPS (north)	45.271560
		GPS (west)	91.520319
Ending Location	295th Avenue	GPS (north)	45.271324
		GPS (west)	91.510177
Route Justification: To connect New Auburn to Sampson Township. To add business opportunities for the businesses in the Town of Sampson from the New Auburn area and places to the north			

To Be Completed By Applicant

Attachment: Application #1 - CTH F_approved (03 - 23 : Ordinance to Amend Sec. 58-39 Designating ATV/UTV Routes to Add ATV/UTV Routes

Highway Department Review of Proposed Route

Commercial Truck Traffic Volumes:	0
Frac Sand Haul Route	100 points
Heavy	50 points
Average or Below	0 points
*Site Distance:	30
<min.	50 points
> min. but < desirable	30 points
> desirable	0 points
*See WisDOT FDM 11-10 Attachments 5.4 & 5.6	
Highest Posted Speed Limit:	10
55 MPH	10 points
< 55 MPH	0 points
Narrowest Pavement/Bridge Width:	20
≤ 20'	20 points
> 20' but ≤ 22'	10 points
> 22'	0 points

Highway Functional Classification:	0
Arterial	100 points
Major Collector	30 points
Minor Collector or Less	0 points
Average Daily Traffic (ADT):	0
≥ 1500	100 points
1000 - 1499	30 points
750 - 999	20 points
500 - 749	10 points
< 500	0 points
Length of Route:	0
2 miles or more	20 points
1 to 1.99 miles	10 points
< 1 mile	0 points
Other Factors:	20
> 5 miles to public trail	20 points
Residences < 150' away	10 points

Total Deductions: 80

Note: Deductions ≥ 100 points result in denial of application. Other factors may also result in denial.

Approved: ☒Denied: ☐

By: Brian Kelley

Date: 10-7-22

Additional Comments / Justification for Denial / Recommended Conditions of Approval:

Avg. truck traffic, site distance < desirable on west end (162') & east end (192'), 55 MPH, 20' wide, minor collector, 200 ADT, 1/2 mile length, > 5 miles to public trail, no residences

Sheriff's Department Review of Proposed Route

 Recommendation: Approve ☒

 Deny ☐

By: Mark Bauman

Date: 10/10/22

Additional Comments / Justification for Recommended Denial / Recommended Conditions of Approval:

Estimated Signage & Maintenance Costs

*Estimated route costs to applicant:

Reviewed with applicant on:

Labor:

Equip:

Materials:

* Note: All work within County right-of-way to be done by County

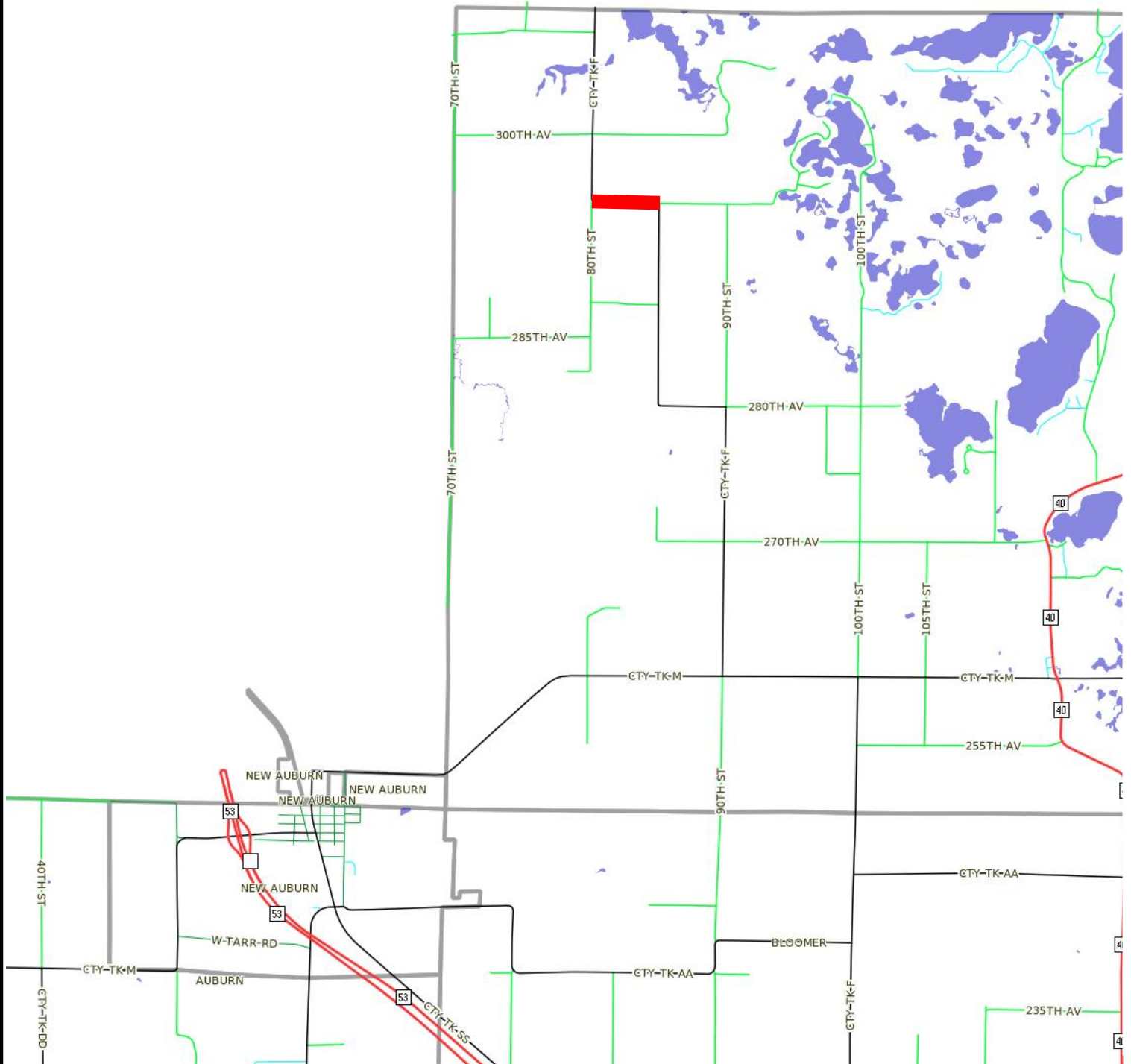
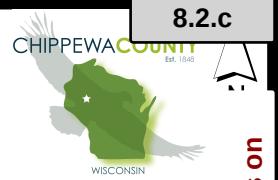
To Be Completed By Chippewa County Highway Department

Attachment: Application #1 - CTH F_approved (03 - 23 : Ordinance to Amend Sec. 58-39 Designating ATV/UTV Routes to Add ATV/UTV Routes

2022 ATV Route Request #1

Printed 02/06/2023

Scale = 1:5536'



Attachment: 2022 ATV Route Request 01 (03 - 23 : Ordinance to Amend Sec. 58-39 Designating ATV/UTV Routes to Add ATV/UTV Routes on

Disclaimer: This map is a compilation of records as they appear in the Chippewa County Offices affecting the area shown and is to be used only for reference purposes.

ATV Route Designation Application for Chippewa County Highway

General Information

Name	Village of New Auburn	Date	02/14/2022
Address	130 E Elm St, PO Box 100	Phone	715-237-2223
City	New Auburn	State	WI
		Zip	54757
Email	astory@newauburn-wi.com		
Representing: (check one)	☐ Chippewa Valley ATV Council ☒ Town of Village of New Aul		

Application Checklist

	Attached?
1) Attach a map of the requested route. Indicate trail-ends and approved municipal routes to be connected. Highlight and list businesses that will be served.	☒
2) Attach a list of all property owners on the proposed routes and copy of the notice that was mailed to them.	☒
3) Attach a map of all alternative routes that were pursued prior to requesting the proposed route.	☒
4) Attach the local municipality's approved ordinance or resolution authorizing the proposed route.	☒
5) Attach payment for non-refundable application fee of \$100 with check made payable to "Chippewa County Highway Department".	☒

Route Information

County Highway	M	Route Length	0.943 miles
Starting Location	M & 50th St	GPS (north)	
		GPS (west)	
Ending Location	M/50th St/Village Boundary	GPS (north)	
		GPS (west)	

Route Justification:

To Be Completed By Applicant

Attachment: Application #6 - CTH M west_approved (03 - 23 : Ordinance to Amend Sec. 58-39 Designating ATV/UTV Routes to Add ATV/UTV

Highway Department Review of Proposed Route

Commercial Truck Traffic Volumes:	0
Frac Sand Haul Route	100 points
Heavy	50 points
Average or Below	0 points
*Site Distance:	30
<min.	50 points
> min. but < desirable	30 points
> desirable	0 points
*See WisDOT FDM 11-10 Attachments 5.4 & 5.6	
Highest Posted Speed Limit:	10
55 MPH	10 points
< 55 MPH	0 points
Narrowest Pavement/Bridge Width:	10
≤ 20'	20 points
> 20' but ≤ 22'	10 points
> 22'	0 points

Highway Functional Classification:	0
Arterial	100 points
Major Collector	30 points
Minor Collector or Less	0 points
Average Daily Traffic (ADT):	0
≥ 1500	100 points
1000 - 1499	30 points
750 - 999	20 points
500 - 749	10 points
< 500	0 points
Length of Route:	0
2 miles or more	20 points
1 to 1.99 miles	10 points
< 1 mile	0 points
Other Factors:	30
> 5 miles to public trail	20 points
Residences < 150' away	10 points

Total Deductions: 80

Note: Deductions ≥ 100 points result in denial of application. Other factors may also result in denial.

Approved: ☒Denied: ☐

By: Brian Kelley

Date: 10-7-22

Additional Comments / Justification for Denial / Recommended Conditions of Approval:

Avg. truck traffic, < desirable site distance, 55 MPH speed limit, 21' wide, minor collector, 490 ADT, < 1 mile length, > 5 miles to public trail, residence < 150' away

Sheriff's Department Review of Proposed Route

 Recommendation: Approve ☒
Deny ☐

By: Mark Bauman

Date: 10/10/22

Additional Comments / Justification for Recommended Denial / Recommended Conditions of Approval:

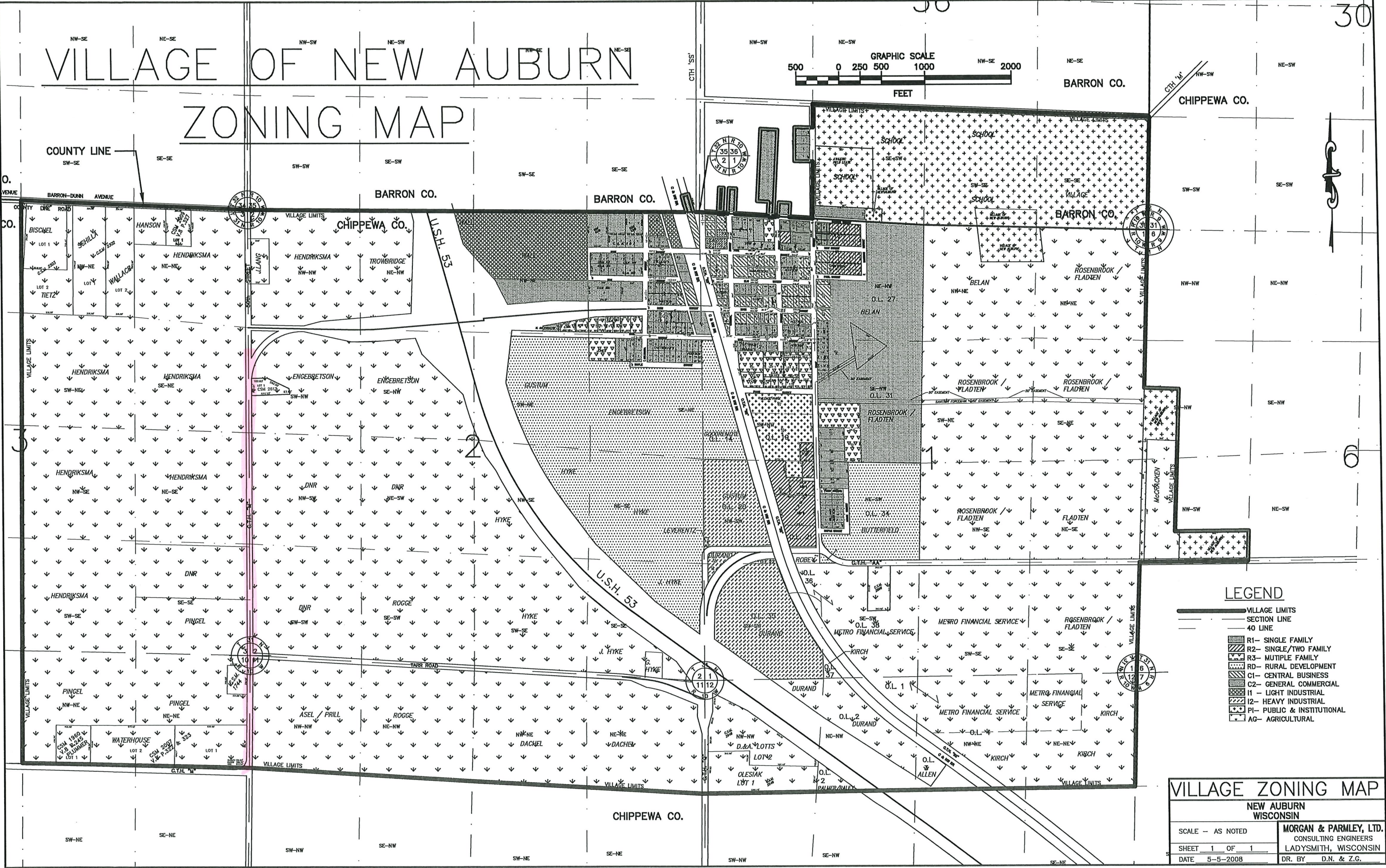
Estimated Signage & Maintenance Costs

*Estimated route costs to applicant: Reviewed with applicant on: Labor: Equip: Materials:

* Note: All work within County right-of-way to be done by County

To Be Completed By Chippewa County Highway Department

Attachment: Application #6 - CTH M west_approved (03 - 23 : Ordinance to Amend Sec. 58-39 Designating ATV/UTV Routes to Add ATV/UTV

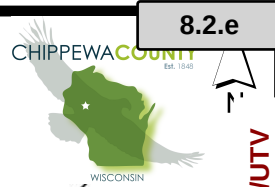


Attachment: Application #6 - CTH M west approved (03 - 23 : Ordinance to Amend Sec. 58-39 Designating ATV/UTV Routes to Add ATV/UTV

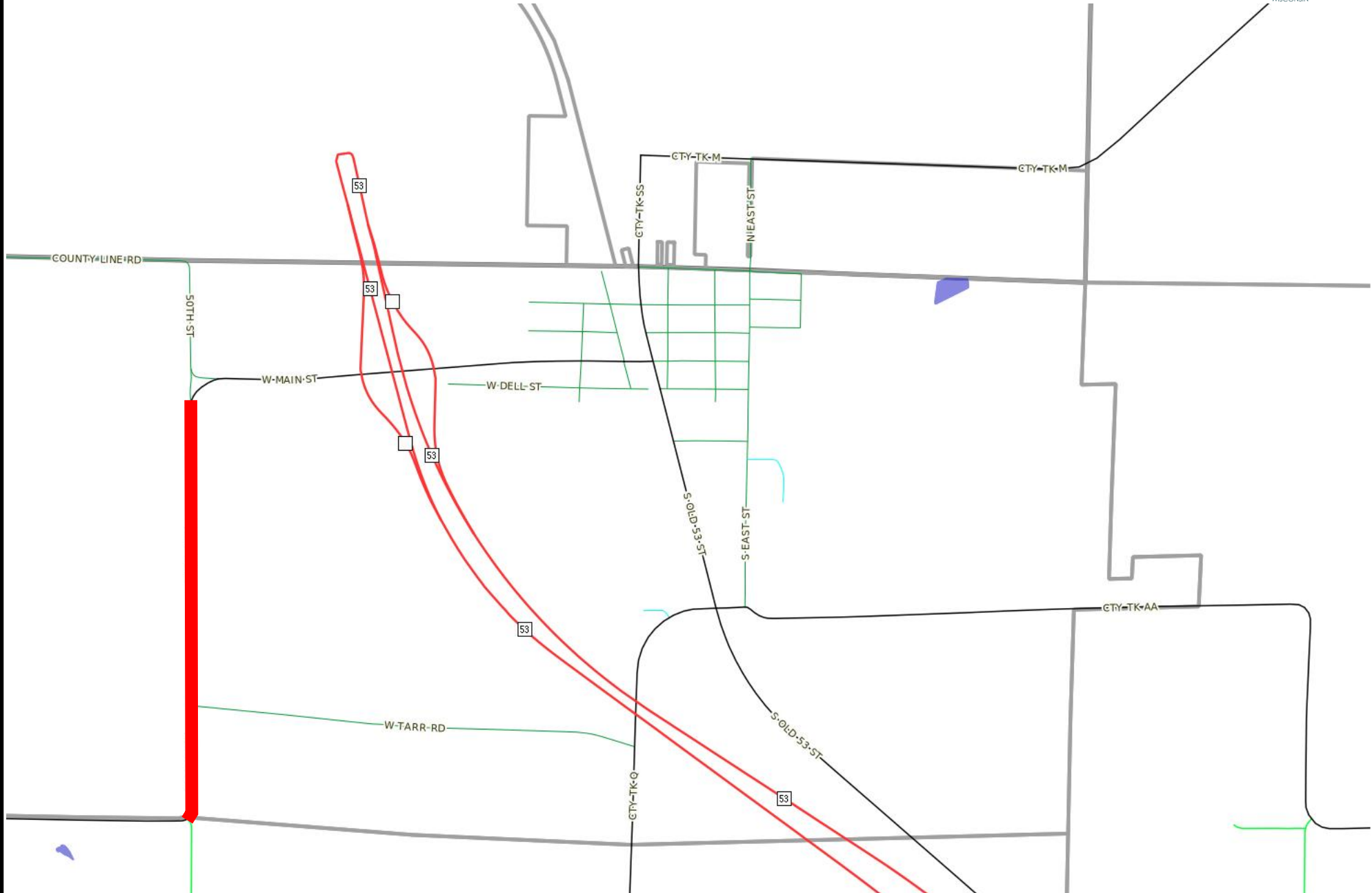
2022 ATV Route Request #6

Printed 02/06/2023

Scale = 1:1538'



8.2.e



Attachment: 2022 ATV Route Request 06 (03 - 23 : Ordinance to Amend Sec. 58-39 Designating ATV/UTV

Disclaimer: This map is a compilation of records as they appear in the Chippewa County Offices affecting the area shown and is to be used only for reference purposes.

ATV Route Designation Application for Chippewa County Highway

General Information

Name	Village of New Auburn	Date	02/14/2022
Address	130 E Elm St, PO Box 100	Phone	715-237-2223
City	New Auburn	State	WI
		Zip	54757
Email	astory@newauburn-wi.com		
Representing: (check one)	☐ Chippewa Valley ATV Council ☒ Town of Village of New Aul		

Application Checklist

	Attached?
1) Attach a map of the requested route. Indicate trail-ends and approved municipal routes to be connected. Highlight and list businesses that will be served.	☒
2) Attach a list of all property owners on the proposed routes and copy of the notice that was mailed to them.	☒
3) Attach a map of all alternative routes that were pursued prior to requesting the proposed route.	☒
4) Attach the local municipality's approved ordinance or resolution authorizing the proposed route.	☒
5) Attach payment for non-refundable application fee of \$100 with check made payable to "Chippewa County Highway Department".	☒

Route Information

County Highway	Q	Route Length	0.427 miles
Starting Location	SS/Old 53	GPS (north)	
		GPS (west)	
Ending Location	Tarr Road/Q Intersection	GPS (north)	
		GPS (west)	

Route Justification:

To Be Completed By Applicant

Attachment: Application #7 - CTH Q approved (03 - 23 : Ordinance to Amend Sec. 58-39 Designating ATV/UTV Routes to Add ATV/UTV Routes

Highway Department Review of Proposed Route

Commercial Truck Traffic Volumes:	0
Frac Sand Haul Route	100 points
Heavy	50 points
Average or Below	0 points
*Site Distance:	30
<min.	50 points
> min. but < desirable	30 points
> desirable	0 points
*See WisDOT FDM 11-10 Attachments 5.4 & 5.6	
Highest Posted Speed Limit:	10
55 MPH	10 points
< 55 MPH	0 points
Narrowest Pavement/Bridge Width:	10
≤ 20'	20 points
> 20' but ≤ 22'	10 points
> 22'	0 points

Highway Functional Classification:	0
Arterial	100 points
Major Collector	30 points
Minor Collector or Less	0 points
Average Daily Traffic (ADT):	0
≥ 1500	100 points
1000 - 1499	30 points
750 - 999	20 points
500 - 749	10 points
< 500	0 points
Length of Route:	0
2 miles or more	20 points
1 to 1.99 miles	10 points
< 1 mile	0 points
Other Factors:	20
> 5 miles to public trail	20 points
Residences < 150' away	10 points

Total Deductions: 70

Note: Deductions ≥ 100 points result in denial of application. Other factors may also result in denial.

Approved: ☒Denied: ☐

By: Brian Kelley

Date: 10-7-22

Additional Comments / Justification for Denial / Recommended Conditions of Approval:

Avg. truck traffic, < desirable site distance, 55 MPH speed limit, 21' wide, minor collector, 270 ADT, < 1 mile length, > 5 miles to public trail, no residences

Sheriff's Department Review of Proposed Route

 Recommendation: Approve ☒
Deny ☐

By: Mark Bauman

Date: 10/10/22

Additional Comments / Justification for Recommended Denial / Recommended Conditions of Approval:

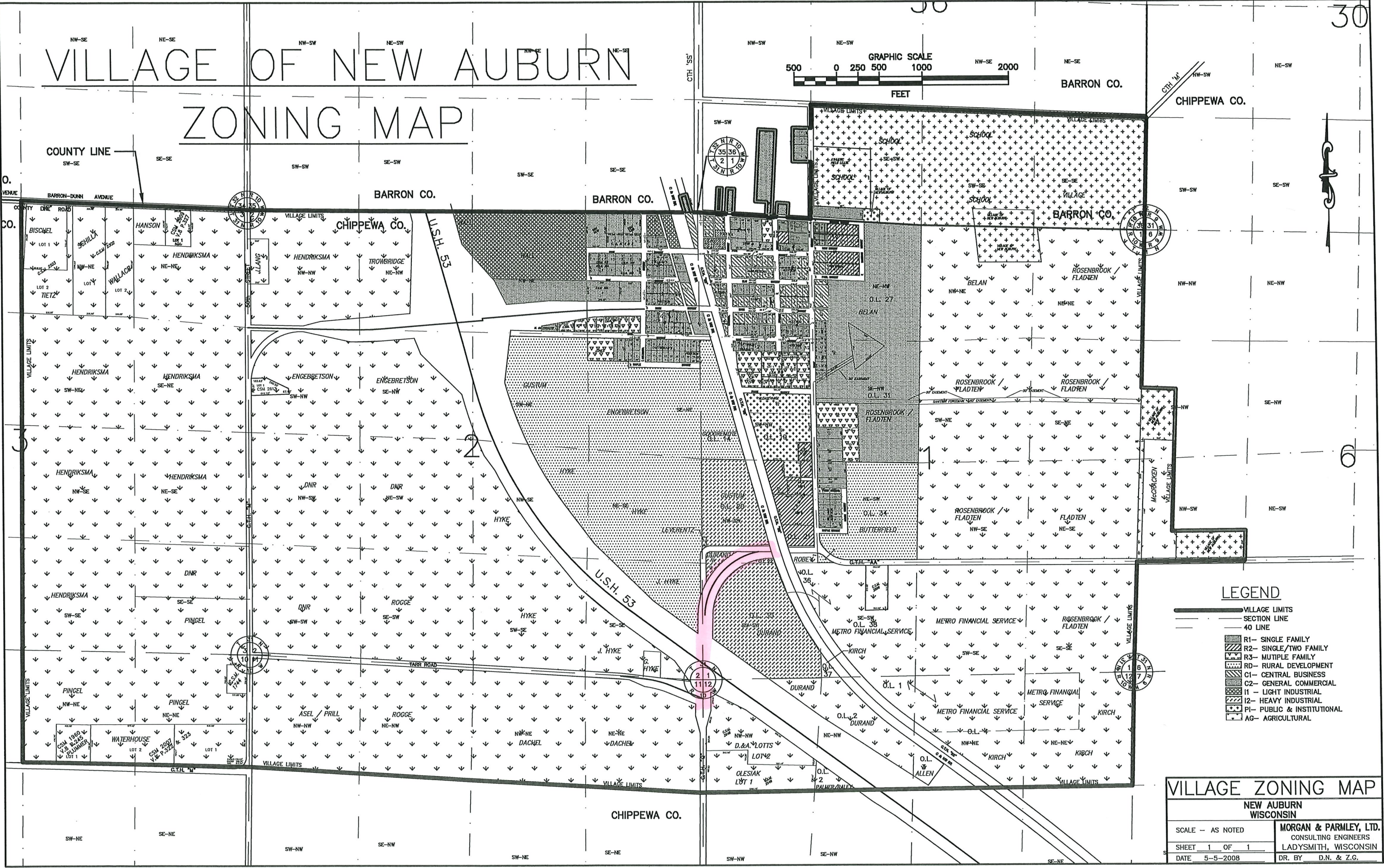
Estimated Signage & Maintenance Costs

*Estimated route costs to applicant: Reviewed with applicant on: Labor: Equip: Materials:

* Note: All work within County right-of-way to be done by County

To Be Completed By Chippewa County Highway Department

Attachment: Application #7 - CTH Q_approved (03 - 23 : Ordinance to Amend Sec. 58-39 Designating ATV/UTV Routes to Add ATV/UTV Routes

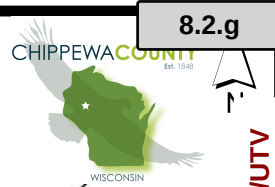


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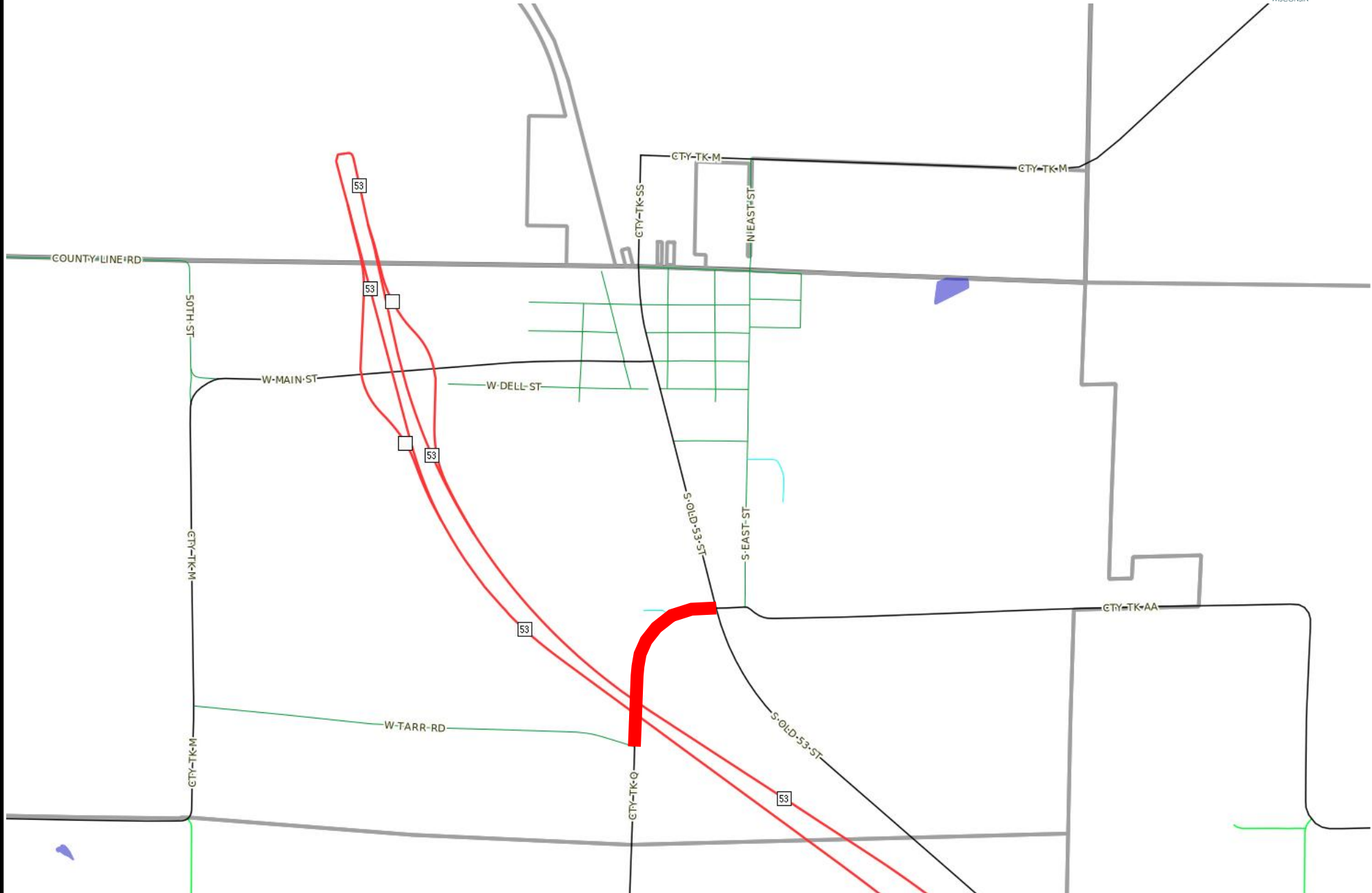
2022 ATV Route Request #7

Printed 02/06/2023

Scale = 1:1538'



8.2.g



Disclaimer: This map is a compilation of records as they appear in the Chippewa County Offices affecting the area shown and is to be used only for reference purposes.



STATEMENT OF EXPLANATION

Resolution No. 12 - 23

RES. 12-23: RESOLUTION TO AUTHORIZE CHIPPEWA COUNTY TO ENTER INTO A LANDOWNER AGREEMENT AND CERTIFICATE OF INCLUSION INTO THE LAKES STATES FOREST MANAGEMENT BAT HABITAT CONSERVATION PLAN - LYNDIA SCHWEIKERT

1 Since being introduced into the United States from Europe, white-nose syndrome has
 2 caused widespread declines in bat populations across the Country. These declines in
 3 population have caused the United States Fish & Wildlife Service (USFWS) to list the Northern
 4 Long-eared Bat as threatened in 2015, and effective as of March 31, 2023, it will be listed as
 5 endangered. Tri-colored Bat and Little Brown Bat are also likely to be listed as endangered in
 6 the near future.

7 When a species is listed as endangered, it becomes illegal to cause the mortality of any
 8 individual of that species. Michigan, Minnesota and Wisconsin developed the Lake States
 9 Forest Management Bat Habitat Conservation Plan which creates guidelines to reduce the
 10 likelihood of a mortality. The plan allows landowners in those States to participate in an
 11 Incidental Take Permit (ITP), which allows forest management to continue, while abiding by the
 12 plan's guidelines.

13 If forest management activity were to cause the mortality of an individual bat without
 14 participating in the ITP, the County and the contractor harvesting the site would be in violation
 15 of the Endangered Species Act and subject to the legal penalties. In order to participate in the
 16 ITP issued to the Department of Natural Resources, Chippewa County needs to follow plan
 17 guidelines and enter into a Landowner Agreement and Certificate of Inclusion. Passage of this
 18 resolution will formally authorize Chippewa County to enter into a Landowner Agreement and
 19 Certificate of Inclusion into the Lakes States Forest Management Bat Habitat Conservation Plan.
 20

Resolution No. 12 - 23

**RES. 12-23: RESOLUTION TO AUTHORIZE CHIPPEWA COUNTY TO ENTER INTO A LANDOWNER
AGREEMENT AND CERTIFICATE OF INCLUSION INTO THE LAKES STATES FOREST
MANAGEMENT BAT HABITAT CONSERVATION PLAN - LYNDIA SCHWEIKERT**

WHEREAS, Chippewa County manages approximately 34,500 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 as endangered; 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, which is issued by the U.S. Fish and Wildlife Service; and

WHEREAS, the attached *Lake States Forest Management Bat Habitat Conservation Plan Summary, January, 2023* explains the history of these issues and how the management plan will be implemented so that forest resource management activities can occur, while remaining in compliance with the Endangered Species Act; and

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

WHEREAS, if included in the Incidental Take Permit, Chippewa County will be required to comply with the terms of the Species and Habitat Conservation Agreement related to the incidental take of these bats that may occur through the County's forest resource management activities;

NOW, THEREFORE BE IT RESOLVED, that the Chippewa County Board of Supervisors, in consideration of the needs to conserve the bat populations in Wisconsin while continuing multiple forest resource management activities, consistent with the Chippewa County Forest Comprehensive Land Use Plan, does hereby authorize entrance 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.

Forwarded to the County Board by the Land Conservation & Forest Management Committee.

FINANCIAL IMPACT:

There is no fiscal impact by passage of this resolution.

03/14/2023 County Board

RESULT: APPROVED [UNANIMOUS]

MOVER: Caden Berg, District 13

SECONDER: Annette Hunt, District 18

AYES: Gullickson, Schmitt, Flater, Steele, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives

ABSENT: David Bischel

History:

02/15/23 Land Conservation & Forest Management Committee FORWARD TO
COUNTY BOARD

Approved as to Form:

Todd A. Pauls

Todd A. Pauls, Corporation Counsel

2/7/2023

Lori Zwiefelhofer

Lori Zwiefelhofer, Finance Director

2/13/2023

Randy B. Scholz

Randy B. Scholz, County Administrator

2/9/2023

Lake States Forest Management Bat Habitat Conservation Plan Summary

January 2023

Background

- Populations of cave hibernating bats in precipitous decline due to a white-nose syndrome (WNS).
 - WNS discovered in WI in 2014 and is now widespread in all known hibernacula.
- When USFWS listed the northern long-eared bat (NLEB) as Threatened in 2015 they specifically identified forest management as a potential source of take for the species.
 - During the summer these species utilize trees for maternity colonies and day roosts and they forage in forested areas.
- NLEB, Tri-colored bat and possibly little brown bat (LBB) will be listed as endangered due the impacts of WNS, and any take of an endangered species is prohibited. WI will need an incidental take permit to continue forest management activities.
- WI, MI, MN have jointly developed the Lake States Forest Management Bat Habitat Conservation Plan to obtain a federal Incidental Take Permit under the Endangered Species Act (ESA) section 10 requesting authorization for the incidental take of bats during forest management activities.
- Permit expected to be issued March 2023.

Covered Species:

- Northern Long-eared Bat
 - Federally endangered as of 3/31/2023
- Tri-colored Bat
 - Federal listing expected in 2023
- Little Brown Bat
 - Under review for federal listing by USFWS

Covered Activities and Required Conservation Actions:

- Timber harvest and related forest practices:
 - Implement state tree retention guidelines.
 - 150 ft year-round buffer around known maternity roost trees.
 - 0.25 mile buffer around known hibernacula entrances.
 - No harvest except where objective is improving habitat for bats.
- Prescribed fire:
 - Ensure wind will carry smoke away from the entrance(s) of hibernacula.
 - Prohibit prescribed burns within 150 feet of known occupied maternity roost trees during pup season (June 1–July 31).
 - Reduce fire intensity within 0.25 miles of hibernacula entrances during spring and fall.
- Maintenance of existing permanent forestry roads and recreational trails on public lands:
 - Refers to maintenance that requires tree cutting on permanent roads maintained by WI DNR or County Forests (not DOT roads).
 - Remove trees from October 1 to March 1 within 150 feet of a known maternity roost.
 - Remove trees from October 15 to March 31 or from May 15 to August 15 within 2.5 miles of a known hibernaculum.
 - Removal of hazard trees always allowed.

- Construction of new permanent forestry roads and recreational trails on public lands:
 - Refers to permanent roads maintained by WI DNR or County Forests for the purpose of supporting land management and public recreation (not DOT roads).
 - Temporary roads built to support a specific management project and then closed are covered as a forestry practice.
 - No removal of large-diameter trees (i.e., 9 inches dbh) during pup season (June 1 – July 31).
 - No new roads and trails within 150 feet of a known occupied maternity roost tree.
 - No new roads or trails within 0.25 miles of a known hibernaculum entrance year round.
 - Remove trees from October 15 to March 31 or from May 15 to August 15 within 2.5 miles of a known hibernaculum.
- Other conservation strategies:
 - Bat management zones on state lands:
 - Protected areas, no management June 1 to July 31
 - Already designated as protected wilderness areas, wild river areas, old growth areas, wild areas in WISFIRS
 - Maintain hibernacula entrances on DNR lands:
 - Gates, remove obstructions
 - Provide a way for other landowners to receive take authorization through the HCP.

Landowner Enrollment Program:

- Landowners who meet certain criteria can receive incidental take coverage by joining WDNR's permit.
- All County Forests are eligible.
- Acreage threshold for private landowners:
 - 10,000 acres for NLEB and TCB.
 - 500 acres for LBB (if LBB is listed as endangered).
 - Below these acreage thresholds risk of taking bats during management is extremely low/insignificant.
- Applicant owns lands (of any size) containing a known roost or known hibernaculum entrance.
- LEP application and agreement are in development.
- Goal to have eligible landowners enrolled by end of March 2023.
- WI DNR will hire a Bat HCP Coordinator to help guide folks through the process and handle annual reporting requirements.
- Annual Reporting Requirements:
 - Total acres of timber harvest - if possible, broken out by even-aged, uneven-aged, intermediate and salvage harvests
 - Acres of Rx Fire in forest or brushland
 - Possibly miles of newly constructed permanent roads or trails.



STATEMENT OF EXPLANATION

Resolution No. 13 - 23

RES. 13-23: RESOLUTION TO AUTHORIZE CHIPPEWA 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., TO AGREE TO THE TERMS OF THE ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING ALLOCATING SETTLEMENT PROCEEDS, AND TO AUTHORIZE ENTRY INTO THE MEMORANDUM OF UNDERSTANDING WITH THE ATTORNEY GENERAL - RANDY SCHOLZ

Passage of this resolution will authorize Chippewa County to enter into Opioid Litigation settlements with five (5) manufacturers and pharmacies. The total national settlement from these five opioid defendants is approximately \$20.42 billion. Those settlements are as follows:

1. Allergan (manufacturer) - \$2.37 billion
2. Teva (manufacturer) - 4.25 billion
3. Walgreens (pharmacy) - \$5.7 billion
4. CVS (pharmacy) - \$5 billion
5. Wal-Mart (pharmacy) \$3.1 billion

Of the \$20.42 billion in settlement proceeds, it is estimated that the State of Wisconsin will receive \$321,436,470.90. Pursuant to Wis. Stat. § 165.12(2), the proceeds from any settlement of all or part of the Opioid Litigation are distributed 70% to local governments in Wisconsin that are parties to the Litigation and 30% to the State. As a result, the local governments in Wisconsin are estimated to receive \$225,005,529.63. It is unclear at this time how much Chippewa County will receive from the local governments' share.

Resolution No. 13 - 23

RES. 13-23: RESOLUTION TO AUTHORIZE CHIPPEWA 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., TO AGREE TO THE TERMS OF THE ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING ALLOCATING SETTLEMENT PROCEEDS, AND TO AUTHORIZE ENTRY INTO THE MEMORANDUM OF UNDERSTANDING WITH THE ATTORNEY GENERAL - RANDY SCHOLZ

WHEREAS, the Chippewa 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; and

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

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"); and

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

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; and

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; and

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; and

WHEREAS, the Settlement Agreements provide, among other things, for the payment of

61 certain sums to Participating Subdivisions (as defined in the Settlement Agreements) upon the
62 occurrence of certain events detailed in the Settlement Agreements; and
63

64 WHEREAS, the County is a Participating Subdivision in the Settlement Agreements and
65 has the opportunity to participate in the benefits associated with the Settlement Agreement
66 provided the County (a) approves the Settlement Agreements; and (b) approves the
67 Memorandum of Understanding allocating proceeds from the Settlement Agreements among
68 the various Wisconsin Participating Subdivisions, a copy of which is attached to this Resolution
69 (the "Allocation MOU"); and (c) approves the Memorandum of Understanding with the
70 Wisconsin Attorney General regarding allocation of settlement proceeds, a copy of which is
71 attached to this Resolution (the "AG MOU"); and (d) the Legislature's Joint Committee on
72 Finance approves the terms of the Settlement Agreements and the AG MOU; and
73

74 WHEREAS, 2021 Wisconsin Act 57 created Section 165.12 of the Wisconsin Statutes
75 relating to the settlement of all or part of the Litigation; and
76

77 WHEREAS, pursuant to Wis. Stat. § 165.12(2), the Legislature's Joint Committee on
78 Finance is required to approve the Settlement Agreements and the AG MOU; and
79

80 WHEREAS, pursuant to Wis. Stat. § 165.12(2), the proceeds from any settlement of all or
81 part of the Litigation are distributed 70% to local governments in Wisconsin that are parties to
82 the Litigation and 30% to the State; and
83

84 WHEREAS, Wis. Stat. § 165.12(4)(b)2. provides that the proceeds from the Settlement
85 Agreement must be deposited in a segregated account (the "Opioid Abatement Account") and
86 may be expended only for approved uses for opioid abatement as provided in the Settlement
87 Agreements; and
88

89 WHEREAS, Wis. Stat. § 165.12(7) bars claims from any Wisconsin local government
90 against the Opioid Defendants filed after June 1, 2021; and
91

92 WHEREAS, the definition of Participating Subdivisions in the Settlement Agreements
93 recognizes a statutory bar on claims such as that set forth in Wis. Stat. § 165.12(7) and, as a
94 result, the only Participating Subdivisions in Wisconsin are those counties and municipalities
95 that were parties to the Litigation (or otherwise actively litigating a claim against one, some, or
96 all of the Opioid Defendants) as of June 1, 2021; and
97

98 WHEREAS, the Legislature's Joint Committee on Finance is not statutorily authorized or
99 required to approve the allocation of proceeds of the Settlement Agreements among Wisconsin
100 Participating Subdivisions; and
101

102 WHEREAS, the Law Firms have engaged in extensive discussions with counsel for all
103 other Wisconsin Participating Subdivisions resulting in the proposed Allocation MOU, which is
104 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; and

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.; and

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; and

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); and

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; and

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 to the Law Firms pursuant to the engagement agreement with the County; and

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; and

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; and

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

149 25% of the amounts allocated to the County in the Addendum; and
150

151 WHEREAS, the intent of this Resolution is to authorize the County to enter into the
152 Settlement Agreements, the Addendum, and the AG MOU, establish the County's Opioid
153 Abatement Account, and establish the Attorney Fees Account; and
154

155 WHEREAS, the County, by this Resolution, shall authorize the County's corporation
156 counsel to finalize and execute any escrow agreement and other document or agreement
157 necessary to effectuate the Settlement Agreements and the other agreements referenced
158 herein;
159

160 NOW, THEREFORE BE IT RESOLVED, that the Chippewa County Board of Supervisors
161 does hereby approve:
162

- 163 1. The execution of the Settlement Agreements and any and all documents
164 ancillary thereto and authorizes the County Administrator or designee to execute
165 same.
- 166 2. The final negotiation and execution of the Addendum in a form substantially
167 similar to that presented with this Resolution and any and all documents
168 ancillary thereto and authorizes the County Administrator or designee to execute
169 the same upon finalization provided the percentage share identified as allocated
170 to the County is substantially similar to that identified in the Addendum provided
171 to the Board with this Resolution.
- 172 3. The final negotiation and execution of the AG MOU in a form substantially
173 similar to that presented with this Resolution and any and all documents
174 ancillary thereto and authorizes the County Administrator or designee to execute
175 same.
- 176 4. The execution by the County Administrator or designee of any additional
177 documents or agreements for the receipt and disbursement of the proceeds of
178 the Settlement Agreements as referenced in the Addendum; and
179

180 BE IT FURTHER RESOLVED, that all proceeds from the Settlement Agreements not
181 otherwise directed to the Attorney Fees Account shall be deposited in the County's Opioid
182 Abatement Account. The Opioid Abatement Account shall be administered consistent with the
183 terms of this Resolution, Wis. Stat. § 165.12(4), and the Settlement Agreements; and
184

185 BE IT FURTHER RESOLVED, that the County hereby authorizes the establishment of an
186 account separate and distinct from any account containing funds allocated or allocable to the
187 County which shall be referred to by the County as the "Attorney Fees Account." An escrow
188 agent shall deposit a sum equal to up to, but in no event exceeding, an amount equal to 20% of
189 the County's proceeds from the Settlement Agreements into the Attorney Fees Account. If the
190 payments to the County are not enough to fully fund the Attorney Fees Account as provided
191 herein because such payments are made over time, the Attorney Fees Account shall be funded
192 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; and

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.

Forwarded to the County Board by the Executive Committee.

FINANCIAL IMPACT:

The total estimated settlement from these 5 entities to the State of Wisconsin is \$321,436,470.90, of which the local governments will receive \$225,005,529.63. It is unclear at this time what Chippewa County will receive from the local government's share of the settlements.

03/14/2023 County Board

RESULT: APPROVED [UNANIMOUS]

MOVER: Kari Ives, District 21

SECONDER: Caden Berg, District 13

AYES: Gullickson, Schmitt, Flater, Steele, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Hull, Mueller, Ives

ABSENT: David Bischel

History:

03/07/23 Executive Committee FORWARD TO COUNTY BOARD

Approved as to Form:


Todd A. Pauls, Corporation Counsel

2/23/2023


Lori Zwiefelhofer, Finance Director

2/23/2023

Randy B. Scholz
Randy B. Scholz, County Administrator 2/23/2023

227

**WISCONSIN STATE-LOCAL GOVERNMENT MEMORANDUM OF
UNDERSTANDING FOR THE ALLOCATION OF
OPIOID SETTLEMENT PROCEEDS**

WHEREAS, the State of Wisconsin (“State”), its communities, and their people have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities that engage in or have engaged in the manufacture, marketing, promotion, distribution or dispensing of an opioid analgesic, specifically related to the covered conduct by Defendants *In re: Opioid Litigation*, MDL 2804 pending in the United States District Court for the Northern District of Ohio (“Litigation”);

WHEREAS, certain Wisconsin local governments identified on the attached Exhibit A (“Local Governments”), through their counsel, and the State of Wisconsin, through its Attorney General, are separately engaged in investigations, litigation, and settlement discussions seeking to hold the Defendants in the Litigation accountable for the damage caused by their misfeasance, nonfeasance and malfeasance;

WHEREAS, the State of Wisconsin and the Local Governments share a common desire to abate and alleviate the impacts of the misfeasance, nonfeasance and malfeasance described above throughout the State of Wisconsin and in its local communities;

WHEREAS, the settlement discussions with Walgreens, Walmart, CVS, Teva, and Allergan (“Settling Defendants”) resulted in tentative agreements as to settlement terms (“Settlement Agreements”) pending agreement from the State of Wisconsin, the Local Governments and other parties involved in the Litigation;

WHEREAS, while the Local Governments and the State recognize that the sums which may be available from the aforementioned Settlement Agreements will likely be insufficient to fully abate the public health crisis caused by the Opioid epidemic, they share a common interest in dedicating the most resources possible to the abatement effort;

WHEREAS, the State of Wisconsin enacted Wis. Stat. § 165.12 which provides for an allocation of opioid settlement proceeds;

WHEREAS, the State and the Local Governments intend this Memorandum of Understanding (“MOU”) to effectuate the terms of future Settlement Agreements arising out of the Litigation in a manner consistent with Wis. Stat. § 165.12(2); and

WHEREAS, this MOU does not supersede or alter any previously agreed upon MOU between the State and Local Governments related to the Litigation.

NOW, THEREFORE, the State and the Local Governments, enter into this MOU upon the terms described herein.

1. As used in this MOU, the term “Opioid Settlement Proceeds” shall mean all funds allocated by a Settlement Agreement (“Settlement Payments”) to the State or Local

Governments for purposes of opioid remediation activities, as well as any repayment of those funds and any interest or investment earnings that may accrue as those funds are temporarily held before being expended on opioid remediation strategies. “Opioid Settlement Proceeds” do **not** include the “Additional Restitution Amount” (also known as additional remediation, or any other fund, proceed, or amount paid to States who did not utilize outside counsel), reimbursement of the United States Government, or separate funds identified in Settlement Agreements as direct or indirect compensation for a Party’s litigation fees, expenses, and/or costs.

2. The Settlement Administrator shall directly distribute the Opioid Settlement Proceeds to the State and to Local Governments in such proportions and for such uses as set forth in this MOU.
3. Opioid Settlement Proceeds shall be allocated as follows: (i) 30% to the State of Wisconsin (“State Share”); and (ii) 70% to Local Governments (“LG Share”). Opioid Settlement Proceeds shall not be considered funds of the State or any Local Government unless and until such time as each annual distribution is made.
4. 100% of the “Additional Restitution Amount” shall be paid to the State and deposited with the Department of Health Services.
5. Except for Opioid Settlement Funds expended in payment of attorney fees as provided in Wis. Stat. § 165.12(6), all Opioid Settlement Proceeds, regardless of allocation, and the entire “Additional Restitution Amount,” shall, consistent with Wis. Stat. § 165.12(3) and (4), and except as provided in Wis. Stat. § 165.12(5), be utilized only for purposes identified as approved uses for abatement in a Settlement Agreement.
6. If any portion of the LG Share is used for the payment of owed attorney fees as authorized under Wis. Stat. § 165.12(6), the Local Governments shall report to the Attorney General and the Joint Committee on Finance the amount of the payment(s) and provide the contract(s) under which the attorney fees are purportedly owed.

Notwithstanding any limitations or characterization of funds herein to the contrary, any payments for attorneys’ fees and expenses may only be paid for out of the owing Local Governments’ share.

7. The parties agree to comply with the terms of the Settlement Agreements, including but not limited to (a) a requirement that a certain percentage of the Settlement Payment be spent on remediation, and (b) that at least 70% of a Settlement Payment be used solely for future Opioid Remediation as defined by the Settlement Agreements.
8. The LG Share shall be paid to each Local Government by the Settlement Administrator based on the allocation created and agreed to by the Local Governments which assigns each Local Government a percentage share of the LG Share, less any applicable attorney fees as authorized under Wis. Stat. § 165.12(6) and referenced above.

9. Nothing in this MOU is intended to alter or change any Local Government's right to pursue its own claim. Rather, the intent of this MOU is to provide a mechanism for the receipt and expenditure of Opioid Settlement Proceeds. Notwithstanding the foregoing, only Local Governments who are Participating Subdivisions under a Settlement Agreement, and who agree to the terms of this MOU may directly receive Opioid Settlement Proceeds.
10. Notwithstanding any limitations or characterization of funds herein to the contrary, any payments for Local Government attorney's fees and expenses may be applied only to the LG Share or any Local Government share of the LG Share. The State shall have no responsibility for payment of attorneys' fees or litigation expenses.
11. The parties understand that the United States may claim a portion of the Opioid Settlement Proceeds for Medicaid reimbursement. The parties agree that, to the extent a claim for Medicaid reimbursement is made, the parties shall bear the liability for the reimbursement on a pro rata basis based upon the particular claims made by the United States related to the Medicaid reimbursement. The parties agree to meet, confer, and cooperate in good faith concerning the allocation of any such liability.
12. The Attorney General may extend this MOU to apply to future settlements with other entities who engage in or have engaged in the manufacture, marketing, promotion, distribution or dispensing of an opioid analgesic, specifically related to the covered conduct by Defendants in the Litigation. To exercise this option, the Attorney General shall send written notice to counsel for the Local Governments. The Local Governments shall have 30 days from the date of the notice to express in writing any objection(s) to the extension of the MOU to the settlement(s). If any Local Government objects to the extension of the MOU to the settlement(s), it shall not be extended.

Notice to the Local Governments shall be sent via regular U.S. Mail or email to:

Andrew Phillips
Attolles Law, s.c.
222 E. Erie Street
Suite 210
Milwaukee, WI 53202
aphillips@attolles.com

Erin Dickinson
Crueger Dickinson LLC
4532 N. Oakland Ave.
Milwaukee, WI 53211
ekd@cruegerdickinson.com

Burton LeBlanc
2600 CitiPlace Drive
Suite 400
Baton Rouge, LA 70809
bleblanc@baronbudd.com

Shayna Sacks
360 Lexington Avenue
Eleventh Floor
New York, NY 10017
ssacks@napolilaw.com

Christopher Smith
 von Briesen & Roper, s.c.
 411 E. Wisconsin Ave.
 Suite 1000
 Milwaukee, WI 53202
 christopher.smith@vonbriesen.com

Steven Nelson
 von Briesen & Roper, s.c.
 411 E. Wisconsin Ave.
 Suite 1000
 Milwaukee, WI 53202
 steven.nelson@vonbriesen.com

Any objection(s) by a Local Government shall be sent via regular U.S. Mail or email to:

Laura E. McFarlane
 Assistant Attorney General
 Wisconsin Department of Justice
 17 W. Main Street
 Post Office Box 7857
 Madison, Wisconsin 53707-7857
 mcfarlanele@doj.state.wi.us

and

R. Duane Harlow
 Assistant Attorney General
 Wisconsin Department of Justice
 17 West Main Street
 Post Office Box 7857
 Madison, Wisconsin 53707-7857
 harlowrd@doj.state.wi.us

13. This MOU may be executed in counterparts. Electronic signatures shall in all respects be considered valid and binding.

[Signatures on Following Page]

IN WITNESS WHEREOF, the parties hereby execute this MOU as of the date set forth below.

ON BEHALF OF THE STATE OF WISCONSIN:

Attorney General Josh Kaul

Date: _____

ON BEHALF OF THE LOCAL GOVERNMENTS:

Adams County
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Ashland County
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Barron County
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Bayfield County
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Clark County

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Douglas County
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Superior, City of
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Dunn County
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Iowa County

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Iron County

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Jackson County

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Jefferson County

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Langlade County

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Lincoln County

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Union Grove, City of
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EXHIBIT A

Litigating Local Governments

Adams County	Juneau County	Pepin County
Ashland County	Kenosha County	Pierce County
Barron County	City of Kenosha	Portage County
Bayfield County	Village of Pleasant Prairie	Price County
Brown County	Kewaunee County	Racine County
Buffalo County	La Crosse County	Village of Mount Pleasant
Burnett County	Lafayette County	Village of Sturtevant
Calumet County	Langlade County	Village of Union Grove
Chippewa County	Lincoln County	Town of Yorkville
Clark County	Manitowoc County	Richland County
Columbia County	Marathon County	Rock County
Crawford County	Marinette County	Rusk County
Dane County	City of Marinette	Sauk County
Dodge County	Marquette County	Sawyer County
Door County	Menominee County	Shawano County
Douglas County	Milwaukee County	Sheboygan County
City of Superior	City of Cudahy	St Croix County
Dunn County	City of Franklin	Taylor County
Eau Claire County	City of Greenfield	Trempealeau County
Florence County	City of Milwaukee	Vernon County
Fond Du Lac County	City of Oak Creek	Vilas County
Forest County	City of South Milwaukee	Walworth County
Grant County	City of Wauwatosa	Washburn County
Green County	City of West Allis	Washington County
Green Lake County	Monroe County	Waukesha County
Iowa County	Oconto County	Waupaca County
Iron County	Oneida County	Waushara County
Jackson County	Outagamie County	Winnebago County
Jefferson County	Ozaukee County	Wood County

**ADDENDUM TO WISCONSIN LOCAL GOVERNMENT
MEMORANDUM OF UNDERSTANDING**

WHEREAS, the Local Governments entered into the MOU for purposes of memorializing their agreement surrounding, among other things, allocation of the proceeds of the settlements with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho- McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc.;

WHEREAS, the settlement discussions with Walgreens, Walmart, CVS, Teva, and Allergan resulted in tentative agreements as to settlement terms (“Settlement Agreements”) pending agreement from the State of Wisconsin, the Local Governments and other parties involved in the Litigation; and

WHEREAS, the Local Governments intend this Addendum to the MOU to effectuate the terms of the Settlement Agreements and allocate the proceeds of the Settlement Agreements to each of the Local Governments in the same manner and same percentages as set forth in the MOU and Exhibit A thereto.

NOW, THEREFORE, the Local Governments enter into this Addendum to the MOU upon the terms described herein.

1. The Local Governments ratify, confirm and agree in all respects to the MOU. By this Addendum, the Local Governments agree that any and all proceeds of the Settlement Agreements defined herein shall be distributed, allocated and otherwise disposed of in the same manner as set forth in the MOU and Exhibit A thereto.
2. Nothing in this MOU is intended to alter or change any Local Government’s right to pursue its own claim. Rather, the intent of this MOU is to provide a mechanism for the receipt and expenditure of Opioid Funds.
3. This MOU may be executed in counterparts. Electronic signatures shall in all respects be considered valid and binding.

[Signatures on Following Page]

IN WITNESS WHEREOF, the parties hereby execute this Addendum as of the date set forth below.

ON BEHALF OF THE LOCAL GOVERNMENTS:

_____ Adams County Printed: _____	Date: _____
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_____ Barron County Printed: _____	Date: _____
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**STATEMENT OF EXPLANATION
COUNTY BOARD CHAIR APPOINTMENTS - MPO, AIRPORT**

County Board Chair Appointment to Standing and Special Committees

I, Dean Gullickson, appoint, subject to County Board confirmation, the individuals listed below, to the following standing and special committees. The term of office will expire as indicated.

Chippewa-Eau Claire Metropolitan Planning Organization (MPO)

Dean Mueller (reappoint) Term expires April 1, 2024

Chippewa Valley Regional Airport Commission

Scott Francis (reappoint) Term expires April 16, 2025

Dated this 14th day of March, 2023



STATEMENT OF EXPLANATION
COUNTY ADMINISTRATOR APPOINTMENTS - ADRC, HHSB, HOUSING
LCFM, LEPC, VETERANS

County Appointment to Statutory Commissions and Boards

I, Randy B. Scholz, appoint, subject to County Board confirmation, the individuals listed below, to the following statutory commissions and boards. The term of office will expire as indicated.

ADRC Board

Patricia German (reappoint) Term expires April 1, 2026

Health & Human Services Board

Nycki Wallsch (reappoint) Term expires April 1, 2026

Housing Authority Commission

Chuck Hull (reappoint - citizen rep) Term expires December 31, 2028

Land Conservation & Forest Management Committee

James Pingel (reappoint) Term expires March 10, 2025

Local Emergency Planning Commission (LEPC)

Paul “Chip” Eckardt, Amateur Radio Rep (replaced Ron Krueger) Term indefinite

Veterans Service Commission

Richard Vander Molen (reappoint) Term expires April 1, 2026

Dated this 14th day of March, 2023