

# **OFFICIAL PROCEEDINGS**

## **Dunn County Board of Supervisors**

**May 21, 2025, SESSION**

The County Board of Supervisors of Dunn County met in person and via teleconference on Wednesday, May 21, 2025, at 7:00 p.m. The Board was called to order by Chair McCullough. The County Clerk called the roll. Supervisors Breslin and Stene were excused. All the other supervisors were present in person or online.

### **APPROVAL OF THE MINUTES**

Supervisor Morehouse moved to approve the minutes of the April 16, 2025 County Board meeting, seconded by Supervisor Larry Bjork. Motion carried by a voice vote.

### **COMMUNICATIONS**

Retirements: Ruth Juliot (DHS Behavioral Health) 4/15/25; Jane Hansen (Admin Finance) 5/9/25. Remembrance of Dept of Human Services employee Jennie Haviland's passing on April 19, 2025

### **PUBLIC COMMENT**

There were none.

### **APPOINTMENTS**

There were none.

### **REPORT OF COUNTY MANAGER**

- A. Purchase Orders Over \$40,000 – there were 2 for a total of \$96,056.69
- B. 2026 Budget Calendar
- C. Geothermal/Solar, HVAC and CIP Update – Dan Dunbar
- D. Latest version of Rules of the Board in county board packets for review

### **REPORTS OF DEPARTMENTS**

Dunn County Clerk, Dunn County Criminal Justice Collaborating Division, and Dunn County Child Support Agency all provided their annual reports. Questions were asked from the floor and responded to by each department head.

### **REPORT NO. 21**

Supervisor Morehouse moved to approve Report No.21, Joint Development Agreement for Muddy Creek Solar Project, seconded by Supervisor Bachand. Chair McCullough asked if there were any questions. There were none. Motion carried by a voice vote.

### **REPORT & RESOLUTION NO. 22**

Supervisor Bauer moved to approve resolution No. 22, 2025 Budget Adjustments for Sherrif, Department of Human Services, and Health Department, seconded by Supervisor Gjestson. Chair McCullough asked if there were any questions. There were none. Motion carried by a roll call vote.

### **RESOLUTION NO. 22**

## 2025 BUDGET ADJUSTMENTS

**NOW, THEREFORE, BE IT RESOLVED** that effective with the publication of the notices required by law, the budget of the County of Dunn, Wisconsin, for the year beginning January 1, 2025, is amended by the following amounts to the line item account numbers shown:

<u>2025 Budget Amendment Requests</u>			<u>Expense</u>	<u>Revenue</u>
<b>Sheriff's Office – First Responder Grants</b>				
1270010900	527075	State Grant-1 <sup>st</sup> Responder	\$12,398	
1270010900	435000	State-Grants G111000018.2223		\$12,398
<b>Department of Health – Environmental Grants</b>				
1510020900	51000	Salary/Wages	\$5,000	
1510020900	533125	Travel-Conferences & Seminars	\$3,500	
1510020900	437000	Local Grants G151000054.2525		\$8,500
<b>Human Services – Family &amp; Child</b>				
3120030010	539075	Donation-Expense	\$450	
3120030010	485000	Misc-Donations & Contributions		\$450
3120030900	527000	Agency Contracts	\$3,000	
3120030900	435000	State Grant G312000132.2525		\$3,000
<b>Grant Total Carryforward &amp; Budget Adjustment Request</b>			<b>\$24,348</b>	<b>\$24,348</b>

**BE IT FURTHER RESOLVED** the Board authorizes the Department of Administration to enter and maintain the information contained herein in a manner based upon generally accepted accounting standards and that effective with the publication of the proceedings of this meeting the following changes are, hereby, adopted.

Dated the 21<sup>st</sup> of May 2025, at Menomonie, Wisconsin.

Adopted on: May 21, 2025

OFFERED BY THE EXECUTIVE COMMITTEE:  
Kelly McCullough, Chair

ATTEST:

Andrew Mercil, County Clerk

Approved as to Form and Execution:  
Jim McMenemy, Corporation Counsel

**Budget Impact:** Adoption of this resolution increases the 2025 adopted budget by **\$24,348**.  
Adoption of this resolution has no impact upon the current year tax levy.

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### **Background Information:**

The Executive Committee has considered the justifications for the proposed 2025 Budget Amendment and recommends that the Board adopt the carryforward as being in the best interest of the County. The adoption of this resolution has no impact on the current year's tax levy.

### **Sheriff's Office**

The Sheriff's Office is requesting a \$12,989.08 budget amendment. The budget amendment is based on a grant awarded by the Wisconsin Department of Health Services for Emergency Medical Services Funding Assistance.

### **Department of Health**

Our Environmental Health team wrote for a competitive grant from the National Environmental Health Association and received \$8,500. Some funding will support staff time to work on bringing our Retail Food Inspection program in better alignment with the FDA Voluntary Retail Food Standards. The remaining funding will be used to reimburse staff to attend the WEHA/NEHA Region 4 Conference/FDA Regional Seminar in La Crosse September 17-19, 2025.

### **Human Services**

The Human Services Department received the Youth Justice Innovation grant and it was awarded for an additional \$3,000 over what was budgeted. A \$450 donation was awarded from Marshfield Clinic to be used for youth justice gardening.

## **REPORT & RESOLUTION NO. 23**

Supervisor Hagen moved to approve resolution No. 23, Confirming and Ratifying the Authority of Counsel for Dunn County to Add Additional Defendants to Opioid Litigation, Including IN MDL 2804, seconded by Supervisor Stori. Chair McCullough asked if there were any questions. There were none. Motion carried by a voice vote.

## **RESOLUTION NO. 23 CONFIRMING AND RATIFYING THE AUTHORITY OF COUNSEL FOR DUNN COUNTY TO ADD ADDITIONAL DEFENDANTS TO OPIOID LITIGATION, INCLUDING IN MDL 2804**

**WHEREAS**, the Dunn 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 manufacturers, distributors, and retailers, among others, of opioid pharmaceuticals (the "Opioid Defendants") in an effort to hold the Opioid Defendants responsible for the opioid epidemic in the County's community;

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

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

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

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

**WHEREAS**, to date, through nationwide settlements, the Law Firms have achieved considerable success on behalf of the County in holding the Opioid Defendants responsible for their role in creating or maintaining the opioid epidemic;

**WHEREAS**, through the course of ongoing discovery and investigation concerning the opioid epidemic and parties potentially responsible therefor, it was determined that meritorious opioid-related claims exist against additional parties, including but not limited to the entities listed on Exhibit A hereto, and that they should be added as defendants in the Litigation;

**WHEREAS**, the engagement agreement with the Law Firms provides "depending upon the results of initial investigations of the facts and circumstances surrounding the potential claim(s), there may be additional parties sought to be made responsible ....";

**WHEREAS**, while the County believes the engagement agreement with the Law Firms provided the Law Firms with adequate authority to add additional parties to be held responsible, the County understands that recently those parties questioned that authority, and therefore, for the avoidance of doubt, the County is adopting this Resolution confirming and ratifying the Law Firms' authority to add additional parties, including but not limited to the entities listed on Exhibit A, as defendants in the Litigation;

**WHEREAS**, to avoid any confusion surrounding the County's authorization to the Law Firms to amend the pleadings in the Litigation to include additional parties, including but not limited to the entities listed on Exhibit A as named defendants in MDL 2804, this Resolution is intended to serve as confirmation and ratification of such authorization; and

**WHEREAS**, the County, by this Resolution, intends to confirm and ratify the authority of the Law Firms to amend the pleadings in the Litigation to add additional parties, including but not limited to the entities listed on Exhibit A as defendants in MDL 2804, or to commence appropriate federal or state court proceedings against such entities, and further intends to authorize Corporation Counsel to execute and deliver any and all other and further documents necessary to effectuate the intent of this Resolution;

**NOW, THEREFORE, BE IT RESOLVED:** the Dunn County Board of Supervisors hereby confirms and ratifies the authority of:

1. The Law Firms to file appropriate pleadings in MDL 2804 or appropriate federal or state court proceedings to add additional parties, including but not limited to the entities listed on Exhibit A as defendants.
2. The Corporation Counsel, Board Chair or other authorized official to execute and deliver any and all other and further documents necessary to effectuate the intent of this Resolution.

**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.

Dated the 21<sup>st</sup> of May 2025, at Menomonie, Wisconsin.

Adopted on: May 21, 2025

OFFERED BY THE EXECUTIVE COMMITTEE:  
Kelly McCullough, Chair

ATTEST:

Andrew Mercil, County Clerk

Approved as to Form and Execution:  
Jim McMenomy, Corporation Counsel

**Budget Impact:** This Resolution will not have an impact on the budget.

**Background Information:** Dunn County is a member of a class action filed against several pharmaceutical companies relating to opioid manufacturers, distributors, and retailers relating to litigation filed due to the opioid epidemic. Dunn County is represented by von Briesen & Roper, s.c., Crueger Dickinson LLC and Simmons Hanly Conroy LLC based on previous Resolutions passed by this Board. The purpose of this Resolution is to close a loophole in the litigation whereby newly added defendants are claiming that the law firms representing the plaintiffs have never been approved to represent the class against newly added defendants.

#### **REPORT NO. 24**

Supervisor Kneer moved to approve ordinance No. 24, Matthew and Taylor Hellmann Rezone Petition, seconded by Supervisor Wilsey. Chair McCullough asked if there were any questions. Motion carried by a voice vote.

The Planning, Resources and Development Committee respectfully submits the following report on a request received by the Planning and Land Use Control Division from Matthew and Taylor Hellmann, owners, to rezone the following property described in the Town of Wilson from Primary Agriculture (PA) to General Agriculture (GA):

A parcel of land located in part of the Southwest 1/4 of the Southeast 1/4 and part of the Southeast 1/4 of the Southeast 1/4 of Section 32, Township 31 North, Range 12 West, Town of Wilson, Dunn County, Wisconsin. The parcel is more particularly described as follows:

COMMENCING at a found 3.5" diameter aluminum monument at the South 1/4 Corner of said Section 32; thence, N00°29'18"W, 409.11 feet to a set 1" outside diameter (o.d.) iron pipe at the POINT OF BEGINNING; thence, N00°29'18"W along the West Line of the Southwest 1/4 of the Southeast 1/4 (SW 1/4 - SE 1/4), 907.31 feet to a set 1" o.d. iron pipe; thence, S89°07'17"E along the North Line of said SW 1/4 of the SE 1/4, 1325.60 feet to a set 1" o.d. iron pipe; thence, S00°30'22"E along the East Line of said SW 1/4 of the SE 1/4, 250.00 feet to a set 1" o.d. iron pipe; thence, S83°14'07"E, 127.98 feet to a set 1" o.d. iron pipe; thence, S02°43'59"E, 218.66 feet to a set mag nail; thence, along the Northerly right-of-way line of State Highway 64, Southwesterly, 146.11 feet along the arc of a curve to the left, having a radius of 34,517.46 feet and a long chord which bears S77°34'23"W for a distance of 146.11 feet to a set 1" o.d. iron pipe; thence, continuing along said right-of-way line S59°54'54"W, 200.89 feet to a set 1" o.d. iron pipe; thence, continuing along said right-of-way line, Southwesterly, 363.86 feet along the arc of a curve to the left, having a radius of 34,457.47 feet and a long chord which bears

S76°49'51"W for a distance of 363.86 feet to a set 1" o.d. iron pipe; thence, continuing along said right-of-way line S76°31'42"W, 808.89 feet to the POINT OF BEGINNING. Said parcel contains 1,005,688 square feet or 23.09 acres. Being subject to any easements or reservations of record.

### **FINDINGS OF FACT AND RECOMMENDATION**

A Class II notice was published in the Colfax Messenger on April 2 and April 9, 2025, establishing a public hearing on April 16, 2025. Based on the evidence received in the public hearing and the testimony from the petitioner, and in consideration of the factors set forth in Section 13.2.7.07 of the Dunn County Comprehensive Zoning Ordinance the committee concluded to recommend to the County Board of Supervisors said request for amendment be approved, for the following reasons: (1) The proposal fits the rural character of the area; (2) It is not detrimental to wetlands, floodplain, or the County's Farmland Preservation Plan; and (3) The rezoning and proposed use is consistent with Dunn County's Comprehensive Plan.

The area of the parcel is 23.09 acres.

Dated this 16th day of April 2025, at Menomonie, Wisconsin.

### **ORDINANCE NO. 24**

#### **AMENDING THE COMPREHENSIVE ZONING ORDINANCE, TOWN OF WILSON**

The Dunn County Board of Supervisors does hereby ordain as follows:

The Comprehensive Zoning Ordinance for the County of Dunn, Wisconsin is hereby amended by rezoning the above-described property:

#### **FROM PRIMARY AGRICULTURE (PA) to GENERAL AGRICULTURE (GA)**

The official zoning map of the Town of Wilson on file in the Environmental Services Department shall be amended in accordance with this ordinance.

This ordinance shall be effective upon passage and publication as provided in Section 59.14 of the Wisconsin Statutes. This ordinance shall not be codified.

Offered this 21<sup>st</sup> day of May 2025, at Menomonie, Wisconsin.

Adopted on: May 21, 2025  
Published on: May 28, 2025

ATTEST:  
Andrew Mercil, County Clerk

Approved as to Form and Execution:  
Jim McMenomy, Corporation Counsel

OFFERED BY THE PLANNING,  
RESOURCES AND DEVELOPMENT  
COMMITTEE:  
Thomas Quinn, Chair

COUNTERSIGNED:  
Kelly McCullough  
Dunn County Board of Supervisors

### **REPORT & RESOLUTION NO. 25**

Supervisor Prochnow moved to approve resolution No. 25, Adopting the Dunn County Safety Action Plan, seconded by Supervisor Berndt. Chair McCullough asked if there were any questions. There were none. Motion carried by a voice vote.

**RESOLUTION NO. 25**  
**ADOPTING THE DUNN COUNTY SAFETY ACTION PLAN**

**WHEREAS** the Infrastructure Investment and Jobs Act (IIJA), signed into law in 2021, authorized and appropriated funds for the Safe Streets and Roads for All (SS4A) Discretionary Grant Program the purpose of which is to improve roadway safety by significantly reducing or eliminating roadway fatalities and serious injuries through safety action plan development and implementation focused on all users; and

**WHEREAS** Dunn County applied for and successfully received planning funds from the Safe Streets for All (SS4A) program to develop a Safety Action Plan to improve safety on roadways within Dunn County; and

**WHEREAS** the development of a Safety Action Plan meeting United States Department of Transportation (USDOT) requirements, would enable the County to subsequently qualify for consideration of USDOT SS4A Implementation Discretionary Grants; and

**WHEREAS** the Safety Action Plan used a data driven approach and best practices to outline specific steps in planning, engineering, policy, enforcement, engagement, and education to reach interim steps toward zero traffic deaths; and

**WHEREAS** the development of the Safety Action Plan has involved the public and interested stakeholders in an open and transparent process.

**WHEREAS** the Highway Committee consists of five members and is responsible for developing policy and authorizing direction for the Highway Department;

**NOW, THEREFORE, BE IT RESOLVED** that the Highway Committee of the Dunn County Board at its regular meeting on May 14, 2025 adopts the Dunn County Safety Action Plan and commits to a vision of zero traffic deaths and serious injuries on county roads with a specific goal to reduce traffic deaths and serious injuries by 50% by 2040.

Offered this 21<sup>st</sup> day of May 2025, at Menomonie, Wisconsin

Adopted on: May 21, 2025

OFFERED BY THE HIGHWAY COMMITTEE:  
Randy Prochnow, Chair

ATTEST:

Andrew Mercil, County Clerk

Approved as to Form and Execution:  
Jim McMenomy, Corporation Counsel

**Budget Impact:** The SS4A grant is a 20% match which was allocated in the 2025 Highway budget. No additional fund request is anticipated for the 2025 budget.

**Background Information:** In 2023 the Dunn County Highway Department along with St. Croix & Eau Claire Counties were awarded a federally funded Safe Streets For All Grant (SS4A) to complete a comprehensive traffic safety action plan in each respective county. Historical data, analytics and community support helped determine high crash injury networks of intersections, curves and segments of county roadways within Dunn County. This information was compiled into a safety action plan to identify these high crash areas and provide low-cost effective solutions to improve overall safety. The goal of the safety action plan is to reduce injuries and fatalities on Dunn County highways by 50% by 2040. This highway safety action plan will provide the Highway Department with vital data for long-term planning for infrastructure safety improvements and provide support for future funding & grant opportunities.

Announcements were made from the floor. The Chair declared the meeting adjourned at 8:17p.m.

Respectfully submitted,  
ANDREW MERCIL,  
DUNN COUNTY CLERK