

**REGULAR MEETING OF THE PRICE COUNTY BOARD OF SUPERVISORS
December 14, 2021**

County Board Room 101, 126 Cherry St, Phillips, WI 54555

Meeting called to order at 9:00 a.m. by Robert Kopisch, County Board

Chairperson. Invocation: Pastor Larry Tenut.

Pledge of Allegiance recited by those in attendance.

Roll Call: Present (12): Alan Barkstrom, Doug Erickson, Brian Ernst, Jeff Hallstrand, Paula Houdek, Robert Kopisch, Mark Kyle, Waldemar Madsen, Larry Palecek, Jordan Spacek, Ginny Strobl, Dennis Wartgow. Excused (1): James Hintz. Also present: Nick Trimner.

Instructions were given to any members of the public attending electronically.

Approval of Minutes November 9, 2021: Motion Houdek/Wartgow to approve the minutes of the November 9, 2021 minute as presented. Motion carried.

Communications and Announcements: Supervisor Strobl presented a letter from the Town of Kennan in opposition of the Forest Carbon Offset, Supervisor Houdek received communications from Town of Hackett, Town of Emery and Town of Spirit and Supervisor Barkstrom received communication from Town of Hackett in opposition to the carbon offset credit project. Letter from Linda Parker, Chequamegon/Nicolet National Forest – comments from public information meeting and information regarding the CNNF as the top national forest in the country in timber production. Letter from Laurie Goskopf regarding the wolf management resolution from 2010 (referred to Forestry & Parks Committee).

Public Comments:

In reference to Resolution #2: Amanda Reid, property owner in Town of Elk. Jerome Donohoe, President of Wisconsin Commercial Deer & Elk Farmer's Association; Josh Schuelke, Waupaca County; Lori Feale, Taylor County.

In reference to Resolution #8: Sam Opresik, Town of Elk; Lyn Ludwig, Town of Worcester; Darin Baratka and Alexis Baratka, Town of Elk; Gay Marschke, Town of Worcester; Steven Janacek, Town of Worcester and President of the Price County Antique Association;

Resolutions

Resolution 51-21

Designating General Fund Money for Parcel Replanting (23-21)

WHEREAS, Price County has 92,267 acres of land entered into the Wisconsin County Forest Law (Wis. State Statute §28.10 and §28.11); and

WHEREAS, the timber management program for the Price County Forest is governed by the Wisconsin DNR's Silvicultural and Forest Aesthetics handbook which states:

Artificial regeneration is the most reliable and most commonly practiced method to regenerate red pine stands. Proper site selection, site preparation and competition control are important for artificial regeneration to be successful; and

WHEREAS, included in the 2021 Fall Timber Sale bid packet is Tract #23-21, which includes 71 acres of red pine and spruce plantation, and will need to be artificially regenerated to maintain productivity; and

WHEREAS, as a result of the 2021 Fall Timber Sale, at least \$81,075 will to be paid to the County for stumpage cut on Tract #23-21, with an associated cost of \$42,600 for regeneration planting; and NOW THEREFORE BE IT RESOLVED that when the time comes to artificially regenerate the 71-acre Tract #23-21, money from the General Fund, not to exceed \$42,600, will be transferred to the Forestry Department to cover the related expenses.

Fiscal Impact: \$42,600

Submitted by: Price County Forestry and Parks Committee: s/Jeff Hallstrand, Chair; Brian Ernst; Jordan Spacek; Ginny Strobl. Reviewed and approved by the Price County Executive Committee: s/Robert D. Kopisch, Chair; Paula Houdek; Larry Palecek; Dennis Wartgow. Reviewed by County Administrator: s/Nicholas Trimner. Adopted by the Price County Board of Supervisors this 14th day of December 2021. s/Robert D. Kopisch, County Board Chair; Jean Gottwald, County Clerk. For: 12, Against: 0.

Motion Hallstrand/Houdek to consider resolution for adoption. Roll call vote on resolution adoption: Yes (12): Barkstrom, Erickson, Ernst, Hallstrand, Houdek, Kopisch, Kyle, Madsen, Palecek, Spacek, Strobl, Wartgow. No (0). Motion carried.

Resolution 52-21

Moratorium on Creation or Expansion of New or Existing Captive Cervid Farms

WHEREAS, Chronic Wasting Disease (CWD) is a prion based disease that is terminally fatal to all cervid animals who contract the prion; and

WHEREAS, since it was identified in 1967 in Colorado, CWD has been found in at least 26 states, including Wisconsin where it is in the wild and captive deer herds; and

WHEREAS, the system of rules, regulations and enforcement has failed to corral the disease; and

WHEREAS, the spread of the disease presents an immediate threat to our state's wild cervid animals and

could lead to the loss of healthy cervid populations throughout the state; and WHEREAS, the movement of captive cervids for the benefit of captive cervid operators has proven to present an unacceptable risk to our state's wild deer, moose and elk and presents a threat to those who hunt, photograph or otherwise value wild cervids in our state. NOW THEREFORE BE IT RESOLVED, that the Price County Board of Supervisors implement a one-year moratorium on the creation or expansion of any new or existing captive cervid farms in Price County, **or until the development of an ordinance that would be approved by the County Board, whichever is first.** Submitted by the Land Use / UW-Extension Committee: s/Alan Barkstrom, Chairperson; Doug Erickson; Paula Houdek; Mark Kyle; Dennis Wartgow. Reviewed by County Administrator: s/Nicholas Trimner. Adopted by the Price County Board of Supervisors this 14th day of December 2021. s/Robert D. Kopisch, County Board Chair; Jean Gottwald, County Clerk. For: 10, Against: 2. Motion Wartgow/Spacek to consider resolution for adoption. Motion Barkstrom/Houdek to amend resolution to include the language "or until the development of an ordinance that would be approved by the County Board, whichever is first." Roll call vote on amendment: Yes (11): Barkstrom, Erickson, Hallstrand, Houdek, Kopisch, Kyle, Madsen, Palecek, Spacek, Strobl, Wartgow. No (1): Ernst. Motion carried. Roll call vote on resolution adoption as amended: Yes (10): Barkstrom, Erickson, Hallstrand, Houdek, Kopisch, Madsen, Palecek, Spacek, Strobl, Wartgow. No (2): Ernst, Kyle. Motion carried.

Resolution 53-21

Create Full-time Positions: Two Highway Operators

WHEREAS, the Highway Department has recognized the need to restructure the positions of Highway Operators in order to be more functionally and financially efficient; and WHEREAS, Highway Operators are required to be on-call and available 24/7 to respond to winter weather conditions; and WHEREAS, this has created a poor working environment when workers are not guaranteed a certain amount of personal time to themselves; and WHEREAS, increasing the Highway Operator workforce will provide for a better rotation of on-call plow truck drivers and give workers scheduled time when they know they will not be called in for plow duty; and WHEREAS, increasing the Highway Operator workforce will provide for additional crew for the increasing summer maintenance and construction projects; and WHEREAS, the 2022 budget has included funds to cover the addition of two Highway Operator positions to the Highway Department. NOW THEREFORE BE IT RESOLVED, that the Price County Board of Supervisors does hereby approve the creation of two additional full-time Highway Operator positions. Fiscal impact: \$65,000 (budgeted) Submitted by the Price County Administration Committee. s/Dennis Wartgow, Chair; Alan Barkstrom; Jeff Hallstrand; Robert Kopisch; Jordan Spacek. Reviewed by County Administrator: s/Nicholas Trimner. Adopted by the Price County Board of Supervisors this 14th day of December 2021. s/Robert D. Kopisch, County Board Chair; Jean Gottwald, County Clerk. For: 12, Against: 0. Motion Spacek/Palecek to consider resolution for adoption. Roll call vote on resolution adoption: Yes (12): Barkstrom, Erickson, Ernst, Hallstrand, Houdek, Kopisch, Kyle, Madsen, Palecek, Spacek, Strobl, Wartgow. No (0). Motion carried.

Amend Resolution 28-21

Project Approval – Price County Normal Building Cooling/Air Handling – Chiller Replacement WHEREAS, it is the responsibility of the Price County Buildings and Grounds Department to keep and maintain all County properties and buildings for the safe use by County residents; and WHEREAS, the Normal Building cooling and air handling system failed; and WHEREAS, it has been determined that the most cost effective and energy efficient solution is replacement of the building chiller system; and WHEREAS, the Buildings and Grounds Committee reviewed the proposed project with a cost of \$357,600 and forwarded it to the Executive Committee for their consideration; and WHEREAS, funding for the project will be determined by the Executive Committee. NOW THEREFORE BE IT RESOLVED that the Price County Board of Supervisors approve the project to improve cooling and air handling for the congregate and Health Department areas by replacing the Normal Building chiller system at an estimated cost of up to ~~\$357,600~~348,600 with funding ~~aste be~~ determined by the Executive Committee, to come from America Rescue Plan Act (ARPA) funds- Fiscal Impact ~~\$357,600~~348,600.

Signatures on original resolution on file.

Adopted by the Price County Board of Supervisors this 13th day of July 2021.

Amendment submitted by the Price County Executive Committee: s/Robert D. Kopisch, Chair; Paula Houdek; Larry Palecek; Dennis Wartgow. Reviewed by County Administrator: s/Nicholas Trimner.

Adopted by the Price County Board of Supervisors this 14th day of December 2021. s/Robert D. Kopisch,

County Board Chair; Jean Gottwald, County Clerk. For: 12, Against: 0.

Motion Madsen/Kyle to consider resolution for adoption. Roll call vote on resolution adoption: Yes (12): Barkstrom, Erickson, Ernst, Hallstrand, Houdek, Kopisch, Kyle, Madsen, Palecek, Spacek, Strobl, Wartgow. No (0). Motion carried.

Resolution 54-21
2021 ARPA Project Allocation

WHEREAS, it is the responsibility of the Price County Buildings and Grounds Department to keep and maintain all County properties and buildings for the safe use by County employees and residents; and WHEREAS; Price County Buildings and Grounds Department has identified several projects as necessary upkeep and maintenance of County Buildings; and WHEREAS; several projects that had been identified had not been completed due to the consequences of lost revenue during the COVID-19 pandemic; and WHEREAS; it has been determined that these projects are now able to be completed and funded from the calculation of the lost revenue portion of the America Rescue Plan Act (ARPA) funding; and WHEREAS; the list of identified projects is as follows:

Clerk of Circuit Courts	Jury Social Distancing	\$ 20,390
Buildings and Grounds Department	Touchless Sinks and Fountains	\$ 19,112
Buildings and Grounds Department	Safety Building Air Handler and Duct Work	\$ 45,647
Buildings and Grounds Department	Public Health Exam Room Remodeling	\$ 7,519
Information Technology	County Board Supervisor Laptops	\$ 6,705

WHEREAS, funding for the project will be determined by the Executive Committee.

NOW THEREFORE BE IT RESOLVED that the Price County Board of Supervisors approve the America Rescue Plan Act (ARPA) projects as identified above, at an estimated cost of up to \$99,373 with funding as determined by the Executive Committee, to come from revenue loss ARPA funds designated to Price County.

Fiscal Impact \$99,373 (ARPA funding)

Submitted by the Price County Executive Committee: s/Robert D. Kopisch, Chair; Paula Houdek; Larry Palecek; Dennis Wartgow. Reviewed by County Administrator: s/Nicholas Trimner. Adopted by the Price County Board of Supervisors this 14th day of December 2021. s/Robert D. Kopisch, County Board Chair; Jean Gottwald, County Clerk. For: 12, Against: 0.

Motion Madsen/Spacek to consider resolution for adoption. Roll call vote on resolution adoption: Yes (12): Barkstrom, Erickson, Ernst, Hallstrand, Houdek, Kopisch, Kyle, Madsen, Palecek, Spacek, Strobl, Wartgow. No (0). Motion carried.

Supervisor Strobl left the room at 9:55 a.m.

Resolution 55-21

Authorizing Price County to Enter Into the Settlement Agreements with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., Agree to the Terms of the MOU Allocating Settlement Proceeds, and Authorize Entry Into the MOU with the Attorney General

WHEREAS, in Resolution No. 26-17, the County Board of Supervisors authorized the County to enter into an engagement agreement with von Briesen & Roper, s.c., Crueger Dickinson LLC and Simmons Hanly Conroy LLC (the "Law Firms") to pursue litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the "Opioid Defendants") in an effort to hold the Opioid Defendants financially responsible for the County's expenditure of vast money and resources to combat the opioid epidemic; WHEREAS, on behalf of the County, the Law Firms filed a lawsuit against the Opioid Defendants; WHEREAS, the Law Firms filed similar lawsuits on behalf of 66 other Wisconsin counties and all Wisconsin cases were coordinated with thousands of other lawsuits filed against the same or substantially similar parties as the Opioid Defendants in the Northern District of Ohio, captioned *In re: Opioid Litigation*, MDL 2804 (the "Litigation");

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

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

WHEREAS, the settlement discussions with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (the "Settling Defendants") resulted in a tentative agreement as to settlement terms pending agreement from the County and other plaintiffs involved in the Litigation;

WHEREAS, copies of the Distributors Settlement Agreement and Janssen Settlement Agreement (collectively "Settlement Agreements") representing the terms of the tentative settlement agreements with

the Settling Defendants have been provided with this Resolution;

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

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

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

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

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

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

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

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

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

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

WHEREAS, 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 Allocation MOU, the form of the AG MOU, and an overview of the process for finalizing the Settlement Agreements;

WHEREAS, the County, by this Resolution, shall establish the Opioid Abatement Account for the receipt of the proceeds of the Settlement Agreements consistent with the terms of this Resolution;

WHEREAS, the County's Opioid Abatement Account shall be separate from the County's general fund, shall not be commingled with any other County funds, and shall be dedicated to funding opioid abatement measures as provided in the Settlement Agreements;

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

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

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

WHEREAS, the County, by this Resolution, and pursuant to the authority granted the County in the applicable Order emanating from the Litigation in relation to the Settlement Agreements and payment of attorney fees, shall execute an Escrow Agreement, which shall among other things 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 state-level "backstop" for payment of the fees, costs, and disbursements of the Law Firms;

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

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

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

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

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

BE IT FURTHER RESOLVED: the County hereby establishes an account separate and distinct from the County's general fund which shall be titled "Opioid Abatement Account." All proceeds from the Settlement Agreements not otherwise directed to the Attorney Fees Account established under the Escrow Agreement shall be deposited in the Opioid Abatement Account. The Opioid Abatement Account shall be administered consistent with the terms of this Resolution, Wis. Stat. § 165.12(4), and the Settlement Agreements.

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

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

Fiscal Impact: \$400,000 estimate (unbudgeted)

Submitted by the Price County Executive Committee: s/Robert D. Kopisch, Chair; Paula Houdek; Larry Palecek; Dennis Wartgow. Reviewed by County Administrator: s/Nicholas Trimner. Adopted by the Price County Board of Supervisors this 14th day of December 2021. Robert D. Kopisch, County Board Chair; Jean Gottwald, County Clerk. For: 11, Against: 0, Did not vote: 1.

Motion Wartgow/Houdek to consider resolution for adoption. Roll call vote on resolution adoption: Yes (11): Barkstrom, Erickson, Ernst, Hallstrand, Houdek, Kopisch, Kyle, Madsen, Palecek, Spacek, Wartgow. No (0). Did not vote (1): Strobl. Motion carried.

Resolution 56-21

Establish an Opioid Settlement Assigned Fund

WHEREAS, Price County has joined litigation against certain manufacturers, distributors and retailers of

opioid pharmaceuticals and

WHEREAS, the settlement discussions with the Settling Defendants resulted in a tentative agreement as to settlement terms; and

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

WHEREAS, the County shall establish the Opioid Abatement Account for the receipt of the proceeds of the Settlement Agreements consistent with the terms of the Settlement Resolution;

WHEREAS, the County's Opioid Abatement Account shall be separate from the County's general fund, shall not be commingled with any other County funds, and shall be dedicated to funding opioid abatement measures as provided in the Settlement Agreements;

WHEREAS, it is in the best interest of the County to establish a separate general ledger fund to facilitate the County's allocation of Opioid Settlement funds.

NOW THEREFORE BE IT RESOLVED, that the Price County Board of Supervisors hereby establish the Opioid Abatement Account to be assigned a general ledger position of 250.

Submitted by the Price County Executive Committee: s/Robert D. Kopisch, Chair; Paula Houdek; Larry Palecek; Dennis Wartgow. -Reviewed by County Administrator: s/Nicholas Trimmer.

Adopted by the Price County Board of Supervisors this 14th day of December 2021. s/Robert D. Kopisch, County Board Chair; Jean Gottwald, County Clerk. For: 11, Against: 0, Did not vote: 1.

Motion Wartgow/Barkstrom to consider resolution for adoption. Roll call vote on resolution adoption: Yes (11): Barkstrom, Erickson, Ernst, Hallstrand, Houdek, Kopisch, Kyle, Madsen, Palecek, Spacek, Wartgow. No (0). Did not vote (1): Strobl. Motion carried.

Strobl returned to the room at 10:06 a.m.

Resolution 57-21

Sale or Lease of County Owned Property (Price County Fairgrounds)

WHEREAS, per Wisconsin State Statute §59.52(6)(c), the County Board may: "Direct the Clerk to lease, sell or convey or contract to sell or convey any county property...on terms that the board approves; and

WHEREAS, the Price County Fairgrounds properties were purchased and developed into a venue that has been used for various functions over the year, the primary users being the Price County Fair Association, Price County 4-H and the Price County Antique Association; and

WHEREAS, the most recent agreement has been leasing the property to the Price County Fair Association who, in turn, manages the properties for numerous public events; and

WHEREAS, with the increased unfunded mandates put on the County and the inability to increase the property tax levy, it has gotten to be extremely difficult to earmark funds to adequately maintain these buildings and the County has exhausted the financial means to maintain the property; and

WHEREAS, several buildings have been deemed unusable from a public safety standpoint; and

WHEREAS, the Price County Board of Supervisors has determined it be in the best interest of Price County taxpayers to reach out to public entities to take over the management and/or ownership of the Price County Fairgrounds property to sustain the historic use of the facilities; and

WHEREAS, the County will work very closely with legal counsel to define the specifications of any transaction to guarantee continued access and operations of current users, while at the same time preserving the historic significance of the buildings and grounds; and

WHEREAS, said parcels are described as: Legal Description: Parcel 1: Government Lot 1 except that part lying South and West of Squaw Creek, Section 8, Township 37 North, Range 1 East, City of Phillips, Price County, Wisconsin; Parcel 2: The Southwest ¼ of the Northwest ¼ lying West of the Elk River,

Section 8, Township 37 North, Range 1 East, Town of Worcester, Price County, Wisconsin; Parcel 3:

That part of the Southeast ¼ of the Northeast ¼ lying East of Forest Lane and South of County Trunk Highway H, Section 7, Township 37 North, Range 1 East, Town of Worcester, Price County, Wisconsin.

NOW THEREFORE BE IT RESOLVED, that the Price County Board of Supervisors hereby authorizes the Price County Executive Committee to arrange for the sale or lease and of said property and negotiate the terms and conditions for its sale or lease, **with final approval of any proposed transaction to be presented to the County Board for their consideration**, and further authorizes the Price County Clerk's preparation and execution of any documents necessary to conclude the terms set forth, with full ratification being presented to the County Board of Supervisors.

Submitted by: Price County Buildings and Grounds Committee: s/Brian Ernst; Robert Kopisch; Mark Kyle; Waldemar Madsen. Reviewed by County Administrator: s/Nicholas Trimmer

Adopted by the Price County Board of Supervisors this 14th day of December 2021. s/Robert D. Kopisch, County Board Chair; Jean Gottwald, County Clerk. For: 12, Against: 0.

Motion Madsen/Kyle to consider resolution for adoption. Motion Wartgow/Hallstrand to amend resolution to include the language "with final approval of any proposed transaction to be presented to the County Board for their consideration". Roll call vote on amendment: Yes (11): Barkstrom, Erickson, Ernst, Hallstrand, Houdek, Kopisch, Kyle, Madsen, Palecek, Spacek, Wartgow. No (0). Abstain (1): Strobl.

Motion carried. Roll call vote on resolution adoption as amended: Yes (12): Barkstrom, Erickson, Ernst, Hallstrand, Houdek, Kopisch, Kyle, Madsen, Palecek, Spacek, Strobl, Wartgow. No (0). Motion carried.

Resolution 58-21

Develop a Forest Carbon Offset Project for Price County Owned Land

Motion Kyle/Wartgow to consider resolution for adoption.

County Board adjourned to closed session: Announcement and motion Spacek/Houdek to adjourn to closed session at 10:50 a.m. pursuant to the exemption in Wis. State Statute 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. For the purpose of:

1. Negotiate Potential Contract with Bluesource for Forest Carbon Offset Project Development
2. Motion to Return to Open Session

Take Action, as needed, on closed session items

Roll call vote: Yes (12): Barkstrom, Erickson, Ernst, Hallstrand, Houdek, Kopisch, Kyle, Madsen, Palecek, Spacek, Strobl, Wartgow. No (0). Motion carried.

Motion Wartgow/Houdek in closed session to return to open session at 11:28 a.m. Roll call vote: Yes (12): Barkstrom, Erickson, Ernst, Hallstrand, Houdek, Kopisch, Kyle, Madsen, Palecek, Spacek, Strobl, Wartgow. No (0). Motion carried.

Resolution 58-21

Develop a Forest Carbon Offset Project for Price County Owned Land

WHEREAS, since 2020, the Forestry and Parks Department has researched the merits of enrolling Price County owned lands in a carbon offset program; and,

WHEREAS, the Forestry and Parks Department recommends the development of a carbon project, involving the majority of Price County Forest lands, in addition to other Price County owned lands, for participation in the voluntary carbon market under the American Carbon Registry (ACR) Improved Forest Management (IFM) program; and,

WHEREAS, the Forestry and Parks Department recommends working with a carbon contractor to assist in the development of a project that would include marketing and selling carbon offsets; and,

WHEREAS, Bluesource, LLC, is a prominent leader in North American carbon markets since 2001 and has developed the continent's largest portfolio of carbon credits. Bluesource plays a dominant role in domestic forest carbon development and marketing, including a major presence in the Lake States, and is responsible for over 60% of all carbon credits developed and registered as part of the ACR IFM program; and,

WHEREAS, Bluesource, LLC has developed a carbon project proposal for Price County that includes a majority of the County Forest, in addition to other County owned lands; and,

WHEREAS, as part of the proposal presented by Bluesource, LLC, it is estimated that a forest carbon offset project involving the County Forest and other County owned lands, has the potential to generate \$3.6 million dollars in new net revenue within the first ten years of the program; and,

WHEREAS, for the entire length of the contract with Bluesource, LLC, including all aspects of carbon offset project development and administration, marketing and selling of carbon credits, there would be no direct out-of-pocket budgetary expenses incurred by Price County; and,

WHEREAS, the potential net returns realized from the registration and sale of carbon offsets would supplement current revenues received from current sustainable forest management practices on County owned lands.

NOW, THEREFORE, BE IT RESOLVED, that the Price County Board of Supervisors assembled this 1420th day of ~~December~~May 2021, authorizes the Price County Forest and Parks Administrator and County Administrator on behalf of Price County, in consultation with Price County Corporation Counsel, and upon confirmation from the Wisconsin DNR that there are no conflicts with Wis. Statutes § 28.11 (Administration of County Forests), to develop a 40 year forest carbon offset project for all appropriate County Forest and other County owned lands, excluding other lands deemed not appropriate, for participation in the voluntary carbon market under the American Carbon Registry (ACR) Improved Forest Management (IFM) program,

BE IT FURTHER RESOLVED, that, the ~~Forestry and Parks Administrator and~~ County Administrator ~~is~~are authorized to negotiate and execute an eight-to-12-year contract directly with Bluesource, LLC to assist in the development of said forest carbon project, in consultation with Price County Corporation Counsel and upon confirmation from the Wisconsin DNR that there are no conflicts with Wis. Statutes § 28.11.

BE IT FURTHER RESOLVED, that the Price County Executive Committee shall develop a policy for the use and allocation of any funds received from the sale of carbon credits including the establishment of any designated funds to be used as a reserve for any future use of the funds.

Submitted by Price County Forestry and Parks Committee: s/Jeff Hallstrand, Chair; Brian Ernst; Jordan Spacek. Reviewed and approved by the Price County Executive Committee: s/Robert D. Kopisch, Chair; Paula Houdek; Larry Palecek; Dennis Wartgow. Reviewed by County Administrator: s/Nicholas Trimner

Adopted by the Price County Board of Supervisors this ~~1417~~¹⁴th day of ~~December~~^{August} 2021. s/Robert D. Kopisch, County Board Chair; Jean Gottwald, County Clerk. For: 7, Against: 5.

Return to original motion Kyle/Wartgow to consider resolution for adoption.

Motion Wartgow/Erickson to approve amendments as presented. Roll call vote on amendments: Yes (12): Barkstrom, Erickson, Ernst, Hallstrand, Houdek, Kopisch, Kyle, Madsen, Palecek, Spacek, Strobl, Wartgow. No (0). Motion carried. Roll call vote on resolution adoption as amended: Yes (7): Barkstrom, Erickson, Hallstrand, Kopisch, Kyle, Palecek, Wartgow. No (5): Ernst, Houdek, Madsen, Spacek, Strobl. Motion carried.

Committee of the Whole at 11:43 a.m.

1. County Administrator Report – Nick Trimner
 - a. 2021 Financial Summary Report as of 11/30/21: In good shape coming to the end of the year. Will need to bring some amendments to the Board. Fall timber sale bids \$740,000.
 - b. American Recovery Plan Act update: Finalizing projects designated for 2021. 2022 funding and projects still to be determined.
2. Future of Fairgrounds Property (agenda item not needed)
3. Develop a Forest Carbon Offset Project for County Owned Land (agenda item not needed)
4. Board Chair Report – Robert Kopisch
 - a. COVID-19 pandemic update: Reviewed current data.
 - b. WCA Board of Directors Meeting: Reviewed budget status and bylaw changes.
5. Committee Chair Reports:
 - a. Administration – Wartgow: Have not met. Next scheduled meeting is February 7th.
 - b. Buildings & Grounds – Spacek: Started winter maintenance. Huotari got the bid for the Normal Building project.
 - c. Executive – Kopisch: In Rem court date 12/22 with five properties. Change to health plan options came in 50/50. Next meetings are January 11th and February 10th.
 - d. Forestry & Parks – Hallstrand: Fall \$1.6 million in stumpage. Five active jobs. Prepping for winter cuts. Next meeting February
 - e. Health and Human Services – Houdek: Have not met. Next meeting January 12th.
 - f. Highway & Transportation – Palecek: Transitioning to winter maintenance. Short one operator and two mechanics. Weimer Dam project done except for adjustments when water levels return to normal in spring. Next meeting December 16th.
 - g. Land Use & UW-Extension – Barkstrom: Seven public hearings. Requests were approved, but conditions were placed on a couple permits. Developed the resolution for Cervid Farm moratorium and will continue work on an ordinance to regulate the farms. Charges against Scott Dragovich were finally settled in the Circuit Court. Two new snowmobile bridges planned. Defined the scope of work for the vacant UWEX position and recruitment to fill has started. Next meeting is January 27th.
 - h. Law Enforcement: Have not met.

Date of Next Meeting: February 15, 2022 at 9:00 a.m. in the County Board Room

Meeting adjourned at 12:07 p.m.

Respectfully submitted: Jean Gottwald, County Clerk