

**PROCEEDINGS OF THE GREEN COUNTY BOARD OF SUPERVISORS
March 14, 2023**

County Boardroom, Green County Courthouse, 1016 16th Ave, Monroe, WI

Jerry Guth, Chair, called the meeting to order at 7:01 p.m.

The Clerk read the roll call with 29 present, 2 absences being Bristow and Wilke.

The Board recited the Pledge of Allegiance.

UW-Extension Area Extension Director Lynn Perkins, Health and Well-Being Educator Bridget Mouchon and Community Resource Educator Victoria Solomon presented the UW-Extension annual report. Motion by Pennington, seconded by Sass to receive the UW-Extension annual report.

Motion by Rufenacht, seconded by Mandel to approve the minutes of the February 14, 2023, meeting. Motion carried by a unanimous voice vote.

ORDINANCE 23-0301

Modification to ATV/UTV Regulations

WHEREAS, the Green County Highway Committee is charged with the duty to receive and make recommendations for Green County upon all highway matters referred to them; and

WHEREAS, after review of the Green County Code, the Green County Highway Committee has indicated that the Green County Code is in need of updating; and

NOW, THEREFORE, BE IT ORDAINED by the Green County Board of Supervisors, in legal session assembled, that Title 8, Chapter 2 of the Green County Code be modified as follows:

8-2-5: APPLICATION PROCESS FOR ATV/UTV ROUTES

B. A complete application must include the following:

8. A list of all ~~property owners~~ residents on the proposed route and a copy of the notice of this application that was mailed to them.

8-2-9: OPERATION ON ATV/UTV ROUTES AND CROSSINGS

C. The following restrictions apply to operation of ATVs and UTVs on all county trunk highways designated as ATV/UTV routes:

2. ATVs and UTVs may only be operated on an approved ATV/UTV route between ~~½ hour before sunrise and ½ hour after sunset~~ the hours of 4:00 a.m. to 10:00 p.m. The hours of operation and speed limit will be listed on the ATV/UTV Route signs paid for by the sponsors on CTH routes.
12. No person may operate an ATV or UTV after sunset or before sunrise without functioning directional signal lamps on both the front and back of the ATV or UTV.

SIGNED: GREEN COUNTY HIGHWAY COMMITTEE

Harvey Mandel, Chair Russ Torkelson, Vice-Chair

Jeff Williams Mark Gundlach

Kristi Leonard

Motion by Snow, seconded by Gundlach to approve Ordinance 23-0301.

Motion by Hoesly, seconded by Schwartz to strike the following verbiage from 8-2-5 (B)8: "This section shall not apply to any proposed route if the municipality or municipalities through which the proposed route runs have already opened up all of its roads to ATV/UTVs pursuant to a binding referendum". Motion carried 20-9 with Ayes being: Boll, Carlson, Carus, Furgal, Gundlach, Guth, Hartwig, Hoesly, Krattiger, Larson, Mandel, Nelson, Oemichen, Pennington, Roemer, Rufenacht, Schwartz, Sheaffer, Truttman, and Tschudy; and the No's being: Even, Kubly, Leonard, Sass, Schafer, Snow, Thoman, Torkelson, and Williams.

Motion by Hoesly, seconded by Nelson to amend section 8-2-9 (C)2 to list the hours of operation on CTH ATV/UTV route signs. Motion carried 18-11 with Ayes being: Boll, Carus, Furgal, Guth, Hoesly, Krattiger, Larson, Mandel, Nelson, Oemichen, Pennington, Roemer, Rufenacht, Schafer, Schwartz, Sheaffer, Snow, Truttman; and the No's being: Carlson, Even, Gundlach, Hartwig, Kubly, Leonard, Sass, Thoman, Torkelson, Tschudy, and Williams.

Motion by Roemer, seconded by Rufenacht to amend section 8-2-9 (C)2 to include the ATV/UTV speed limits on CTH ATV/UTV route signs. Motion carried 19-10 with Ayes being: Boll, Carlson, Carus, Hartwig, Hoesly, Krattiger, Larson, Mandel, Nelson, Oemichen, Pennington, Roemer, Rufenacht, Schafer, Schwartz, Sheaffer, Snow, Thoman, and Truttman; and the No's being: Even, Furgal, Gundlach, Guth, Kubly, Leonard, Sass, Torkelson, Tschudy, and Williams.

Motion by Hoesly, seconded by Roemer to amend section 8-2-9 (C)2 to read: ATVs and UTVs may only be operated on an approved ATV/UTV route the hours of 4:00 a.m. to 10:00 p.m. The hours of operation and speed limit will be listed on the ATV/UTV Route signs paid for by the sponsors on CTH routes. Motion carried 20-9 with the Ayes being: Boll, Carlson, Carus, Furgal, Guth, Hoesly, Krattiger, Larson, Mandel, Nelson, Oemichen, Pennington, Roemer, Rufenacht, Schafer, Schwartz, Sheaffer, Snow, Thoman, and Truttman; and the No's being: Even, Gundlach, Hartwig, Kubly, Leonard, Sass, Torkelson, Tschudy, and Williams.

Motion by Hoesly, seconded by Schwartz to amend section 8-2-9 (C) 12 to read: No person may operate an ATV or UTV after sunset or before sunrise without functioning directional signal lamps on both the front and back of the ATV or UTV and shall not have passengers under the age of 18. Motion failed 1-28 with the Aye being Hoesly.

Nick Hartwig left the meeting at this time.

Upon vote of Ordinance 23-0301, motion carried 27-1 with the No being Even.

ORDINANCE 23-0302

Modification to ATV/UTV Route

WHEREAS, the Green County Highway Committee is charged with the duty to receive and make recommendations for Green County upon all highway matters referred to them; and

WHEREAS, the Green County Highway Committee has approved an ATV/UTV route in the Town of Jefferson and is requesting that the Board also approve the route as described in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Green County Board of Supervisors, in legal session assembled, that Title 8 of the Green County Code be modified as follows:

8-2-13: CURRENT COUNTY TRUNK HIGHWAY DESIGNATED ATV/UTV ROUTES

B. Town of Jefferson

1. On CTH K - From CTH P north to Five Corner Road (Jefferson and Clarno Town line).
2. On CTH KS - From CTH K east to CTH S.
3. On CTH KS - From CTH S east to Lumber Yard Road.

SIGNED: GREEN COUNTY HIGHWAY COMMITTEE

Harvey Mandel, Chair Russ Torkelson, Vice-Chair

Jeff Williams Mark Gundlach

Kristi Leonard

Motion by Torkelson, seconded by Thoman to approve Ordinance 23-0302.

Motion by Hoesly, seconded by Schwartz to refer Ordinance 23-0302 back to the Highway Committee and ask that a written assessment that evaluates the route using 8-2-6 criteria and includes metrics such as: commercial traffic volumes, site distance, pavement/bridge width, highway functional classification, average daily traffic, length of route, and other factors be provided to the county board when they are asked for approval.

Motion by Oemichen, seconded by Sheaffer to apply the result of the motion to refer Ordinance 23-0302 back to the Highway Committee to Ordinances 23-0302 through 23-0310 through unanimous consent. Motion carried on a unanimous voice vote.

Upon a roll call vote on the motion to refer Ordinance 23-0302 back the Highway Committee, motion failed 10-18 with Ayes being: Hoesly, Larson, Nelson, Oemichen, Pennington, Roemer, Rufenacht, Schwartz, Sheaffer, and Truttman; and No's being: Boll, Carlson, Carus, Even, Furgal, Gundlach, Guth, Krattiger, Kubly, Leonard, Mandel, Sass, Schafer, Snow, Thoman, Torkelson, Tschudy, and Williams.

Upon roll call vote on the motion to approve Ordinance 23-0302, motion carried 27-1 with the No being Hoesly.

ORDINANCE 23-0303

Modification to ATV/UTV Route

WHEREAS, the Green County Highway Committee is charged with the duty to receive and make recommendations for Green County upon all highway matters referred to them; and

WHEREAS, the Green County Highway Committee has approved an ATV/UTV route in the Town of Cadiz and is requesting that the Board also approve the route as described in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Green County Board of Supervisors, in legal session assembled, that Title 8 of the Green County Code be modified as follows:

8-2-13: CURRENT COUNTY TRUNK HIGHWAY DESIGNATED ATV/UTV ROUTES

C. Town of Cadiz

1. On CTH M – From Schlappi Road and ending at ~~West River Road~~ Martintown Road.
2. On CTH MM – From the Tri-County Cheese Trail north and ending at CTH M (Lafayette County border).
3. On CTH M – From STH 11 north to the Cadiz and Jordan Town line (.5 miles north of STH 11).
4. On CTH M – From CTH B north to the Tri-County Cheese Trail.
5. On CTH B – From CTH HK west to the Lafayette and Green County Line (.5 miles west of Dill Road).
6. On CTH M – From CTH B south to Schlappi Road.
7. On CTH M – From Martintown Road south to Bidlingmaier Road (Illinois State line).
8. On CTH P – From CTH HK west to Babler Road (Illinois State line).

SIGNED: GREEN COUNTY HIGHWAY COMMITTEE

Harvey Mandel, Chair	Russ Torkelson, Vice-Chair
Jeff Williams	Mark Gundlach
Kristi Leonard	

Motion by Oemichen, seconded by Gundlach to approve Ordinance 23-0303. Motion carried 25-3 with the No’s being Hoesly, Larson, and Nelson.

ORDINANCE 23-0304

Modification to ATV/UTV Route

WHEREAS, the Green County Highway Committee is charged with the duty to receive and make recommendations for Green County upon all highway matters referred to them; and

WHEREAS, the Green County Highway Committee has approved an ATV/UTV route in the Town of Decatur and is requesting that the Board also approve the route as described in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Green County Board of Supervisors, in legal session assembled, that Title 8 of the Green County Code be modified as follows:

8-2-13: CURRENT COUNTY TRUNK HIGHWAY DESIGNATED ATV/UTV ROUTES

D. Town of Decatur

4. On CTH OK – Decatur and Spring Grove Town line (.5 miles north of STH 11) north to CTH SS and east to CTH F.
5. On CTH SS – From CTH OK west to Decatur-Sylvester Road (Decatur and Sylvester Town line).
6. On CTH F – From Park Road west to CTH OK and north to Decatur-Albany Road (Decatur and Albany Town line).
7. On CTH E – Green Street north to Race Road.

SIGNED: GREEN COUNTY HIGHWAY COMMITTEE

Harvey Mandel, Chair	Russ Torkelson, Vice-Chair
Jeff Williams	Mark Gundlach
Kristi Leonard	

Motion by Sass, seconded by Williams to approve Ordinance 23-0304. Motion carried 25-3 with the No’s being Hoesly, Larson, and Nelson.

ORDINANCE 23-0305

Modification to ATV/UTV Route

WHEREAS, the Green County Highway Committee is charged with the duty to receive and make recommendations for Green County upon all highway matters referred to them; and

WHEREAS, the Green County Highway Committee has approved an ATV/UTV route in the Town of Mt. Pleasant and is requesting that the Board also approve the route as described in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Green County Board of Supervisors, in legal session assembled, that Title 8 of the Green County Code be modified as follows:

8-2-13: CURRENT COUNTY TRUNK HIGHWAY DESIGNATED ATV/UTV ROUTES

F. Town of Mt. Pleasant

1. On CTH C – From Pratt Road east to Mt. Pleasant and Brooklyn Town line (.25 miles west of CTH X).

2. On CTH CC – From CTH C north to the Mt. Pleasant and Exeter Town line (.6 miles north of CTH C).
3. On CTH D – From CTH C north to the Mt. Pleasant and Exeter Town line (.5 miles north of CTH C).
4. On CTH D – From CTH C south to CTH EE.
5. On CTH EE – From CTH F east to the Mt. Pleasant and Albany Town line (1 mile west of CTH X).
6. On CTH F – From CTH EE south east to the Mt. Pleasant and Albany Town line (1 mile west of Tin Can Road).

SIGNED: GREEN COUNTY HIGHWAY COMMITTEE

Harvey Mandel, Chair Russ Torkelson, Vice-Chair
 Jeff Williams Mark Gundlach
 Kristi Leonard

Motion by Schafer, seconded by Torkelson to approve Ordinance 23-0305. Motion carried 24-4 with the No's being Hoesly, Larson, Nelson, and Rufenacht.

ORDINANCE 23-0306

Modification to ATV/UTV Route

WHEREAS, the Green County Highway Committee is charged with the duty to receive and make recommendations for Green County upon all highway matters referred to them; and

WHEREAS, the Green County Highway Committee has approved an ATV/UTV route in the Town of Albany and is requesting that the Board also approve the route as described in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Green County Board of Supervisors, in legal session assembled, that Title 8 of the Green County Code be modified as follows:

8-2-13: CURRENT COUNTY TRUNK HIGHWAY DESIGNATED ATV/UTV ROUTES

G. Town of Albany

1. On CTH X – From CTH EE north to the Albany and Brooklyn Town line (.35 miles south of CTH C).
2. On CTH E – From STH 59 north to Brooklyn-Albany Road (Albany and Brooklyn Town line).
3. On CTH E – From the Village of Albany south to the Town of Decatur line (Decatur Albany Road).
4. On CTH EE – From CTH E west to the Albany and Mt. Pleasant Town line (1 mile west of CTH X).
5. On CTH F – From STH 59 north to Tin Can Road and west to the Albany and Mt. Pleasant Town line (1 mile west of Tin Can Road).
6. On CTH F – From STH 59 south to the Town of Decatur line (Decatur Albany Road).

SIGNED: GREEN COUNTY HIGHWAY COMMITTEE

Harvey Mandel, Chair Russ Torkelson, Vice-Chair
 Jeff Williams Mark Gundlach
 Kristi Leonard

Motion by Schafer, seconded by Tschudy to approve Ordinance 23-0306. Motion carried 25-3 with the No's being Hoesly, Larson, and Nelson.

ORDINANCE 23-0307

Modification to ATV/UTV Route

WHEREAS, the Green County Highway Committee is charged with the duty to receive and make recommendations for Green County upon all highway matters referred to them; and

WHEREAS, the Green County Highway Committee has approved an ATV/UTV route in the Town of Monroe and is requesting that the Board also approve the route as described in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Green County Board of Supervisors, in legal session assembled, that Title 8 of the Green County Code be modified as follows:

8-2-13: CURRENT COUNTY TRUNK HIGHWAY DESIGNATED ATV/UTV ROUTES

H. Town of Monroe

1. On CTH J – From STH 81 north to the Monroe and Washington Town line (1.05 miles north of the south Buckskin Road).
2. On CTH N – From Iliff Road north to Buehler Road.

3. On CTH FF – From STH 69 east to Gutzmer Road (Monroe and Sylvester Town line).
4. On CTH DR – From STH 69 east to N 29th Avenue in the City of Monroe.

SIGNED: GREEN COUNTY HIGHWAY COMMITTEE

Harvey Mandel, Chair Russ Torkelson, Vice-Chair
 Jeff Williams Mark Gundlach
 Kristi Leonard

Motion by Thoman, seconded by Snow to approve Ordinance 23-0307. Motion carried 25-3 with the No's being Hoesly, Larson, and Nelson.

ORDINANCE 23-0308

Modification to ATV/UTV Route

WHEREAS, the Green County Highway Committee is charged with the duty to receive and make recommendations for Green County upon all highway matters referred to them; and

WHEREAS, the Green County Highway Committee has approved an ATV/UTV route in the Town of Sylvester and is requesting that the Board also approve the route as described in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Green County Board of Supervisors, in legal session assembled, that Title 8 of the Green County Code be modified as follows:

8-2-13: CURRENT COUNTY TRUNK HIGHWAY DESIGNATED ATV/UTV ROUTES

- I. Town of Sylvester
 1. On CTH FF – From Gutzmer Road (Sylvester and Monroe Town line) east to Decatur-Sylvester Road (Sylvester and Decatur Town line).
 2. County Trunk Highway SS – STH 59 east to Decatur-Sylvester Road (Decatur and Sylvester Town line).
 3. On CTH S – From STH 59 south to the Sylvester and Jefferson Town line (.2 miles north of STH 11).

SIGNED: GREEN COUNTY HIGHWAY COMMITTEE

Harvey Mandel, Chair Russ Torkelson, Vice-Chair
 Jeff Williams Mark Gundlach
 Kristi Leonard

Motion by Carlson, seconded by Sass to approve Ordinance 23-0308. Motion carried 25-3 with the No's being Hoesly, Larson, and Nelson.

ORDINANCE 23-0309

Modification to ATV/UTV Route

WHEREAS, the Green County Highway Committee is charged with the duty to receive and make recommendations for Green County upon all highway matters referred to them; and

WHEREAS, the Green County Highway Committee has approved an ATV/UTV route in the Town of Spring Grove and is requesting that the Board also approve the route as described in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Green County Board of Supervisors, in legal session assembled, that Title 8 of the Green County Code be modified as follows:

8-2-13: CURRENT COUNTY TRUNK HIGHWAY DESIGNATED ATV/UTV ROUTES

- J. Town of Spring Grove
 1. On CTH K – From CTH OK west to the Spring Grove and Jefferson Town line (.25 miles west of Union Road).
 2. On CTH OK – From CTH K north to the Spring Grove and Decatur Town line (.5 miles north of STH 11).
 3. On CTH GG – From STH 11 north to the Spring Grove and Decatur Town line (.5 miles north of STH 11).

SIGNED: GREEN COUNTY HIGHWAY COMMITTEE

Harvey Mandel, Chair Russ Torkelson, Vice-Chair
 Jeff Williams Mark Gundlach
 Kristi Leonard

Motion by Williams, seconded by Leonard to approve Ordinance 23-0309. Motion carried 25-3 with the No's being Hoesly, Larson, and Nelson.

ORDINANCE 23-0310
Modification to ATV/UTV Route

WHEREAS, the Green County Highway Committee is charged with the duty to receive and make recommendations for Green County upon all highway matters referred to them; and

WHEREAS, the Green County Highway Committee has approved an ATV/UTV route in the Town of Clarno and is requesting that the Board also approve the route as described in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Green County Board of Supervisors, in legal session assembled, that Title 8 of the Green County Code be modified as follows:

8-2-13: CURRENT COUNTY TRUNK HIGHWAY DESIGNATED ATV/UTV ROUTES

K. Town of Clarno

1. On CTH K – From the City of Monroe limits to Five Corner Road (Clarno and Jefferson Town line).

SIGNED: GREEN COUNTY HIGHWAY COMMITTEE

Harvey Mandel, Chair Russ Torkelson, Vice-Chair

Jeff Williams Mark Gundlach

Kristi Leonard

Motion by Tschudy, seconded by Snow to approve Ordinance 23-0310. Motion carried 25-3 with the No's being Hoesly, Larson, and Nelson.

RESOLUTION 3-1-23

Authorizing Green 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., Agree to the Terms of the Addendum to the MOU Allocating Settlement Proceeds, and Authorize Entry Into the MOU with the Attorney General

WHEREAS, the 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;

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 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;

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;

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 Addendum to Wisconsin Local Government Memorandum of Understanding, a copy of which is attached to this Resolution (the "Allocation MOU");

(c) approves the

Wisconsin-State Local Government Memorandum of Understanding for the Allocation of Opioid 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, 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.;

WHEREAS, attached to this resolution are four additional documents entitled Executive Summary of National Opioid Settlements, a document entitled Key Dates which lays out deadlines and effective dates of the Settlement Agreements, a Memorandum regarding the ramifications of any county's refusal to join the settlements, and a document entitled Frequently Asked Questions about the 2022 National Opioid Settlements with Teva, Allergan, Walmart, Walgreens, and CVS;

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);

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 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;

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 Addendum;

WHEREAS, the intent of this Resolution is to authorize the County to enter into the Settlement Agreements, the Addendum, 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 Settlement Agreements and any and all documents ancillary thereto and authorizes the [Board Chair] or designee to execute same.
2. The final negotiation and execution of the Addendum in form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the [Board Chair] or designee to execute same upon finalization provided the percentage share identified as allocated to the County is substantially similar to that identified in the Addendum provided to the Board with this Resolution.
3. The final negotiation and execution of the AG MOU in form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the [Board Chair] or designee to execute same.
4. The execution by the [Board Chair] or designee of any additional documents or agreements for the receipt and disbursement of the proceeds of the Settlement Agreements as referenced in the Addendum.

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

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

BE IT FURTHER RESOLVED that all actions heretofore taken by the Board of Supervisors and other appropriate public officers and agents of the County with respect to the matters contemplated

