



AGENDA

DOUGLAS COUNTY BOARD OF SUPERVISORS

THURSDAY, NOVEMBER 16, 2023 | 6:00 PM | GOVERNMENT CENTER BOARDROOM 201
1316 NORTH 14TH STREET | SUPERIOR, WI 54880

www.microsoft.com/microsoft-teams/join-a-meeting | Meeting ID: 215 190 993 358 | Passcode: RcCARk
Or call-in: 1 872-242-8028 | ID: 577 927 8#

Virtual attendance available to public; board members must attend in-person to constitute a quorum and/or vote.
Board to maintain a two-hour meeting limit or take action to continue meeting beyond that time.

1. **CALL MEETING TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES**
 - a. [October 19, 2023](#) and [October 31, 2023](#)
5. **PRESENTATION**
 - a. Chapter 980 Placement Statutory Requirements
Department of Health Services Representative
6. **PUBLIC COMMENT**
 - a. Public comment will be allowed on action items listed on the agenda; all comments shall be limited to three minutes in length, unless otherwise directed by the board.
7. **RESOLUTIONS**
 - a. [#60-23](#): Resolution by the Health and Human Services Board, Public Safety and Administration Committees recommending Re-entry Specialist Position
 - b. [#61-23](#): Resolution by the Administration Committee recommending budgetary transfers ([Exhibit A-11-23](#)) *Roll call vote to be taken*
 - c. [#62-23](#): Resolution by the Administration Committee recommending funding for 980 placement *Roll call vote to be taken*
 - d. [#63-23](#): Resolution by the Forest, Parks and Recreation Committee recommending participation in WDNR grant programs
8. **COUNTY ADMINISTRATOR REPORT**
9. **COUNTY BOARD CHAIR REPORT**
10. **APPOINTMENTS**
 - a. Highway Traffic Safety Commission: Jake Engelman (current alternate, replacing Jerry Moe) and Matt Izzard (alternate)

11. COMMITTEE REPORTS

12. YOUTH REPRESENTATIVE REPORT

13. APPROVAL OF BILLS AND CLAIMS

- a. [Vendor payment list](#) available on Douglas County website and County Board Supervisor iPad meeting folder

14. CORRESPONDENCE

- a. Outagamie County
[Resolution regarding the regulation of solar energy systems](#)
(Refer to Land Conservation Committee)
- b. McKinsey Opiate Consultant Litigation
[Notification of class action lawsuit regarding the opioid crisis](#)
(Receive and place on file)
- c. City of Superior Assessor's Office
[Request to View Property Notice](#)
(Receive and place on file)

15. FUTURE AGENDA ITEMS

16. ADJOURNMENT

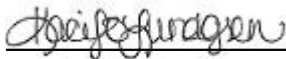
- a. [Next regularly scheduled meeting – December 21, 2023](#)

Submitted by,

Kaci Jo Lundgren, Douglas County Clerk

NOTE: Agenda and attachments available on www.douglascountywi.org or in County Clerk's Office. Action may be taken on any item on the agenda. The County of Douglas complies with the Americans with Disabilities Act of 1990. If you are in need of accommodation to participate in the public meeting process, please contact the Douglas County Clerk's Office at (715) 395-1341 by 4:00 p.m. on the day prior to the scheduled meeting. Douglas County will attempt to accommodate any request. TDD (715) 395-7521.

Posted: Douglas County Courthouse, Government Center, Superior Public Library, Superior Telegram

 11-9-23

| ROLL CALL | | | | | |
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| DIST | SUPERVISOR | Y | N | OTHER | |
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| LAST REVISED 6-16-23 | | | | | |

**RESOLUTION #60-23
RE-ENTRY SPECIALIST POSITION**

**PRESENTED BY THE HEALTH AND HUMAN SERVICES BOARD,
PUBLIC SAFETY AND ADMINISTRATION COMMITTEES**

WHEREAS, Douglas County is anticipated to receive approximately \$1,244,000.00 in opioid settlement funds, and

WHEREAS, the funds must be used in relation to the opioid epidemic, assisting in prevention and recovery, and

WHEREAS, a large percentage of Douglas County inmates are affected by opioid use or are at high risk of being addicted, and

WHEREAS, the creation of a position staffed within the Jail, known as a Re-Entry Specialist, would aid known opioid users and those at risk in getting treatment and other resources prior to and after release, and

WHEREAS, the intent of this position is to alleviate opioid-related deaths, prevent opioid use relapse, prevent recidivism within the jail and reduce crime within the community, and

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors, in regular meeting assembled, approves the creation of a Re-Entry Specialist position, funded with opioid settlement funds.

BE IT FURTHER RESOLVED that this position takes effect immediately.

Dated this 16th day of November, 2023.

*Committee Action: Unanimous
Fiscal Note: Within Opioid Settlement Funds*

| ROLL CALL | | | | | |
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| LAST REVISED 6-16-23 | | | | | |

**RESOLUTION #61-23
BUDGETARY TRANSFERS**

PRESENTED BY THE ADMINISTRATION COMMITTEE

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approves the budgetary transfers as set forth in Exhibit A-11-23.

Dated this 16th day of November, 2023.

*Exhibit A-11-23
Committee Action: Unanimous
Fiscal Note: Included in Exhibit A-11-23
Administrative Note: Two-thirds vote of Board-elect required*

EXHIBIT A-11-23

Resolution #61-23 Budgetary Transfers

Presented by the Administration Committee



DOUGLAS COUNTY BOARD OF SUPERVISORS
November 16, 2023

**DOUGLAS COUNTY WISCONSIN
BUDGETARY / ACTUAL TRANSFERS
OCTOBER 2023 COUNTY BOARD MEETING**

| Department | Amount | Explanation | Document # | Account | Amount | Fiscal Note |
|----------------------|--------|---|------------|-----------------------------|--------------------|--|
| Land & Development | 770 | Release reserve for asbestos testing | 233099 | 15420.5219 15420.3437.4 | 770 (770) | Increase Other Outside Services Expense Decrease Economic Development Reserve |
| Emergency Management | 15,000 | Release vehicle reserve for purchase of vehicle in 2023 | 233109 | 25110.5851 15420.3431.54 | 15,000 (15,000) | Increase EM Capital Outlay Decrease EM Vehicle Reserve |

| ROLL CALL | | | | | |
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| LAST REVISED 6-16-23 | | | | | |

**RESOLUTION #62-23
CHAPTER 980 PLACEMENT FUNDING**

PRESENTED BY THE ADMINISTRATION COMMITTEE

WHEREAS, Wis. Stat. § 980.06 allows for the involuntary (civil) commitment of individuals with a history of sexual offense upon completion of their prison sentences. A “sexually violent person (hereafter “Chapter 980 person”) is committed to the Sand Ridge Secure Treatment Center in Mauston, Wisconsin until the individual reaches the point in their treatment and rehabilitation that a court determines it is appropriate for them to reside in the community, and

WHEREAS, Douglas County, Wisconsin, pursuant to Wis. Stat. § 980.08(4)(dm), is responsible for establishing a temporary committee to submit a report to the Wisconsin Department of Human Services identifying an appropriate residential option in Douglas County when the court orders the supervised release of a Douglas County Chapter 980 person, and

WHEREAS, the temporary committee has 120 days to submit a report to the Department of Health Services pursuant to Wis. Stat. 980.08(4)(dm)(4) following the court order. Failure to do

so may result in exemplary damages relating to Wis. Stat. 51.61(7), of not less than \$100 nor more than \$1,000 for each violation, and

WHEREAS, Douglas County was notified that a Douglas County Chapter 980 person had been granted supervised release in December of 2022 and the Douglas County Chapter 980 Ad Hoc Committee was formed to find a residential option, and

WHEREAS, Douglas County Chapter 980 Ad Hoc Committee has concluded that Douglas County owns no property that meets the statutory criteria for housing a Chapter 980 person and has been unable to secure any private vendor interest in purchasing a property for said purpose, and

WHEREAS, Douglas County Chapter 980 Ad Hoc Committee, after weighing safety of the public and public costs, has recommended that Douglas County purchase property that meets the statutory criteria for housing a Chapter 980 person and lease said property to the Wisconsin Department of Human Services.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors, in regular meeting assembled, authorizes \$200,000 from ARPA funds to purchase a property to lease to the Wisconsin Department of Human Services to house the Douglas County Chapter 980 person that has been court ordered for supervised release pursuant to Wis. Stat. §980.08(4)(dm).

Dated this 16th day of November, 2023.

*Committee Action: Unanimous
Fiscal Note: Within ARPA remaining budget
Administrative Note: Two-thirds vote of Board-elect required*

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| LAST REVISED 6-16-23 | | | | | |

RESOLUTION #63-23
WDNR Grant Programs Participation Authorized
(County Conservation Aids)

**PRESENTED BY THE FOREST, PARKS AND
RECREATION COMMITTEE**

WHEREAS, Douglas County is interested in developing, improving, and maintaining fish and wildlife resources and habitats, and

WHEREAS, said fish and wildlife project work is eligible for up to 50% cost-share funds under Section 23.09(12) of the Wisconsin Statutes and Chapter NR 50 of the Wisconsin Administrative Code, and

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Forest, Parks and Recreation Committee and hereby authorizes Douglas County's application for funds under Section 23.09(12) of the Wisconsin Statutes and Chapter NR 50 of the Wisconsin Administrative Code, for such eligible fish and wildlife related project work.

BE IT FURTHER RESOLVED that Douglas County will comply with all local, state, and federal rules, regulations, and ordinances relating to project work, all County Conservation Aid program requirements, and meet all financial obligations awarded under the grant.

BE IT FURTHER RESOLVED that the Director of Forestry and Natural Resources, Douglas County Forestry Department staff, or designee, be hereby authorized to act on behalf of Douglas County as sole signatory and/or submitter for all grant applications and related documents submitted to the State of Wisconsin Department of Natural Resources for any financial aid that may be available through the County Conservation Aids program; including but not limited to agreements, contracts, reports, reimbursement requests, and any other documents required to complete program work, and to take necessary action to undertake, direct and complete any approved projects.

Dated this 16th day of November, 2023.

Committee Action: Unanimous
Fiscal Note: None

RESOLUTION NO.: 46—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

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As a result of Wisconsin State law, counties possess limited authority to regulate solar energy systems in their community.

The regulation of solar energy systems is generally dependent on size, with smaller solar energy systems being subject to Wis. Stat. § 66.0401(1m) and larger solar energy systems (those above 100 megawatts) being subject to Wisconsin Public Service Commission (PSC) standards.

While Wis. Stat. § 66.0401(1m) provides a mechanism for counties to consider areas of local concern, it provides little ability for counties to restrict or even deny a project based on local concerns from residents, environmental impact, or economic impact. Within Wis. Stat. § 66.0401(1m), terms like “public health” or “safety” are undefined, a clear evidentiary threshold was never included; and, while found within Wis. Stat. § 59.69, the term “welfare” was not included with the reason for its omission uncertain.

Public utilities and private developers are using a loophole in Wis. Stat. 196.491(3)(d) 2 and 3 that exempts wholesale merchant plants from meeting the same standards as public utility companies in order to receive their Certificate of Public Convenience and Necessity (CPCN) and then immediately turn around and sell the project to a public utility company.

The State has given planning and zoning authority to the County through Wis. Stat. § 59.69, specifically in order to “promote the public health, safety, convenience and general welfare; to encourage planned and orderly land use development; to protect property values and the property tax base” and to “preserve wetlands; conserve soil, water, and forest resources; to protect the beauty and amenities of landscape and man-made developments; to provide healthy surroundings for family life.” However, when it comes to utility-scale solar, the County process and authority is completely circumvented.

The Outagamie County Planning Staff and Zoning Committee both request the State of Wisconsin revise the Solar Energy System Law.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning, and Land Conservation Committee recommend adoption of the following resolution.

39 BE IT RESOLVED, that the Outagamie County Board of Supervisors, hereby requests that
40 the Wisconsin State Legislature revise Wis. Stat. § 66.0401(1m) and Wis. Stat. § 196.491 as
41 follows in order to grant Wisconsin counties the authority to responsibly site utility-scale solar
42 installations in order to maintain orderly planning and comply with the statutory requirement laid
43 out in Wis. Stat. § 66.1001(3) to adhere to the objectives, goals, and policies contained in the
44 County’s comprehensive plan:

~~66.0401(1m) Authority to restrict systems limited. No political subdivision may place any restriction, either directly or in effect, on the installation or use of a wind energy system that is more restrictive than the rules promulgated by the Commission under s. 196.378 (4g) (b). No political subdivision may place any restriction, either directly or in effect, on the installation or use of a solar energy system, as defined in s. 13.48 (2) (h) 1. g., or a wind energy system, unless the restriction satisfies one of the following conditions:~~

- ~~(a) Serves to preserve or protect the public health or safety.~~
- ~~(b) Does not significantly increase the cost of the system or significantly decrease its efficiency.~~
- ~~(c) Allows for an alternative system of comparable cost and efficiency.~~

~~196.491(3)(d)2 Except as provided under par. (e), the commission shall approve an application filed under par. (a) 1. For a certificate of public convenience and necessity only if the commission determines all of the following:~~

~~2. The proposed facility satisfies the reasonable needs of the public for an adequate supply of electric energy. This subdivision does not apply to a wholesale merchant plant.~~

~~3. The design and location or route is in the public interest considering alternative sources of supply, alternative locations or routes, individual hardships, engineering, economic, safety, reliability and environmental factors, except that the commission may not consider alternative sources of supply or engineering or economic factors if the application is for a wholesale merchant plant. In its consideration of environmental factors, the commission may not determine that the design and location or route is not in the public interest because of the impact of air pollution if the proposed facility will meet the requirements of ch. 285.; and~~

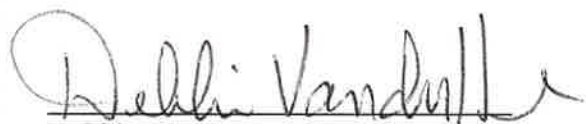
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77 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a
78 certified copy of this resolution to Governor Tony Evers, the Outagamie County Lobbyist for
79 distribution to all members of the State Legislature representing Outagamie County, the Wisconsin
80 Counties Association and an electronic copy to all Wisconsin County Clerks.

81 Dated this 26th day of September 2023

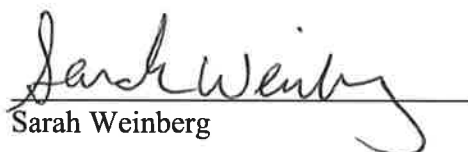
82 Respectfully Submitted,

83 AGRICULTURE, EXTENSION
84 EDUCATION, ZONING AND LAND
85 CONSERVATION COMMITTEE
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91 Debbie Vander Heiden


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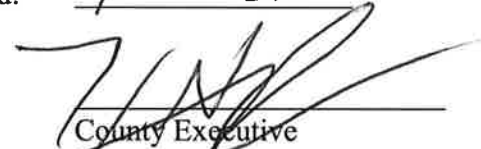
Duly and officially adopted by the County Board on: September 26, 2023

106 Signed: 
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108 Board Chairperson


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110 County Clerk

111 Approved: 9 28 23

Vetoed: _____

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114 Signed: 
115 County Executive

CORRESPONDENCE B

A settlement has been reached in a class-action lawsuit against McKinsey & Company, Inc. and related entities claiming that McKinsey played a central role in the opioid crisis by advising opioid manufacturers and other industry participants how to sell as many prescription opioids as possible. McKinsey denies the allegations. This Notice summarizes your rights and options regarding the Settlement.

If you are a (1) General Purpose Government (including a municipality, county, county subdivision, city, town, township, parish, village, borough, gore, or any other entity that provides municipal-type government), (2) Special District within a State, or (3) any other subdivision, subdivision official (acting in an official capacity on behalf of the subdivision), or sub-entity of a State, then you might be part of the Class. If you are a sub-entity of Indiana, American Samoa, the Commonwealth of Guam, the Commonwealth of the Northern Mariana Islands, or the U.S. Virgin Islands, or a school district, then you are not part of the Class.

A \$207 million settlement fund will be allocated among Class Members using the formula for payments to Subdivisions from the prior Opioids settlements, and will pay attorneys' fees and costs as awarded by the Court. The fees and costs will not exceed 15% of the fund. If you want to be represented by your own lawyer in this case, you may hire one at your own expense.

For complete information on the Settlement, including allocation formulas, visit the Settlement website at www.McKinseySubdivisionClassAction.com.

WHAT ARE YOUR RIGHTS AND OPTIONS? You do not need to take any action to receive your share of the Settlement. If you were eligible to receive distributions under the MDL 2804 national opioid settlements, then you may be eligible to receive them here. If you want to keep your rights to sue McKinsey on any opioid-related claims, you must exclude yourself from the Class by **January 5, 2024**, by visiting www.McKinseySubdivisionClassAction.com and following the instructions to submit an "exclusion request."

THIS IS ONLY A SUMMARY. For more information, the Settlement terms and your rights and options, visit www.McKinseySubdivisionClassAction.com, contact the administrator at 1-888-575-4125, or write McKinsey Opiate Consultant Litigation, PO Box 2200, Portland, OR 97208-2200, call Class Counsel Robbins Geller at (800) 449-4900 or email settlementinfo@rgdlaw.com, or contact your counsel if you filed a case against McKinsey.

PLEASE DO NOT CONTACT THE COURT OR MCKINSEY FOR INFORMATION OR ADVICE.
A/J3762 v 03

McKinsey Opiate Consultant Litigation
Notice Administrator
PO Box 2200
Portland, OR 97208-2200

PRESORTED
FIRST-CLASS MAIL
AUTO
U.S. POSTAGE
PAID
PORTLAND, OR
PERMIT NO 2882

*In re McKinsey & Co., Inc. National
Prescription Opiate Consultant Litigation*
Case No. 3:21-md-02996-CRB (N.D. California)
**IF YOU ARE A POLITICAL SUBDIVISION
YOU MAY BE ENTITLED TO RECEIVE
A PAYMENT FROM AN OPIOIDS CLASS
ACTION SETTLEMENT**
A federal court authorized this Notice. You are
not being sued.
This is not a solicitation from a lawyer.



400675330000086378
DOUGLAS COUNTY
1313 BELKNAP ST
SUPERIOR WI 54880-2779





Living up to our name.

Douglas County
1313 Belknap St Rm 101
Superior, WI 54880

Assessor's Office

1316 North 14th Street
2nd Floor
Superior, WI 54880

Phone: (715) 395-7222
Fax: (715) 395-7292
TTY: (715) 395-7521
Website: www.ci.superior.wi.us

RECEIVED

NOV 07 2023

KACI JO LUNDGREN
COUNTY CLERK

REQUEST TO VIEW PROPERTY NOTICE

Dear Property Owner,

October 26, 2023

Associated Appraisal Consultants, Inc. has been retained by the City of Superior to complete a revaluation of all taxable residential property for the 2024 assessment year. The revaluation will establish new assessed values in an equitable fashion for all properties in the municipality as of January 1, 2024.

To make an accurate assessment, it is necessary for Associated Appraisal to conduct an exterior view of all residences in the city. It will not be necessary to review the interior of any buildings unless there is new construction or a building permit has been taken out for a remodel of the interior of your property. If any of these changes have occurred since your last interior inspection, this notice is an official request to view the interior of your residence so we can properly assess your property. If these facts exist, making an interior view necessary, please contact us if you are refusing to allow the interior inspection.

The assessors will begin working in the city in two stages visiting a portion of the community in the fall and the remainder in the spring. All staff members from Associated Appraisal will carry a letter of introduction from the City of Superior, a photo ID and drive a vehicle displaying the Associated Appraisal company name. If no one is home when visiting a property, a door hanger will be placed on the main entrance to let you know we were on your property. No further action is needed after this tag is hung unless you have interior changes. If you own rental property in the city, please inform your tenants that we will be visiting that property soon so we can have their full cooperation for this review.

Notices of Assessment will be mailed when the property reviews are complete, and an assessment is determined for each property. Property owners will have an opportunity to discuss the assessed values with an assessor at the Open Book session. After the Open Book session, property owners can appeal an assessment to the Board of Review. The Notice of Assessment will contain the Open Book and Board of Review dates. Property assessment and appeal information is available at: <http://www.revenue.wi.gov/pubs/slf/pb060.pdf>.

Associated Appraisal and the City of Superior appreciate your cooperation. We have included property owner rights and a list of common assessment questions on the back side of this notice for your review. Should you have any additional questions, please call (920) 749-1995 to speak with one of our knowledgeable assessors.

Thank you for your help in creating a successful 2024 Revaluation Program.

Sincerely,

Associated Appraisal Consultants, Inc.

PROPERTY OWNER RIGHTS

Section 70.32 of the Wisconsin Statutes states, the value of real property should be based on "actual view." If an assessor is not allowed access to view a property, the assessment value is based on "the best information that the assessor can practicably obtain ..." This means an assessor must estimate the value of property using the information they have available to them.

To ensure receiving a complete and accurate valuation, it benefits the homeowner to allow the assessor access to view the interior of their residence. For the purposes of valuation if access is denied, the assessor will then base the valuation on the next best information available. However, if facts exist making an interior view necessary to complete an accurate valuation, the assessor may seek a special inspection warrant per section 66.0119 of the Wisconsin Statutes to view the interior of the home.

Section 70.05(4n) of the Wisconsin statutes requires the following notice:

You have the right to refuse entry onto your residence pursuant to section 70.05(4m) of the Wisconsin statutes. Entry to view your property is prohibited unless voluntarily authorized by you. Pursuant to section 70.05(4m) of the Wisconsin statutes, you have the right to refuse a visual inspection of the interior of your residence and your refusal to allow an interior inspection of your residence will not be used as the sole reason for increasing your property tax assessment. Refusing entry to your residence also does not prohibit you from objecting to your assessment pursuant to section 70.47(7) of the Wisconsin statutes.

COMMON ASSESSMENT QUESTIONS

Some of my neighbors have told me the only reason for the reassessment is to raise taxes. Is this true?

No. A reassessment has no impact on the total amount of taxes collected. However, it may change your property's percentage share of total taxes collected to increase, decrease, or have a minimal effect.

How does the assessor value property?

Wisconsin law requires that property assessments be based on Fair Market Value. Estimating the market value of your property is a matter of determining the price a typical buyer would pay for it in its present condition. Some factors the assessor considers are what similar properties are selling for; what it would cost to replace your property; the rent it may earn; and any other factors that affect value. It is important to remember that the assessor does not create assessed value, but rather interprets what is happening in the marketplace through real estate sales.

What can I do to ensure a fair and reasonable assessed value for my property?

Even with the best of care and intentions, errors are possible. Inform the assessor of any problems that might affect market value. There will be an opportunity to discuss your assessment with the assessor at the Open Book. Should you feel your assessment is in error, bring to the Open Book any documentation that supports your opinion of value. Property owners will be notified if there is a change to their assessment when the project is completed. If the discussion with the assessor does not resolve your concerns, a Board of Review will be held where you can again present sales or other market value evidence that shows the assessment to be in error.

Do all assessments change at the same rate?

No, not necessarily. There are differences between individual properties and between neighborhoods. In one area, the sales may indicate a substantial increase in value each year. Yet in another neighborhood for example, there may be no change in value, or even a decrease in property values. Different types of properties within the same neighborhood may also show different value changes. For example, one-story houses may be more in demand than two-story houses, or vice versa. Older homes in the same area may be rising in value more slowly than newer homes. Perhaps the older style homes that have been traditionally selling low are now selling much higher. There are numerous factors to be considered in each property, which will cause the values to differ. Some of the factors which can affect value are location, condition, size, quality, number of baths, number of bedrooms, basement finish, garages, overall condition as well as many others.

What is the bottom line?

Assessments are required by state law and are mandatory. The real issue is whether your property is assessed at the statutory required market value. Look at your final assessment after the revaluation. If it appears to be an accurate value when compared to sales of similar property, then it probably is a fair assessment. If, in your opinion, it does not reflect the market value of your property when compared to sales of similar properties, you should talk to our assessment staff. We may be able to provide information or take further action to resolve your concerns.