

MARQUETTE COUNTY BOARD OF SUPERVISORS

Agenda for June 18, 2024, at 7:00 p.m.

Virtual by use of WebEx and in-person

County Board Room – Services Center – 480 Underwood Avenue, Montello, Wisconsin

The MIS Director will place the remote access information on the Marquette County Government page on Facebook at least one day prior to this meeting.

<https://marquettecounty.my.webex.com/marquettecounty.my/j.php?MTID=m7f983396819598bf0e0aa7694a849d97>

Meeting number (access code): 2552 062 0127

Meeting password: 8hEnmV8VMB9 (84366888 when dialing from a phone or video system)

Phone: 1-408-418-9388

Note: A citizen wishing to address the Committee/Board and attending the in-person meeting shall place his or her name on a sign-in sheet before the meeting is called to order and indicate in which town, city, or village the citizen resides or owns property prior to making a citizen comment. Those citizens attending remotely will ask to be recognized under the citizen comment portion of the meeting and will adhere to the same reporting process as those attending on-site. Civil discourse will be observed at all times.

Note: All agenda items below involve the potential for discussion and action unless stated otherwise. Reports will have no action taken unless noted.

1. Call to Order and Roll Call
2. Moment of Silence and Pledge of Allegiance
3. Review and Approve Agenda
4. Review and Approve Minutes from the May 21, 2024 and May 28, 2024 County Board Meetings
5. Citizen Inquiries and Concerns, Introductions, Employee Recognition
6. Standing Committee Reports and Other Informational Reports:
 - A. Agriculture & Extension Education Committee
 - B. Land & Water Conservation Committee
 - C. Highway Committee
 - D. Executive & Finance Committee
 - E. Parks & Rural Planning Committee
 - F. Property Committee
 - G. Judicial & Public Safety Committee
 - H. Planning & Zoning Committee
 - I. Human Services Board
 - J. Board of Health
 - K. Other Reports by Members of the Board
7. Consent Agenda- Appointments to Winnefox Library Board, Land Information Council, and Consideration of Resolutions 23-2024 through 25-2024
8. Separate Consideration of Resolutions 26-2024 through 28-2024
9. Fiscal and Personnel Reports, Correspondence, Grant Updates
10. Corporation Counsel Report
11. Announcements & Calendar Planning for July- WCA Dates Reminder- September 22-24 in La Crosse
12. Adjournment Subject to the Call of the Chairperson

Anyone who requires special accommodation because of disability please contact the County Clerk's office, (608) 297-3016, at least 24 hours before the scheduled meeting time so appropriate arrangements can be made.

Agenda item # 7- Consent Agenda

The motion, provided no member chooses to pull individual matters described off the Consent Agenda, would be:

Move to approve Resolutions 23-2024 through 25-2024 and to confirm the citizen appointment of Lloyd Moberg to the Winnefox Library Board to fill the unexpired open vacancy- term to expire 12/2025, the Land Information Council with membership term length of County Board representation and Real Estate representative to be concurrent with term of County Board: Land Information Department Director/Real Property List (Council Chair)-Megan Stalker, County Treasurer-Jody Myers, Register of Deeds-Nicole Ziebell, Emergency Management Director- Lt. Aaron Williams, Land and Water Conservationist-Pat Kilbey, Zoning Administrator-Jean Potter, Surveyor- Jerry Smart, County Board Representative- Judi Nigbor (April 2026), Real Estate Representative- John Mevis (April 2026)

Resolution 23-2024: If adopted, the Marquette County Board of Supervisors approves 2.85 acres owned by Thomas and Brittany Lyon, Section 9 and 16, Town of Westfield, will be rezoned to AG-3(2) and 37.15 acres to the FPO District.

Resolution 24-2024: If adopted, the Marquette County Board of Supervisors approves 4 acres owned by Margery McCluskey Section 24 and 25, Town of Moundville, will be rezoned to AG-3(2) and 36 acres to the FPO District.

Resolution 25-2024: If adopted, the Marquette County Board of Supervisors approves an amendment to the County Planned Land Use Map designating an additional 620 acres to be a Farmland Preservation Area.

Agenda item # 8- Consideration of Separate Resolutions

Resolution 26-2024: If adopted, the Marquette County Board of Supervisors approves an amendment to Marquette County Code of Ordinances Chapter 1, General Provisions, adopting Wisconsin State Statute 75.35(3), as well as allowing all former owners the right of redemption in accordance with the Statute.

Resolution 27-2024: If adopted, the Marquette County Board of Supervisors authorizes Marquette County to Enter into the Settlement Agreement with The Kroger Co. and agree to the terms of Addendum Two to the MOU Allocating Settlement Proceeds.

Resolution 28-2024: If adopted, the Marquette County Board of Supervisors authorizes the Marquette County Administrator to sign Addendum Two to Wisconsin Local Government Memorandum of Understanding on behalf of Marquette County per the Settlement Agreement.

MARQUETTE COUNTY, WISCONSIN

ZONING AMENDMENT- TOWN OF WESTFIELD

YES NO

	1	2
Achterberg	☐	☐
Bennett	☐	☐
Benson	☐	☐
Borzick	☐	☐
Bornhoeft	☐	☐
Fenner	☐	☐
Frazer	☐	☐
Krause	☐	☐
Krentz	☐	☐
Locke	☐	☐
McGwin	☐	☐
Nigbor	☐	☐
Raddatz	☐	☐
Sorensen	☐	☐
Swan	☐	☐
Walters	☐	☐

VOTE TALLY

YES _____

NO _____

ABSENT _____

ABSTAIN _____

Committee Recommendation:
Planning & Zoning Committee

I, Kiley Lloyd, County Clerk of Marquette County, Wisconsin do hereby certify that the above is a true and correct copy of the resolution passed by the Marquette County Board of Supervisors on this date.

WHEREAS, the Marquette County Board of Supervisors has been petitioned to amend the Marquette County Zoning Ordinance, and

WHEREAS, the petition has been referred to the Marquette County Planning and Zoning Committee for public hearing, and

WHEREAS, the Marquette County Planning and Zoning Committee on due notice conducted a public hearing on the proposed amendment and filed their recommendation to the Board.

WHEREAS, the proposed amendment and recommendation of the Planning and Zoning Committee have been given due consideration by the Board in open session.

WHEREAS, the Board finds the following:

1. The land is better suited for a use not allowed in the AG-1 district.
2. The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or legally restricted to agricultural use.
3. The rezoning is consistent with the applicable town and County comprehensive plans, including the farmland preservation plan component of the County Comprehensive Plan.

NOW THEREFORE, the Marquette County Board of Supervisors do ordain as follows:

The Marquette County Code or Ordinances Chapter 70-Zoning and the accompanying map are amended in the following respect: Part of the NE1/4-NE1/4 less CSM 1152, Section 16 and part of the SE1/4-SE1/4, Section 9, T16N R8E, Town of Westfield, containing 40 acres more or less is rezoned from Prime Agriculture (AG-1) with 2.85 acres rezoned to Agriculture Residential (AG-3(2)) and the remaining 37.15 acres to the Farmland Preservation Overlay (FPO) District.

REPORT OF THE PLANNING AND ZONING COMMITTEE TO THE COUNTY
BOARD ON PUBLIC HEARING ON PETITION TO AMEND THE
MARQUETTE COUNTY ZONING ORDINANCE

TO THE COUNTY BOARD OF MARQUETTE COUNTY:

The Marquette County Planning and Zoning Committee having considered the petition to amend the Marquette County Code of Ordinances Chapter 70-Zoning filed by **Thomas and Brittney Lyon** on the 5th day of June, 2024 to rezone from Prime Agriculture (AG-1) to an Agriculture Residential (AG-3(2)) and Farmland Preservation (FPO) District

the following described lands:

Part of the NE/4-NE1/4 less CSM 1152, Section 16 and part of the SE1/4-SE1/4, Section 9, T16N R8E, Town of Westfield, containing 40 acres more or less with 2.85 acres rezoned to AG-3(2) and the remaining 37.15 acres to the FPO District.

and having held public hearing thereon, pursuant to Section 59.69, Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed and duly advised of the wishes of the people in the area affected hereby recommends as follows:

That the petition for amendment by Thomas and Brittney Lyon be approved.

Dated this 6th day of June, 2024

MARQUETTE COUNTY PLANNING AND ZONING
COMMITTEE

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO THE MARQUETTE COUNTY ZONING ORDINANCE

NOTICE IS HEREBY GIVEN that a public hearing will be held on the 5th day of June 2024 at 4:30 PM on the proposed amendment to the Marquette County Code of Ordinances Chapter 70-Zoning. The hearing will be in person with an option to join virtually. In person will be in the County Board Room of the Marquette County Services Center, 480 Underwood Avenue, Montello, WI 53949. Virtual meeting will be available remotely using Webex (Meeting number (access code): 2556 455 1377. Meeting password: 6PYpeGEQV92 (67973437 from phones and video systems) or dial in 1-408-418-9388.

Join from the meeting link

<https://marquettecounty.my.webex.com/marquettecounty.my/j.php?MTID=m969e2189413859ba43e59503065c9897>

Thomas and Brittney Lyon, W7141 Eagle Ave, Westfield, WI 53964 are requesting a rezoning from a Prime Agriculture (AG-1) to an Agriculture Residential (AG-3(2)) and Farmland Preservation (FPO) District for the following lands:

Part of the NE1/4-NE1/4 lsses CSM 1152, Section 16 and part of the SE1/4-SE1/4, Section 9, T16N R8E, Town of Westfield, containing 40 acres more or less with 2.85 acres rezoned to AG-3(2) and the remaining 37.15 acres to the FPO District.

The petition to amend said ordinance is on file in the Planning, Zoning and Land Information Office of Marquette County, Montello, WI.

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO THE MARQUETTE COUNTY ZONING ORDINANCE

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Thomas and Brittney Lyon, W7141 Eagle Ave, Westfield, WI 53964 are requesting a rezoning from a Prime Agriculture (AG-1) to an Agriculture Residential (AG-3(2)) and Farmland Preservation (FPO) District for the following lands:

Part of the NE1/4-NE1/4 lsses CSM 1152, Section 16 and part of the SE1/4-SE1/4, Section 9, T16N R8E, Town of Westfield, containing 40 acres more or less with 2.85 acres rezoned to AG-3(2) and the remaining 37.15 acres to the FPO District.

The petition to amend said ordinance is on file in the Planning, Zoning and Land Information Office of Marquette County, Montello, Wisconsin or on the webpage at <http://www.co.marquette.wi.us/departments/zoning>.

Dated this 26th day of April, 2024.

Publish: 5/23/24, 5/30/24 WNAXLP

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Brenda Petersen
201 Fredrick Drive
Westfield, WI 53964



9590 9402 4535 8278 2415 11

2. Article Number (Transfer from service label)

7019 2970 0002 2847 9412

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ Agent ☐ Addressee
- B. Received by (Printed Name) ☐ Date of Delivery
- C. Received by (Printed Name) ☐ Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes ☐ No
- If YES, enter delivery address below:

3. Service Type
- ☐ Priority Mail Express®
 - ☐ Adult Signature
 - ☐ Registered Mail™
 - ☐ Registered Mail Restricted Delivery
 - ☒ Certified Mail®
 - ☐ Certified Mail Restricted Delivery
 - ☐ Certified Mail Delivery
 - ☐ Collect on Delivery
 - ☐ Collect on Delivery Restricted Delivery
 - ☐ Signature Confirmation™
 - ☐ Signature Confirmation Restricted Delivery
 - ☐ Return Receipt for Merchandise
 - ☐ Return Receipt for Restricted Delivery

Domestic Return Receipt

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

Brenda Petersen

Street and Apt. No., or PO Box No.

201 Fredrick Drive

City, State, ZIP+4®

Westfield, WI 53964

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Prepaid Mail

1

\$0.00

Westfield, WI 53964

Weight: 0 lb 1.40 oz

Acceptance Date:

Mon 04/29/2024

Tracking #:

70192970000228479412

Grand Total:

\$0.00

Lyon rezone



1 inch equals 376 feet



MARQUETTE COUNTY
WISCONSIN

Current Time: 4/26/2024 10:34 AM

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.



608-296-2462

109 S. MAIN ST. • PO BOX 194
WESTFIELD, WI 53964

STEVE@ROBINSONREALTYCOMPANY.COM



Westfield

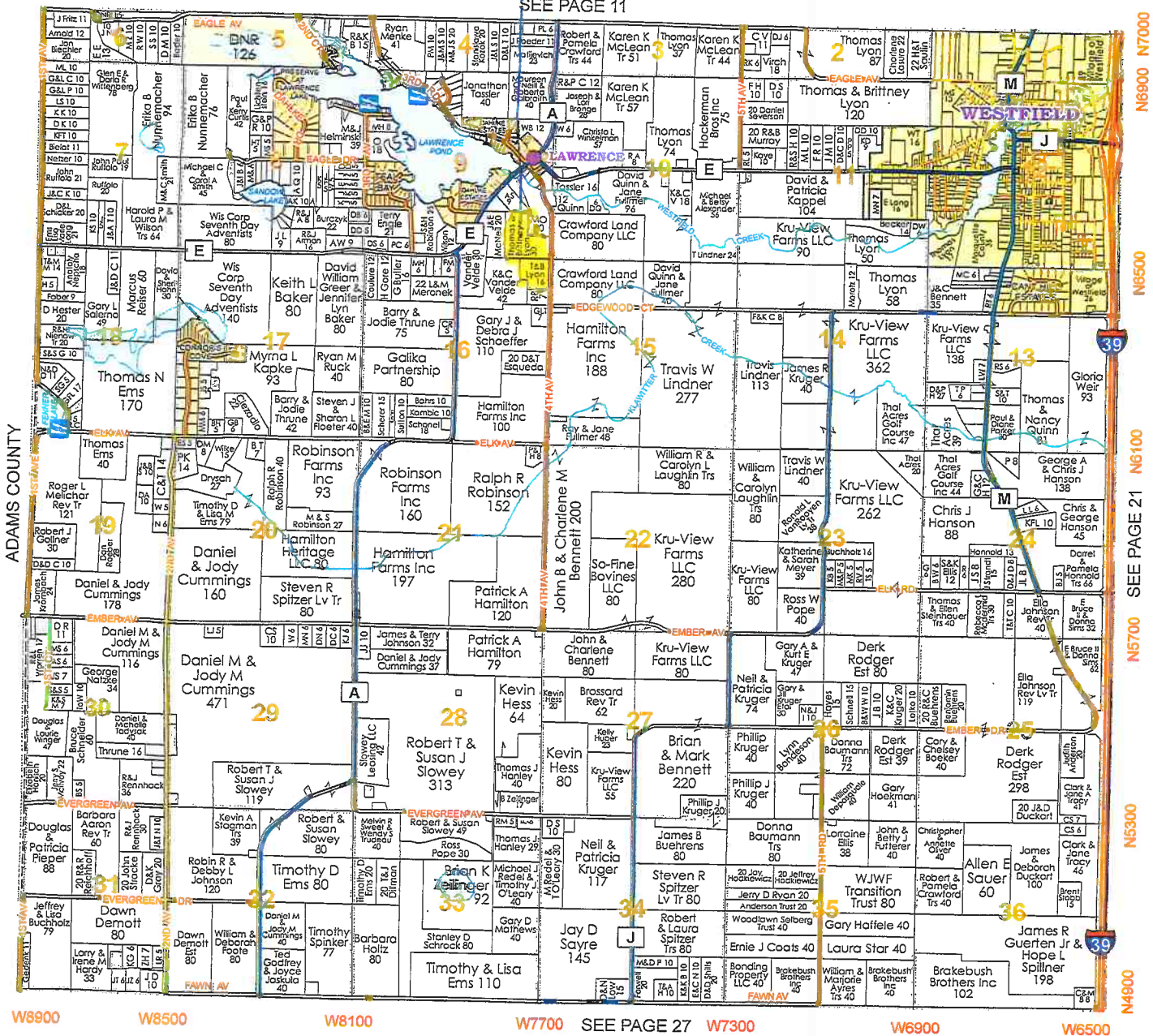
028-00567-0000

028-00418-0000

Township 16N - Range 8E

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SEE PAGE 11



W8900

W8500

W8100

W7700

SEE PAGE 27

W7300

W6900

W6500

N8900 N7000

N8500

N6100
SEE PAGE 21

N5700

N5300

N4900

The Marquette County Code or Ordinances Chapter 70-Zoning and the accompanying map are amended in the following respect: The SE1/4-SE1/4, less the west 6 acres, Section 24 and part of the NE1/-NE1/4, Section 25, T14N R9E, Town of Moundville, containing 40 acres more or less is rezoned from Prime Agriculture (AG-1) with 4 acres rezoned to Agriculture Residential (AG-3(2)) and the remaining 36 acres to the Farmland Preservation Overlay (FPO) District. (FPO) District.

REPORT OF THE PLANNING AND ZONING COMMITTEE TO THE COUNTY
BOARD ON PUBLIC HEARING ON PETITION TO AMEND THE
MARQUETTE COUNTY ZONING ORDINANCE

TO THE COUNTY BOARD OF MARQUETTE COUNTY:

The Marquette County Planning and Zoning Committee having considered the petition to amend the Marquette County Code of Ordinances Chapter 70-Zoning filed by **Margery McClusky** on the 5th day of June, 2024 to rezone from Prime Agriculture (AG-1) to an Agriculture Residential (AG-3(2)) and Farmland Preservation (FPO) District

the following described lands:

The SE1/4-SE1/4, less the west 6 acres, Section 24 and part of the NE1/-NE1/4, Section 25, T14N R9E, Town of Moundville, containing 40 acres more or less with 4 acres rezoned to AG-3(2) and the remaining 36 acres to the FPO District.

and having held public hearing thereon, pursuant to Section 59.69, Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed and duly advised of the wishes of the people in the area affected hereby recommends as follows:

That the petition for amendment by Margery McCluskey be approved.

Dated this 6th day of June, 2024

MARQUETTE COUNTY PLANNING AND ZONING
COMMITTEE

NOTICE OF PUBLIC HEARING
ON PROPOSED AMENDMENT TO THE
MARQUETTE COUNTY ZONING ORDINANCE

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Join from the meeting link

<https://marquettecounty.my.webex.com/marquettecounty.my/j.php?MTID=m969e2189413859ba43e59503065c9897>

Margery MCCLUSKEY, N7730 Carimaunee Dr, Portage, WI 53901 is requesting a rezoning from a Prime Agriculture (AG-1) to an Agriculture Residential (AG-3(2)) and Farmland Preservation (FPO) District for the following lands:

The SE1/4-SE1/4, less the west 6 acres, Section 24 and part of the NE1/-NE1/4, Section 25, T14N R9E, Town of Moundville, containing 40 acres more or less with 5 acres rezoned to AG-3(2) and the remaining 36 acres to the FPO District.

The petition to amend said ordinance is on file in the Planning, Zoning and Land Information Office of Marquette County, Montello, Wisconsin or on the webpage at <http://www.co.marquette.wi.us/departments/zoning>.

Dated this 26th day of April, 2024.

Publish: 5/23/24, 5/30/24 WNAXLP

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tammy Cummings
W 6862 Cty Rd P
Endeavor, WI 53930



9590 9402 4535 8278 2415 28

2. Article Number (Transfer from service label)

7019 2970 0002 2847 9405

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☐ Agent

☒ Addressee

B. Received by (Printed Name)

D. Is delivery address different from item 1? ☐ Yes

☐ No

If YES, enter delivery address below:

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☐ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

NOTICE OF PUBLIC HEARING
ON PROPOSED AMENDMENT TO THE
MARQUETTE COUNTY ZONING ORDINANCE

NOTICE IS HEREBY GIVEN that a public hearing will be held on the 5th day of June 2024 at 4:30 PM on the proposed amendment to the Marquette County Code of Ordinances Chapter 70-Zoning. The hearing will be in person with an option to join virtually. In person will be in the County Board Room of the Marquette County Services Center, 480 Underwood Avenue, Montello, WI 53949. Virtual meeting will be available remotely using Webex (Meeting number (access code): 2556 455 1377. Meeting password: 6PYpeGEQV92 (67973437 from phones and video systems) or dial in 1-408-418-9388.

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<https://marquettecounty.my.webex.com/marquettecounty.my/j.php?MTID=m969e2189413859ba43e59503065c9897>

Margery MCCLUSKEY, N7730 Carimaunee Dr, Portage, WI 53901 is requesting a rezoning from a Prime Agriculture (AG-1) to an Agriculture Residential (AG-3(2)) and Farmland Preservation (FPO) District for the following lands:

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The petition to amend said ordinance is on file in the Planning, Zoning and Land Information Office of Marquette County, Montello, Wisconsin or on the webpage at <http://www.co.marquette.wi.us/departments/zoning>.

Dated this 26th day of April, 2024.

Publish: 5/23/24, 5/30/24 WNAXLP

McCluskey rezone



1 inch equals 752 feet



MARQUETTE COUNTY
WISCONSIN

Current Time: 4/26/2024 10:14 AM

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.



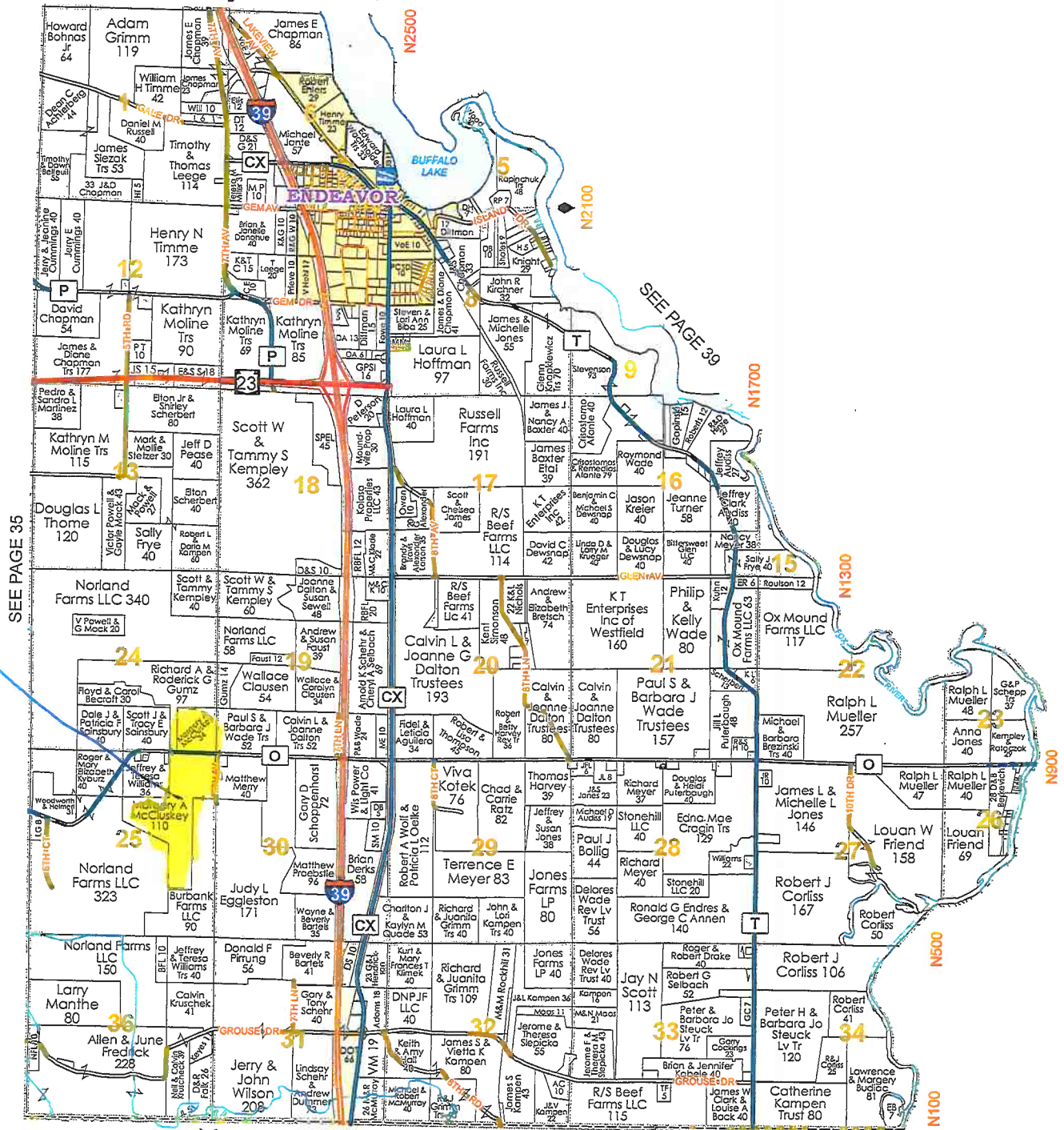
Moundville

Township 14N - Ranges 8E & 9E

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SEE PAGE 27

SEE PAGE 29



W6900

R8E R9E
W6500

W6100

W5700

W5300

W4900

COLUMBIA COUNTY

ROLL CALL - COUNTY BOARD OF SUPERVISORS

MARQUETTE COUNTY, WISCONSIN

June 18, 2024, Session Resolution 25-2024

ROLL CALL

ORDINANCE TO AMEND THE MARQUETTE COUNTY COMPREHENSIVE PLAN

SUPERVISORS

	YES	NO
Achterberg	☐	☐
Bennett	☐	☐
Benson	☐	☐
Borzick	☐	☐
Bornhoeft	☐	☐
Fenner	☐	☐
Frazer	☐	☐
Krause	☐	☐
Krentz	☐	☐
Locke	☐	☐
McGwin	☐	☐
Nigbor	☐	☐
Raddatz	☐	☐
Sorensen	☐	☐
Swan	☐	☐
Walters	☐	☐

ADOPTED ☐
DEFEATED ☐

VOTE TALLY

YES	_____
NO	_____
ABSENT	_____
ABSTAIN	_____

INTRODUCED BY:

Committee Recommendation:
Planning & Zoning Committee

STATE OF WISCONSIN)
) SS
County of Marquette)

I, Kiley Lloyd, County Clerk of Marquette County, Wisconsin do hereby certify that the above is a true and correct copy of the resolution passed by the Marquette County Board of Supervisors on this date.

Date _____
Kiley Lloyd, County Clerk

The Marquette County Board of Supervisors, does ordain as follows:

SECTION 1. Pursuant to section 59.69(3)(a) of Wisconsin Statutes, Marquette County is authorized to amend the County comprehensive plan as defined in sections 66.1001(1)(a) and 66.1001(2) of Wisconsin Statutes.

SECTION 2. The Marquette County Planning and Zoning Committee, by a majority vote of the Committee recorded in its official minutes, has approved amendments to the Planned Land Use Maps for the Towns of Mekan and Montello.

SECTION 3. The Planning and Zoning Committee has held at least one public hearing on this ordinance, in compliance with the requirements of section 66.1001(4)(d) of Wisconsin Statutes and provided opportunities for public involvement per its adopted public participation strategy and procedures.

SECTION 4: The Marquette County Board of Supervisors, does, by enactment of this ordinance, formally adopt the attached Planned Land Use Map amendments for the Towns of Mekan and Montello pursuant to section 66.1001(4)(c) of Wisconsin Statutes.

SECTION 5. This ordinance shall take effect upon passage by a majority vote of the Marquette County Board of Supervisors and publication/posting as required by law.

Town of Mekan Planned Land Use Amendments:

Part of the fractional SW1/4, part of the N1/2 of the fractional SW1/4, part of the S1/2 of the fractional SW1/4, SW1/4-NE1/4, fractional SW1/4-NW1/4, SE1/4-NW1/4, part of CSM 1687, Lots 63, 64 and 65 White Lake Country Club, Section 7, T15N R11 E, Town of Mekan, containing 205.79 acres more or less is changed from Mixed Residential and Rural Lands to a Farmland Preservation Area.

Town of Montello Planned Land Use Amendments:

SW1/4-SW1/4, SE1/4-SW1/4, Section 12, NE1/4-NW1/4, SE1/4-NW1/4, Section 13, W1/2 of the NW1/4-NE1/4, W1/2 of the SW1/4-NE1/4, Section 24 and part of the SE1/4-NE1/4 and NE1/4-SE1/4 being part of Gov't Lot 6, Section 26 all in T15N R10E, Town of Montello, containing 215 acres more or less and 1 rod on the E Side of the NE1/4-SE1/4 less part of CSM 1687, part of CSM 1687 being part of the NE1/4-SE1/4 and E 1 rod of SE1/4-SE1/4,

ROLL CALL - COUNTY BOARD OF SUPERVISORS
MARQUETTE COUNTY, WISCONSIN

Section 12, SW1/4-SE1/4, NW1/4-SE1/4, part of the NE1/4-SE1/4, lying south of Co Rd C, SW1/4-NE1/4 less N 2 rods of W 78 rods, E2 rods of the NW1/4-NE1/4, NE1/4-NE1/4, part of the NW1/4-NW1/4, part of the SW1/4-NW1/4, part of the NE1/4-SW1/4, part of the NW1/4-SW1/4, part of the SW1/4-SW1/4, SE1/4-SW1/4, Section 13 and part of the SE1/4-NE1/4 and the NE1/4-SE1/4 being part of Gov't Lot 6, Section 26, all in T15N R10E, Town of Montello, containing 337.53 acres more or less is changed from Rural Lands to a Farmland Preservation Area.

The SE1/4-SW1/4, less the southern 66 ft and the SW1/4-SW1/4, less the southern 66 ft, Section 29, T15N R10E, Town of Montello, containing 76 acres more or less is changed from Rural Lands to a Farmland Preservation Area.

AN ORDINANCE TO AMEND THE MARQUETTE COUNTY COMPREHENSIVE PLAN

The Marquette County Board of Supervisors, does ordain as follows:

SECTION 1. Pursuant to section 59.69(3)(a) of Wisconsin Statutes, Marquette County is authorized to amend the County comprehensive plan as defined in sections 66.1001(1)(a) and 66.1001(2) of Wisconsin Statutes.

SECTION 2. The Marquette County Planning and Zoning Committee, by a majority vote of the Committee recorded in its official minutes, has approved amendments to the Planned Land Use Maps for the Towns of Mekan and Montello.

SECTION 3. The Planning and Zoning Committee has held at least one public hearing on this ordinance, in compliance with the requirements of section 66.1001(4)(d) of Wisconsin Statutes, and provided opportunities for public involvement per its adopted public participation strategy and procedures.

SECTION 4: The Marquette County Board of Supervisors, does, by enactment of this ordinance, formally adopt the attached Planned Land Use Map amendments for the Towns of Mekan and Montello pursuant to section 66.1001(4)(c) of Wisconsin Statutes.

SECTION 5. This ordinance shall take effect upon passage by a majority vote of the Marquette County Board of Supervisors and publication/posting as required by law.

Town of Mekan Planned Land Use Amendments:

Part of the fractional SW1/4, part of the N1/2 of the fractional SW1/4, part of the S1/2 of the fractional SW1/4, SW1/4-NE1/4, fractional SW1/4-NW1/4, SE1/4-NW1/4, part of CSM 1687, Lots 63, 64 and 65 White Lake Country Club, Section 7, T15N R11 E, Town of Mekan, containing 205.79 acres more or less is changed from Mixed Residential and Rural Lands to a Farmland Preservation Area.

Town of Montello Planned Land Use Amendments:

SW1/4-SW1/4, SE1/4-SW1/4, Section 12, NE1/4-NW1/4, SE1/4-NW1/4, Section 13, W1/2 of the NW1/4-NE1/4, W1/2 of the SW1/4-NE1/4, Section 24 and part of the SE1/4-NE1/4 and NE1/4-SE1/4 being part of Gov't Lot 6, Section 26 all in T15N R10E, Town of Montello, containing 215 acres more or less and 1 rod on the E Side of the NE1/4-SE1/4 less part of CSM 1687, part of CSM 1687 being part of the NE1/4-SE1/4 and E 1 rod of SE1/4-SE1/4, Section 12, SW1/4-SE1/4, NW1/4-SE1/4, part of the NE1/4-SE1/4, lying south of Co Rd C, SW1/4-NE1/4 less N 2 rods of W 78 rods, E2 rods of the NW1/4-NE1/4, NE1/4-NE1/4, part of the NW1/4-NW1/4, part of the SW1/4-NW1/4, part of the NE1/4-SW1/4, part of the NW1/4-SW1/4, part of the SW1/4-SW1/4, SE1/4-SW1/4, Section 13 and part of the SE1/4-NE1/4 and the NE1/4-SE1/4 being part of Gov't Lot 6, Section 26, all in T15N R10E, Town of Montello, containing 337.53 acres more or less is changed from Rural Lands to a Farmland Preservation Area.

The SE1/4-SW1/4, less the southern 66 ft and the SW1/4-SW1/4, less the southern 66 ft, Section 29, T15N R10E, Town of Montello, containing 76 acres more or less is changed from Rural Lands to a Farmland Preservation Area.

Synopsis: If approved the County Planned Land Use Map would be amended to designate an additional 620 acres to be a Farmland Preservation Area.

Planned Land Use Map for the Town of Montello

-  Farmland Preservation Area
-  Rural Lands
-  Public Open Space
-  Single Family Residential - Rural
-  Single Family Residential - Sewered
-  Two Family Residential
-  Planned Neighborhood
-  Mixed Residential
-  Commercial Recreation
-  Neighborhood Business
-  General Business
-  Downtown
-  General Industrial
-  Institutional
-  Extraction
-  Well Setback Area from Landfill
-  Potential Recreation Expansion Area
-  Lakes & Ponds
-  Rivers & Streams
-  Roads
-  Parcel Boundaries

0 750 1,500 3,000 4,500 6,000
Feet



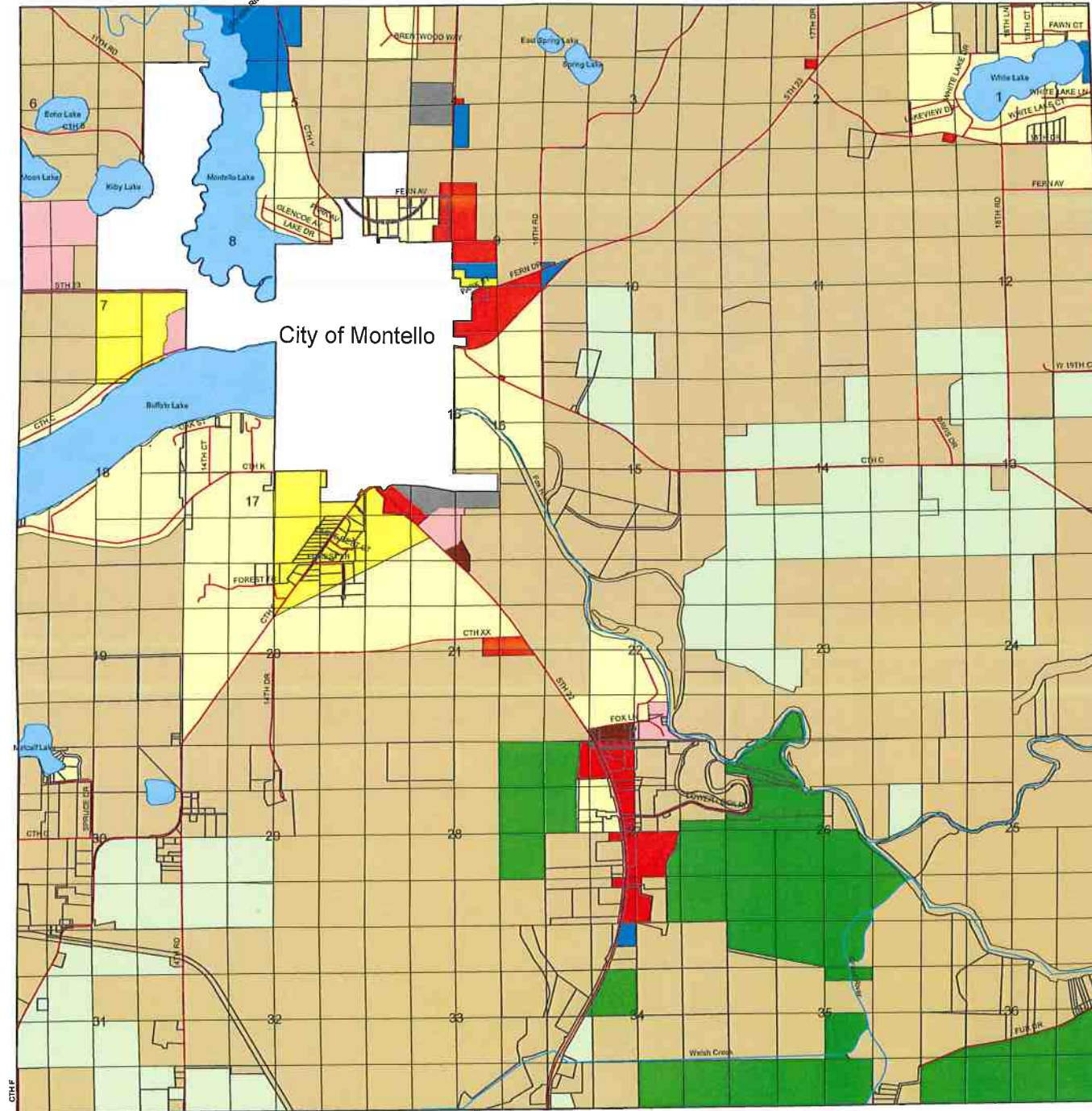
Town of Shields

City of Montello

Town of Buffalo

Town of Packwaukee

Town of Mecan

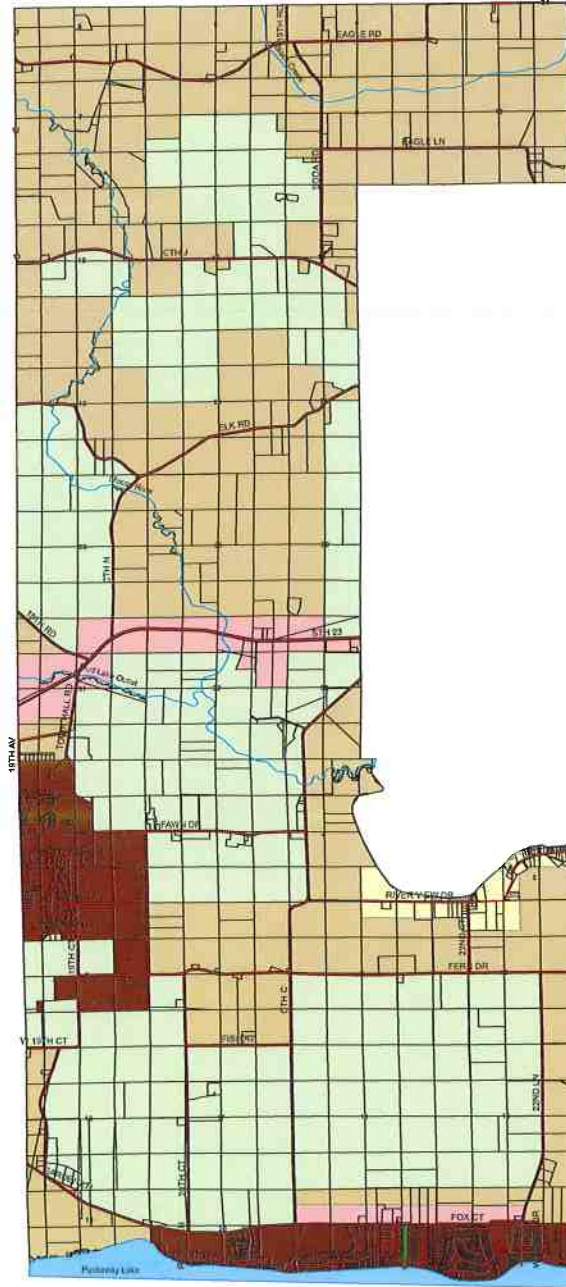


**Planned Land Use &
Farmland Preservation
Plan Map for the
Town of Mecan**

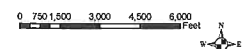
Town of Shields

Town of Montello

Green Lake County



- Farmland Preservation Area
- Rural Lands
- Public Open Space
- Single Family Residential - Rural
- Single Family Residential - Sewered
- Two Family Residential
- Planned Neighborhood
- Mixed Residential
- Commercial / Recreation
- Neighborhood Business
- General Business
- Downtown
- General Industrial
- Institutional
- Extraction
- Well Setback Area from Landfill
- Potential Recreation Expansion Area
- Lakes & Ponds
- Rivers & Streams
- Roads
- Parcel Boundaries
- Section Lines



Green Lake County

MARQUETTE COUNTY, WISCONSIN

ROLL CALL

SUPERVISORS

ADOPTED ☐

DEFEATED ☐

YES _____

NO _____

ABSENT _____

ABSTAIN _____

Date _____ > _____
Kiley Lloyd, County Clerk

ROLL CALL - COUNTY BOARD OF SUPERVISORS

MARQUETTE COUNTY, WISCONSIN

June 18, 2024, Session Resolution 27-2024

ROLL CALL

SUPERVISORS	YES	NO
Achterberg	☐	☐
Bennett	☐	☐
Benson	☐	☐
Borzick	☐	☐
Bornhoeft	☐	☐
Fenner	☐	☐
Frazer	☐	☐
Krause	☐	☐
Krentz	☐	☐
Locke	☐	☐
McGwin	☐	☐
Nigbor	☐	☐
Raddatz	☐	☐
Sorensen	☐	☐
Swan	☐	☐
Walters	☐	☐

ADOPTED ☐
DEFEATED ☐

VOTE TALLY

YES _____
NO _____
ABSENT _____
ABSTAIN _____

INTRODUCED BY:

Committee Recommendation:
Board Leadership
Administration

STATE OF WISCONSIN)
) SS
County of Marquette)

I, Kiley Lloyd, County Clerk of Marquette County,
Wisconsin do hereby certify that the above is a
true and correct copy of the resolution passed by
the Marquette County Board of Supervisors on this
date.

Date _____ > _____
Kiley Lloyd, County Clerk

Authorizing Marquette County to Enter into the Settlement Agreement with The Kroger Co. and Agree to the Terms of Addendum Two to the MOU Allocating Settlement Proceeds

WHEREAS, the Marquette 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 The Kroger Co. (the "Settling Defendant") 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 settlement agreement relating to the Settling Defendant ("Settlement Agreement") representing the terms of the tentative settlement agreement with the Settling Defendant has been made available at <https://nationalopioidsettlement.com/wp-content/uploads/2024/05/Kroger-Multistate-Settlement-Agreement-Circulated-to-States-March-25-2024.pdf>;

WHEREAS, the Settlement Agreement provides, among other things, for the payment of certain sums to Participating Subdivisions (as defined in the Settlement

ROLL CALL - COUNTY BOARD OF SUPERVISORS

MARQUETTE COUNTY, WISCONSIN

Agreement) upon the occurrence of certain events detailed in the Settlement Agreement;

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

WHEREAS, pursuant to Section 12 of the State-Local MOU entered into between the Wisconsin Participating Subdivisions and the Attorney General of the State of Wisconsin ("State-Local MOU"), the Attorney General has provided notice that the terms of the State-Local MOU shall apply to the Settlement Agreement and all proceeds of such Settlement Agreement;

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 Agreement;

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 Agreement;

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 Agreement 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 Agreement among Wisconsin Participating Subdivisions;

WHEREAS, the Wisconsin Participating Subdivisions previously negotiated and approved the allocation of proceeds among themselves, which allocation is reflected in Exhibit A to the 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 County and all other Wisconsin Participating Subdivisions agreed to and entered into that certain Addendum to the MOU ("Addendum One") that provided for allocation of settlement proceeds from previous settlements with certain pharmacies and manufacturers according to the same percentages as that provided in the MOU;

WHEREAS, the County has been informed as to the deadlines related to the effective dates of the Settlement Agreement, the ramifications associated with the County's refusal to enter into the Settlement Agreement, the form of Addendum Two and an overview of the process for finalizing the

ROLL CALL - COUNTY BOARD OF SUPERVISORS

MARQUETTE COUNTY, WISCONSIN

Settlement Agreements and such information, together with additional resources related to the settlement can be found at <https://nationalopioidsettlement.com/kroger-co-settlement/>;

WHEREAS, the County, by this Resolution, shall deposit the proceeds of the Settlement Agreement 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 Agreement 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 Agreement and payment of attorney fees, shall authorize and direct the escrow agent responsible for the receipt and distribution of the proceeds from the Settlement Agreement 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 Agreement exceed an amount equal to 25% of the amounts allocated to the County by virtue of the Addendum Two (Exhibit A to the MOU);

WHEREAS, the intent of this Resolution is to authorize the County to enter into the Settlement Agreement, the Addendum Two, 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 other document or agreement necessary to effectuate the Settlement Agreement and the other agreements referenced herein;

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

1. The execution of the Settlement Agreement and any and all documents ancillary thereto and authorizes the [Board Chair] or designee to execute same.
2. The final negotiation and execution of Addendum Two 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 Two provided to the Board with this Resolution.
3. The execution by the Marquette County Chairperson or County Administrator of any additional documents or agreements for the receipt and disbursement of the proceeds of the Settlement Agreement.

ROLL CALL - COUNTY BOARD OF SUPERVISORS
MARQUETTE COUNTY, WISCONSIN

BE IT FURTHER RESOLVED: all proceeds from the Settlement Agreement 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 Agreement.

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 Agreement 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 Agreement attributable to Local Governments (as that term is defined in the 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 Agreement 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 Marquette County 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.

ROLL CALL - COUNTY BOARD OF SUPERVISORS

MARQUETTE COUNTY, WISCONSIN

June 18, 2024, Session Resolution 28-2024

ROLL CALL

<u>SUPERVISORS</u>	<u>YES</u>	<u>NO</u>
Achterberg	☐	☐
Bennett	☐	☐
Benson	☐	☐
Borzick	☐	☐
Bornhoeft	☐	☐
Fenner	☐	☐
Frazer	☐	☐
Krause	☐	☐
Krentz	☐	☐
Locke	☐	☐
McGwin	☐	☐
Nigbor	☐	☐
Raddatz	☐	☐
Sorensen	☐	☐
Swan	☐	☐
Walters	☐	☐

ADOPTED ☐
DEFEATED ☐

VOTE TALLY

YES _____
NO _____
ABSENT _____
ABSTAIN _____

INTRODUCED BY:

Committee Recommendation:
Board Leadership
Administration

STATE OF WISCONSIN)
) SS
County of Marquette)

I, Kiley Lloyd, County Clerk of Marquette County,
Wisconsin do hereby certify that the above is a
true and correct copy of the resolution passed by
the Marquette County Board of Supervisors on this
date.

Date _____
Kiley Lloyd, County Clerk

ADDENDUM TWO TO WISCONSIN LOCAL GOVERNMENT MEMORANDUM OF UNDERSTANDING

WHEREAS, the undersigned local governments ("Local Governments") entered into that certain Memorandum of Understanding relating to, among other things, the allocation of the proceeds of the settlements with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. ("Original MOU"); and

WHEREAS, the undersigned Local Governments entered into that certain Addendum to the MOU relating to, among other things, the allocation of the proceeds of the settlements with Walgreens, Walmart, CVS, Teva, and Allergan ("Addendum 1" and, together with the Original MOU, the "MOU"); and

WHEREAS, the settlement discussions with The Kroger Co. has resulted in a tentative agreement as to settlement terms ("Kroger Settlement Agreement") pending agreement from the State of Wisconsin, the Local Governments and other parties involved in the Litigation; and

WHEREAS, the Local Governments intend this Addendum Two to the MOU ("Addendum Two") to effectuate the terms of the Kroger Settlement Agreement and allocate the proceeds of the Kroger Settlement Agreement to each of the Local Governments in the same manner and same percentages as set forth in the MOU and Exhibit A to the Original MOU, a copy of which is appended to this Addendum Two with the elimination of the dollar amounts attributable to the settlements referenced in the Original MOU.

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

ROLL CALL - COUNTY BOARD OF SUPERVISORS
MARQUETTE COUNTY, WISCONSIN

1. The Local Governments ratify, confirm and agree to in all respects the MOU. By this Addendum Two, the Local Governments agree that any and all proceeds of the Kroger Settlement Agreement shall be distributed, allocated and otherwise disposed of in the same manner and same percentages as set forth in the MOU and Exhibit A to the Original MOU. Terms not defined in this Addendum Two shall be given the definition ascribed to such terms in the MOU and the Kroger Settlement Agreement.
2. Nothing in this Addendum Two is intended to alter or change any Local Government's right to pursue its own claim. Rather, the intent of this Addendum Two is to provide a mechanism for the receipt and expenditure of Opioid Funds, as that term is defined in the MOU.
3. This MOU may be executed in counterparts. Electronic signatures shall in all respects be considered valid and binding.

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

Marquette County
Printed: _____

Date: _____