AGENDA
OZAUKEE COUNTY BOARD
ANNUAL MEETING
WEDNESDAY, NOVEMBER 6, 2019 – 9:00 AM
ADMINISTRATION CENTER - ROOM A-204
121 W. MAIN STREET, PORT WASHINGTON, WI 53074

THE FOLLOWING BUSINESS WILL BE BEFORE THE COUNTY BOARD FOR INITIATION, DISCUSSION, CONSIDERATION, DELIBERATION AND POSSIBLE FORMAL ACTION:

1. CALL TO ORDER
   Roll Call
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. APPROVAL OF MINUTES
   October 2 and 16, 2019
4. PUBLIC COMMENT
   Legislative Update
   Chairperson's Proclamation
5. COMMUNICATIONS
6. CLAIMS
7. REPORT OF COUNTY ADMINISTRATOR
   County Administrator's Report - November 2019
8. NON-COMENDATION RESOLUTIONS
   RES.19-27: Submittal and Acceptance of a Wisconsin Department of Natural Resources River Protection Planning Grant to Support Water Quality Monitoring Activities on Mole Creek and the Little Menomonee River in Ozaukee County
   RES.19-28: Ozaukee County Concurrence with the Amendment to the Adopted Regional Water Quality Management Plan for Southeastern Wisconsin for the Sanitary Sewer Service Area for the Village of Grafton as Documented by the Southeastern Wisconsin Regional Planning Commission (September 2019)
   RES.19-29: Ozaukee County Concurrence with the Amendment to the Adopted Regional Water Quality Management Plan for Southeastern Wisconsin for the Sanitary Sewer Service Area for the City of Mequon as Documented by the Southeastern Wisconsin Regional Planning Commission (September 2019)
   RES.19-30: Salaries of County Supervisors 2020-2022
   RES.19-31: 2020 Budget
   RES.19-32: Amending the Ozaukee County Policy & Procedure Manual - Personnel Changes Approved in the 2020 Adopted Budget
   RES.19-33: Amending Chapter 3.02 of the Ozaukee County Policy & Procedure Manual - 2020 Budget Wage Increases
   RES.19-34: 2020 Ozaukee County Tax Levy and Rate
   RES.19-35: Determining Not to Opt Out of Negotiation Class for Purposes of Settlement in Opioid Litigation
9. ORDINANCES
10. COMMITTEE APPOINTMENTS / REAPPOINTMENTS
    November 2019 Committee Appointments / Reappointments
11. COMMITTEE REPORTS
12. ADJOURNMENT

Persons with disabilities requiring accommodations for attendance at this meeting should contact the County Clerk’s Office at 262-284-8110, twenty-four (24) hours in advance of the meeting.
<table>
<thead>
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<th>AGENDA DATE:</th>
<th>November 6, 2019</th>
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<tr>
<td>DEPARTMENT:</td>
<td>County Clerk</td>
</tr>
<tr>
<td>DIRECTOR:</td>
<td>Julie Winkelhorst</td>
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<td>PREPARER:</td>
<td>Julie Winkelhorst</td>
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**Agenda Summary** October 2 and 16, 2019

October 2, 2019

<http://www.co.ozaukee.wi.us/AgendaCenter/ViewFile/Minutes/_10022019-2634>

October 16, 2019

<http://www.co.ozaukee.wi.us/AgendaCenter/ViewFile/Minutes/_10162019-2639>
Ozaukee County Board

AGENDA INFORMATION SHEET

AGENDA DATE: November 6, 2019
DEPARTMENT: Administrator
DIRECTOR: Jason Dzwinel
PREPARER: Jason Dzwinel

Agenda Summary: County Administrator's Report - November 2019

ATTACHMENTS:
- County Administrator's Report November 6 (PDF)
FINANCE COMMITTEE

COMMITTEE HIGHLIGHTS

Received Health Insurance Update from Ansay and Associates and WCA Group Health Trust.

Reviewed Dental, Life and Long Term Disability Insurance.

Finance

$93,639.42

(11.59%)

Remaining

$6,891,255.58

In Expenses of $7,794,895.00 Budgeted Through Nov 2019

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<tbody>
<tr>
<td>2018</td>
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<tr>
<td>2019</td>
</tr>
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2018-2019

Updated last week
Human Services

Health and Human Services

This graph shows the cumulative budgets of the departments reporting to the Health and Human Services Committee. All budgets are in line for the first six months of 2019.

Lasata Campus Highlights

Lasata Care Center Revenues outpaced expenditures by $498,000. Less depreciation the surplus is $500,000.

NATURAL RESOURCES

COMMITTEE HIGHLIGHTS

Approved submittal of grant for acquisition of Clay Bluffs Natural Area.

Public Safety

COMMITTEE HIGHLIGHTS

Committee discussed evaluating the need for Ozaukee County Drug Court and planning for secure Juvenile Detention. DA Discussion of needs for addition media storage. Sheriff’s Department planning enforcement of distracted driving due to texting and driving.
Public Works

COMMITTEE HIGHLIGHTS

Approved elimination of north Port Washington and Grafton, County Trunk Highway V Park and Ride stops due to decreasing ridership.

Discussed joint Ozaukee/Washington Shared Ride Taxi service.

Discussed Interurban Trail crossing at Pioneer Road - Committee consensus to allow City of Cedarburg to determine crossing improvements.
RESOLUTION NO. 19-27

SUBMITTAL AND ACCEPTANCE OF A WISCONSIN DEPARTMENT OF NATURAL RESOURCES RIVER PROTECTION PLANNING GRANT TO SUPPORT WATER QUALITY MONITORING ACTIVITIES ON MOLE CREEK AND THE LITTLE MENOMONEE RIVER IN OZAUKEE COUNTY

WHEREAS, the Ozaukee County Planning and Parks Department is applying for Wisconsin Department of Natural Resources (WDNR) cost share River Protection Planning Grant funding under a competitive request for proposals; and

WHEREAS, the project is an integral part of the adopted Multi-Jurisdictional Comprehensive Plan for Ozaukee County: 2035, is identified in the Ozaukee County Land and Water Resource Management Plan, and is complimentary and consistent with the NOAA/ARRA-funded Fish Passage Program for the Milwaukee River Watershed, the USEPA/GLRI-funded grant “Enhancing Ecological Productivity of the Milwaukee Estuary Area of Concern (AOC) Watersheds”, NOAA/GLRI-funded “Stream and Wetland Restoration in Ulao Creek - Milwaukee Estuary AOC / Little Menomonee River Corridor Ecosystem Restoration”, the USEPA/GLRI-funded grant “Monitoring to Address 7 of 11 BUI’s - Milwaukee Estuary AOC”, the WCMP-funded grant “Ozaukee County Coastal Fish and Wildlife Habitat Protection and Planning,” the NFWF/SOGL-funded grant “Fish Passage Restoration - Milwaukee River Watershed”, the NFWF/SOGL-funded grant “Mole Creek Fish and Wildlife Habitat Enhancement Project”, the WDNR RPP grant “Water Quality Monitoring on Mole and Ulao Creeks”, the WDNR AOC grant “Habitat and Fisheries Assessments for GIS Database Development in the Milwaukee River Watershed AOC”; the WDNR RPP grant “Water Quality Monitoring on Mole Creek and the Little Menomonee River” the WDNR RPP grant “TMDL and BMP Water Quality Monitoring on Mole Creek and LMR”, the WDNR RPM grant “Mole Creek Habitat Enhancement - Phase II”, the Fund for Lake Michigan funded grant “Little Menomonee River/ Creek Fish Passage and Habitat Restoration”, a contractual grant with the Southeastern Wisconsin Watersheds Trust (SWWT) and PTM Consulting, and the overall Fish Passage Program; and

WHEREAS, this project is also consistent with the adopted Park and Open Space Plan for Ozaukee County: 2035 and the County Board endorsed Regional Water Quality Management Plan Update prepared by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) and partners, as well as several other State and Federal plans; and

WHEREAS, the primary goal of the project is to fund County activities to monitor water quality in conjunction with large-scale habitat restoration projects on Mole Creek in the Town of Saukville and the Little Menomonee River, which originates in the City of Mequon, and to determine the effectiveness of stream remeandering and floodplain/wetland restoration as a best management practice to reduce pollutant loads (e.g., Total Maximum Daily Load - TMDL’s); and

WHEREAS, the project will support continuous water quality monitoring activities (Conductivity, Water Temperature, Water Depth, Dissolved Oxygen, and pH), and grab sample water quality monitoring (E-Coli, Total Phosphorus, Orthophosphate, Chloride, and Total Dissolved Solids) according to approved USEPA Quality Assurance Project Plan (QAPP) procedures and methodologies that are also consistent with the Total Maximum Daily Loads
WHEREAS, this project will continue the Planning and Parks Department Ecological Division’s mission to reestablish ecological and biological connections in conjunction with protecting and restoring habitat throughout the watershed; and

WHEREAS, the required 25% matching funds would be provided by a secured National Fish and Wildlife Foundation Sustain Our Great Lakes grant and in-kind County staff time, supplies and materials, and equipment (e.g. continuous monitoring units); and

NOW, THEREFORE, BE IT RESOLVED, by the Ozaukee County Board of Supervisors that a grant agreement is requested to carry out the project, the Ozaukee County Planning and Parks Department has budgeted a sum sufficient to fully and satisfactorily complete the project, the Department attests to the validity and veracity of the statements and representations contained in the grant application, and the Director of the Planning and Parks Department is authorized on behalf of Ozaukee County to sign and submit a Wisconsin Department of Natural Resources River Protection Planning Grant application, sign a grant agreement between Ozaukee County the WDNR, submit quarterly and/or final reports to the WDNR to satisfy the grant agreement, submit grant reimbursement requests to the WDNR, and sign and submit other required documentation and take necessary actions to initiate, direct, and complete the approved project within the provided funding timeline.

FURTHER RESOLVED that Ozaukee County will comply with all local, state and federal rules, regulations and ordinances relating to this project and the cost-share agreement, may perform force account work, and will maintain complete and accurate project accounting according to the WDNR project agreement for these funds.

Dated at Port Washington, Wisconsin, this 6th day of November 2019.

SUMMARY: Submittal and acceptance of a Wisconsin Department of Natural Resources River Protection Planning Grant to fund County activities to support water quality monitoring activities within Ozaukee County, specifically County activities to monitor water quality in conjunction with large scale habitat restoration projects on Mole Creek in the Town of Saukville and the Little Menomonee River originating in the City of Mequon and to determine the effectiveness of stream meandering and floodplain/wetland restoration as a best management practice to reduce pollutant loads (e.g., Total Maximum Daily Loads - TMDL’s).

VOTE REQUIRED: Majority

NATURAL RESOURCES COMMITTEE

10/01/19 Natural Resources Committee APPROVED

RESULT: APPROVED [UNANIMOUS]
MOVER: R. Holyoke, Supervisor District 22
SECONDER: B. Ross, Supervisor District 19
AYES: J. Rothstein, D. Gall, R. Holyoke, B. Ross
EXCUSED: B. Jobs
Natural Resources Committee
AGENDA INFORMATION SHEET

AGENDA DATE: November 6, 2019
DEPARTMENT: Planning and Parks
DIRECTOR: Andrew Struck
PREPARER: Andrew Struck

Agenda Summary: Submittal and Acceptance of a Wisconsin Department of Natural Resources River Protection Planning Grant to Support Water Quality Monitoring Activities on Mole Creek and the Little Menomonee River in Ozaukee County

BACKGROUND INFORMATION: The Ozaukee County - Planning and Parks Department was invited to submit a grant application to the Wisconsin Department of Natural Resources (WDNR) River Protection Planning (RPP) Grant Program. Specifically, this grant will fund County activities to continue to monitor water quality conditions on Mole Creek in the Town of Saukville and the Little Menomonee River and Creek, originating in the City of Mequon, and to establish post construction conditions at habitat restoration project locations on both creeks. The Mole Creek habitat restoration project includes: stream remeandering, restoration of hydrologically and biologically functional floodplains, bank and in-stream structure restoration, wetland enhancements, invasive vegetation control, and native vegetation planting and restoration. The Little Menomonee River Corridor Ecosystem Restoration Project includes: stream remeandering, restoration of hydrologically and biologically functional floodplains, bank and in-stream structure restoration, wetland restoration and enhancements, invasive vegetation control, and native vegetation planting and restoration. The Little Menomonee River is an ideal candidate for a habitat restoration project according to prior inventory work and the GIS fish and wildlife habitat and ecological prioritization tools. Water quality monitoring will provide post habitat restoration data to analyze water quality impacts as a result of restoration activities. Specifically, this RPP grant will support continuous and grab sample water quality monitoring (monitoring of E-Coli, Total Phosphorus, Orthophosphate, Chlorides, Total Suspended Solids, Turbidity, Water temperature, Water Depth, Dissolved Oxygen, and pH) to determine the effectiveness of stream remeandering and floodplain/wetland restoration as a best management practice to reduce pollutant loads (e.g., Total Maximum Daily Loads - TMDL’s)). County staff will complete continuous water quality monitoring activities (Conductivity, Water Temperature, Water depth, Dissolved Oxygen, and pH), and grab sample water quality monitoring (E-Coli, Total Phosphorus, Orthophosphate, Chloride, Total Suspended Solids) according to approved USEPA Quality Assurance Project Plan (QAPP) procedures and methodologies and are also consistent with Total Maximum Daily Load (TMDL) procedures. This project is a continuation of RPP grants received by the Department in 2017, 2018, and 2019 for similar water quality monitoring. This project is also consistent with the ongoing water quality monitoring on Cedar Creek and is consistent with the NOAA/ARRA-funded Fish Passage Program for the Milwaukee River Watershed, the USEPA/GLRI-funded grant “Enhancing Ecological Productivity of the Milwaukee Estuary Area of Concern (AOC) Watersheds”, NOAA/GLRI-funded “Stream and Wetland Restoration in Ulao Creek - Milwaukee Estuary AOC / Little Menomonee River Corridor Ecosystem Restoration”, the USEPA/GLRI-funded grant “Monitoring to Address 7 of 11 BUI’s - Milwaukee Estuary AOC”, the WCMP-funded grant “Ozaukee County Coastal Fish
and Wildlife Habitat Protection and Planning,” the NFWF/SOGL-funded grant “Fish Passage Restoration - Milwaukee River Watershed”, the NFWF/SOGL-funded grant “Mole Creek Fish and Wildlife Habitat Enhancement Project”, the WDNR RPP grant “Water Quality Monitoring on Mole and Ulao Creeks”, the WDNR AOC grant “Habitat and Fisheries Assessments for GIS Database Development in the Milwaukee River Watershed AOC”; the WDNR RPP grant “Water Quality Monitoring on Mole Creek and the Little Menomonee River” the WDNR RPP grant “TMDL and BMP Water Quality Monitoring on Mole Creek and LMR”, the WDNR RPM grant “Mole Creek Habitat Enhancement - Phase II”, the Fund for Lake Michigan funded grant “Little Menomonee River/ Creek Fish Passage and Habitat Restoration”, a contractual grant with the Southeastern Wisconsin Watersheds Trust (SWWT) and PTM Consulting, and the overall Fish Passage Program. The Department has received prior WDNR RPP funding in 2012, 2015, 2016, 2017, 2018, and 2019.

ANALYSIS: Applications to the WDNR RPP grant program are due December 10, 2019. A 25% local share match is required, which will be provided by a secured NFWF SOGL grant and in-kind staff time, materials and supplies, and equipment (e.g. continuous monitoring units). Total funding requested under this grant is $10,000. This proposal is consistent with on-going, federally-funded Department programs and is consistent with the *Multi-jurisdictional Comprehensive Plan for Ozaukee County: 2035, Park and Open Space Plan for Ozaukee County and the Ozaukee County Land and Water Resource Management Plan.*

FISCAL IMPACT:

Balance Current Year: NONE

Next Year’s Estimated Cost: NONE (Additional Program Revenue of $10,000)

FUNDING SOURCE:

County Levy: Non-County Levy: X

Indicate source: WDNR RPP Grant, NFWF SOGL Grant, and in-kind staff time, materials and supplies, and equipment.

RECOMMENDED MOTION: Approve and recommend to the Ozaukee County Board of Supervisors the resolution for submittal and acceptance of a grant by the Planning and Parks Department to the Wisconsin Department of Natural Resources River Protection Planning grant program for water quality monitoring activities on Mole Creek and the Little Menomonee River in Ozaukee County in conjunction with large-scale habitat restoration projects, TMDLs and the overall Fish Passage Program.

ATTACHMENTS:

- P&P_Dept RPP RFP(PDF)
- MoleCreekWaterQualitySampling_updatelabels (PDF)
- P&P_Dept_LittleMenomoneeRiver_Habitat_Map_Parcel3 (PDF)
River Planning Grants  
NR 195, Wis. Admin. Code

Purpose:
River planning grants are intended to provide assistance in the formation of river management organizations and provide support and guidance to local organizations that are interested in helping to manage and protect rivers, particularly where resources and organization capabilities may be limited. This grant program is designed for the collection, assessment and dissemination of information on riverine ecosystems, to assist in developing organizations to help manage rivers, to assist the public in understanding riverine ecosystems, and to create management plans for the long term protection and improvement of riverine ecosystems.

Eligible Projects:
1. Organizational development projects which provide programs and materials to assist persons in forming a qualified river management organization or strengthen the capacity of an existing organization to protect or improve rivers and natural river ecosystems. Such activities include:
   - Training, education, or facilitated planning programs and workshops
   - Development, printing and dissemination of information, surveys, educational materials and brochures to describe the group and its purposes and to attract membership
   - Activities that are designed to develop partnerships or achieve organizational objectives to protect a river ecosystem
   - Activities necessary to assist groups in meeting the conditions of a qualified river management organization.

2. Education projects that include the development and dissemination of materials and programs or other activities that increase the public awareness relating to protecting or improving the ways in which rivers are used, the quality of water in rivers, the quality of natural riverine ecosystems or the populations of fish and aquatic life and their habitat in rivers.

3. Assessments and plan development that may include but are not limited to:
   - Collection of new or updated information on the water quality, water quantity, fish, wildlife and other biological or environmental information about a river or its ecosystem and the assessment of this information
   - Descriptions and mapping of existing and potential land and water resource conditions, activities and uses within a riverine ecosystem that may affect its quality and the assessment of this information
   - Review, evaluation or development of ordinances and other local regulations related to control of pollution sources, recreational use, or other human activities that may impact fish and wildlife habitat, natural beauty or other components of the riverine ecosystem.
   - Collection of sociological information through surveys or questionnaires and assessments of river use information that is necessary to the development of a long-term river management plan
   - The analysis, evaluation, reporting and dissemination of information obtained as part of the planning project
   - The development of alternative management strategies, plans, and specific project designs necessary to identify appropriate river protection projects

Ineligible Projects: Any capital improvement project.

Funding Possibilities: Maximum amount of grant funding is 75% of the total project costs, not to exceed $10,000.
Little Menomonee Corridor Ecosystem Restoration: Stream and Wetland Habitat Construction

Legend
- Suspected Impediments
- Discrete Sampling Locations
- Continuous Monitoring Stations
- Current Project Site
- Future Project Sites
- Conservation Easements
- Public Ownership
- Subwatersheds

Situation #1
City of Mequon
20.05 acres

Situation #2
MMSD
8 acres

Situation #3
MMSD
56.28 acres

Situation #4
MMSD
72.07 acres

Situation #5
MMSD
28.99 acres

Situation #6
City of Mequon
42.06 acres

Situation #7
MMSD
17.94 acres

Map Produced By: Ozaukee County Planning and Parks Department
09/24/18
RESOLUTION NO. 19-28

OZAUKEE COUNTY CONCURRENCE WITH THE AMENDMENT TO THE ADOPTED REGIONAL WATER QUALITY MANAGEMENT PLAN FOR SOUTHEASTERN WISCONSIN FOR THE SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF GRAFTON AS DOCUMENTED BY THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION (SEPTEMBER 2019)

WHEREAS, Pursuant to Section 66.0309(10) of the Wisconsin Statutes, the Southeastern Wisconsin Regional Planning Commission (“SEWRPC” or “Commission”), at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000; and

WHEREAS, Ozaukee County endorsed the Update to the Regional Water Quality Management Plan for Southeastern Wisconsin; and

WHEREAS, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Cedarburg and Grafton sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 91 (2nd Edition), Sanitary Sewer Service Areas for the City of Cedarburg and the Village of Grafton, Ozaukee County, Wisconsin, June 1996, as amended; and

WHEREAS, by e-mail letter received June 21, 2019, the Village of Grafton requested that the Commission amend the Grafton Sanitary sewer service area to include certain lands located outside of the currently adopted sewer service area; and

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a Commission staff memorandum entitled, “Response to Request by the Village of Grafton to Amend the Grafton Sanitary Sewer Service Area,” attached hereto and was amended in the manner identified on Map 1 of the aforementioned SEWRPC staff memorandum to the regional water quality management plan for the Southeastern Wisconsin Region on the 11th day of September 2019; and

WHEREAS, the Ozaukee County Planning and Parks Department (“Department”) has reviewed the amendment to the Cedarburg and Grafton sanitary sewer service area and found the amendment is consistent with Ozaukee County’s Comprehensive plan, A Multi-Jurisdictional Comprehensive Plan for Ozaukee County: 2035 and its associated amendments; and

WHEREAS, Ozaukee County concurs with the amendment of the sanitary sewer service area for the Village of Grafton as specified by SEWRPC’s Resolution No. 2019-18 amending the regional water quality management plan for the Southeastern Wisconsin Region.

NOW, THEREFORE, BE IT RESOLVED that the Ozaukee County Board of Supervisors concurs with the Southeastern Wisconsin Regional Planning Commission’s amendment to the regional water quality management plan pertaining to the amendment in the Village of Grafton sanitary sewer service area tributary to the Village of Grafton sewage treatment facility as adopted on September 11, 2019, and finds this amendment consistent with A Multi-Jurisdictional Comprehensive Plan for Ozaukee County: 2035 and its associated amendments.

Dated at Port Washington, Wisconsin this 6th day of November, 2019.

SUMMARY: Ozaukee County concurrence with the amendment to the adopted Regional Water
Quality Management Plan for Southeastern Wisconsin pertaining to the Sanitary Sewer Service Area for the Village of Grafton as documented by the Southeastern Wisconsin Regional Planning Commission (September 2019).

**VOTE REQUIRED: Majority**

**NATURAL RESOURCES COMMITTEE**

10/01/19 Natural Resources Committee APPROVED

| RESULT: | APPROVED [UNANIMOUS] |
| MOVER:  | R. Holyoke, Supervisor District 22 |
| SECONDER: | B. Ross, Supervisor District 19 |
| AYES: | J. Rothstein, D. Gall, R. Holyoke, B. Ross |
| EXCUSED: | B. Jobs |
AGENDA INFORMATION SHEET

AGENDA DATE: November 6, 2019
DEPARTMENT: Planning and Parks
DIRECTOR: Andrew Struck
PREPARER: Andrew Struck

Agenda Summary: Ozaukee County Concurrence with the Amendment to the Adopted Regional Water Quality Management Plan for Southeastern Wisconsin for the Sanitary Sewer Service Area for the Village of Grafton as Documented by the Southeastern Wisconsin Regional Planning Commission (September 2019)

BACKGROUND INFORMATION: On September 16, 2019 the Southeastern Wisconsin Regional Planning Commission (SEWRPC) sent the County a certified copy of a document amending the regional water quality management plan as refined and detailed in SEWRPC Community Assistance Planning Report No. 91 (2nd Edition), Sanitary Sewer Service Areas for the City of Cedarburg and the Village of Grafton, Ozaukee County, Wisconsin, dated June 1996, as amended in response to a request by the Village of Grafton to amend the Grafton Sanitary Sewer Service Area. Specifically, 41 acres were added to the Grafton sewer service area on the west side of Port Washington Road within the northeast quarter of U.S. Public Land Survey Section 30, Township 10 North, Range 22 East, Ozaukee County, Wisconsin.

ANALYSIS: The Department has reviewed this amendment for consistency with the Multi-jurisdictional Comprehensive Plan for Ozaukee County: 2035, and concurs with SEWRPC’s findings. The Multi-jurisdictional Comprehensive Plan for Ozaukee County: 2035, shows the amended area’s planned land use in the Ozaukee County Planning Area: 2035 as “sub-urban density residential”. This is found to be consistent with an amendment to the Village of Grafton Sewer Service Area. Furthermore, as documented by SEWRPC in the Amendment Memorandum in the Regional Housing Plan: Job/Housing Balance Analysis, the Village of Grafton should review its projected job/housing imbalances.

FISCAL IMPACT: N/A FUNDING SOURCE: N/A

RECOMMENDED MOTION: Approve and recommend to the Ozaukee County Board of Supervisors the resolution for Ozaukee County concurrence with the amendment of the adopted Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Village of Grafton as Documented in the SEWRPC Memorandum - September 2019 and consistency with the Multi-jurisdictional Comprehensive Plan for Ozaukee County: 2035.

ATTACHMENTS:
- GraftonSanitarySewerAmendment_Packet (PDF)
September 16, 2019

Chairman Lee Schlenvoigt and Members of the
Ozaukee County Board of Supervisors

c/o Ms. Julianne Winkelhorst, Clerk
Ozaukee County Administrative Center
121 W. Main Street, Room 128
P.O. Box 994
Port Washington, WI 53074-0994

Dear Chairman Schlenvoigt and Members of the Board of Supervisors:

In accordance with Section 66.0309(10) of the Wisconsin Statutes and Section 208 of the Federal Clean Water Act, the Southeastern Wisconsin Regional Planning Commission is hereby transmitting a certified copy of a document amending the regional water quality management plan as refined and detailed in SEWRPC Community Assistance Planning Report No. 91 (2nd Edition), Sanitary Sewer Service Areas for the City of Cedarburg and the Village of Grafton, Ozaukee County, Wisconsin, dated June 1996, as amended. The plan amendment, which was formally adopted by the Regional Planning Commission on September 11, 2019, pertains to a change in the Village of Grafton sanitary sewer service area tributary to the Village of Grafton sewage treatment facility. The plan amendment has also been formally certified to the Wisconsin Department of Natural Resources with a request that the Department endorse the change to the regional water quality management plan identified in the plan amendment.

The purpose of this letter is to inform you of the Regional Planning Commission’s action on the subject plan amendment and to respectfully request that the County Board act similarly to endorse the plan amendment. Such endorsement would be helpful as it would signify County agreement with the change to the regional water quality management plan identified in the plan amendment.

Should you have any questions concerning this matter, please do not hesitate to contact the Commission offices.

Sincerely,

Charles L. Colman
Chairman

KJM/DAJ/JPS/md
#250665b - Grafton SSA September 2019 Amendment transmittal letter

Enclosure

cc: Mr. Andrew Struck, Director, Ozaukee County Planning and Parks Department (w/enclosure)
RESOLUTION NO. 2019-18


WHEREAS, pursuant to Section 66.0309(10) of the Wisconsin Statutes, the Southeastern Wisconsin Regional Planning Commission (SEWRPC), at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000; and

WHEREAS, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Cedarburg and Grafton sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 91 (2nd Edition), Sanitary Sewer Service Areas for the City of Cedarburg and the Village of Grafton, Ozaukee County, Wisconsin, June 1996, as amended; and

WHEREAS by e-mail letter received June 21, 2019, the Village of Grafton requested that the Commission amend the Grafton sanitary sewer service area to include certain lands located outside of the currently adopted sewer service area; and

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a Commission staff memorandum entitled, “Response to Request by the Village of Grafton to Amend the Grafton Sanitary Sewer Service Area,” attached hereto and made a part hereof; and

WHEREAS, the requested change to the regional water quality management plan, as documented in the aforementioned staff memorandum, was the subject of a public hearing held jointly by the Village of Grafton and the Regional Planning Commission on August 19, 2019; and

WHEREAS, Section 66.0309(9) of the Wisconsin Statutes authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

FIRST: That the regional water quality management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 30, Volumes One, Two, and Three, which was adopted by the Commission as a part of the master plan on the 12th day of July 1979, and which was subsequently amended to include the refined Grafton sanitary sewer service area, be and the same hereby is amended in the manner identified on Map 1 of the aforementioned SEWRPC staff memorandum.

SECOND: That the Executive Director is authorized to submit findings to the Wisconsin Department of Natural Resources and the Wisconsin Department of Safety and Professional Services that public and private sanitary sewer extensions necessary to serve the anticipated development on the lands concerned are in conformance with, and would serve to implement, the adopted regional water quality management plan as herein amended.
RESOLUTION NO. 2019-18

THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals as the law may require or as the Commission, its Executive Committee, or its Executive Director, at their discretion, shall determine and direct.

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 11th day of September 2019, the vote being: Ayes 13; Nays 0.

Charles L. Colman, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Kevin J. Muhs, Deputy Secretary
SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE VILLAGE OF GRAFTON TO AMEND
THE GRAFTON SANITARY SEWER SERVICE AREA

INTRODUCTION

By e-mail letter received June 21, 2019, the Village of Grafton requested that the Southeastern Wisconsin Regional Planning Commission (SEWRPC) amend the Grafton sanitary sewer service area, tributary to the Village of Grafton sewage treatment facility, as that area is currently documented in SEWRPC Community Assistance Planning Report No. 91 (2nd Edition), Sanitary Sewer Service Areas for the City of Cedarburg and the Village of Grafton, Ozaukee County, Wisconsin, dated June 1996, as amended. The basic purpose of the amendment would be to include within the planned sewer service area certain lands located immediately adjacent to, but outside, the currently adopted sewer service area.

AREA DESCRIPTION

As shown on Map 1, the area proposed to be added to the Grafton sewer service area encompasses approximately 41 acres and is located on the west side of Port Washington Road within the northeast quarter of U.S. Public Land Survey Section 30, Township 10 North, Range 22 East, Ozaukee County, Wisconsin.

The subject area is proposed to be developed as single-family residential use as identified in the Village of Grafton comprehensive plan. It is estimated that upon full development, the subject site would accommodate about 88 housing units with an estimated population of 202 persons.

There are no environmental corridors or isolated natural resource areas in the subject area.

A more detailed delineation of the amended sewer service area is shown on the aerial photograph reproduced as Map 2.

RELATIONSHIP OF THE PROPOSED CHANGE TO
THE EXISTING SANITARY SEWER SERVICE AREA

The proposed addition of 41 acres to the Grafton sewer service area represents an increase in the Grafton planned sewer service area of just under 1 percent. The proposed addition would increase the resident population of the Grafton sewer service area by just over 1 percent.

WATER QUALITY IMPACTS

Under the adopted regional water quality management plan and the Grafton sewer service area plan, it is envisioned that all new urban development within the planned sewer service area would receive sanitary sewer service. Assuming that all applicable Federal, State, and local permits are obtained and that proper site development and construction practices are employed, there should be no significant adverse water quality impacts attributable to the development of the planned sewer service area.

WASTEWATER TREATMENT PLANT CAPACITY

Wastewater from the proposed single-family residential development on the subject property will be conveyed through the Grafton sewerage system and treated at the Grafton sewage treatment facility. The Grafton sewage treatment facility was upgraded in 2005 and has a design capacity of 2.5 million gallons per day (mgd) on an average annual flow basis. The 2019 wastewater flow rate is about 1.5 mgd on an average annual basis. The proposed
Map 1
PROPOSED AMENDMENT TO THE VILLAGE OF GRAFTON SANITARY SEWER SERVICE AREA

- GRAFTON PLANNED SANITARY SEWER SERVICE AREA
- PLANNED SANITARY SEWER SERVICE AREA BOUNDARY
- OTHER PLANNED SANITARY SEWER SERVICE AREAS
- AREA PROPOSED TO BE ADDED TO THE GRAFTON SANITARY SEWER SERVICE AREA

Source: SEWRPC
Map 2
ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF GRAFTON

U.S. Public Land Survey Sections 29, 30, 31, and 32
Township 10 North, Range 22 East

Restrictions on Sewered Development

- **Primary Environmental Corridor**: Within the planned sanitary sewer service area, the extension of sewers to serve new development is confined to limited recreational and institutional uses and rural density residential development in areas other than wetlands, floodplains, shorelands, and steep slopes.

- **Isolated Natural Resource Area**: Portions of secondary environmental corridors and isolated natural resource areas within the planned sanitary sewer service area which are comprised of wetlands, floodplains, shorelands, and steep slopes. The extension of sewers to serve new development in these areas is not permitted.

Note: This map replaces Map 9-14, page 38, of SEWRPC Community Assistance Planning Report No 91 (2nd Edition), Sanitary Sewer Service Areas for the City of Cedarburg and the Village of Grafton and Environs, Calumet County, Wisconsin, June 1996.
addition to the Grafton planned sewer service area would add a planned residential development area of about 41 acres with a population of about 202 persons. The anticipated sewage flow to be generated in the area proposed to be added to the sewer service area is expected to be approximately 0.025 mgd on an average annual basis. Thus, the treatment plant has adequate capacity to treat sewage flows from the subject area.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on August 19, 2019, at the Grafton Village Hall to receive public comment on, and reaction to, the proposed sewer service area amendment. The hearing was sponsored by the Village of Grafton and the Regional Planning Commission. A summary of the amendment was presented prior to receiving public comment. No objections to the proposed amendment were expressed at the hearing.

LOCAL ACTION ON THE PLAN AMENDMENT

The Grafton Village Board approved the sewer service area amendment following the public hearing on August 19, 2019.

REGIONAL HOUSING PLAN: JOB/HOUSING BALANCE

Appendix A provides job/housing balance information for the Village of Grafton developed under the SEWRPC regional housing plan. The inclusion of information from the regional housing plan in sewer service area amendment reports is based upon a regional housing plan recommendation (one of 50 recommendations made under the plan) that 1) SEWRPC provide the findings of the approximate job/housing balance analysis conducted under the regional housing plan to communities requesting an amendment of their sanitary sewer service area and 2) for those communities with a job/housing imbalance, that recommendations be provided to the community for their future consideration in addressing that imbalance. However, it is important to note that job/housing balance is not intended to be a requirement to be met by any individual sewer service area amendment.

CONCLUDING RECOMMENDATION

The Regional Planning Commission's evaluation of proposed sanitary sewer service area amendments includes a consideration of whether the amendment is consistent with the regional land use plan, the regional water quality management plan, and the provisions of the Wisconsin Administrative Code governing water quality management plans, and whether established procedures for amending sewer service areas have been followed.

- **Consistency with the Regional Land Use Plan**
  The regional land use plan recommends that, in addition to the infilling and redevelopment of existing urban centers, new urban development within the Region be accommodated through the orderly expansion of existing urban centers in locations which can be readily served by basic urban facilities, including sanitary sewer service, with the overall amount of new urban development consistent with projected growth in population and the economic base. The regional land use plan further recommends the preservation of primary environmental corridors and that consideration be given to the preservation of secondary environmental corridors and isolated natural resource areas. The proposed sewer service area amendment is consistent with these recommendations of the regional land use plan.

- **Consistency with the Regional Water Quality Management Plan**
  The regional water quality management plan recommends that new urban development within the Region be provided with centralized sanitary sewer service. The plan designates a wastewater treatment plant to serve each of the urban centers within the Region that are identified in the regional land use plan. In the case at hand, the regional plan recommends that wastewater from the Grafton urban service area be served through the Grafton sewerage system. The proposed sewer service area amendment is consistent with these recommendations of the regional water quality management plan.
- **Consistency with Chapter NR 121 of the *Wisconsin Administrative Code***
  Chapter NR 121 of the *Wisconsin Administrative Code* governs the preparation of areawide water quality management plans, including the component sewer service area plans. The code requires that sewer service areas be determined in a way that promotes cost-effective and environmentally sound wastewater collection and treatment and that is consistent with 20-year population projections. Under the code, sewer service area plans must identify lands that are to be excluded from sewer service because of physical or environmental constraints or potential adverse water quality impacts. The proposed sewer service area amendment is consistent with these provisions of the *Wisconsin Administrative Code*.

- **Consistency with Procedural Requirements**
  As carried out by the Regional Planning Commission, the sewer service area amendment process must begin with a request to the Commission from the appropriate local unit of government or government agency to process the amendment. A public hearing must be held on the proposed amendment; the hearing is jointly sponsored by the Regional Planning Commission and the requesting agency or unit of government. Subsequent to the public hearing, the requesting agency or unit of government must act to approve the amendment as presented at the hearing, approve a modified amendment, or deny the amendment. Only after approval by the requesting agency or unit of government will the proposed amendment be considered for adoption by the Regional Planning Commission as an amendment to the areawide water quality management plan. All of the Commission’s procedural requirements have been met for this amendment.

Given all of the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the Village of Grafton sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 91 (2nd Edition), as amended, in the manner shown on Map 1. It is also recommended that the Wisconsin Department of Natural Resources approve this sewer service area plan amendment and transmit the plan amendment to the U.S. Environmental Protection Agency for certification.
RESOLUTION NO. 19-29

OZAUKEE COUNTY CONCURRENCE WITH THE AMENDMENT TO THE ADOPTED REGIONAL WATER QUALITY MANAGEMENT PLAN FOR SOUTHEASTERN WISCONSIN FOR THE SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AS DOCUMENTED BY THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION (SEPTEMBER 2019)

WHEREAS, Pursuant to Section 66.0309(10) of the Wisconsin Statutes, the Southeastern Wisconsin Regional Planning Commission (“SEWRPC” or “Commission”), at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000; and

WHEREAS, Ozaukee County endorsed the Update to the Regional Water Quality Management Plan for Southeastern Wisconsin; and

WHEREAS, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Mequon sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 188, Sanitary Sewer Service Areas for the City of Mequon and the Village of Thiensville, Ozaukee County, Wisconsin, January 1992, as amended; and

WHEREAS, by letter dated April 12, 2019, the City of Mequon requested that the Commission amend the Mequon sanitary sewer service area to remove from the planned sewer service area certain lands that are not served by sanitary sewers and are not currently planned to be served by sanitary sewers in the future located outside of the currently adopted sewer service area; and

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a Commission staff memorandum entitled, “Response to Request by the City of Mequon to Amend the Mequon Sanitary Sewer Service Area,” attached hereto and was amended in the manner identified on Map 1 of the aforementioned SEWRPC staff memorandum to the regional water quality management plan for the Southeastern Wisconsin Region on the 11th day of September 2019; and

WHEREAS, the Ozaukee County Planning and Parks Department (“Department”) has reviewed the amendment to the City of Mequon sanitary sewer service area and requests the City of Mequon submit a current copy of their adopted planned land use map that is consistent with the amended sewer service area at which time an amendment and update to A Multi-Jurisdictional Comprehensive Plan for Ozaukee County: 2035 will be processed; and

WHEREAS, Ozaukee County concurs upon submittal of the City of Mequon’s most recent adopted planned land use map with the amendment of the sanitary sewer service area for the City of Mequon as specified by SEWRPC’s Resolution No. 2019-17 amending the regional water quality management plan for the Southeastern Wisconsin Region.

NOW, THEREFORE, BE IT RESOLVED that the Ozaukee County Board of Supervisors concurs with the Southeastern Wisconsin Regional Planning Commission’s amendment to the regional water quality management plan pertaining to the amendment in the City of Mequon sanitary sewer service area as adopted on September 11, 2019 upon submittal of the City of Mequon’s most recent adopted planned land use map for consistency with A Multi-Jurisdictional Comprehensive Plan for Ozaukee County: 2035.
Plan for Ozaukee County: 2035 and its associated amendments.

Dated at Port Washington, Wisconsin this 6th day of November 2019.

**SUMMARY:** Ozaukee County concurrence with the amendment to the adopted Regional Water Quality Management Plan for Southeastern Wisconsin pertaining to the Sanitary Sewer Service Area for the City of Mequon as documented by the Southeastern Wisconsin Regional Planning Commission (September 2019).

**VOTE REQUIRED:** Majority

**NATURAL RESOURCES COMMITTEE**

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RESULT: APPROVED [UNANIMOUS]

MOVER: B. Ross, Supervisor District 19

SECONDER: D. Gall, Supervisor District 16

AYES: J. Rothstein, D. Gall, R. Holyoke, B. Ross

EXCUSED: B. Jobs
Natural Resources Committee

AGENDA INFORMATION SHEET

AGENDA DATE: November 6, 2019
DEPARTMENT: Planning and Parks
DIRECTOR: Andrew Struck
PREPARER: Andrew Struck

Agenda Summary: Ozaukee County Concurrence with the Amendment to the Adopted Regional Water Quality Management Plan for Southeastern Wisconsin for the Sanitary Sewer Service Area for the City of Mequon as Documented by the Southeastern Wisconsin Regional Planning Commission (September 2019)

BACKGROUND INFORMATION: On September 17, 2019 the Southeastern Wisconsin Regional Planning Commission (SEWRPC) sent the County a certified copy of a resolution amending the regional water quality management plan as refined and detailed in SEWRPC Community Assistance Planning Report No. 188, Sanitary Sewer Service Areas for the City of Mequon and the Village of Thiensville, Ozaukee County, Wisconsin, dated June 1992. The amendment was in response to a request by the City of Mequon to amend the Mequon Sanitary Sewer Service Area. Specifically, 292 acres were removed from the Mequon sanitary sewer service area tributary to the MMSD sewerage system to reflect certain lands that are not served by sanitary sewers and are not currently planned to be served by sanitary sewers in the future.

ANALYSIS: The Department has reviewed this amendment for consistency with the Multi-jurisdictional Comprehensive Plan for Ozaukee County: 2035, and concurs with SEWRPC’s findings; however, the Department is requesting the City of Mequon submit a current copy of their adopted planned land use map that is consistent with the amended sanitary sewer service area. Ozaukee County will subsequently amend and update the Multi-jurisdictional Comprehensive Plan for Ozaukee County: 2035. Furthermore, as documented by SEWRPC in the Amendment Memorandum in the Regional Housing Plan: Job/Housing Balance Analysis, the City of Mequon should review its projected job/housing imbalances.

FISCAL IMPACT: N/A FUNDING SOURCE: N/A

RECOMMENDED MOTION: Approve and recommend to the Ozaukee County Board of Supervisors the resolution for Ozaukee County concurrence with the amendment of the adopted Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the City of Mequon as Documented in the SEWRPC Memorandum - September 2019 with the stipulation that the City of Mequon provides Ozaukee County their most recent adopted planned land use map recognizing the amendment to the adopted sewer service area for consistency with the Multi-jurisdictional Comprehensive Plan for Ozaukee County: 2035.

ATTACHMENTS:
- MequonSanitarySewerAmendment_Packet (PDF)
September 17, 2019

Chairman Lee Schlenvogt and Members of the
Ozaukee County Board of Supervisors
c/o Ms. Julianne Winkelhorst, Clerk
Ozaukee County Administrative Center
121 W. Main Street, Room 128
P.O. Box 994
Port Washington, WI 53074-0994

Dear Chairman Schlenvogt and Members of the Board of Supervisors:

In accordance with Section 66.0309(10) of the Wisconsin Statutes and Section 208 of the Federal Clean Water Act, the Southeastern Wisconsin Regional Planning Commission is hereby transmitting a certified copy of a document amending the regional water quality management plan as refined and detailed in SEWRPC Community Assistance Planning Report No. 188, Sanitary Sewer Service Area for the City of Mequon and the Village of Thiensville, Ozaukee County, Wisconsin, dated January 1992, as amended. The plan amendment, which was formally adopted by the Regional Planning Commission on September 11, 2019, pertains to the removal of selected areas from the currently adopted Mequon sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District sewerage system. The plan amendment has also been formally certified to the Wisconsin Department of Natural Resources with a request that the Department endorse the change to the regional water quality management plan identified in the plan amendment.

The purpose of this letter is to inform you of the Regional Planning Commission’s action on the subject plan amendment and to respectfully request that the County Board act similarly to endorse the plan amendment. Such endorsement would be helpful as it would signify County agreement with the change to the regional water quality management plan identified in the plan amendment.

Should you have any questions concerning this matter, please do not hesitate to contact the Commission offices.

Sincerely,

Charles L. Colman
Chairman

KJM/DAS/JPS/cc
#250011b - Mequon SSA September 2019 Amendment transmittal letter

Enclosure

cc: Mr. Andrew Struck, Director, Ozaukee County Planning and Parks Department (w/enclosure)
RESOLUTION NO. 2019-17

RESOLUTION OF THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION AMENDING THE ADOPTED REGIONAL WATER QUALITY MANAGEMENT PLAN, THAT PLAN BEING A PART OF THE MASTER PLAN FOR THE PHYSICAL DEVELOPMENT OF THE REGION CONSISTING OF THE COUNTIES OF KENOSHA, MILWAUKEE, OZAUKEE, RACINE, WALWORTH, WASHINGTON AND WAUKESHA IN THE STATE OF WISCONSIN (MEQUON SANITARY SEWER SERVICE AREA)

WHEREAS, pursuant to Section 66.0309(10) of the Wisconsin Statutes, the Southeastern Wisconsin Regional Planning Commission (SEWRPC), at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000; and

WHEREAS, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Mequon sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 188, Sanitary Sewer Service Area for the City of Mequon and the Village of Thiensville, Ozaukee County, Wisconsin, January 1992, as amended; and

WHEREAS by letter dated April 12, 2019, the City of Mequon requested that the Commission amend the Mequon sanitary sewer service area to remove from the planned sewer service area certain lands that are not served by sanitary sewers and are not currently planned to be served by sanitary sewers in the future located outside of the currently adopted sewer service area; and

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a Commission staff memorandum entitled, “Response to Request by the City of Mequon to Amend the Mequon Sanitary Sewer Service Area,” attached hereto and made a part hereof; and

WHEREAS, the requested change to the regional water quality management plan, as documented in the aforementioned staff memorandum, was the subject of a public hearing held jointly by the City of Mequon and the Regional Planning Commission on July 9, 2019; and

WHEREAS, Section 66.0309(9) of the Wisconsin Statutes authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

FIRST: That the regional water quality management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 30, Volumes One, Two, and Three, which was adopted by the Commission as a part of the master plan on the 12th day of July 1979, and which was subsequently amended to include the refined Mequon sanitary sewer service area, be and the same hereby is amended in the manner identified on Map 1 of the aforementioned SEWRPC staff memorandum.

SECOND: That the Executive Director is authorized to submit findings to the Wisconsin Department of Natural Resources and the Wisconsin Department of Safety and Professional Services that public and private sanitary sewer extensions necessary to serve the anticipated development on the lands concerned are in conformance with, and would serve to implement, the adopted regional water quality management plan as herein amended.
RESOLUTION NO. 2019-17

THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals as the law may require or as the Commission, its Executive Committee, or its Executive Director, at their discretion, shall determine and direct.

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 11th day of September 2019, the vote being: Ayes 13; Nays 0.

Charles L. Colman, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Kevin J. Muhs, Deputy Secretary
SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE CITY OF MEQUON TO AMEND THE MEQUON SANITARY SEWER SERVICE AREA

INTRODUCTION

By letter dated April 12, 2019, the City of Mequon requested that the Southeastern Wisconsin Regional Planning Commission (SEWRPC) amend the City of Mequon sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District (MMSD) sewerage system, as that area is currently documented in SEWRPC Community Assistance Planning Report No. 188, Sanitary Sewer Service Area for the City of Mequon and the Village of Thiensville, Ozaukee County, Wisconsin, dated January 1992, as amended. The basic purpose of the amendment would be to remove from the planned sewer service area certain lands that are not served by sanitary sewers and are not currently planned to be served by sanitary sewers in the future.

AREA DESCRIPTION

The areas proposed to be removed from the Mequon sewer service area are identified on Map 1. In combination, the areas proposed to be removed from the Mequon sewer service area encompass 292 acres.

A more-detailed delineation of the amended sewer service area and the environmentally significant lands within is shown in the series of maps presented as Map 2.

RELATIONSHIP OF THE PROPOSED CHANGE TO THE EXISTING SANITARY SEWER SERVICE AREA

The proposed removal of about 292 acres from the Mequon sanitary sewer service area tributary to the MMSD sewerage system represents a decrease in the planned sewer service area of about 2 percent.

WATER QUALITY IMPACTS

Under the adopted regional water quality management plan and the Mequon sanitary sewer service area plan, it is envisioned that all new urban development within the planned sewer service area would receive sanitary sewer service. Assuming that all applicable Federal, State, and local permits are obtained and that proper site development and construction practices are employed, there should be no significant adverse water quality impacts attributable to the development of the planned sanitary sewer service area.

WASTEWATER TREATMENT PLANT CAPACITY

The size and capacity of the MMSD sewage conveyance and treatment facilities are set forth in the District’s facility plan completed in 2007. Since this amendment proposes to remove areas from the planned sewer service area, there will be no impact on planned treatment plant capacity.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on July 9, 2019, at the Mequon City Hall to receive public comment on, and reaction to, the proposed sewer service area amendment. The hearing was sponsored by the City of Mequon and the Regional Planning Commission. No objections to the proposed amendment were expressed at the hearing.
Map 1

PROPOSED CHANGES TO THE MEQUON SANITARY SEWER SERVICE AREA

Source: SEWRPC
LOCAL ACTION ON THE PLAN AMENDMENT

The Mequon Common Council approved the sewer service area amendment following the public hearing on July 9, 2019.

REGIONAL HOUSING PLAN: JOB/HOUSING BALANCE

Appendix A provides job/housing balance information for the City of Mequon developed under the SEWRPC regional housing plan. The inclusion of information from the regional housing plan in sewer service area amendment reports is based upon a regional housing plan recommendation (one of 50 recommendations made under the plan) that 1) SEWRPC provide the findings of the approximate job/housing balance analysis conducted under the regional housing plan to communities requesting an amendment of their sanitary sewer service area and 2) for those communities with a job/housing imbalance, that recommendations be provided to the community for their future consideration in addressing that imbalance. However, it is important to note that job/housing balance is not intended to be a requirement to be met by any individual sewer service area amendment.

CONCLUDING RECOMMENDATION

The Regional Planning Commission’s evaluation of proposed sanitary sewer service area amendments includes a consideration of whether the amendment is consistent with the regional land use plan, the regional water quality management plan, and the provisions of the Wisconsin Administrative Code governing water quality management plans, and whether established procedures for amending sewer service areas have been followed.

- **Consistency with the Regional Land Use Plan**
  The regional land use plan recommends that, in addition to the infilling and redevelopment of existing urban centers, new urban development within the Region be accommodated through the orderly expansion of existing urban centers in locations which can be readily served by basic urban facilities, including sanitary sewer service, with the overall amount of new urban development consistent with projected growth in population and the economic base. The regional land use plan further recommends the preservation of primary environmental corridors and that consideration be given to the preservation of secondary environmental corridors and isolated natural resource areas. The proposed sewer service area amendment is consistent with these recommendations of the regional land use plan.

- **Consistency with the Regional Water Quality Management Plan**
  The regional water quality management plan recommends that new urban development within the Region be provided with centralized sanitary sewer service. The plan designates a wastewater treatment plant to serve each of the urban centers within the Region that are identified in the regional land use plan. In the case at hand, the regional plan recommends that wastewater from the Mequon urban service area be served through the MMSD sewerage system. The proposed sewer service area amendment is consistent with these recommendations of the regional water quality management plan.

- **Consistency with Chapter NR 121 of the Wisconsin Administrative Code**
  Chapter NR 121 of the Wisconsin Administrative Code governs the preparation of areawide water quality management plans, including the component sewer service area plans. The code requires that sewer service areas be determined in a way that promotes cost-effective and environmentally sound wastewater collection and treatment and that is consistent with 20-year population projections. Under the code, sewer service area plans must identify lands that are to be excluded from sewer service because of physical or environmental constraints or potential adverse water quality impacts. The proposed sewer service area amendment is consistent with these provisions of the Wisconsin Administrative Code.

- **Consistency with Procedural Requirements**
  As carried out by the Regional Planning Commission, the sewer service area amendment process must begin with a request to the Commission from the appropriate local unit of government or government
agency to process the amendment. A public hearing must be held on the proposed amendment; the hearing is jointly sponsored by the Regional Planning Commission and the requesting agency or unit of government. Subsequent to the public hearing, the requesting agency or unit of government must act to approve the amendment as presented at the hearing, approve a modified amendment, or deny the amendment. Only after approval by the requesting agency or unit of government will the proposed amendment be considered for adoption by the Regional Planning Commission as an amendment to the areawide water quality management plan. All of the Commission’s procedural requirements have been met for this amendment.

Given all of the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the City of Mequon sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 188, as amended, in the manner shown on Map 1. It is also recommended that the Wisconsin Department of Natural Resources approve this sewer service area plan amendment and transmit the plan amendment to the U.S. Environmental Protection Agency for certification.
Map 96 (AMENDMENT 2013-01)
PLANNED LAND USES IN THE OZAUKEE COUNTY PLANNING AREA: 2035

Note: Lake Michigan bluffs should be protected in accordance with County shoreland and local ordinance requirements.
1. PROPERTY SHALL NOT BE CLASSIFIED AS NON-CONFORMING IF ITS ZONING DESIGNATION IS DIFFERENT THAN ITS LAND USE PLAN DESIGNATION

2. THE LAND USE PLAN MAP IS A GENERAL ILLUSTRATION OF FUTURE LAND USE AND IS NOT INTENDED TO REFLECT THE DETAILS OF EXISTING DEVELOPMENT LAND USES
RESOLUTION NO. 19-30

SALARIES OF COUNTY SUPERVISORS 2020-2022

WHEREAS, Section 59.10(3)(f) of the Wisconsin Statutes states that a county board may, at its annual meeting, by a two-thirds vote of all the members, fix the compensation of the board members to be next elected and may also provide additional compensation for the chairperson.

NOW, THEREFORE, BE IT RESOLVED, by the Ozaukee County Board of Supervisors with a new term of office for County Supervisor beginning on April 21, 2020, the salary of each Supervisor, except the County Board Chairperson, shall be set at $5,049.00 per year in monthly installments of $420.75, and effective April 20, 2021, the salary shall be set at $5,150.04 per year in monthly installments of $429.17; and

FURTHER RESOLVED, the salary of the County Board Chairperson is established at a rate of three times the annual salary of a Supervisor beginning on April 21, 2020, the salary of the County Board Chairperson, shall be set at $15,147 per year in monthly installments of $1,262.25, and effective April 20, 2021, the salary shall be set at $15,450.00 per year in monthly installments of $1,287.50; and

FURTHER RESOLVED, that any Supervisor, including the Chairperson, may reject any or all of his or her salary by giving proper written notice to the County Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Ozaukee County Board of Supervisors, that the above salaries be approved for the 2020-2022 term of office.

Dated at Port Washington, Wisconsin, this 6th day of November, 2019.

SUMMARY: Resolution establishing County Board Salaries for the 2020-2022 term.

VOTE REQUIRED: Two-Thirds of Members Elect

EXECUTIVE COMMITTEE

11/04/19 Executive Committee APPROVED

RESULT: APPROVED [UNANIMOUS]
MOVER: L. Krieg, Supervisor District 17
SECONDER: K. Geracie, Supervisor District 15
AYES: Schlenvogt, Melotik, Rothstein, Geracie, Korinek, Krieg
Executive Committee

AGENDA INFORMATION SHEET

AGENDA DATE: November 6, 2019
DEPARTMENT: Administrator
DIRECTOR: Jason Dzwinel
PREPARER: Jason Dzwinel

Agenda Summary Salaries of County Supervisors 2020-2022

BACKGROUND INFORMATION: The proposed 2020 budget assumes a 2-percent wage increase for the County Board Supervisors in 2020 and a 2-percent wage increase for the County Board Supervisors in 2021. The 2-percent increase is based on the 2018-2019 wage increases for county employees. A retroactive look is the process historically used to establish wage increases for elected officials.

ANALYSIS: The Executive Committee recommends an increase in wages for the 2020-2022. A 2-percent increase is assumed in the 2020 Executive Committee Recommended Budget. Section 59.10 (3)(f) of the Wisconsin Statutes states that a county board may, at its annual meeting, by a two-thirds vote of all the members, fix the compensation of the board members to be next elected and may also provide additional compensation for the chairperson.

FISCAL IMPACT: $3,000
Next Year’s Estimated Cost: $3,000
FUNDING SOURCE:
County Levy: $3,000

RECOMMENDED MOTION: Approve the 2020-2022 County Board Salaries as recommended by the Executive Committee.

EXECUTIVE COMMITTEE
RESOLUTION NO. 19-31

2020 BUDGET

RESOLVED, by the Ozaukee County Board of Supervisors, that the following Budget for 2020 be approved and adopted:

*The amounts listed in this resolution are the totals of line-items reflected in the 2020 Proposed Budget document as amended by the Executive Committee, which is hereby adopted by reference.*

Dated at Port Washington, Wisconsin, this 6th day of November 2019.

SUMMARY: 2020 Budget

VOTE REQUIRED: Majority

EXECUTIVE COMMITTEE

11/04/19 Executive Committee APPROVED

RESULT: APPROVED [UNANIMOUS]
MOVER: K. Geracie, Supervisor District 15
SECONDER: D. Korinek, Supervisor District 13
AYES: Schlenvogt, Melotik, Rothstein, Geracie, Korinek, Krieg
**Agenda Summary** 2020 Budget

BACKGROUND INFORMATION: The resolution approves the 2020 Ozaukee County Budget as recommended by the Executive Committee.

ANALYSIS: Please see the Executive Committee 2020 Budget Memo for detail. The full budget document can be found at <http://www.co.ozaukee.wi.us/DocumentCenter/View/12972/2020-Proposed-Budget>

FISCAL IMPACT: The 2020 Executive Committee Budget totals $89.6 Million. Revenues of $67.5 Million offset the expenses resulting in a 2020 Property Tax Levy of $22.1 Million. Overall expenses increase 2.7 percent over 2019 and revenues increase 2.4 percent. The 2020 Executive Committee Budget Recommendation increases the property tax levy 1.1 percent from 2019. The dollar increase totals $236,900, the amount equivalent to the second phase radio debt payment. The county is in the midst of a technological upgrade to the countywide public safety radio system. In 2019, the County Board approved borrowing $4 Million to complete the project. This approach allowed the county to budget an interest payment in 2019 and an interest and principle payment in 2020 in effect feathering in the property tax impact of the new debt over two budgets. The operational levy for 2020 is flat, offset by increases in departmental revenues, expenditure restraint and other non-departmental revenues. The table below compares the 2019 property tax levy to 2020.

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<tr>
<td>Total Tax Rate</td>
<td>$2.06</td>
<td>$1.99</td>
<td>-$0.07</td>
<td>-3.2%</td>
</tr>
<tr>
<td>County Tax Rate</td>
<td>$1.77</td>
<td>$1.70</td>
<td>-$0.07</td>
<td>-3.7%</td>
</tr>
<tr>
<td>Fed. Library Rate</td>
<td>$0.29</td>
<td>$0.29</td>
<td>$0.00</td>
<td>0.1%</td>
</tr>
</tbody>
</table>

RECOMMENDED MOTION: The Executive Committee respectfully requests that the County Board approved the 2020 Ozaukee County Budget as presented.

**ATTACHMENTS:**
- Executive Committee 2020 Recommended Budget Memo (PDF)
November 6, 2019

Dear Honorable County Board Members:

It is my privilege to present the 2020 Executive Committee Budget for your consideration. The 2020 Executive Committee budget is a document that is rooted in a strong and fiscally responsible approach to public policy for the residents and taxpayers that we serve in Ozaukee County. The efforts of our Department Heads and their fiscal staff are worthy of appreciation for their role in responsibly reviewing operations and their conservative approach to expense control and revenue development. Our budget team, led by our Budget Manager, has truly hit its stride in the preparation of the 2020 Budget working together for a third consecutive year. The work of the staff of the Department of Administration is praiseworthy for the ongoing efforts to place Ozaukee County on a strong fiscal foundation in 2020 and beyond.

Ultimately, the 2020 Executive Committee Budget is an effort to balance county expenses with revenues, including the property tax. It is much more than an arithmetic exercise. The 2020 Executive Committee Budget is the policy foundation for all significant county efforts planned for the next twelve months and beyond. With the 2020 Executive Committee Budget Ozaukee, County is poised to meet the challenges that all local governments face to maintain the levels of service expected by those we serve while living within our means. It is my sincere belief that the efforts in Ozaukee County to meet demand and deliver service are unsurpassed among our peer governments. The overarching goal is to deliver structural balance in county operations and continue efforts to move this organization forward through fiscal conservatism based in strong public policy.

The information that follows describes ongoing efforts that create sustainable effectiveness through efforts with County Board and our key staff to think strategically and place a proper focus on organizational essentials, Ozaukee County employees, thoughtful programmatic expansion and efforts to sustain a supported capital funding stream for deferred projects. In 2019-2020, the ongoing strategic planning and performance management efforts continue on a path towards implementation. Coupled together, this work will further focus the policy development efforts of the County Board.
2020 Executive Committee Budget Summary

The 2020 Executive Committee Budget totals $89.6 Million. Revenues of $67.5 Million offset the expenses resulting in a 2020 Property Tax Levy of $22.1 Million. Overall expenses increase 2.7 percent over 2019 and revenues increase 2.4 percent. The 2020 Executive Committee Budget Recommendation increases the property tax levy 1.1 percent from 2019. The dollar increase totals $236,900, the amount equivalent to the second phase radio debt payment. The county is in the midst of a technological upgrade to the countywide public safety radio system. In 2019, the County Board approved borrowing $4 Million to complete the project. This approach allowed the county to budget an interest payment in 2019 and an interest and principle payment in 2020 in effect feathering in the property tax impact of the new debt over two budgets. The operational levy for 2020 is flat, offset by increases in departmental revenues, expenditure restraint and other non-departmental revenues. The table below compares the 2019 property tax levy to 2020.

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2020</th>
<th>$ Incr/(Decr)</th>
<th>% Incr/(Decr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Tax Levy</td>
<td>$21,842,530</td>
<td>$22,118,522</td>
<td>$275,992</td>
<td>1.3%</td>
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<tr>
<td>County Tax Levy</td>
<td>$21,207,048</td>
<td>$21,443,948</td>
<td>$236,900</td>
<td>1.1%</td>
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<tr>
<td>Fed. Library Levy</td>
<td>$635,482</td>
<td>$674,574</td>
<td>$39,092</td>
<td>6.2%</td>
</tr>
<tr>
<td>Total Tax Rate</td>
<td>$1.77</td>
<td>$1.70</td>
<td>-$0.07</td>
<td>-3.2%</td>
</tr>
<tr>
<td>County Tax Rate</td>
<td>$0.29</td>
<td>$0.29</td>
<td>$0.00</td>
<td>0.1%</td>
</tr>
<tr>
<td>Fed. Library Rate</td>
<td>$0.29</td>
<td>$0.29</td>
<td>$0.00</td>
<td>0.1%</td>
</tr>
</tbody>
</table>

Employee Retention Efforts: The 2020 Executive Committee Budget placed a renewed focus on employee retention and competitiveness in the public sector employee marketplace. One third of county expenses are salaries at $32 Million in the 2020 Budget. It is appropriate to place an importance on the most significant area of operational expenses. The Executive Committee’s efforts in employee retention efforts were threefold. One, provide a 3 percent cost of living increase. Two, maintain the health insurance benefit package. Three, plan for a salary study within the 2020-2021 timeframe.

Cost of Living Estimate: County employees have received a 2 percent COLA increase for several years and for 2020, the budget team worked with departments to provide an additional 1 percent with no impact to the tax levy. Departments were asked to provide an offset to the increased cost by either: increases in revenue; decreasing operating costs; or utilizing grant funding to offset salaries and benefits. The total salary and benefit estimate for all departments for an additional 1 percent was $372,000 in 2020 and estimates suggested an increase of $197,000 in additional tax levy. After completing the “COLA Challenge” exercise with departments, the levy impact is estimated at less than $15,000. The 2020 Executive Committee Budget meets the goal of providing a 3 percent cost of living increase.

Health Insurance: The 2020 Budget assumes the 12 percent increase in health insurance. No plan design changes were recommended by the committee to decrease the premium. In consultation with the WCA Group Health Trust, a doubling of annual deductibles from $1,500/$3,000 (single/family) to $3,000/$6,000 (single/family) or the implementation of
80%/20% coinsurance would have reduced the premium to the original 7.5 percent budget estimate. The levy impact of the 4.5 percent increase from the budget estimate is approximately $70,000. The levy reduction resulting from the elimination of the county funded Assistant District Attorney position offset the impact of the health insurance increase.

The limited 2019 claims experience and the WCA Group Health Trust’s reliance on the last four months of 2016 claims are being used to justify the increase. The last four months of 2016 were the transition months to a new carrier where claims outpaced premium by 26 percent. After various plan changes by employees, the net impact is an increase of 8 percent over 2019.

The county’s health plan insures approximately 1,100 lives. Higher than average large claims and prescription costs are the actuarial drivers of the increase. Currently, 13 claims account for 34 percent of annual plan cost and the county’s per member prescription costs are 20 percent higher than the plan average ($101 per Ozaukee member/$84 per plan member).

**Plan for a Salary Study:** Ozaukee County has not contracted for a salary study in more than 15 years. Many of the surrounding counties in Southeast Wisconsin have completed salary studies within the last 5 years. The effort to undertake a study must be accompanied by an agreement by the County Board to fund the recommended wage adjustments completely. In anticipation of funding the study results, the County Administrator identified the following plan to set aside approximately $565,000 of the property tax levy in 2021. Currently the county has set aside $265,000 in 2019 levy and anticipates approximately $300,000 in net new construction in 2021 to fund the study results. The plan to complete a salary study will be reviewed by the Executive Committee in 2020.

**Net New Construction:** The allowable increase of tax levy for 2020 is $298,000. The Executive Committee sustained the County Administrator’s recommendation to not increase the tax levy by
this amount in 2020. The State of Wisconsin Levy Limits allow for increases in property taxes for the payment of debt and by the amount available for net new construction.

Total general obligation debt payments in 2019 are $3,978,730. County tax levy supports $2,458,038 of the total, with revenues at the Lasata Care Campus offsetting the balance. The county reported $2,865,760 of general obligation debt levy in 2019. Historically the county utilized a portion of the Lasata Care Campus debt to offset tax levy supported increases in operations when reporting compliance with the levy limits to the State of Wisconsin. While allowable, this method of reporting poses an operational issue in the long term if not addressed. As the debt held at the Lasata Care Campus retires, the county would be forced to reduce the operational portion of the tax levy to comply with the levy limits. Not utilizing the increase available for net new construction in 2020 will allow the county to address the imbalance between the operational and debt levies under the requirements of the State of Wisconsin Levy Limits.

Sales Tax: The Executive Committee budget increased the sales tax budget estimate from $8,906,921 to $9,107,000, the Wisconsin Counties Association estimate. This estimate is still conservative and within the 2019 sales tax projections based on collections year to date.

<table>
<thead>
<tr>
<th></th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUDGETED</td>
<td>$7,870,000</td>
<td>$7,870,000</td>
<td>$8,276,921</td>
</tr>
<tr>
<td>ACTUAL</td>
<td>$8,087,212</td>
<td>$8,138,182</td>
<td>$8,710,919</td>
</tr>
<tr>
<td>SURPLUS</td>
<td>$217,212</td>
<td>$268,182</td>
<td>$433,998</td>
</tr>
<tr>
<td>SURPLUS EST.</td>
<td>2019</td>
<td>2020</td>
<td></td>
</tr>
<tr>
<td>BUDGETED</td>
<td>$8,656,921</td>
<td>BUDGETED</td>
<td>$8,906,921</td>
</tr>
<tr>
<td>PROJECTED</td>
<td>$9,100,000</td>
<td>WCA ESTIMATE</td>
<td>$9,107,000</td>
</tr>
<tr>
<td>SURPLUS EST.</td>
<td>$443,079</td>
<td>AVAILABLE</td>
<td>$200,079</td>
</tr>
</tbody>
</table>

---

Sales Tax (SALES TAX) 2016 2017 2018

- **BUDGETED**: $7,870,000, $7,870,000, $8,276,921
- **ACTUAL**: $8,087,212, $8,138,182, $8,710,919
- **SURPLUS**: $217,212, $268,182, $433,998

---

**Sales Tax Visualization**

- **Dollars**:
  - 8.0M
  - 8.2M
  - 8.4M
  - 8.6M
  - 8.8M

- **Years**:
  - 2017 Actual
  - 2018 Actual
  - 2019 Adopted
  - 2020 Department Budget Request
  - 2020 Budget

---

**Attachment**: Executive Committee 2020 Recommended Budget Memo (RES.19-31 : 2020 Budget)
The committee used the additional revenues to support the following initiatives:

1. The Shared Human Services and Sheriff’s Department position, $91,000. This is a new approach to addressing mental health and substance misuse issues in Ozaukee County, utilizing a hybrid social work and law enforcement approach targeting individuals who are entering the courts system and exiting the county jail in an effort to strengthen the support network and planning to utilize resources in the community.
2. The countywide marketing effort; $93,000 to be used to address marketing and other initiatives identified in the ongoing strategic planning efforts.
3. $11,000 to support a required grant match to expand the Ozaukee County Demonstration Farm Network and training in the Land and Water Department.
4. Increased the annual contribution for the Milwaukee 7 from $5,000 to $10,000.

**Project Reserve and Estimate:** The capital reserve balance, with the 2020 budget recommendation is anticipated to be $780,000. Currently, the county’s interest earnings are $293,000 over budget estimates for 2019 and projections estimate an additional $443,000 of sales tax revenues adding to the General Fund surplus for 2019. These surpluses and the current year to date financials bode well for another strong financial performance for 2019. The committee should keep in mind that the 2019 budget transferred $675,000 from unrestricted fund balance for the Justice Center roof and War Memorial projects. These transfers will affect the year-end surplus and transfer into the project reserve.

**EXPANSION REQUESTS**

In 2020, under the guidance of the Budget Manager, staff worked to provide the committee with a Current Service Level Budget. The purpose of the approach is to determine what the costs of doing business at a status quo level year over year and to separate these costs from those budget proposals that expand, or in some cases contract the services provided by the county. Items that changed the current service level were considered separately as Expansion Requests. Expansion requests, enhance, improve or add service, increase or upgrade personnel levels and impact departmental mission, programs and service levels.

The Committee approved the following Expansion Requests:

**Grant/Revenue Funded Positions Created:** The committee approved new positions in Human Services and Public Health. These four changes are 100% supported by non-county funds.

1. Public Health Environmental Intern: this is a grant-funded intern to support the beach testing activities of the department.
2. Public Health Emergency Preparedness Coordinator: This is the combination of two part-time positions to serve the emergency management planning activities of the department.
3. Human Services Licensed Mental Health Professional I: this is a position to support the Comprehensive Community Services (CCS) programming in the county. CCS is a 100% revenue supported program that provides wrap around services in the community to address substance misuse and mental health issues.
4. Human Services Home LEAP Eligibility Specialist: this is a position to support the Wisconsin Home Energy program. This position was historically subcontracted, but will now be a county position to increase accountability within the program.
**Elimination of County Funded District Attorney Position:** The county funded Assistant District Attorney position was eliminated and a part-time Paralegal position was created in the District Attorney’s Office. The net savings of this change was $70,000. The savings will be applied to health insurance costs in 2020.

**Increase in The Sales Tax Estimate:** The Wisconsin Counties Association estimate for 2020 sales tax revenues were assumed, $200,000 in addition revenue. These funds were used to support the following initiatives in 2020.

1. The Shared Human Services and Sheriff’s Department position, $91,000. This is a new approach to addressing mental health and substance misuse issues in Ozaukee County, utilizing a hybrid social work and law enforcement approach targeting individuals who are entering the courts system and exiting the county jail in an effort to strengthen the support network and planning to utilize resources in the community.
2. The countywide marketing effort; $93,000 to be used to address marketing and other initiatives identified in the ongoing strategic planning efforts.
3. $11,000 to support a required grant match to expand the Ozaukee County Demonstration Farm Network and training in the Land and Water Department.
4. Increased the annual contribution for the Milwaukee 7 from $5,000 to $10,000.

**Wage Increase for The County Board:** The committee planned for a 2% wage increase for the County Board in 2020 and 2% in 2021. Wages for the 2020-2021 term must be established this November.

**DNR Targeted Runoff Management Grant:** The committee included $225,000 of state grant revenue to support an agricultural runoff project in the county. There are no county funds used to support this effort.

**Clerk of Courts Create a Full-Time Position:** The Clerk of Courts Office requested to create a full-time position from two part-time positions. The estimated increase in costs is $18,767 for health insurance. The committee approved the creation of the position, but did not increase the departmental budget in 2020 directing the Clerk of Courts Office to manage the additional costs within the current 2020 budget appropriation.

The Committee approved the following administrative corrections in the 2020 Budget. These are items that would be assumed in the County Administrator’s Recommendation, but were not included due to timing and the finalization of the budget.

1. County Board Salaries & Benefits – 2019 Budgeted salaries for the County Board was reduced for a board member who chooses to forgo their salary. The 2020 budget was increased by $4,950.
2. Non Departmental - Property Insurance: A revised estimated for property insurance premium in 2020 of $44,840. The insurance is currently still under review, but the estimate is sound for budgeting purposes.
3. Land & Water Professional Services Contract: This is a contract for SEWRPC to complete the required Land and Water Resource Plan that was originally included in the 2020 Budget Expansion requests. A contract was approved in 2019 to fund these efforts of $12,000.
4. General Fund - State Shared Revenue: The revenue estimate received was higher than the originally estimated. These revenues offset the other administrative changes identified above.

The 2020 Expansion Requests are summarized below:

<table>
<thead>
<tr>
<th>Department</th>
<th>Expansion</th>
<th>Expense</th>
<th>Revenues</th>
<th>Net Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clerk of Circuit Courts</td>
<td>Deputy Clerk III (Convert 2 PT to 1 FT)</td>
<td>$18,767</td>
<td>$0</td>
<td>$18,767</td>
</tr>
</tbody>
</table>

The committee approved the creation of the position, but did not increase the departmental budget in 2020 directing the Clerk of Courts Office to manage the additional costs within the current 2020 budget appropriation.

| Countywide | Communications and Marketing Director | $100,000 | $100,000 |

Approved for $93,000 funding to support marketing and other initiatives identified in the strategic planning process.

| Highway Department | SEWRPC Proactive Monument Replacement | $55,000 | $55,000 |

Committee directed Public Works Director to assess current costs, viability of hiring a County Surveyor to accomplish these tasks and viability of providing these services to municipalities with the allocation.

| Human Services | WI Home Energy Program Eligibility Specialist | $85,858 | $85,858 | $0 |

| Human Services | Licensed Mental Health Professional I | $90,239 | $90,239 | $0 |

Both Human Services Positions approved.

| Land & Water Management | DNR TRM | $225,000 | $225,000 | $0 |

Approved. This is a pass through grant from the State of Wisconsin.

| Land & Water Management | Soil Health | $10,000 | $10,000 |

Committee directed staff to present funding this expansion from the Land and Water Tree Fund account. Reserve fund that holds revenues from the tree and prairie seed sale.

| Land & Water Management | Storm Water Permit Education | $800 | $800 |

Approved.

| Land & Water Management | Land & Water Interns | $7,289 | $7,289 |

Not approved.
<table>
<thead>
<tr>
<th>DEPARTMENT</th>
<th>POSITION</th>
<th>COST</th>
<th>RESULT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clerk of Circuit Courts</td>
<td>Controller</td>
<td>$1,949</td>
<td>Reviewed and Supported</td>
</tr>
<tr>
<td>Clerk of Circuit Courts</td>
<td>Chief Deputy Clerk of Courts</td>
<td>$1,149</td>
<td>Reviewed and Supported</td>
</tr>
<tr>
<td>County Clerk/Board</td>
<td>Chief Deputy County Clerk</td>
<td>$4,062</td>
<td>Reviewed and not Supported</td>
</tr>
<tr>
<td>County Clerk/Board</td>
<td>Deputy Clerk I</td>
<td>$2,230</td>
<td>Reviewed and Supported</td>
</tr>
<tr>
<td>Human Services</td>
<td>Adult Protection Position</td>
<td>$777</td>
<td>Reviewed and Supported</td>
</tr>
<tr>
<td>Land &amp; Water Management</td>
<td>Sanitation and Zoning Specialist</td>
<td>$4,542</td>
<td>Reviewed and not Supported</td>
</tr>
<tr>
<td>Land &amp; Water Management</td>
<td>Soil and Water Coordinator</td>
<td>$645</td>
<td>Reviewed and not Supported</td>
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<tr>
<td>Planning &amp; Parks</td>
<td>Planning and GIS Specialist</td>
<td>$7,589</td>
<td>Reviewed and not Supported</td>
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<tr>
<td>Planning &amp; Parks</td>
<td>Program Manager Position</td>
<td>$3,376</td>
<td>Reviewed and not Supported</td>
</tr>
<tr>
<td>Planning &amp; Parks</td>
<td>Natural Resources and GIS Technician</td>
<td>$5,863</td>
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</tr>
<tr>
<td>Planning &amp; Parks</td>
<td>Repair MKGC Shop Building</td>
<td>$0</td>
<td>Reviewed and Supported</td>
</tr>
<tr>
<td>Public Health</td>
<td>Emergency Preparedness Coordinator</td>
<td>$23,882</td>
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</tr>
<tr>
<td>Public Health</td>
<td>Environmental Health Intern</td>
<td>$2,635</td>
<td>Reviewed and Supported</td>
</tr>
<tr>
<td>Sheriff Department</td>
<td>Reclassification of Dispatchers &amp; Crime Analyst</td>
<td>$79,054</td>
<td>Reviewed and not Supported</td>
</tr>
<tr>
<td>Sheriff Department</td>
<td>Reclassification Office Assistant Positions</td>
<td>$14,994</td>
<td>Reviewed and not Supported</td>
</tr>
</tbody>
</table>

Committee directed staff to better define fiscal needs for the position and the viability of assisting with current fiscal staff.

The 2020 Personnel Changes are summarized below:
RESOLUTION NO. 19-32

AMENDING THE OZAUKEE COUNTY POLICY & PROCEDURE MANUAL - PERSONNEL CHANGES APPROVED IN THE 2020 ADOPTED BUDGET

RESOLVED, by the Ozaukee County Board of Supervisors, that Section 3.01 of the Ozaukee County Policy and Procedure Manual be amended to read:

<table>
<thead>
<tr>
<th>POSITION</th>
<th>GRADE</th>
<th>UNION</th>
<th>HOURS</th>
<th>#</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 COUNTY CLERK</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deputy County Clerk I</td>
<td>102</td>
<td>NON REP</td>
<td>40</td>
<td>1</td>
</tr>
<tr>
<td>Deputy County Clerk II</td>
<td>103</td>
<td>NON REP</td>
<td>40</td>
<td>2</td>
</tr>
<tr>
<td>6 HUMAN SERVICES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Court Services Community Liaison</td>
<td>11</td>
<td>OPEIU</td>
<td>40</td>
<td>1</td>
</tr>
<tr>
<td>Licensed Mental Health Professional I</td>
<td>10</td>
<td>OPEIU</td>
<td>40</td>
<td>10</td>
</tr>
<tr>
<td>Lead Licensed Mental Health Professional Quality Assurance Specialist</td>
<td>110</td>
<td>NON REP</td>
<td>40</td>
<td>1</td>
</tr>
<tr>
<td>Wisconsin Home Energy Project Eligibility Specialist*</td>
<td>8</td>
<td>OPEIU</td>
<td>40</td>
<td>1</td>
</tr>
<tr>
<td>Community Services Manager Behavioral Health Manager</td>
<td>113</td>
<td>NON REP</td>
<td>40</td>
<td>1</td>
</tr>
<tr>
<td>Case Management Team Leader Case Management Supervisor</td>
<td>110</td>
<td>NON REP</td>
<td>40</td>
<td>1</td>
</tr>
<tr>
<td>Social Worker II Adult Protective Services Adult Protective Services Team Lead</td>
<td>40-11</td>
<td>OPEIU</td>
<td>40</td>
<td>1</td>
</tr>
<tr>
<td>*Revenue Supported</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 PUBLIC HEALTH</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health Educator Senior Health Strategist Senior</td>
<td>108</td>
<td>NON REP</td>
<td>40</td>
<td>2</td>
</tr>
<tr>
<td>Health Educator Health Strategist*</td>
<td>106</td>
<td>NON REP</td>
<td>40</td>
<td>2</td>
</tr>
<tr>
<td>Environmental Health Intern*</td>
<td></td>
<td>SPECIAL</td>
<td>NON REP</td>
<td>AS FUNDDED</td>
</tr>
<tr>
<td>Emergency Preparedness Manager Coordinator</td>
<td>108 106</td>
<td>NON REP</td>
<td>24 40</td>
<td>1</td>
</tr>
<tr>
<td>*Revenue Supported</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 LASATA CAMPUS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Director of Admissions/Marketing</td>
<td>108</td>
<td>NON REP</td>
<td>40</td>
<td>1</td>
</tr>
<tr>
<td>LASATA CARE CENTER</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medical Billing Clerk Account Services Coordinator</td>
<td>6 105</td>
<td>NON REP</td>
<td>40</td>
<td>1</td>
</tr>
<tr>
<td>Nurse Coordinator—Lead Nurse Coordinator (MDS)</td>
<td>409 110</td>
<td>NON REP</td>
<td>40</td>
<td>1</td>
</tr>
<tr>
<td>Position</td>
<td>Type</td>
<td>Department</td>
<td>FTE</td>
<td>Notes</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>------</td>
<td>------------</td>
<td>-----</td>
<td>-------</td>
</tr>
<tr>
<td>Certified Nurse Assistant (Benefit)</td>
<td>4A</td>
<td>LAW</td>
<td>36.8</td>
<td>35.8FTE</td>
</tr>
<tr>
<td>Restorative Certified Nurse Assistant</td>
<td>4A</td>
<td>LAW</td>
<td>40</td>
<td>1</td>
</tr>
<tr>
<td>Supply Aide—Central Supply Coordinator</td>
<td>4A</td>
<td>LAW</td>
<td>40</td>
<td>1</td>
</tr>
<tr>
<td>YAP Youth Apprentice Program CAN</td>
<td>4A</td>
<td>LAW</td>
<td>35.8</td>
<td></td>
</tr>
<tr>
<td>Food Service Supervisor—Culinary Services</td>
<td>107</td>
<td>NON REP</td>
<td>40</td>
<td>1</td>
</tr>
<tr>
<td>Assistant Food Service Supervisor, Assistant</td>
<td>103</td>
<td>NON REP</td>
<td>40</td>
<td>1</td>
</tr>
<tr>
<td>Director</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LASATA CROSSINGS</td>
<td></td>
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<td>differential pay of $2.00 and PM/Night</td>
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<td>Paralegal</td>
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<td>OPEIU 18.75 1</td>
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FURTHER RESOLVED, that these changes shall take effect January 1, 2020; and

FURTHER RESOLVED, that Chapter 3.01 of the Policy & Procedure Manual be amended to reflect the personnel changes and department totals to be adjusted accordingly.

Dated at Port Washington, Wisconsin, this 6th day of November 2019.

SUMMARY: Section 3.01 of the Ozaukee County Policy and Procedure Manual pertaining to positions and pay grades is amended.

VOTE REQUIRED: Majority

EXECUTIVE COMMITTEE

11/04/19 Executive Committee APPROVED
RESULT:  APPROVED [UNANIMOUS]
MOVER:    D. Korinek, Supervisor District 13
SECONDER: J. Rothstein, Supervisor District 26
AYES:     Schlenvogt, Melotik, Rothstein, Geracie, Korinek, Krieg
Agenda Summary: Amending the Ozaukee County Policy & Procedure Manual - Personnel Changes Approved in the 2020 Adopted Budget

BACKGROUND INFORMATION: The 2020 Budget contains the following personnel changes. The proposed resolution updates the Policy and Procedure Manual Chapter 3.01 to reflect the changes.

ANALYSIS:

COUNTY CLERK

2. Deputy County Clerk II - The current Deputy County Clerk I’s job duties are now comparable to the Deputy Clerk II position.

HUMAN SERVICES

3. Court Services Community Liaison - This is a new position that will help individuals whose legal involvement may be a result of untreated mental illness, mental health crisis, substance abuse disorders, or lack of community/family support. Services included face-to-face assessments, transportation, housing, psychiatric evaluations, treatment plans, medication therapy, case management, court liaison, huber guidance and finding additional community and/or family resources.

4. Licensed Mental Health Professional I - Additional FTE needed to meet caseload demand for CCS program.

5. Quality Assurance Specialist - Title change and reclassification following retirement of employee formerly holding title of Lead Licensed Mental Health Professional.

6. WI Home Energy Project Eligibility Specialist - This expansion request will bring the Wisconsin Home Energy Program back to the HS department instead of a contracted service. This position is 100% grant funded.

7. Behavioral Health Manager - Title change only.

8. Case Management Supervisor - Title change only.

9. Adult Protective Services Team Lead - Title change and reclassification. In addition to the job description of Social Worker II APS, this position will screen referrals, assign cases to staff, coordinate work flow, and have oversight of day-to-day duties of other
PUBLIC HEALTH

10. Health Strategist Senior - Title change only.

11. Health Strategist - Title change only.

12. Environmental Health Intern - Public Health is awarded a grant each year to do beach testing. Intern will be hired for the summer beach testing season, Memorial Day through Labor day, and paid by Beach Grant funds.

13. Emergency Preparedness Coordinator - Position reclassification following retirement of employee formerly holding position. This position is fully grant funded.

LASATA CAMPUS

14. Director of Admissions/Marketing - A Director of Admissions and Marketing will be able to focus their attention on meeting and exceeding budgeted census goals.

15. Account Services Coordinator - This role change is the result of additional duties assigned to enable Campus Financial/Reimbursement Manager to step out of the day-to-day billing and business office function into more oversight. The current employee taken on more and more responsibility and this job change is actually leveling her current job scope to the correct Job description and pay grade. The step 4 rate of $21.47 is right in line with the Leading age survey of 2018 for bookkeeper at a county home.

16. Lead Nurse Coordinator (MDS) - The MDS department at Lasata is crucial and vital part of the team. This position will oversee and coordinate a team of nurse assessment coordinators and health information technicians to ensure the facility submits accurate and appropriate information to maximize reimbursement for care provided to all residents in the nursing home.

17. Restorative Certified Nurse Assistant - This is a new role to Lasata Care Center Nursing Department created because Medicare/CMS is changing their reimbursement system in October 2019. This new rehab unit model, which includes the restorative program, is an integral part of a rehab patients plan of care and achieving optimal patient recovery. This position allows us to maximize our Medicare reimbursement by reducing costs of therapy. This will eliminate 2912 hours from c n a. This will be a net effect - no additional cost.

18. Central Supply Coordinator - The supply aid has had a significant change in responsibility which is reflected in the new job description Central Supply Aid. This new role now reports to the Campus Finance/Reimbursement Manager. There is now a greater emphasis and responsibility to budget and cost control in this new role. This new role is imperative to keeping Lasata care Center within budget.

19. Youth Apprentice Program Certified Nursing Assistant - This request is righting a pay grade to keep it in line with the job performed. The YAP program employees were paid $9.00 historically- by putting them in the C N A pay grade - it pays them for the job they are doing as well as competes with other facilities that participate in the YAP programs. This is not creating additional positions it replaces CNA FTE.

20. Culinary Services Director - Title change only.
21. Assistant Culinary Services Director - Title change only.

22. Dining Services Coordinator - Culinary programs and services are more important than ever in contributing to the quality of life for seniors. Resident and tenant centered food service is an industry trend that requires more attention to exceeding resident and tenant expectations and is an essential part of culture change. Furthermore, dining programs, food quality and execution of culinary service are a significant factor in overall satisfaction residents and tenants in the current senior living community. The dining program at Lasata Crossings has evolved since it’s origination and requires a more substantial commitment from a team including a director and skilled chefs. This new role will allow for 2 full time cook positions of which one is filled. This should eliminate any overtime in that dept going forward. Estimated 2019 OT if position isn’t added - 11,700.00 as seen above.

23. RN & LPN shift differentials increased by $1 to compete for labor.

24. CNA (benefit) and PCW (benefit) shift differentials increase by $1 to compete for labor.

PLANNING & PARKS

25. Natural Resources & GIS Technician - Merge two vacant part-time positions into one full-time position. This position is fully grant funded.

CLERK OF COURTS


27. Chief Deputy Clerk of Courts - position upgraded from 108 to 109 based on HR job analysis.

28. Deputy Clerk III - two vacant part-time Clerk III positions merged into one full-time position to help with recruitment and retention.

DISTRICT ATTORNEY

29. Elimination of county funded Assistant District Attorney position

30. Creation of part-time Paralegal position - position eliminated when county funded Assistant District Attorney position was created

FUNDING SOURCE: 2020 Budget

RECOMMENDED MOTION: Approve the 2020 Personnel Changes Resolution.

EXECUTIVE COMMITTEE
RESOLUTION NO. 19-33

AMENDING CHAPTER 3.02 OF THE OZAUKEE COUNTY POLICY & PROCEDURE MANUAL - 2020 BUDGET WAGE INCREASES

RESOLVED, by the Ozaukee County Board of Supervisors that Section 3.02 of the Ozaukee Policy & Procedure Manual be amended to read:

3.02 COUNTY WAGE SCALES

(1) Non Represented Wage Scale

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* Undersheriff, Captain and Lieutenant Wages are 6.09% above step per adjustments made in 2013 Sworn Management wages authorized by Resolution 12-73.

(2) Office Employee Non-Management Staff

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### (4) Labor Association of Wisconsin Jail Deputies Union Wage Scale

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### (5) Labor Association of Wisconsin Patrol and Detective Deputies Union Wage Scale

Ozaukee Deputy Sheriffs’ Association Effective January 1, 2020 (3.0%)

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(6) Lasata Non-Management Employees Wage Scale

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<td>$17.06</td>
<td>$17.60</td>
<td>$18.10</td>
<td>$18.63</td>
<td>$19.14</td>
<td>$19.66</td>
<td>$20.18</td>
</tr>
</tbody>
</table>

### (7) Special Wage Rates

<table>
<thead>
<tr>
<th>Employee Classification</th>
<th>Hourly Wage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aging &amp; Disability Special Projects</td>
<td>$16.89</td>
</tr>
<tr>
<td>Bailiffs less than 1 year</td>
<td>$13.33</td>
</tr>
<tr>
<td>Bailiffs over 1 year</td>
<td>$13.71</td>
</tr>
<tr>
<td>County Home/County Jail Medical Director</td>
<td>$98.35</td>
</tr>
<tr>
<td>Court Services Deputy</td>
<td>$20.90</td>
</tr>
<tr>
<td>Court Services Deputy (after 1040 hours)</td>
<td>$23.42</td>
</tr>
<tr>
<td>Coroner Special Deputies</td>
<td>$31.95</td>
</tr>
<tr>
<td>Coroner Livery Drivers</td>
<td>$150.00 Per Trip</td>
</tr>
<tr>
<td>Drug Unit Investigator</td>
<td>$23.42</td>
</tr>
<tr>
<td>Golf Course Part Time Employees</td>
<td>$8.12 - $10.40</td>
</tr>
<tr>
<td>Hazmat Operators</td>
<td>$14.05</td>
</tr>
<tr>
<td>Hazmat Team Leader</td>
<td>$27.88</td>
</tr>
<tr>
<td>Hazmat Technicians</td>
<td>$20.30</td>
</tr>
<tr>
<td>Highway Dept. Part time summer help</td>
<td>$10.70</td>
</tr>
<tr>
<td>Highway Dept. Part time winter help</td>
<td>$16.66</td>
</tr>
<tr>
<td>Intern</td>
<td>$8.00 - $15.00 (2018 Adopted Budget)</td>
</tr>
<tr>
<td></td>
<td>$8.16 - $15.30 (2019 Adopted Budget)</td>
</tr>
<tr>
<td></td>
<td>$8.40 - $15.76</td>
</tr>
<tr>
<td>Law Clerk</td>
<td>$15.33</td>
</tr>
<tr>
<td>Meal Program Drivers</td>
<td>$11.78</td>
</tr>
<tr>
<td>Mee Kwon/Hawthorne Pro Shop Manager</td>
<td>$17.49</td>
</tr>
</tbody>
</table>
Parks Caretaker $11.26
Peer Specialist $12.99
Pro Shop Manager $17.49
Rescue Boat Pilot $14.51
Rescue Boat Team Leader $20.30
Special Deputy Sergeant $24.53
Special Deputy Sheriff (completion of 40 hours) $23.42
Substitute Janitor Over 1 year $12.80
Substitute Janitor Under 1 year $11.49
Substitute Meal Site Manager/Drivers $11.03 - $12.85
Supported Care Worker $12.99
Tax Collection Clerk $12.78
Parks Temporary Maintenance $8.12 - $12.88
Veterans Drivers per trip $17.91 Plus $8.96 for each additional passenger
Water Safety Patrol Crew Person entry level $10.74
Water Safety Patrol Crew Person with experience $13.26
YAP Youth Apprentice Program CNA $13.80

Dated at Port Washington, Wisconsin, this 6th day of November 2019

SUMMARY: Section 3.02 of the Ozaukee County Policy & Procedure Manual as it relates to county wage scales is amended.

VOTE REQUIRED: Majority

EXECUTIVE COMMITTEE

11/04/19 Executive Committee APPROVED

RESULT: APPROVED [UNANIMOUS]
MOVER: K. Geracie, Supervisor District 15
SECONDER: P. Melotik, Vice-Chairperson
AYES: Schlenvogt, Melotik, Rothstein, Geracie, Korinek, Krieg
Executive Committee

AGENDA INFORMATION SHEET

AGENDA DATE: November 6, 2019
DEPARTMENT: Human Resources
DIRECTOR: Chris McDonell
PREPARER: Chris McDonell

Agenda Summary Amending Chapter 3.02 of the Ozaukee County Policy & Procedure Manual - 2020 Budget Wage Increases

BACKGROUND INFORMATION: The 2020 Budget assumes a 3.0% wage increase for all non-represented employees and Jailors.

RES. 18-55 dated February 6, 2019 did not reflect the CSU Deputy language (Patrol Officer/CSU Deputy) approved in the Ozaukee County Deputy Sheriff’s Association Labor Agreement 2019-2020 (RES. 18-54). In addition, the intern wages did not reflect the 2% Cost of Living Adjustment approved in the 2019 Adopted Budget. The interns did receive the COLA on January 1, 2019.

ANALYSIS: Eligibility for the wage increase will require each non-represented employee or employee class to meet the performance measures based on the requirements of the position established during the 2019 review of performance.

FUNDING SOURCE: Tax levy and other non-levy revenues

RECOMMENDATION MOTION: Move to approve the 2020 Budget Wage Increase Resolution.

EXECUTIVE COMMITTEE
RESOLUTION NO. 19-34

2020 OZAUKEE COUNTY TAX LEVY AND RATE

RESOLVED, by the County Board of Supervisors of Ozaukee County, Wisconsin, that the following sums of money be raised for the ensuing year, 2020 taxes:

<table>
<thead>
<tr>
<th>STATE TAXES (FORESTATION TAX)</th>
<th>$0.00</th>
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</thead>
</table>

COUNTY TAXES:

| State Charitable Penal Charges | 1,570.65 |
| Federated Library System       | 674,574.00 |
| All Other County Taxes         | 21,442,377.35 |

**$22,118,522.00**

FURTHER RESOLVED, that the following be the rate per $1,000.00 of equalized valuation on the various taxes:

- State Tax: $0
- Federated Library System: 0.2889
- All Other County Taxes: 1.7018
- TOTAL: $1.9907

FURTHER RESOLVED, that the sum of $674,574.00, the amount approved for the budget of the County Library System, be and hereby is levied against all taxable property in the townships, excluding the Town of Grafton, excluding the Villages of Bayside, Grafton, Saukville and Thiensville, and excluding the Cities of Cedarburg, Mequon and Port Washington.

FURTHER RESOLVED, that the County Clerk and County Board Chairperson shall, pursuant to Section 70.63 of the Wisconsin Statutes, apportion within ten (10) days of this date, the county tax and the whole amount of state taxes and charges levied upon the county, among the towns, cities and villages of the county, according and in proportion to the valuations for the towns, villages, and cities as determined by the Wisconsin Department of Revenue.

Dated at Port Washington, Wisconsin, this 6th day of November 2019.

**SUMMARY: 2020 Ozaukee County Property Taxes and Rates**

**VOTE REQUIRED:** Majority

**EXECUTIVE COMMITTEE**

11/04/19 Executive Committee

APPROVED
RESULT:  APPROVED [UNANIMOUS]
MOVER:  D. Korinek, Supervisor District 13
SECONDER:  L. Krieg, Supervisor District 17
AYES:  Schlenvogt, Melotik, Rothstein, Geracie, Korinek, Krieg
AGENDA INFORMATION SHEET

AGENDA DATE: November 6, 2019
DEPARTMENT: Administrator
DIRECTOR: Jason Dzwinel
PREPARER: Jason Dzwinel

Agenda Summary 2020 Ozaukee County Tax Levy and Rate

BACKGROUND INFORMATION: This resolution sets the levy and rate for the taxes levied by Ozaukee County.

ANALYSIS:

- The 2020 Budget as recommended by the Executive Committee is a 1.1% levy increase over 2019 for county taxes
- The 2020 Debt Levy increases $236,900 of levy

FISCAL IMPACT:

- On the average Ozaukee County home, valued at $250,000, the County Tax Bill will decrease $3.41

RECOMMENDED MOTION: Approve the 2020 Budget Levy and Tax Rate as recommended by the Executive Committee

EXECUTIVE COMMITTEE
RESOLUTION NO. 19-35

DETERMINING NOT TO OPT OUT OF NEGOTIATION CLASS FOR PURPOSES OF SETTLEMENT IN OPIOID LITIGATION

WHEREAS, the County Board has previously voted to participate as a party in the opioid litigation commenced on behalf of counties statewide; and

WHEREAS, the County’s case has been consolidated into an action entitled, In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio); and

WHEREAS, the County Board has been advised by outside counsel that counties must opt out of the “Negotiation Class,” which was formed to negotiate a settlement with the defendants, if they wish to negotiate a resolution to their claims individually with the defendants and that counties opting out of the class would not share in the proceeds of any settlement; and

WHEREAS, if the County remains a member of the Negotiation Class it will have a right to vote on approval of any settlement proposals, which requires approval by 75% of voting class members, but will not be able to sue any settlement defendants regarding claims and issues covered by the litigation; and

WHEREAS, after consideration of the County’s option to opt out of the Negotiation Class and upon the advice of outside counsel representing Ozaukee County’s interests in this lawsuit that remaining in the Negotiation Class gives the County “maximum negotiating power”;

NOW, THEREFORE, BE IT RESOLVED that the Ozaukee County Board of Supervisors will remain a member of the Negotiation Class in In re: National Prescription Opiate Litigation, MDL No. 2804 (N.E. Ohio), for purposes of negotiating a settlement of all claims and issues in the litigation.

Dated at Port Washington, Wisconsin, this 6th day of November 2019.

SUMMARY: Resolution determining the County’s decision on whether to exercise the right to opt out of the Negotiation Class for opioid litigation negotiation and settlement and to pursue settlement of claims against the defendants individually.

VOTE REQUIRED: Majority

EXECUTIVE COMMITTEE

11/04/19 Execution Committee APPROVED
RESULT: APPROVED [UNANIMOUS]
MOVER: J. Rothstein, Supervisor District 26
SECONDER: L. Krieg, Supervisor District 17
AYES: Schlenvogt, Melotik, Rothstein, Geracie, Korinek, Krieg
Executive Committee

AGENDA INFORMATION SHEET

AGENDA DATE: November 6, 2019
DEPARTMENT: Corporation Counsel
DIRECTOR: Rhonda Gorden
PREPARER: Julie Winkelhorst

**Agenda Summary** Determining Not to Opt Out of Negotiation Class for Purposes of Settlement in Opioid Litigation

**ATTACHMENTS:**

- Class Action Notice and FAQ's (PDF)
UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO

CLASS ACTION NOTICE AND FREQUENTLY ASKED QUESTIONS ("FAQs")

To: All U.S. Counties, Cities, and Local Governments as listed at www.OpioidsNegotiationClass.info

A court authorized this notice. This is not a solicitation from a lawyer.

- Counties and cities across the country have sued manufacturers, distributors, and retailers of prescription opiate drugs seeking, among other things, reimbursement for monies spent addressing the opioid crisis. All federal actions have been centralized into one court in Ohio and are entitled, In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio). Additional cases are pending in state courts.

- The Court in In re: National Prescription Opiate Litigation has certified a voluntary “Negotiation Class” (“Class”). The Class is defined as: all counties, parishes, and boroughs (collectively, “counties”); and all incorporated places, including without limitation cities, towns, townships, villages, and municipalities (collectively “cities”). The Class includes all counties and cities, whether they have filed a lawsuit or not. The complete current list of Class Members is available at the Class website: www.OpioidsNegotiationClass.info. This list may be updated as the Court may order.

- NO SETTLEMENT HAS BEEN REACHED. HOWEVER, IF YOUR COUNTY OR CITY STAYS IN THE CLASS, it will be bound if a Class settlement is approved in the future. Your county or city will likely NOT be provided another opportunity to be excluded from this Class action, so you should read this notice carefully and consult with your counsel regarding your county or city’s rights.

- The Court has certified two Racketeer Influenced and Corrupt Organizations Act ("RICO") claims under Rule 23(b)(3) and two Controlled Substances Act ("CSA") issues under Rule 23(c)(4). (see FAQ 7). The Class is certified solely to consider and vote on any future settlement offers made to the Class by one or more of 13 defendants (see FAQ 5). The purposes of the Class are (a) to unify cities and counties into a single negotiating entity to maximize their bargaining power and (b) to provide finality to opioids litigation for any settling Defendant.

- This Negotiation Class will not decide any claims or defenses in opioids litigation on the merits. It is certified as a Negotiation Class only, to facilitate Class Members’ approval or rejection of proposed settlements. There are no proposed settlements at this time, and no guarantee that there will be in the future. However, your legal rights are affected and it is recommended that you consult with counsel regarding the choice you have to make now.

Questions? Visit www.OpioidsNegotiationClass.info

1
### Your Legal Rights and Options in This Lawsuit

<table>
<thead>
<tr>
<th>Stay in the Class</th>
<th>Stay in the Class. Await the negotiation outcome, but retain the right to pursue your own lawsuit in the meantime. Give up certain rights if a Class settlement is reached and approved by the Class and Court, but get a share of any Class settlement. By taking no action in response to this Notice, you remain in the Class. As a Class Member, you will still retain your right to pursue your own case unless and until any possible Class settlement is approved by the Court. As a Class Member, you have the right to vote on any settlement proposed to the Negotiation Class. A settlement will not be accepted unless supported by 75% of the voting Class Members, counted by number, population, and allocation, for both litigating and non-litigating entities, and approved by the Court. Settlement funds will be distributed at the county level and each county’s share – and city’s suggested share – can be viewed now by utilizing the Allocation Map at the Class website, <a href="http://www.OpioidsNegotiationClass.info">www.OpioidsNegotiationClass.info</a>. If the Court approves any settlement, that judgment will prohibit Class Members from suing the settling Defendant(s) about the claims and issues in the litigation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remove Yourself From the Class</td>
<td>Get out of the Class. Get no portion of any settlement. Keep rights. Those who exclude themselves from the Class cannot vote on, will not have the right to be paid under, and will not be bound by, any Class settlement. You keep any rights to negotiate separately about the same legal claims in this lawsuit, even if the Court approves a settlement for the Class. Class Members may exclude themselves from (“opt out” of) the Class by having an authorized officer or employee complete and sign the Exclusion Request Form enclosed here and submit it on or before <strong>November 22, 2019</strong> by email or mail in accordance with the instructions in FAQ 26 below.</td>
</tr>
<tr>
<td>Requires Action by November 22, 2019</td>
<td></td>
</tr>
</tbody>
</table>

- Class representatives and Class counsel will represent the Class in negotiations with Defendants who choose to do so. You may enter an appearance through an attorney (at your own expense) if you desire, but it is not required. Class Membership does not eliminate existing agreements with individual counsel. The procedure for payment of Class/common benefit attorneys’ fees/costs in connection with any Class settlement must be approved by the Court. Details of the proposed options and procedures for fees and costs are posted on the Class website.

- For complete information on the Class, the settlement allocation formulas, the Class certification motion and Order, the list of included Class Members, the voting process to be used by the Class in accepting or rejecting any Class settlement offer, and an Allocation Map determining your allocation of any proposed settlement, go to [www.OpioidsNegotiationClass.info](http://www.OpioidsNegotiationClass.info). Important information on the Opioids-related litigation, including all pertinent Orders and Schedules, and Frequently Asked Questions, will be available on the Class website on an ongoing and current basis.

**Your rights and options are further explained below.**

**Any questions? Read on and visit [www.OpioidsNegotiationClass.info](http://www.OpioidsNegotiationClass.info).**

**DO NOT WRITE OR CALL THE COURT OR THE CLERK’S OFFICE FOR INFORMATION**

Questions? Visit [www.OpioidsNegotiationClass.info](http://www.OpioidsNegotiationClass.info)

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Y2322 v.04

Packet Pg. 68
# Frequently Asked Questions ("FAQs")

## Basic Information
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2. Is this the first Negotiation Class Action?  
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5. Who are the Defendants?  
6. Has a Class settlement been reached with Defendants yet?  

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8. Has the Court decided any claims or issues?  

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9. What entities are included in the Negotiation Class?  
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17. How long will the Negotiation Class last?  

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18. If there is a proposed Class settlement, how will the voting be done?  
19. If there is a proposed Class settlement, how many votes are needed to approve it?  

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20. If there is a Class settlement, how will my County or City’s share of the settlement be determined?  
21. What happens if a county and its constituent cities make different decisions about staying in the Class?  
22. If there is a settlement between a Defendant and a State or States, what impact will this Negotiation Class have on the division of monies between a State and the cities and counties within the State?  
23. Will Negotiation Class Representatives receive anything more than other Class Members?  
24. What is the Special Needs Fund?  

## Your Rights and Options
25. Can my county or city exclude itself from the Negotiation Class?  
26. How does my county or city exclude itself from the Negotiation Class?  
27. If my county or city stays in the Negotiation Class, can it exclude itself later if it doesn’t like a proposed settlement?  

## The Lawyers Representing the Class
28. Who are the Class Counsel?  
29. How do Class Counsel get paid?  
30. Under this proposal, what happens to my County or City’s current fee agreement with outside counsel?  

## Getting More Information
31. How can my County or City keep up with what’s going on in this case? 

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Questions? Visit www.OpioidsNegotiationClass.info
BASIC INFORMATION

1. Why is a Negotiation Class being formed? What is its purpose?

The purpose of the Negotiation Class is to create a cohesive group of cities and counties to negotiate Classwide settlements, on a voluntary basis, with Defendants who make, distribute, or sell opioids nationwide. Class Representatives and Class Counsel will represent the Negotiation Class. Class Members will vote on any Class settlement proposal. If 75% of those Class Members who vote (as described in FAQ 18 and 19 below) support a proposed Settlement, Class Counsel will ask the Court to approve it. The ultimate purpose of the Negotiation Class is to make settlement easier to obtain.

2. Is this the first Negotiation Class Action?

Yes. This is a new use of the Class action mechanism under Federal Rule of Civil Procedure 23, reflecting the unique nature of the national opioids litigation. Unlike any mass litigation before, thousands of cities and counties nationwide are pursuing claims against major defendants. The goal is to recover money to help fight the opioids epidemic, provide prevention and treatment services going forward, and change Defendants’ practices.

3. Why use a Class mechanism?

Joining all cities and counties together as a Negotiation Class gives them maximum negotiating power, makes the negotiation of comprehensive settlements a more practical process, enables Defendants to know the group with which they are negotiating, and enables Class Members to vote on resulting settlement offers.

4. Who are the Class Representatives?

The Court has authorized the following 49 counties and cities to serve as the Negotiation Class’s Class Representatives: (1) County of Albany, New York; (2) City of Atlanta, Georgia; (3) Bergen County, New Jersey; (4) City of Baton Rouge/East Baton Rouge Parish, Louisiana; (5) Broward County, Florida; (6) Camden County, New Jersey; (7) Cass County, North Dakota; (8) City of Chicago, Illinois; (9) Cobb County, Georgia; (10) City of Concord, New Hampshire; (11) Cumberland County, Maine; (12) City of Delray Beach, Florida; (13) Denver, Colorado; (14) Escambia County, Florida; (15) Essex County, New Jersey; (16) County of Fannin, Georgia; (17) Franklin County, Ohio; (18) Galveston County, Texas; (19) County of Gooding, Idaho; (20) City of Grand Forks, North Dakota; (21) County of Hennepin, Minnesota; (22) City of Indianapolis, Indiana; (23) County of Jefferson, Alabama; (24) Jefferson County/City of Louisville, Kentucky; (25) Jersey City, New Jersey; (26) Kanawha County, West Virginia; (27) King County, Washington; (28) City of Lakewood, Ohio; (29) City of Los Angeles, California; (30) City of Lowell, Massachusetts; (31) City of Manchester, New Hampshire; (32) Maricopa County, Arizona; (33) Mecklenburg County, North Carolina; (34) The Metropolitan Government of Nashville and Davidson County, Tennessee; (35) Milwaukee County, Wisconsin; (36) Monterey County, California; (37) City of Norwalk, Connecticut; (38) County of Palm Beach, Florida; (39) Paterson City, New Jersey; (40) City of Phoenix, Arizona; (41) Prince George’s County, Maryland; (42) Riverside County, California; (43) City of Saint Paul, Minnesota; (44) City of Roanoke, Virginia; (45) County of Rockland, New York; (46) City and County of San Francisco, California; (47) County of Smith, Texas; (48) County of Tulsa, Oklahoma; and (49) Wayne County, Michigan.

Questions? Visit www.OpioidsNegotiationClass.info
5. Who are the Defendants?

The Court has authorized the Negotiation Class to negotiate with 13 Defendants (including their affiliates): (1) Purdue, (2) Cephalon, (3) Endo, (4) Mallinckrodt, (5) Actavis, (6) Janssen, (7) McKesson, (8) Cardinal, (9) AmerisourceBergen, (10) CVS Rx Services, Inc., (11) Rite-Aid Corporation, (12) Walgreens, and (13) Wal-Mart. The Negotiation Class is authorized to negotiate settlements with any of these 13 Defendants, on any of the claims or issues identified below in FAQ 7, or other claims or issues arising out of the same factual predicate. If Class Counsel seek to negotiate for the Class with any other defendants, they can file a motion asking the Court to amend the Class certification order.

6. Has a Class settlement been reached with Defendants yet?

No. No Class settlement has been reached yet with any Defendant. But the existence of a Negotiation Class makes the possibility of Class settlement more feasible because a Defendant will know the group with which it is negotiating. There is no guarantee, however, that there will be a Class settlement and it is possible that there will be settlements that do not encompass the Class, such as settlements between one or more Class Members and one or more Defendants.

THE CLASS CLAIMS AND ISSUES

7. What claims and issues are certified for the Negotiation Class?

In this Negotiation Class, the Court certified two federal Racketeer Influenced and Corrupt Organizations Act ("RICO") claims and two federal Controlled Substances Act ("CSA") issues. The RICO claims and the issues related to the CSA are similar across the country and the Class. The first RICO claim alleges that five Defendants misled physicians and the public about the need for and addictiveness of prescription opioids, all in an effort to increase sales. The second RICO claim alleges that eight Defendants ignored their responsibilities to report and halt suspicious opioid sales, all in an effort to artificially sustain and increase federally-set limits (quotas) on opioid sales. The CSA issues allege that the CSA required Defendants to create systems to identify, suspend, and report unlawful opioid sales, and that Defendants failed to meet those obligations. As noted in FAQ 5, above, the Negotiation Class is authorized to negotiate Class settlements concerning these claims and issues or other claims or issues arising out of the same factual predicate. **However, this Negotiation Class does not involve claims by State governments against the Defendants and no Class settlement will release or otherwise interfere with any State government’s current or future litigation. This Negotiation Class concerns claims only of counties and cities.** You can read more about these claims and issues in the Court’s Memorandum Opinion certifying this Class, which is posted at www.OpioidsNegotiationClass.info.

8. Has the Court decided any claims or issues?

No. The Court has not decided any Classwide claims or defenses on the merits and the Court will not render any Classwide decisions on the merits of any claims asserted by the Class or individual Members of it. By establishing this Negotiation Class and issuing this notice, the Court is not suggesting the Class would win or lose this case. **This Class has been certified for negotiation purposes only.**
WHO IS IN THE CLASS

9. What entities are included in the Negotiation Class?

The Negotiation Class is defined as:

All counties, parishes, and boroughs (collectively, “counties”); and all incorporated places, including without limitation cities, towns, townships, villages, and municipalities (collectively “cities”).

A complete current list of Class Members is available at www.OpioidsNegotiationClass.info. The list may be updated as the Court may order.

The terms “counties” and “cities” are used only as shorthand. The Class includes political subdivisions with other names, such as parishes, villages, towns, townships, etc. The list of Class Members was devised primarily from the U.S. Census Bureau lists of governmental entities that provide services to their residents. Check the Cities and Counties lists posted on the Class website to confirm whether you are a Negotiation Class Member.

10. Are counties and cities with state court-filed actions considered part of the Negotiation Class?

Yes. Counties and cities that sue in state court are Members of this Negotiation Class, with the option to opt out. However, nothing about Membership in the Negotiation Class interferes with the rights of any federal or state court plaintiffs to proceed with their own cases for litigation, trial, or individual settlement. Only if and when a Class settlement has been reached, has been approved by 75% of the voting Class Members as described in FAQ 19, and has been approved by the Court, would Class Members lose their ability to proceed on their own, in exchange for the settlement benefits that they would receive.

11. Will the Negotiation Class end the opioid litigation that my County or City has filed?

Not now and only if a Class settlement is later reached and approved. Your county’s or city’s Membership in the Negotiation Class will not immediately affect any opioid suit it has filed, whether in federal or state court. It also will not stop your county or city from filing or pursuing a lawsuit, and it will not affect any scheduled hearings or trials in any lawsuit. However, if there is a final Class settlement, approved by the required 75% of the voting Class Members and by the Court, the final settlement will likely end all other opioids-related litigation brought by Class Members. In the meantime, you do not need to opt out of the Class to file, continue to prosecute, or settle your own case, and you may keep any settlement or judgment you obtain. If any county or city obtains a judgment or settlement with a Defendant before the Negotiation Class does, however, it will not receive additional compensation through any later Negotiation Class settlement. But by remaining in the Class, your county or city does risk foregoing its own lawsuit (although it would obtain money from a Class settlement) if a Class settlement is reached and approved.

12. How does the Negotiation Class affect other types of opioid plaintiffs that are not counties or cities?

The Negotiation Class does not directly affect the litigation or settlement of the claims of other types of plaintiffs, such as Indian Tribes, third party payors, and others, that are proceeding in federal or state courts. These plaintiffs can organize themselves as groups or propose their own Classes, for trial or settlement purposes.

Questions? Visit www.OpioidsNegotiationClass.info
THE NEGOTIATION CLASS PROCESS

13. Now that the Court has approved this process, what will happen next?

The creation of the Negotiation Class has these next steps:

- On September 11, 2019, Judge Polster, the federal judge overseeing all of the national opioids litigation, certified the Negotiation Class to go forward.

- On or before September 20, 2019, Class Action Notice will be sent via First-Class mail and posted to the Class website www.OpioidsNegotiationClass.info to all Class Members.

- Class Members have until November 22, 2019 to decide whether to participate or to opt out of the Class. This is the “opt-out period.” All Class Members are automatically included in the Class. If a Class Member wants to participate, it does not need to do anything at this point. Only Class Members that wish to exclude themselves (“opt out”) and not participate in the Class must act: they must submit a copy of the enclosed Exclusion Request Form on or before November 22, 2019, using the instructions in FAQ 26.

- After the close of the opt-out period, the Court will enter an order confirming the Membership of the Class, saying who is in and who is out of the Class.

- After that, the Class will operate if, and only if, one or more of the Defendants wishes to negotiate with the Class as a whole through the Negotiation Class mechanism.

- If a proposed Class settlement is reached, the proposal will be submitted to the entire Class Membership for its approval or rejection in accordance with the voting formula (described in FAQ 18 and 19 below). If no proposed settlement is reached, the Class will not vote and will have no other role.

14. If my County or City chooses to participate in the Negotiation Class, how will it know when there is a proposed Class settlement?

All Negotiation Class Members will be given advance notice of any Class settlement offer, including details on its terms and conditions, and they will have an opportunity to vote on each settlement offer. Class Members will be able to cast their vote securely, through the Class website, which will establish a voting identity and portal for each Class Member. Only Class settlements achieving 75% approval votes, by number, by allocation, and by population, of the litigating and non-litigating Class Members that vote (as described in FAQ 19) will be submitted to the Court, which will make the final determination of whether to approve the settlement.

15. If there is a proposed Class settlement, does the Court still have to approve it?

Yes. If there is a proposed settlement that is approved by 75% of the voting Class Members, as described in FAQ 18 and 19, the Court will review and decide whether to approve it, under the Class action settlement approval process set forth in Federal Rule of Civil Procedure 23(e). Generally, the Court will assess whether any settlement is fair, reasonable, and adequate. All applications for fees and costs also require court approval under Rule 23 procedures. (See https://www.law.cornell.edu/rules/frcp/rule_23.)

16. If there is a proposed settlement and my County or City is included in the Negotiation Class, but it disapproves of the settlement terms, can my County or City object to the settlement?

Yes. As a Negotiation Class Member, you will be entitled under Rule 23(e) to object to any settlement, even if it has received approval from the Class. However, as described in FAQ 27, you Questions? Visit www.OpioidsNegotiationClass.info
will likely not be able to exclude yourself from the Class at that time. An objection explains your concerns to the Court for its consideration but does not remove you from the Class.

17. How long will the Negotiation Class last?

The Negotiation Class will last for 5 years from the date it is certified by the Court. The Court certified the Class on September 11, 2019 and the Negotiation Class will last until September 11, 2024. After that date, the Class will not exist as an entity with which a Defendant can negotiate. However, the Negotiation Class will continue to exist with regard to: (1) any Class settlements presented to the Negotiation Class for a vote before that date, to carry out the voting and approval process; and (2) any Class settlements reached before that date, to complete settlement administration and enforcement.

VOTING

18. If there is a proposed Class settlement, how will the voting be done?

Each Class Member will vote only once on any particular Class settlement proposal. The vote will simply be yes-or-no, in favor of or against the proposed settlement. Class Members that do not vote will not be counted as either yes or no votes, as with an election for government office in the United States, the only votes that are counted are those of the voters who actually cast votes. Class Members’ votes will be tabulated mechanically within each applicable voting pool, to make sure that 75% of each pool is in favor of the proposed settlement before it is presented to the Court. The voting pools are described in FAQ 19. Voting tabulation does not require any effort by the Class Members. The requirement of 75% support of voting Class Members across the different voting pools ensures that no settlement will go forward without a wide cross-section of support from cities and counties of all sizes and interests.

19. If there is a proposed Class settlement, how many votes are needed to approve it?

The agreement to be bound by a supermajority vote means that no settlement can be reached that would bind the Negotiation Class without the approval of 75% of the voting Class Members, defined in several ways. To be binding, 75% of those voting in each of the following six categories must approve a proposed settlement:

- 75% of the total number of voting Class Members that had filed suit as of June 14, 2019 (“litigating entities”). This number is based on all individual Class Members who had suits on file regardless of size, so that each voting entity has one vote;
- 75% of the total number of voting Class Members that had not filed suit as of June 14, 2019 (“non-litigating entities”). This number is based on all individual Class Members who had not filed suit, regardless of size, so that each voting entity has one vote;
- 75% of the total population of all voting Class Members that had filed suit as of June 14, 2019. For this computation, the vote of the county or city is weighted according to its population, with each person in a voting city and each person in a voting county equal to one vote. Thus, by way of example, if a county votes yes and has a population of 20,000, and a city within the county votes yes and has a population of 10,000, the county’s vote is weighted as 20,000 votes in favor, and the city’s vote is recorded as 10,000 votes in favor. The population for each County or City will be based on current census data. The current data is presented on the Class website, www.OpioidsNegotiationClass.info. Individual residents in this category may be counted twice, once as a resident of a municipality, and once as a resident of a county;

Questions? Visit www.OpioidsNegotiationClass.info

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75% of the total population of all voting Class Members that had not filed suit as of June 14, 2019. For this computation, the vote of the county or city is weighted according to its population, with each person in a voting county and each person in a voting county equal to one vote. Thus, by way of example, if a county votes and has a population of 20,000, and a city within the county votes yes and has a population of 10,000, the county’s vote is weighted as 20,000 votes in favor, and the city’s vote is recorded as 10,000 votes in favor. Again, the population for each County or City will be based on current census data. The current data is presented on the Class website, www.OpioidsNegotiationClass.info. Individual residents in this category may be counted twice, once as a resident of a municipality, and once as a resident of a county;

75% of the litigating Class Members casting votes, weighted by their settlement fund allocations as shown at the Allocation Map posted at opioidsnegotiationclass.info; and

75% of the non-litigating Class Members casting votes, weighted by their settlement fund allocations as shown at the Allocation Map posted at opioidsnegotiationclass.info.

For purposes of counting votes, only votes cast will be considered. In order for a proposed settlement to be binding on the Negotiation Class, 75% of those Class Members who cast votes in each of these six categories must be in favor. No settlement will be submitted to the Court for final approval unless 75% of those voting in each of the six categories are in favor. No county or city that is not a Class Member as of the deadline for a vote on a proposal will be allowed to vote on that proposal.

**ALLOCATION OF CLASS SETTLEMENT FUNDS**

| 20. If there is a Class settlement, how will my County or City’s share of the settlement be determined? |

Any Class settlement funds will be distributed in three steps:

**Step 1:** Each county’s share of the settlement will be distributed in accordance with an “allocation model.” The allocation model uses three factors, based on reliable, detailed, and objective national data, to determine the share of a settlement fund that each county will receive. These factors address the most critical causes and effects of the opioids crisis, and are each weighted equally (1/3-1/3-1/3): (1) the amount of opioids distributed within the county, (2) the number of opioid deaths that occurred in the county; and (3) the number of people who suffer opioid use disorder in the county. This model is designed not to favor either small or large counties based solely on population. Ultimately, the model allocates settlement funds in proportion to where the opioid crisis has caused actual harm.

**Step 2:** Counties and their constituent cities, towns, and boroughs may distribute the funds allocated to the county among all of the jurisdictions in any manner they choose. If the county and cities cannot agree on how to allocate the funds, the Class website reflects a default allocation that will apply. The default allocation formula uses historical federal data showing how the specific county and the cities within it have made opioids-related expenditures in the past. Any of the affected jurisdictions may ask a Special Master to apply a different formula.

**Step 3:** If the default allocation is used and a city’s share is less than $500, then that amount will instead be distributed to the county in which the city lies to allow practical application of the abatement remedy. Affected cities could seek recovery through intra-county allocation described in Step 2, or from the Class Members’ Special Needs Fund (see FAQ 24). In the rare circumstance that a city with a share of less than $500 lies in a county that does not have a county government, the amount would instead go to the Class Members’ Special Needs Fund, and Class members could seek recovery from that Fund.

Further information about the allocation formulas and their data sources are available at the Class website.

Questions? Visit www.OpioidsNegotiationClass.info
21. What happens if a county and its constituent cities make different decisions about staying in the Class?

- If a county and all of its constituent cities remain in the Class, each entity’s share will be determined as explained in FAQ 20.

- If a county remains in the Class, but one or more cities within the County are not in the Class, there are a variety of ways that a Class settlement might address that situation, but it is possible that a Class settlement would require that the County’s allocation be reduced.

- If a county is not in the Class, but cities within that county remain in the Class, there are a variety of ways a Class settlement might address that situation. One possibility is that a city would receive no direct monetary allocation because its county has opted out, but that it could seek monetary relief through the Special Needs Fund (see FAQ 24). If a settlement provides a city no possibility of monetary relief because its county has opted out, Class Counsel anticipates the city would not be required to release its claims against the settling Defendant.

22. If there is a settlement between a Defendant and a State or States, what impact will this Negotiation Class have on the division of monies between a State and the cities and counties within the State?

The Negotiation Class process does not interfere with a Defendant’s ability to settle directly with one or more States. If a Defendant reaches a settlement directly with a State, nothing about this Negotiation Class process would affect the distribution of those settlement funds between the State and its own cities or counties. The Court has explicitly ordered that the Class’s lawyers not involve themselves or the Class in the process of allocating monies secured by States between themselves and their counties and cities.

23. Will Negotiation Class Representatives receive anything more than other Class Members?

Negotiation Class Representatives do not receive preferential treatment under any settlement simply for serving as Class Representatives. Their allocation will be calculated in precisely the same manner as every other Class Member’s. However, they can apply to the Court for reimbursement of costs and expenses incurred by reason of serving as Class Representatives. Also, courts often award a modest amount to Class Representatives, called an incentive or service award, so as to encourage Class Representatives to step forward on behalf of others. Any such awards are subject to Class notice and Court approval.

24. What is the Special Needs Fund?

Fifteen percent (15%) of any Class settlement fund will be put into the “Special Needs Fund.” Any Class Member may apply for a distribution from the Special Needs Fund: (1) to recover its costs of litigating its own opioids lawsuit, if that case was filed before June 14, 2019; and/or (2) to obtain additional relief for any local impact of the opioids crisis that is not captured by the Class Member’s allocation. Applications will be made to and approved by a court-appointed Special Master, on a case-by-case basis. Any unawarded amount remaining in this Special Needs Fund would revert to the Class.

YOUR RIGHTS AND OPTIONS

25. Can my county or city exclude itself from the Negotiation Class?

Yes. You have a one-time opportunity to exclude your county or city from the Class and you must do so before November 22, 2019. You must follow the procedure set forth in FAQ 26 below to Questions? Visit www.OpioidsNegotiationClass.info
exclude your county or city. As explained in FAQ 27, you will likely not be given a second opportunity to exclude your county or city from the Class if a settlement is later reached and you should not count on such an opportunity being available at that time.

26. How does my county or city exclude itself from the Negotiation Class?

You may exclude your county or city ("opt out") by signing and sending, either by email or by first-class U.S. mail, the enclosed Exclusion Request Form. 

- If submitted by email, the form must be sent to info@OpioidsNegotiationClass.info on or before November 22, 2019.
- If submitted by mail, the form must be postmarked on or before November 22, 2019 and sent by first-class U.S. mail to:

  NPO Litigation  
  P.O. Box 6727  
  Portland, OR 97228-6727  

The Exclusion Request Form must be signed by an authorized official or employee of the county or city itself, under penalty of perjury pursuant to 28 U.S.C. § 1746, and is subject to verification by the Court. If you exclude your county or city from the Negotiation Class, your county or city will not be bound by any Orders or Judgments regarding the Class, and it will have no right to share in any settlement reached by the Class.

27. If my county or city stays in the Negotiation Class, can it exclude itself later if it doesn’t like a proposed settlement?

Not under the current Court Order. The Court’s Order certifying the Negotiation Class provides only one opportunity for a county or city to exclude itself from the Class. The exclusion deadline ends on November 22, 2019. If a settlement is reached and proposed to the Class for its approval, Class Members who do not support the settlement may (1) vote against it and/or, (2) if the settlement is nonetheless approved by the Class votes, file objections with the Court. Rule 23 permits a court to offer a second opportunity for Class Members to opt out when a settlement is proposed, but the Rule does not require the Court to give Class Members a second opportunity to opt out. In this case, it is anticipated that the Court will not give Class Members a second opportunity to opt out. Therefore, Class Members should not rely on that possibility. Class Members should expect that there will be no opportunity to opt out of the Class after November 22, 2019.

THE LAWYERS REPRESENTING THE CLASS

28. Who are the Class Counsel?

The Court has authorized the following six lawyers to jointly represent the Negotiation Class: Jayne Conroy and Christopher A. Seeger are Co-Lead Negotiation Class Counsel and Gerard Stranch, Louise Renne, Mark Flessner, and Zachary Carter are Negotiation Class Counsel. Each of these six lawyers represents only cities or counties in Opioids-related litigation.

29. How do Class Counsel get paid?

Class Counsel will apply to the Court for approval of fees and costs under Rule 23(h). As a Class Member, you will receive notice and have an opportunity to object to any such application. The Court may appoint fee committees to make recommendations of any fee awards, to avoid duplication of payment, and to ensure appropriate compensation of those whose efforts provided a common benefit. The Court will make the final decision about all fees paid out of the Class’s recovery to any lawyer.

Questions? Visit www.OpioidsNegotiationClass.info
30. Under this proposal, what happens to my County or City’s current fee agreement with outside counsel?

The current fee agreement that a county or city has with its outside counsel remains in effect. Membership in the Negotiation Class does not change that. In the event of any settlement that achieves Class and Court approval, there would be a “Private Attorneys Fund” from which outside counsel for Class Members that had signed retainers agreements for opioid epidemic-related litigation before June 14, 2019 could apply for fees and costs in lieu of any current fee agreement. That would be a voluntary decision between the county or city and its outside counsel. A total of up to 10% (maximum) of any approved Class settlement amount will be held in the Private Attorneys Fund. Any unawarded amount remaining in this Fund would revert to the Class. The Court must approve all payments from this Fund.

GETTING MORE INFORMATION

31. How can my County or City keep up with what’s going on in this case?

Pertinent news and information will be posted at the Class website, www.OpioidsNegotiationClass.info on an ongoing basis. As a Class Member, you also will have the opportunity to sign up, through the Class website, for email notices alerting you to the fact that new information has been posted to the Class website.

DO NOT WRITE OR CALL THE COURT OR THE CLERK’S OFFICE FOR INFORMATION

DATE: September 11, 2019.

Questions? Visit www.OpioidsNegotiationClass.info
IF YOU WANT TO EXCLUDE YOUR COUNTY OR CITY
YOU MUST ACT BY NOVEMBER 22, 2019

EXCLUSION REQUEST FORM
Read this page carefully then turn to Page 2 if you want to sign and send

Complete this form ONLY if your County or City does NOT want to remain a Class Member and does not want to share in any potential negotiated Class settlement. If your County or City does not complete and submit this form, it will be deemed to be a Class Member so long as it is a County or City in the United States as those terms are described in the Class Notice and is on the list of Class Members found at www.OpioidsNegotiationClass.info.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

In re NATIONAL PRESCRIPTION
OPIATE LITIGATION

Class Notice Administrator
NPO Litigation
P.O. Box 6727
Portland, OR 97228-6727

Dear Class Notice Administrator:

My County or City does NOT want to be a member of the Negotiation Class certified in the In re National Prescription Opiate Litigation. I understand that by completing the information requested on page 2, signing, and submitting a copy of this form by email (to the email address on page 2) sent on or before November 22, 2019 OR by first-class U.S. mail (to the mailing address on page 2) postmarked on or before November 22, 2019, I am opting my County or City out of the Negotiation Class and it will NOT be a Class Member. I understand that by timely submitting this form, my County or City is foregoing the right to share in any Class settlement that may be obtained. I understand that my County or City is NOT guaranteed an opportunity to opt back in if there is a Class settlement, so this is our final decision. I also understand that by opting out, my County or City will not be bound by any judgment entered as part of any Class settlement.

I understand that if my jurisdiction is a Class Member and wants to remain a Class Member, it does not need to do anything now. I understand that I should NOT return this Exclusion Request Form if my jurisdiction wants to remain a Class Member.

I understand that, if I have any questions, I may contact Class Counsel at 1-877-221-7468, or visit www.OpioidsNegotiationClass.info BEFORE I mail this form to you and BEFORE November 22, 2019.

TURN TO PAGE 2 IF YOU WANT TO SIGN EXCLUSION/OPT-OUT FORM AND FOR EMAIL AND MAILING ADDRESSES
IF YOU WANT TO EXCLUDE YOUR COUNTY OR CITY
YOU MUST ACT BY NOVEMBER 22, 2019

EXCLUSION REQUEST FORM
Read Information on Page 1 carefully before signing

Having read and understood the information on page 1, the County or City (circle one) entitled

______________________________________________ in the State of _____________________ hereby excludes itself

from the Negotiation Class certified by the United States District Court in the Northern District of Ohio in In re National Prescription Opiate Litigation, MDL 2804. Under penalty of perjury and in accordance with 28 U.S.C. § 1746, I declare that I am an official or employee authorized to take legal action on behalf of my County or City.

Signature: __________________________________________________________

Print name: _________________________________________________________

Title: _______________________________________________________________

City or County Represented: ___________________________________________ (Circle one): City / County

Address: ____________________________________________________________

City: ___________________________ State: ___________ Zip Code: ___________

Phone: ________________________ Email: ________________________________

Date: __________________________

BY NOVEMBER 22, 2019

EMAIL TO: info@OpioidsNegotiationClass.info

OR SEND BY FIRST CLASS MAIL TO:

NPO Litigation
P.O. Box 6727
Portland, OR 97228-6727
ORDINANCE NO. 19-5

AMENDING SECTION 6.04 (7)(M-N) OF THE OZAUKEE COUNTY CODE OF
ORDINANCES PERTAINING TO HIGHWAY ACCESS CONTROL CODE - DESIGN
STANDARDS FOR RESIDENTIAL PARCEL ACCESSES

An Ordinance amending Section 6.04(7)(m,n) of the Ozaukee County Code of Ordinances pertaining to Highway Access Control Design Standards.

The County Board of Supervisors of the County of Ozaukee does ordain that Section 6.04(7)(m&n) of the Ozaukee County Code of Ordinances be amended as follows:

6.04 HIGHWAY ACCESS CONTROL

(7) DESIGN STANDARDS. Driveways and roads with access onto a C.T.H. must comply with the following design standards:

(m) Type “1” access. Private driveways with access to one or two agricultural or one to four residential parcels must have a driveway width of 16 to 24 feet and a return radius of 20 feet within the right-of-way on any county trunk highway. (See drawing)

(n) Type “2” access standards must be used for residential uses with 3 to 5 units and commercial or industrial driveways with up to 25,000 square feet. (See drawing)

This Ordinance shall take effect upon enactment and publication.

Dated at Port Washington, Wisconsin, this 6th day of November 2019.

SUMMARY: Ordinance change to increase the number of homes allowed on a standard driveway from two (2) to four (4).

VOTE REQUIRED: Majority

PUBLIC WORKS COMMITTEE

10/17/19 Public Works Committee APPROVED
RESULT: APPROVED [3 TO 1]
AYES: D. Korinek, D. Larson, A. Read
NAYS: T. Grabow
EXCUSED: D. Becker
Public Works Committee

AGENDA INFORMATION SHEET

AGENDA DATE: November 6, 2019
DEPARTMENT: Highway
DIRECTOR: Jon Edgren
PREPARER: Jon Edgren

**Agenda Summary** Amending Section 6.04 (7)(m-n) of the Ozaukee County Code of Ordinances pertaining to Highway Access Control Code - Design Standards for Residential Parcel Accesses

**BACKGROUND INFORMATION:** Access to County Highways is based upon standards in Ozaukee County Ordinances, Chapter 6 - Highways, Section 4 - Highway Access Control. Specifically, in regards to the design of the access for residential parcels, inclusion of accel, decel and/or bypass lanes are dependent on the type of development and traffic volume.

Currently, Ozaukee County Code requires any Residential Access with 3 or more parcels to install accel & decel lanes, and possibly bypass lanes based upon the Highway’s traffic volume. (See attached Access Design Standards.)

**ANALYSIS:** Based upon Mr. Thomas Diener’s request at last month’s Public Works Committee (PWC) meeting and direction from the PWC, I’ve drafted a revision to the Highway Access Control code to increase the number of parcels allowed on a Type “1” Access from two (2) parcels to four (4) parcels.

The revision would correspond to Washington County’s Access Code and align the Type “1” Access to a standard Minor Land Division or Certified Survey Map.

**FISCAL IMPACT:** N/A

**FUNDING SOURCE:** N/A

**RECOMMENDED MOTION:** Recommend approval of the Access Code revision as presented, and forward to the County Board for an ordinance revision.

**ATTACHMENTS:**

- Oz Cty Access Control Code - Vision & Access Diagrams(PDF)
Agenda Summary: November 2019 Committee Appointments / Reappointments

**COUNTY TRAFFIC SAFETY COMMISSION**

Appoint Lieutenant Justin Kaas to replace Lieutenant DeMaine Milbach

**LOCAL EMERGENCY PLANNING COMMITTEE**

Appoint Kirsten Johnson to replace Amanda Wisth