

**SAUK COUNTY BOARD OF SUPERVISORS
SPECIAL MEETING NOTICE/AGENDA**

COMMITTEE: SAUK COUNTY BOARD OF SUPERVISORS
DATE: MONDAY, APRIL 29, 2019
TIME: 6:00 PM
PLACE: ROOM 326, WEST SQUARE BUILDING, 505 BROADWAY, BARABOO, WI

SPECIAL MEETING: SAUK COUNTY BOARD OF SUPERVISORS

- 1) Call to Order and Certify Compliance with Open Meeting Law.
- 2) Roll Call.
- 3) Invocation and Pledge of Allegiance.
- 4) Adopt Agenda.
- 5) Public Comment – 3 minute limit: Registration form located on the table in gallery of County Board Room 326 – turn in to the County Board Chair.
- 6) Unfinished Business:
Possible closed session pursuant to Wis. Stat. sec. 19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Discussion and possible action in Baraboo News Republic public records litigation; Sauk County case 2017CV489.

Reconvene into open session.

Possible consideration of Resolution 31-2019 [Approving/Disapproving] Litigation Settlement. (Page 2)

- 7) Consideration of Amendments to Rules of the Board.
- 8) Adjournment.

Respectfully,



Peter J. Vedro
County Board Chair

County Board Members, County staff & the public – Provide the County Clerk a copy of:

1. Informational handouts distributed to Board Members
2. Original letters and communications presented to the Board.

County Board Members:

Stop by the Office of the County Clerk prior to each Board Meeting to sign original resolutions and ordinances.

Any person who has a qualifying disability that requires the meeting or materials at the meetings to be in an accessible location or format should or format should contact Sauk County at 608-355-3269, or TTY at 608-355-3490, between the hours of 8:00 AM and 4:30 PM, Monday through Friday, exclusive of legal holidays, at least 48 hours in advance of the meeting so that reasonable arrangements can be made to accommodate each request.

www.co.sauk.wi.us

Agenda mail date via United States Postal Service: April 24, 2019.

Agenda Preparation: Peter Vedro, County Board Chair.

s:/admin/Co Bd Agendas/2019/ctybdagenda29April2019SpecialMeeting

RESOLUTION NO. 31 - 2019

RESOLUTION [APPROVING/DISAPPROVING] LITIGATION SETTLEMENT

Background: On November 3, 2017, the Baraboo News Republic newspaper filed suit against Sauk County seeking access to records the County declined to release. On November 8, 2017, County staff notified an agent for Wisconsin County Mutual Insurance Corporation of the suit. On November 13, 2017, the insurance company agent directed attorneys from the Axley-Brynelson law firm to defend the County against the claims. Between November 13, 2017 and September 14, 2018, the Axley attorneys led the County defense through a variety of activities, including a summary judgment hearing on September 14, 2018. On December 14, 2018, Circuit Court Judge Mark Slate issued a decision based on the September summary judgment hearing and ruled for the newspaper and against the County on certain contested issues. Since then, the County and newspaper have reached tentative agreement on steps to resolve the records requests that all participants acknowledged would require submission to and approval by the full Sauk County Board. The remaining issue, newspaper attorney fees, is unresolved and, if settlement without further litigation is desired, County Board direction and approval is necessary for all litigation issues, including attorney fees.

Fiscal Impact: ☐ None ☐ Budgeted Expenditure ☐ Not Budgeted

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that settlement of the pending litigation between the Baraboo News Republic and Sauk County is

[rejected and defense litigation, retroactive to November 13, 2017, is authorized]

[approved and the County Board Chair is authorized to execute a settlement agreement on behalf of Sauk County in accordance with the approved terms]

For consideration by the Sauk County Board of Supervisors on April 16, 2019.

Respectfully submitted,

EXECUTIVE & LEGISLATIVE COMMITTEE

PETER VEDRO, Chair


WILLIAM HAMBRECHT

WALLY CZUPRYNKO

THOMAS KRIEGL

DAVID RIEK

Fiscal Note: Two potential fiscal impacts:

- 1) If approving the settlement: \$10,000 shall be paid by Wisconsin County Mutual Insurance Corporation and \$35,000 shall be paid by the Sauk County Insurance Fund.
- 2) If rejecting the settlement: There is no immediate fiscal impact.

MIS Note: No information systems impact