

**DANE COUNTY
POLICY AND FISCAL NOTE**

Title of Resolution or Ord. Amd.:

<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Update	Substitute No. _____
Sponsor: Supervisor McCarville		Resolution No. 2025 RES-315
Vote Required: Majority <input checked="" type="checkbox"/>	Two-Thirds <input type="checkbox"/>	Ordinance Amendment No. _____

AUTHORIZING EXECUTION OF AMENDMENT TO CONTRACT WITH
EISENSTEIN MALANCHUK LLP FOR ENVIRONMENTAL INSURANCE COST RECOVERY FOR THE DANE COUNTY REGIONAL AIRPORT

Policy Analysis Statement:

Brief Description of Proposal -

The Office of Corporation Counsel has recently found evidence of old insurance policies that could potentially provide coverage to the Dane County Regional Airport ("Airport") for PFAS contamination resulting from the use of aqueous film forming foam (commonly known as AFFF) as required by the FAA.

Current Policy or Practice -

Under Contract #15848, Eisenstein Malanchuk LLP ("EM") has helped with the Airport's forensic investigation as outside counsel to gather actual insurance policies and further evidence of insurance. They have also prepared and drafted notice letters to relevant insurers to begin the claim

Impact of Adopting Proposal -

Now that this initial phase has been substantially completed, the Airport has determined that it is in its best interest to continue engaging EM for the next phase to handle the Airport's claims against the relevant insurers and negotiate recovery.

Fiscal Estimate:

Fiscal Effect (check all that apply) -		Budget Effect (check all that apply)	
<input type="checkbox"/>	No Fiscal Effect	<input checked="" type="checkbox"/>	No Budget Effect
<input type="checkbox"/>	Results in Revenue Increase	<input type="checkbox"/>	Increases Rev. Budget
<input checked="" type="checkbox"/>	Results in Expenditure Increase	<input type="checkbox"/>	Increases Exp. Budget
<input type="checkbox"/>	Results in Revenue Decrease	<input type="checkbox"/>	Decreases Rev. Budget
<input type="checkbox"/>	Results in Expenditure Decrease	<input type="checkbox"/>	Decreases Exp. Budget
		<input type="checkbox"/>	Increases Position Authority
		<input type="checkbox"/>	Decreases Position Authority
Note: if any budget effect, 2/3 vote is required			

Narrative/Assumptions about long range fiscal effect:

This work will include continuing the forensic investigation into old insurance policies, negotiating with insurers and their claim administrators for payment of ongoing defense costs, monitoring claims, and negotiating final settlements. The Airport is initially budgeting \$300,000 for EM to continue this work. Additional funds may be needed to support ongoing consulting costs.

Expenditure/Revenue Changes:

Expenditures -	Current Year		Annualized		Revenues -	Current Year		Annualized	
	Increase	Decrease	Increase	Decrease		Increase	Decrease	Increase	Decrease
Personal Services					County Taxes				
Operating Expenses					Federal				
Contractual Services					State				
Capital	\$300,000				Other				
Total	\$300,000	\$0	\$0	\$0	Total	\$0	\$0	\$0	\$0

Personnel Impact/FTE Changes:

None

Prepared By:

Agency: Airport	Division: Administration
Prepared by: Frank Vallejos	Date: 11/24/25
Reviewed by Cody Castillo	Date: _____