

**MARATHON COUNTY BOARD OF SUPERVISORS**  
ADJOURNED ANNUAL MEETING  
Thursday, February 25, 2021, 7:00 p.m.  
Marathon County Courthouse and Via WebEx

**1. Call to Order**

The meeting was called to order by Chair Gibbs at 7:00 p.m., the agenda being duly signed and posted.

**2. Pledge of Allegiance**

The Pledge of Allegiance to the Flag was recited and the Board stood for a moment of silence/reflection.

**3. Reading of Notice**

The Clerk read the meeting notice, as follows:

**A. OPENING OF SESSION:**

1. Meeting called to order by Chair Gibbs at 7:00 p.m., the agenda being duly signed and posted.
2. Pledge of Allegiance to the Flag; Followed by a Moment of Silence/Reflection.
3. Reading of Notice.
4. Request for silencing of cellphones and other electronic devices.
5. Roll Call.
6. Acknowledgment of visitors.

**B. CONSENT AGENDA:**

7. Approval of minutes from the January 21 & 26, 2021 meeting.
8. Referral of bills and communications to respective committees.
9. Authorizing the Clerk to issue orders, bills and claims from the last session through this session.
10. Enactment of Ordinances

a) Environmental Resources Committee:

1. Town of Reid Rezone – Benjamin & Teri Mandli #O-06-21
2. Town of Knowlton Rezone – Robert & Kelsey Schwei #O-07-21

11. Adoption of Resolutions

a) Environmental Resources Committee:

1. Approving the 2021-2030 Marathon County Land and Water Resource Management Plan #R-09-21
2. Approval of Town of Rib Mountain Local Zoning Ordinance Amendment #R-10-21

b) Public Safety Committee:

1. Support for Amendments to Statutory Changes Effected by 2019 Wisconsin Act 106 and WIS. Stats §.343.31 (1M)(B) Regarding Operating While Intoxicated (OWI) Offenses #R-13-21

c) Diversity Affairs Commission and Executive Committee:

1. ~~Marathon County Resolution Celebrating Black History Month #R-14-21 - PULLED~~

**C. MEMORIAL:**

12. Life and Public Service of Brian R. Nelson

**D. ORDINANCES:**

13. To Amend Chapter 16 and 19 of the General Code of Ordinance for Marathon County: County Forests and Parks #O-05-21
14. Ordinance Amending General Code of Ordinances for Marathon County Chapter 17 Zoning Code #O-08-21

**RESOLUTIONS**

**E. HUMAN RESOURCES, FINANCE, & PROPERTY COMMITTEE:**

15. Resolution Awarding the Sale of \$5,830,000 General Obligation Promissory Notes, Series 2021A #R-15-21
16. Resolution Awarding the Sale of \$19,000,000 General Obligation Health Care Project Building Bonds, Series 2021B #R-16-21

17. Reauthorization of Self-Insurance for Worker’s Compensation #R-17-21

F. HEALTH AND HUMAN SERVICES COMMITTEE AND EXECUTIVE COMMITTEE:

18. Authorizing County Officials to Take Actions Necessary to Facilitate Operation of a Regional COVID-19 Vaccination Site in Marathon County #R-18-21

G. EXECUTIVE COMMITTEE:

19. Setting County Board Size for Purpose of Redistricting Following 2020 Decennial Census #R-19-21

H. DIVERSITY AFFAIRS COMMISSION AND EXECUTIVE COMMITTEE:

20. Marathon County Resolution Celebrating Black History Month #R-14-21

I. MISCELLANEOUS BUSINESS:

21. Announcements and Requests.

22. Motion to Adjourn.

4. **Request for Silencing of Cellphones and Other Electronic Devices**

Chairperson Gibbs stated the request.

5. **Roll Call**

The Clerk initiated the roll. 37 Supervisors were present as shown:

<u>Supervisor</u>	<u>District</u>	<u>Supervisor</u>	<u>District</u>
Michelle Van Krey.....	1	Sara Guild.....	20
Jenifer Bizzotto.....	2	Thomas Rosenberg.....	21
William Harris.....	3	Alan Christensen.....	22
John Robinson .....	4	Chris Voll .....	23
Ka Lo.....	5	Jean Maszk .....	24
Jeff Johnson.....	6	Sandi Cihlar .....	25
Rebecca Buch.....	7	Brent Jacobson .....	26
Kelley Gabor.....	8	Thomas Seubert.....	27
David Oberbeck.....	9	Dennis Gonnering.....	28
Donna Krause.....	10	Chris Dickinson .....	29
Alyson Leahy.....	11	Richard Gumz.....	30
Arnold Schlei.....	12	Allen Drabek.....	31
Matthew Bootz .....	13	Kurt Gibbs.....	32
Rick Seefeldt .....	14	Tim Buttke.....	33
Randy Fifrick .....	15	Gary Beastron.....	34
William Conway.....	16	Jacob Langenhahn .....	(excused).....35
E.J. Stark.....	17	Bruce Lamont.....	36
Craig McEwen.....	18	Allen Opall.....	37
Yee Leng Xiong.....	19	Jonathan Fisher.....	38

6. **Acknowledgement of Visitors**

Chairperson Gibbs acknowledged and welcomed visitors to the meeting.

C. **CONSENT AGENDA**

**Discussion:** Supervisor Schlei requested 11c, Marathon County Resolution Celebrating Black History Month, to be pulled and be a separate agenda item.

**Action:** MOTION BY SUPERVISOR MCEWEN, SECOND BY SUPERVISOR LAMONT TO APPROVE AGENDA ITEMS B7-B11b1 AS LISTED ON THE CONSENT AGENDA. MOTION CARRIED ON A VOICE VOTE, UNANIMOUS. As part of the consent agenda, minutes of the January 21 and 26, 2021 meetings were approved. The bills and communications were referred to respective committees. The Clerk was authorized to issue orders, bills and claims from the last session through this session. The following appointments were confirmed.

**Follow Through:** None.

**ORDINANCE # O – 06 - 21**  
**Town of Reid Rezone**

WHEREAS, the Marathon County Board of Supervisors has been petitioned to amend the General Code of Ordinances for Marathon County Chapter 17 Zoning Code Benjamin & Teri Mandli to rezone lands from L-D-R Low Density Residential to N-C Neighborhood Commercial described as being located in Government Lot 3 of Section 13, Township 27 North, Range 09 East, Town of Reid. The area proposed to be rezoned is described as Lot #2 (1.050 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Area to be rezoned is identified as part of Parcel PIN# 064-2709-135-0909; Address 215120 County Road Y, Hatley WI, 54440.

WHEREAS, the petition was referred to the Marathon County Environmental Resources Committee (the Committee) for public hearing; and

WHEREAS, the Committee, on due notice, conducted a public hearing thereon, pursuant to Section 59.69, Wisconsin Statutes on February 2, 2021 to consider the petition to amend Chapter 17; and

WHEREAS, the Committee being duly informed of the facts pertinent to the changes proposed, having reviewed the staff report, and duly advised of the recommendations of the Town of Reid hereby recommends the petition be GRANTED AS APPLIED FOR

NOW, THEREFORE, the County Board of Supervisors of the County of Marathon does ordain as follows: The General Code of Ordinances for Marathon County Chapter 17 Zoning Code (and accompanying Zoning Map) is amended as stated above.

Dated this 2<sup>nd</sup> day of February, 2021

**ORDINANCE # O – 07 - 21**  
**Town of Knowlton Rezone**

WHEREAS, the Marathon County Board of Supervisors has been petitioned to amend the General Code of Ordinances for Marathon County Chapter 17 Zoning Code by Robert & Kelsey Schwei to amend the Marathon County Zoning Ordinance to rezone lands from L-D-R Low Density Residential to R-E Rural Estate described as part of Government Lot 3 of Section 28, Township 26 North, Range 07 East and part of NE ¼ of the SE ¼ of Section 29, Township 26 North, Range 07 East, Town of Knowlton. The existing parcel proposed to be rezoned is described as Lot #2 (10.0340 acres) on the Certified Survey Map (CSM) Vol. 62 Pg. 60 (Doc#1423383); Parcel PIN# 048-2607-285-0985.

WHEREAS, the petition was referred to the Marathon County Environmental Resources Committee (the Committee) for public hearing; and

WHEREAS, the Committee, on due notice, conducted a public hearing thereon, pursuant to Section 59.69, Wisconsin Statutes on February 2, 2021 to consider the petition to amend Chapter 17; and

WHEREAS, the Committee being duly informed of the facts pertinent to the changes proposed, having reviewed the staff report, and duly advised of the recommendations of the Town of Knowlton hereby recommends the petition be GRANTED AS APPLIED FOR

NOW, THEREFORE, the County Board of Supervisors of the County of Marathon does ordain as follows: The General Code of Ordinances for Marathon County Chapter 17 Zoning Code (and accompanying Zoning Map) is amended as stated above.

Dated this 2<sup>nd</sup> day of February, 2021

**RESOLUTION #R – 09 - 21**  
**APPROVING THE 2021-2030 MARATHON COUNTY LAND AND WATER RESOURCE**  
**MANAGEMENT PLAN**

WHEREAS, Chapter 92 of the Wisconsin Statutes requires that Marathon County develop and administer a Land and Water Resource Management Plan and program jointly with Department of Agriculture Trade and Consumer Protection (DATCP) and the Land and Water Conservation Board (LWCB) of Wisconsin; and

WHEREAS, the Marathon County Conservation, Planning and Zoning Department and the Environmental Resources Committee (ERC) have led a planning process with local advisory committees, citizens, Federal State agencies and local agencies to identify and prioritize local resource concerns; and

WHEREAS, the proposed Land and Water Resource Management Plan (3<sup>rd</sup> decennial revision) integrates anticipated land use issues, defined in Marathon County's Comprehensive Plan, with soil health principals and water management methods in order to provide a path to:

- Future sustained development,
- Continued community engagement in land and water conservation,
- Meaningful compliance with State agricultural performance standards and prohibitions, and
- Enactment and enforcement of county ordinances and creation of county policies and procedures that accomplish these goals; and

WHEREAS, the proposed Land and Water Resource Management Plan outlines coordinated programs between County, State and Federal resource agencies and develops a “priority farm” strategy to target available staff and funding resources; and

WHEREAS, the ERC held a public hearing on December 1, 2020 and January 5, 2021; and

WHEREAS, on January 5, 2021, the ERC voted unanimously to recommend approval of the proposed 2021-2030 Land and Water Resource Management Plan to the County Board; and

WHEREAS, on February 2<sup>nd</sup>, 2021, this plan was presented and approved by the Wisconsin Land and Water Conservation Board.

WHEREAS, the proposed Plan is available for review at the offices of Marathon County Conservation Planning and Zoning Dept., 210 River Dr., and Marathon County Clerk, Courthouse 500 Forest Street, Wausau, 54403 during regular office hours, and is also available at the following link: [www.co.marathon.wi.us/lwrm](http://www.co.marathon.wi.us/lwrm); and is incorporated herein by reference as if set forth in full.

NOW, THEREFORE, the Board of Supervisors of the County of Marathon County hereby approves the Marathon County 2021-2030 Land and Water Resource Management Plan, described above.

Dated this 26th day of January, 2021

#### **RESOLUTION #R – 10 - 21**

#### **APPROVAL OF TOWN OF RIB MOUNTAIN LOCAL ZONING ORDINANCE AMENDMENT**

WHEREAS, to §60.62(3) Wis. Stats provides that any Zoning Ordinance and/or map adopted by a Town Board and any amendment thereof shall be subject to the approval of the County Board in counties having a county zoning ordinance, and

WHEREAS, the Town Board of the Town of Rib Mountain has amended their zoning as shown on the attached report, and

WHEREAS, the Marathon County Environmental Resources Committee, having considered the request to review amendments of the Town Zoning Ordinance filed by the Clerk of the Town of Rib Mountain, and duly advised action by the Town, hereby recommends that the County Board approves this amendment as attached.

NOW, THEREFORE BE IT RESOLVED, that the Marathon County Board of Supervisors hereby approves the amendment to the Town of Rib Mountain Zoning Ordinance and/or Zoning map as attached and made part of this record, all of which to be filed with the Marathon County Clerk.

Dated this 2<sup>nd</sup> day of February, 2021.

#### **RESOLUTION #R – 13 – 21**

#### **SUPPORT FOR AMENDMENTS TO STATUTORY CHANGES EFFECTED BY 2019 WISCONSIN ACT 106 AND WIS. STATS. §.343.31(1M)(B) REGARDING OPERATING WHILE INTOXICATED (OWI) OFFENSES**

WHEREAS, 2019 WISCONSIN ACT 106 was enacted on February 28, 2020 to amend Wis. Stats., §346.65(2)(am)5, relating to commission of a fifth or sixth offense of operating a motor vehicle while intoxicated and providing for penalties; and,

WHEREAS, Wis. Stats., § 346.65(2)(am)5 reads as follows: “The court shall impose a bifurcated sentence under [Wis. Stats., §] 973.01, and the confinement portion of the bifurcated sentence imposed on the person shall be not less than one year and 6 months. The court may impose a term of confinement that is less than one year and 6 months if the court finds that the best interests of the community will be served and the public will not be harmed and if the court places its reasons on the record.”; and,

WHEREAS, pursuant to Wis. Stats., § 973.01(2), “A bifurcated sentence is a sentence that consists of a term of confinement in prison followed by a term of extended supervision under [Wis. Stats., §] 302.113.” and pursuant to Wis. Stats., § 973.01(2)(b), “The portion of a bifurcated sentence that imposes a term of confinement in prison may not be less than one year ...”; and,

WHEREAS, in October 2020, the Wisconsin Department of Justice (WI DOJ) issued an opinion stating that, for an offense under Act 106, the court must impose a bifurcated sentence with at least 1 year of initial confinement; and,

WHEREAS, the WI DOJ further opined that, by requiring that a court “shall impose a bifurcated sentence” with a confinement portion that is spelled out in the statutes, the Legislature created a mandatory minimum sentence that a court must impose and that, under the decisions in *State v. Lalicata* and *State v. Williams*, a court may not impose and stay that sentence and order probation; and,  
WHEREAS, under the law as amended, 5th and 6th Offense OWI offenders would have no incentive to participate in a Treatment Court program, which would address both underlying criminogenic and substance abuse needs, because prison is required; and,  
WHEREAS, Marathon County has successfully operated an evidence based OWI treatment court, primarily serving high risk fifth and sixth offenders since 2011; and,  
WHEREAS, OWI treatment courts support a wide variety of initiatives aimed at providing alternatives to incarceration with a focus on reducing recidivism, lowering prison and jail population, providing comprehensive support to participants, and improving public safety; and,  
WHEREAS, OWI treatment courts have been restoring lives and families for more than three decades and have been shown to be one of the most successful justice system interventions in our nation’s history; and  
WHEREAS, the Wisconsin Legislature has recognized the importance and positive impact of treatment courts in Wisconsin and has significantly supported treatment courts through legislation such as Treatment Alternatives and Diversion (TAD); and,  
WHEREAS, Marathon County advocates for a changes to 2019 WISCONSIN ACT 106 to allow for participation in treatment courts for a 5th or 6th OWI offenses; and,  
WHEREAS, additionally, under Wis. Stats., §.343.31(1m)(b) if the number of convictions for OWI equals 4 or more and the 4th conviction occurs within 15 years of the previous conviction, the Department of Transportation shall revoke the person's operating privilege permanently; and,  
WHEREAS, individuals who successfully complete a treatment court program which addresses their underlying criminogenic and behavioral health needs, under court supervision, should have the opportunity to reinstate their driver’s license. Such incentive would encourage other individuals to participate in treatment courts to obtain these services, which ultimately, improves public safety.  
NOW, THEREFORE, BE IT RESOLVED that Marathon County does hereby urge the Wisconsin legislature to amend statutory changes effected by ACT 106 to allow, at sentencing for 5th and 6th offense OWI convictions, the option to impose and stay a sentence and to place the defendant on probation in order to participate in and complete a treatment court program.  
BE IT FURTHER RESOLVED that the Marathon County Board of Supervisors does hereby further implore the Wisconsin legislature to amend Wis. Stats. §.343.31(1m)(b) to allow for reinstatement of an individual’s operating privileges upon successful completion of a treatment court.  
BE IT FURTHER RESOLVED that the County Clerk be authorized and directed to send a copy of this resolution to Governor Evers, Attorney General Kaul, State Courts Director Randy Koschnick, members of the Wisconsin State Assembly, members of the Wisconsin State Senate and the Wisconsin Counties Association.  
Dated this 25th, day of February, 2021.

*As part of the Consent Agenda, the above Ordinances #O-06-21, #O-07-21, were enacted and Resolution #R-09-21, #R-10-21, #R-13-21, were adopted.*

**MEMORIAL  
Life and Public Service of  
Brian R. Nelson**

Brian R. Nelson, 57, passed away on February 9, 2021 at Aspirus Wausau Hospital due to ongoing health issues related to Glioblastoma and CLOVES Syndrome.  
He was born May 29, 1963, to Judy and the late Ronald Nelson. He is survived by his wife Nancy, mother Judy, sister Kristin, nephews, grandchildren, and many other family members and friends.  
Brian was an active member of Wesley United Methodist Church and the Wausau Symphony Choir. He was also a member of the Masonic Lodge and especially enjoyed the time he spent as a clown with the Beja Shrine Clown Unit. He served the residents of District 8 in the City of Wausau on the Marathon County Board of Supervisors from 2002-2004. During that time, he was a member of the Personnel Committee and Employee Resources Committee.  
In the passing of Brian Nelson, we have lost a leader who was dedicated to serving his community. He is hereby honored and remembered for his faithful public service.  
NOW, THEREFORE, BE IT RESOLVED by the Marathon County Board of Supervisors that they enter this Memorial

into the proceedings of the Board out of respect for the memory of Brian R. Nelson. A copy of this memorial shall be sent to his family with the sympathies of the Board.

Dated this 25<sup>th</sup> day of February, 2021.

Kurt Gibbs, Chairperson

Discussion: None.

**Action: MOTION BY DRABEK, SECOND BY ROBINSON TO APPROVE. MOTION CARRIED ON A VOICE VOTE, UNANIMOUSLY.**

Follow through: None.

**ORDINANCE #O-05-21  
TO AMEND CHAPTER 16 AND 19 OF THE GENERAL CODE OF ORDINANCES FOR  
MARATHON COUNTY: COUNTY FORESTS AND PARKS**

WHEREAS, the Marathon County Board has enacted Chapters 16 and 19 of the General Code of Ordinances of Marathon County (Gen. Code), governing County Forests as well as City and County Parks, within its jurisdiction, and they have not been updated since 2019; and

WHEREAS, the City/County Parks Recreation and Forestry Department has undertaken the task of revising Chapters 16 and 19 to conform to the state law and current practice in Marathon County; and

WHEREAS, on January 5, 2021, the Marathon County Parks Commission voted to approve revisions, set forth in the Attachment hereto, and to forward said revisions to the Marathon County Environmental Resources Committee their review; and

WHEREAS, on January 5, 2021, the Forestry/Recreation Committee voted to approve revisions, set forth in the Attachment hereto, and to forward said revisions to the Marathon County Environmental Resources Committee their review; and

WHEREAS, on February 2, 2021, the Environmental Resources Committee voted to approve revisions, set forth in the Attachment hereto, and to forward said revisions to the County Board for its review; and

NOW, THEREFORE, the County Board of Supervisors of the County of Marathon does hereby ordain and resolve to: Amend Chapters 16 and 19 of the Gen. Code to read, as described in the Attachment hereto.

BE IT FURTHER ORDAINED AND RESOLVED that said ordinance shall take effect upon passage and publication as required by law.

Respectfully submitted this 25th day of February, 2021.

MARATHON COUNTY PARKS COMMISSION

Discussion: Question asked and addressed by Corporation Counsel. Jamie Polley, Parks Director informed that they will work with the recreation deputies in educating everyone on the ordinance.

**Action: MOTION BY SEEFELDT, SECOND BY CHRISTENSEN TO ENACT THE ORDINANCE. MOTION CARRIED ON A VOICE VOTE, UNANIMOUSLY.**

Follow through: None.

**ORDINANCE #O – 08 - 21  
ORDINANCE AMENDING GENERAL CODE OF ORDINANCES FOR MARATHON COUNTY  
CHAPTER 17 ZONING CODE**

WHEREAS, the Marathon County Board of Supervisors has been petitioned to amend the General Code of Ordinances for Marathon County Chapter 17 Zoning Code, and

WHEREAS, the petition was referred to the Marathon County Environmental Resources Committee for public hearing; and

WHEREAS, the Committee, on due notice, conducted a public hearing on the proposed amendments, and filed their recommendation with the Board, and

WHEREAS, the proposed amendments has been given due consideration by the Board in open session, WHEREAS, a copy of the proposed text amendments is available for review at the offices of Marathon

County Conservation Planning and Zoning Dept., 210 River Dr., and Marathon County Clerk, Courthouse 500 Forest Street, Wausau, 54403 during regular office hours, and is also available at the following link:

<https://bit.ly/35z5YAm>, and is incorporated herein by reference as if set forth in full; and

NOW, THEREFORE, the County Board of Supervisors of the County of Marathon does ordain as follows:  
The General Code of Ordinances for Marathon County Chapter 17 Zoning Code is amended in the following respects:  
For general text amendment changes to the General Code of Ordinances for Marathon County Chapter 17 Zoning Code.

Dated this 2<sup>nd</sup> day of February, 2021  
ENVIRONMENTAL RESOURCES COMMITTEE

Discussion: Difference between permitted use and conditional use was explained.

**Action: MOTION BY ROSENBERG, SECOND BY MC EWEN TO ENACT THE ORDINANCE.**

**Action: MOTION BY GUILD, SECOND BY FIFRICK TO AMEND ORDINANCE TO ZONING PERMIT USE RATHER THAN A CONDITIONAL USE PERMIT. MOTION CARRIED ON A VOICE VOTE, NOT UNANIMOUS.**

**Action: MOTION TO APPROVE AS AMENDED. MOTION CARRIED ON A VOICE VOTE, NOT UNANIMOUS.**

Follow through: None.

## RESOLUTIONS

### **RESOLUTION #R-14-21**

#### **MARATHON COUNTY RESOLUTION CELEBRATING BLACK HISTORY MONTH**

Whereas, in 1776, people envisioned the United States as a new nation dedicated to the proposition stated in the Declaration of Independence that “all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness”;

Whereas Africans were first brought involuntarily to the shores of the United States as early as the 17th century;

Whereas African Americans suffered enslavement and subsequently faced the injustices of lynch mobs, segregation, and denial of the basic and fundamental rights of citizenship;

Whereas, in 2021, the vestiges of those injustices and inequalities remain evident in the society of the United States;

Whereas, in the face of injustices, people of good will and of all races in the United States have distinguished themselves with a commitment to the noble ideals on which the United States was founded and have fought courageously for the rights and freedom of African Americans and others;

Whereas African Americans, such as Lieutenant Colonel Allen Allensworth, Maya Angelou, Arthur Ashe, Jr., James Baldwin, James Beckwourth, Clara Brown, Blanche Bruce, Ralph Bunche, Shirley Chisholm, Holt Collier, Miles Davis, Louis Armstrong, Larry Doby, Frederick Douglass, W. E. B. Du Bois, Ralph Ellison, Medgar Evers, Aretha Franklin, Alex Haley, Dorothy Height, Jon Hendricks, Olivia Hooker, Lena Horne, Charles Hamilton Houston, Mahalia Jackson, Stephanie Tubbs Jones, B.B. King, Martin Luther King, Jr., Coretta Scott King, Thurgood Marshall, Constance Baker Motley, Rosa Parks, Walter Payton, Bill Pickett, Homer Plessy, Bass Reeves, Hiram Revels, Amelia Platts Boynton Robinson, Jackie Robinson, Aaron Shirley, Sojourner Truth, Harriet Tubman, Booker T. Washington, the Greensboro Four, the Tuskegee Airmen, Prince Rogers Nelson, Recy Taylor, Fred Shuttlesworth, Duke L.C. Ellington, Langston Hughes, Muhammad Ali, Elijah Cummings Ella Fitzgerald, Mamie Till, Toni Morrison, Gwen Ifill, Diahann Carroll, Chadwick Boseman, John Lewis, Katherine Johnson, Rev. C.T. Vivian, Hank Aaron, Edith Savage-Jennings, Septima Clark, Mary Mcleod Bethune, Cicely Tyson, and Chief Justice of South Carolina Ernest Finney, along with many others, worked against racism to achieve success and to make significant contributions to the economic, educational, political, artistic, athletic, literary, scientific, and technological advancement of the United States;

Whereas the contributions of African Americans from all walks of life throughout the history of the United States reflect the greatness of the United States;

Whereas many African Americans lived, toiled, and died in obscurity, never achieving the recognition those individuals deserved, and yet paved the way for future generations to succeed;

Whereas African Americans continue to serve at the highest levels of business, government, and the military;

Whereas the birthdays of Abraham Lincoln and Frederick Douglass inspired the creation of Negro History Week, the precursor to Black History Month;

Whereas Negro History Week represented the culmination of the efforts of Dr. Carter G. Woodson, the “Father of Black History”, to enhance knowledge of Black history through The Journal of Negro History, published by the

Association for the Study of African American Life and History, which was founded by Dr. Carter G. Woodson and Jesse E. Moorland;

Whereas Black History Month, celebrated during the month of February, originated in 1926 when Dr. Carter G. Woodson set aside a special period in February to recognize the heritage and achievements of Black people in the United States;

Whereas Dr. Carter G. Woodson stated, “We have a wonderful history behind us. . . . If you are unable to demonstrate to the world that you have this record, the world will say to you, ‘You are not worthy to enjoy the blessings of democracy or anything else.’”;

Whereas, since its founding, the United States has imperfectly progressed toward noble goals;

Whereas the history of the United States is the story of people regularly affirming high ideals, striving to reach those ideals but often failing, and then struggling to come to terms with the disappointment of that failure, before committing to try again;

Whereas, on November 4, 2008, the people of the United States elected Barack Obama, an African-American man, as President of the United States; and

Whereas, on February 22, 2012, people across the United States celebrated the groundbreaking of the National Museum of African American History and Culture, which opened to the public on September 24, 2016, on the National Mall in Washington, District of Columbia;

Now, therefore, be it Resolved, That the Marathon County Board of Supervisors—

- (1) acknowledges that all people are the recipients of the wealth of history provided by Black culture
- (2) recognizes the importance of Black History Month as an opportunity to reflect on the complex history of the United States, while remaining hopeful and confident about the path ahead;
- (3) acknowledges the significance of Black History Month as an important opportunity to commemorate the tremendous contributions of African Americans to the history of the United States;
- (4) encourages the celebration of Black History Month to provide a continuing opportunity for all people to learn from the past and understand the experiences that have shaped the United States; and
- (5) agrees that, while the United States began as a divided country, the United States must—(A) honor the contribution of all pioneers in the United States who have helped to ensure the legacy of the great United States; and (B) move forward with purpose, united tirelessly as a nation “indivisible, with liberty and justice for all.”

Footnote: This Resolution is based on the language contained in US Senate Resolution 45 introduced by Senator Cory Booker and cosponsored by 53 other Senators.

Dated this 25<sup>th</sup> day of February, 2021

DIVERSITY AFFAIRS COMMISSION AND EXECUTIVE COMMITTEE

Discussion: Comments and questions regarding the wording in the resolution were asked and addressed.

Motion by Bootz to call the question. No other supervisors in queue to speak.

**Action: MOTION BY XIONG, SECOND BY HARRIS TO ADOPT THE RESOLUTION AS PRINTED.**

**Action: MOTION BY LAMONT, SECOND BY GABOR TO AMEND THE RESOLUTION TO REMOVE WORDS FROM ITEM NUMBER 5: “WHILE THE UNITED STATES BEGAN AS A DIVIDED COUNTRY”. MOTION IS DEFEATED ON A VOICE VOTE, NOT UNANIMOUS.**

Discussion: Chair Gibbs stated that the motion is not debatable and needs a majority to require the request.

Comments and questions were made regarding the importance of Black History Month.

Motion by Bootz to call the question. No other supervisors in queue to speak.

**Action: MOTION FOR DIVISION BY LAMONT, SECONDED BY SCHLEI TO HAVE A ROLL CALL VOTE. MOTION TO HAVE A ROLL CALL VOTE IS DEFEATED ON A VOICE VOTE, NOT UNANIMOUS.**

**Action: ORIGINAL MOTION TO ADOPT THE RESOLUTION AS PRINTED, CARRIED ON A VOICE VOTE, NOT UNANIMOUS.**

Follow through: None.

**RESOLUTION #R-15-21**  
**RESOLUTION AWARDING THE SALE OF**  
**\$5,830,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2021A**

WHEREAS, on January 26, 2021, the County Board of Supervisors of Marathon County, Wisconsin (the "County") adopted an initial resolution, by a vote of at least 3/4 of the members-elect, authorizing the issuance of general obligation promissory notes in an amount not to exceed \$5,830,000 for the public purpose of financing 2021 Capital Improvement Plan projects, including County highway projects, acquisition of equipment and vehicles, improvements to County buildings, park and recreation projects and other capital projects (the "Project") (the above-referenced initial resolution is referred to herein as the "Initial Resolution");

WHEREAS, on January 26, 2021, the County Board of Supervisors of the County also adopted a resolution (the "Set Sale Resolution") providing that the general obligation promissory notes authorized by the Initial Resolution be issued and sold as a single issue of notes designated as "General Obligation Promissory Notes, Series 2021A" (the "Notes") for the purpose of paying the cost of the Project;

WHEREAS, pursuant to the Set Sale Resolution, the County directed PFM Financial Advisors LLC ("PFM") to take the steps necessary to sell the Notes;

WHEREAS, PFM, in consultation with the officials of the County, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on February 25, 2021;

WHEREAS, the County Clerk (in consultation with PFM) caused notice of the sale of the Notes to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Notes for public sale;

WHEREAS, the County has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. PFM has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference; and

WHEREAS, it has been determined to issue the Notes in the principal amount of \$5,830,000.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Official Notice of Sale and any other offering materials prepared and circulated by PFM are hereby ratified and approved in all respects. All actions taken by officers of the County and PFM in connection with the preparation and distribution of the Official Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1A. Award of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of FIVE MILLION EIGHT HUNDRED THIRTY THOUSAND DOLLARS (\$5,830,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal (as modified on the Bid Tabulation and reflected in the Pricing Summary referenced below and incorporated herein), plus accrued interest to the date of delivery, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be applied in accordance with the Official Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2021A"; shall be issued in the aggregate principal amount of \$5,830,000; shall be dated March 17, 2021; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on February 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on February 1 and August 1 of each year commencing on February 1, 2022. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes are not subject to optional redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2021 through 2030 for the payments due in the years 2022 through 2031 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Promissory Notes, Series 2021A" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the County and disbursed solely for the purpose or purposes for which borrowed. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which

obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the County Clerk or the County Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be

made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

Section 15. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes). To the extent required under the Rule, the Chairperson and County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 17. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 18. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 19. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded February 25, 2021.

HUMAN RESOURCES, FINANCE AND PROPERTY COMMITTEE

Discussion: Presentation given by Kristin Hanson, Director at PFM Financial Advisors.

**Action: MOTION BY ROBINSON, SECOND BY MC EWEN TO ADOPT THE RESOLUTION. MOTION CARRIED ON A VOICE VOTE, UNANIMOUSLY.**

Follow through: None.

**RESOLUTION #R-16-21  
RESOLUTION AWARDING THE SALE OF  
\$19,000,000 GENERAL OBLIGATION HEALTH CARE  
PROJECT BUILDING BONDS, SERIES 2021B**

WHEREAS, on June 19, 2018, the County Board of Supervisors of Marathon County, Wisconsin (the "County") adopted an initial resolution, by a vote of at least 3/4 of the members-elect, authorizing the issuance of general obligation bonds or promissory notes in an amount not to exceed \$67,000,000 for the public purpose of financing North Central Health Care ("NCHC") Master Facility Plan projects, including the design and construction of building additions, renovations and landscaping to the NCHC Center and Mount View Care Center campus (the "Project") (the above-referenced initial resolution is referred to herein as the "Initial Resolution");

WHEREAS, the County has previously issued general obligation bonds or promissory notes in the principal amount of \$25,620,000 for projects authorized by the Initial Resolution;

WHEREAS, on January 26, 2021, the County Board of Supervisors of the County adopted a resolution (the "Set Sale Resolution") providing that additional general obligation bonds authorized by the Initial Resolution in an amount not to exceed \$19,000,000 be issued and sold as a single issue of bonds designated as "General Obligation Health Care Project Building Bonds, Series 2021B" (the "Bonds") for the purpose of paying costs of the Project;

WHEREAS, pursuant to the Set Sale Resolution, the County directed PFM Financial Advisors LLC ("PFM") to take the steps necessary to sell the Bonds;

WHEREAS, PFM, in consultation with the officials of the County, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on February 25, 2021;

WHEREAS, the County Clerk (in consultation with PFM) caused notice of the sale of the Bonds to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Bonds for public sale;

WHEREAS, the County has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. PFM has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference; and

WHEREAS, it has been determined to issue the Bonds in the principal amount of \$19,000,000.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 20. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Official Notice of Sale and any other offering materials prepared and circulated by PFM are hereby ratified and approved in all respects. All actions taken by officers of the County and PFM in connection with the preparation and distribution of the Official Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1A. Award of the Bonds. For the purpose of paying costs of the Project, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes, the principal sum of NINETEEN MILLION DOLLARS (\$19,000,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal (as modified on the Bid Tabulation and reflected in the Pricing Summary referenced below and incorporated herein), plus accrued interest to the date of delivery, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be applied in accordance with the Official Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds shall bear interest at the rates set forth on the Proposal.

Section 21. Terms of the Bonds. The Bonds shall be designated "General Obligation Health Care Project Building Bonds, Series 2021B"; shall be issued in the aggregate principal amount of \$19,000,000; shall be dated March 17, 2021; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on February 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this

reference. Interest shall be payable semi-annually on February 1 and August 1 of each year commencing on February 1, 2022. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 22. Redemption Provisions. The Bonds maturing on February 1, 2032 and thereafter are subject to redemption prior to maturity, at the option of the County, on February 1, 2031 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the County, and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 23. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 24. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2021 through 2040 for the payments due in the years 2022 through 2041 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 25. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund. Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Health Care Project Building Bonds, Series 2021B" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the County above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"),

which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 26. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the County and disbursed solely for the purpose or purposes for which borrowed. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Bonds have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 27. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 28. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Bonds and the ownership, management and use of the projects will not cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 29. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and

directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 30. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the County Clerk or the County Treasurer (the "Fiscal Agent").

Section 31. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 32. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the Record Date.

Section 33. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

Section 34. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 35. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Chairperson and County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the

transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 36. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 37. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 38. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded February 25, 2021.

HUMAN RESOURCES, FINANCE AND PROPERTY COMMITTEE

Discussion: None.

Action: **MOTION BY ROBINSON, SECOND BY ROSENBERG TO ADOPT THE RESOLUTION. MOTION CARRIED ON A VOICE VOTE, UNANIMOUSLY.**

Follow through: None.

**RESOLUTION # R-17-21  
REAUTHORIZATION OF SELF-INSURANCE FOR WORKER'S COMPENSATION**

Whereas, the County of Marathon is a qualified political subdivision of the State of Wisconsin; Whereas, the Wisconsin Worker's Compensation Act (Act) provides that employers covered by the Act either insure either their liability with worker's compensation insurance carriers authorized to do business in Wisconsin, or to be exempted (self-insured) from insuring liabilities with a carrier and thereby assuming the responsibility for its own worker's compensation risk and payment; and

WHEREAS, the State and its political subdivisions may self-insure worker's compensation without a special order from the Department of Workforce Development (Department) if they agree to report faithfully all compensable injuries and agree to comply with the Act and rules of the Department; and

WHEREAS, in 2002 the State implemented a requirement that political subdivision pass a resolution every 3 years to continue to self-insure their worker's compensation program; and

WHEREAS, the Board of Supervisors at their February 27, 2018 meeting adopted Resolution

#R-6-

18 for the period of April 2018 to April 2021; and

WHEREAS, the Human Resources, Finance, and Property Committee at its February 9, 2021 meeting approved the continuation of the self-insured worker's compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Marathon does ordain as follows:

- (1) Provide for the continuation of a self-insured worker's compensation program that is currently in effect since July 1, 1972 for the period of April 2021 to April 2024.
- (2) Authorize the County Clerk to forward certified copies of this resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Department.

DATED: February 25, 2021  
Human Resources, Finance and Property Committee

Discussion: None.

**Action: MOTION BY ROBINSON, SECOND BY ROSENBERG TO ADOPT THE RESOLUTION.  
MOTION CARRIED ON A VOICE VOTE, UNANIMOUSLY.**

Follow through: None

**RESOLUTION #R-18- 21  
AUTHORIZING COUNTY OFFICIALS TO TAKE ACTIONS NECESSARY TO FACILITATE  
OPERATION OF A REGIONAL COVID-19 VACCINATION SITE IN MARATHON COUNTY**

WHEREAS, the State of Wisconsin has reached out to the Marathon County Health Department (Health Dept.) to evaluate the merits of operating a Regional COVID-19 Vaccination Site to serve North Central Wisconsin and which would be located in Marathon County; and

WHEREAS, the Health Dept. is authorized, pursuant to Wis. Stats., §252.03, to take action to prevent, suppress and control COVID-19; and

WHEREAS, creation of a community-based vaccination clinic in Marathon County would be an effective strategy to control the spread of COVID-19; and

WHEREAS, the Marathon County Board of Health, the Human Resources, Finance and Property Committee and Executive Committee have determined that the location of a Regional Site in Marathon County would substantially benefit residents of the county and other surrounding counties because they will have additional options to get vaccinated; and

WHEREAS, working in partnership with the State of Wisconsin would reduce costs of operation of such a facility versus standing up a clinic independently; and

WHEREAS, the Health Dept. has reached out to other stakeholders to discuss and plan for facilities and other resources necessary to operate such a Regional Site, in partnership with the State of Wisconsin, to be located in the Wausau area; and

WHEREAS, potential liability of the County is limited by both Federal and State Statutes.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors, in consideration of the substantial benefit to the residents of Marathon County and surrounding counties, hereby approves and supports efforts to locate a Regional COVID-19 Vaccination Site in Marathon County in partnership with the State of Wisconsin.

BE IT FURTHER RESOLVED that all appropriate county officials are authorized and directed to take all actions necessary to facilitate operation of a Regional COVID-19 Vaccination Site in furtherance of this Resolution.

BE IT FINALLY RESOLVED that the County Clerk is directed to issue checks pursuant to this resolution and the county treasurer to honor said checks.

Dated this 25th day of February, 2021.

HEALTH AND HUMAN SERVICES COMMITTEE

Discussion: Question asked and addressed by Lance Leonhard, Chair Gibbs, Supervisor Robinson and Joan Theurer.

**Action: MOTION BY MC EWEN, SECOND BY FISHER TO ADOPT THE RESOLUTION. MOTION CARRIED ON A VOICE VOTE, NOT UNANIMOUS.**

Follow through: None

**RESOLUTION #R - 19 - 21  
SETTING COUNTY BOARD SIZE FOR PURPOSE OF REDISTRICTING  
FOLLOWING 2020 DECENNIAL CENSUS**

WHEREAS, Wis. Stats. §59.10(3)(b) requires Marathon County to develop and approve a tentative redistricting plan following each decennial census; and

WHEREAS, part of the process requires the county to set the size of the county board, effectively determining the number of supervisory districts into which the county will be divided following receipt of census data; and

WHEREAS, the County Board established a Board Size Task Force to investigate options and develop recommendations relative to the number of supervisors to serve on the County Board following the 2020 Decennial Census; and

WHEREAS, the Task Force presented its report to the County Board and has recommended the County Board size remain at 38 supervisors; and

WHEREAS, the recommendation of Task Force to maintain the number of county board supervisors at 38 was based, in part, on the following:

- Farm Bureau letter and Town Associations' letters in opposition, which represent a significant portion of the county.
- The County's Comprehensive Plan calls for good relationships with local governments and this would be keeping those relationships in good order.
- A larger board can have more diverse groups represented. Having different opinions makes the board better. We should celebrate the size of the board as being truly representative.
- Current committees are working well.
- Strong public support for leaving the board size at 38.
- Downsizing does not improve the ability to attract new people to the board.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for the County of Marathon does hereby resolve as follows:

- A. To maintain the current number of supervisory districts at 38.
- B. That the Conservation Planning and Zoning Department is hereby directed, in concert with the North Central Regional Planning Commission, to develop a tentative redistricting plan subject to public hearing and final approval pursuant to statute.

BE IT FURTHER RESOLVED that the appropriate officials of Marathon County are hereby authorized to execute documents and take all other actions necessary, on behalf of Marathon County, to effectuate the purposes of this Resolution.

Dated: February 25, 2021.

EXECUTIVE COMMITTEE

Discussion: None.

**Action: MOTION BY ROBINSON, SECOND BY MC EWEN TO ADOPT THE RESOLUTION. MOTION CARRIED ON A VOICE VOTE, NOT UNANIMOUS.**

Follow through: None

#### **Announcements or Requests**

- Supervisor Jacobson announced that Ken Muelling, Chief of Police in the city of Mosinee is retiring.

#### **Adjournment**

**MOTION BY MC EWEN, SECOND BY DRABEK TO ADJOURN. MOTION CARRIED ON A VOICE VOTE.** Meeting adjourned at 8:17p.m.

- Minutes prepared by Patricia Hornung, Administrative Specialist.

