

Marathon County Board of Health

Tuesday, July 14, 2020 at 7:45 AM

Meeting Location: 1000 Lake View Drive, Suite 100
Wausau, WI 54403

The meeting site identified above will be open to the public. However, due to the COVID-19 pandemic and associated public health directives, Marathon County encourages Board of Health members and the public to attend this meeting remotely. To this end, instead of attendance in person, Board of Health members and the public may attend this meeting by telephone conference. If Board of Health members or members of the public cannot attend remotely, Marathon County requests that appropriate safety measures, including adequate social distancing, be utilized by all in-person attendees. Persons wishing to attend the meeting by phone may call into the telephone conference beginning five (5) minutes prior to the start time indicated above using the following number. When you enter the telephone conference, put your phone on mute.

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Meeting ID: 851 2896 1112

Password: 882227

The Public Comment portion of the agenda has been temporarily suspended, pursuant to Marathon County Resolution # R-19-20, dated April 21, 2020, because the technology necessary to afford the public the opportunity to address the County Board, or its subgroups, during public Comment is difficult to guarantee, if a large number of individuals have elected to call in.

Committee Members: John Robinson, Chair; Sandi Cihlar, Vice-Chair; Lori Shepherd, Secretary; Dean Danner; Kue Her; Tiffany Lee; Craig McEwen; Corrie Norrbom

Marathon County Mission Statement: Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business. (Last updated: 12-20-05)

Marathon County Health Department Mission Statement: To advance a healthy Marathon County community by preventing disease, promoting health, and protecting the public from environmental hazards. (Last updated: 5-7-13)

1. **Call to Order**
2. **Approval of the Minutes of the June 2, 2020 Board of Health Meeting**
3. **Operational Functions Required by Statute, Ordinance, or Resolution**
 - A. None
4. **Policy Discussion and Possible Action**
 - A. Discuss membership opportunities to serve on the Wisconsin Association of Local Health Departments and Boards (WALHDB) and National Association of Boards of Health (NABOH)
 - B. Update on the Marathon County Community Health Assessment process and Health Officer's decision to delay until 2021
 - C. Update on Start Right Program funding in light of the adoption of the Marathon County 2020 Budget Repair Plan

D. Report from the Health & Human Services Committee July 1, 2020 meeting on policy issues impacting public health

5. Educational Presentations/Outcome Monitoring Reports

A. Update on Marathon County's COVID-19 response efforts and focus for the next 30-90 days

6. Announcements

7. Next Meeting Date & Time, Location, Future Agenda Items:

A. Confirm August's meeting date and determine agenda topics

i. Board of Health Self-Assessment Plan of Work

8. Adjourn

FAXED TO: Daily Herald, City Pages,
Marshfield News, Mid-West Radio Group

Signed _____

THIS NOTICE POSTED AT THE COURTHOUSE

Date _____ Time _____

Date _____ Time _____

By _____

Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk's Office at 715-261-1500 or e-mail infomarathon@mail.co.marathon.wi.us one business day before the meeting.

MARATHON COUNTY BOARD OF HEALTH
Meeting Minutes
June 2, 2020

Present: Via Zoom Web Conference: John Robinson, Sandi Cihlar, Dean Danner, Tiffany Lee, Kue Her, Corrie Norrbom, Lori Shepherd, Craig McEwen

MCHD Staff: Dale Grosskurth, Chris Weisgram, Joan Theurer, Jon Schmunk, Eileen Eckardt, Judy Burrows

Others Present: Scott Corbett, Corporation Counsel

1. Call to Order, Welcome New Board of Health Member

John Robinson called the meeting to order at 7:49 a.m. and welcomed new Board of Health member Corrie Norrbom to the meeting.

2. Approval of the Minutes of the May 5, 2020 Board of Health Meeting

Motion to approve made by Lori Shepherd, and seconded by Tiffany Lee. The motion was approved.

3. Operational Functions Required by Statute, Ordinance, or Resolution

A. Marathon County Board of Health election of officers

John Robinson asked for nominations for the position of Chair.

Craig McEwen nominated John Robinson.

Lori Shepherd moved to close nominations and cast a unanimous ballot for John Robinson as Chair. Seconded by Dean Danner. Motion approved.

John Robinson asked for nominations for the position of vice chair.

Sandi Cihlar nominated Craig McEwen for vice chair.

Dean Danner motioned to close nominations and cast unanimous ballot for Craig McEwen as vice chair. Seconded by Lori Shepherd. Motion approved.

John Robinson asked for nominations for the position of secretary.

Sandi Cihlar nominated Lori shepherd for secretary.

Kue Her motioined to close nominations and cast unanimous ballot for Lori Shepherd as secretary. Seconded by Dean Danner. Motion approved.

4. Policy Discussion and Possible Action

- A. Determine the renewal date for the 2020-2021 license year through the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP)

Joan Theurer shared the decision by Department of Agriculture, Trade, and Consumer Protection to delay license fee payments to December, allowing operators more time to make payment in light of closings due to Safer at Home. Joan updated that after talking to the County's Finance Director, there would be enough county funds available to cover staffing costs through the end of the year.

John Robinson shared updates on the County's projected budget deficit and delinquent tax payments. The Finance Committee decided to not take any action at this time to address the collection of fees, and the potential cash flow issue. Board of Health members were asked how they would like to proceed with implementing a delay in collection of license renewal fees.

Craig McEwen motioned to extend the license renewal date by one month to July 31, 2020. Seconded by Lori Shepherd. Motion approved

- B. Recommendation to create a Marathon County Communicable Disease Prevention and Control Ordinance based on the findings from the Wisconsin Supreme Court on May 13, 2020 in *Legislature v Palm*, invalidating Emergency Order #28 Safer at Home

Joan Theurer provided background information including the Wisconsin Supreme Court's decision invalidating the Safer at Home order. Scott Corbett, Corporation Counsel shared that the State Supreme Court found that the order was developed without going through a rule making process, the order effectively quarantined the entire state regardless of infection status, and enforcement was not possible. Joan shared that the State's Attorney General issued an opinion that outlines authority for local health officers and advised to have a local ordinance in place to support enforcement efforts.

Joan shared the principles followed while developing the proposed ordinance, including stakeholder input. Representatives from the Greater Wausau Chamber of Commerce participated in a meeting to discuss what an ordinance would look like. It was determined an ordinance specific to COVID-19 would be written, rather than a broad communicable disease ordinance.

Scott Corbett shared that after reading other template ordinances and gathering input from business leaders, the need to be clear and transparent was identified, and having a more specific ordinance would likely be better accepted by the community.

Joan Theurer shared that currently she has enforcement powers for individuals, however not for entities, communities, or at a county level. If approved by the Board of Health, the proposed ordinance would move to Health & Human Services Committee tomorrow, and the full County Board next week.

Scott Corbett shared the basic layout of the proposed ordinance, and the need to recognize the vast majority of individuals and businesses in the community are actively taking measures to protect themselves and customers. Scott walked through the enforcement language including penalties for violation.

Lori Shepherd asked if community members would be able to review the proposed ordinance. Scott Corbett shared that representatives from the Greater Wausau Chamber of Commerce did receive copies to review and provide feedback.

Discussion was held on language regarding the assumption that the vast majority of the community is taking steps to protect others and themselves, as well as the divide in the community over the pandemic. There is also a need to share information widely, including with different cultural and language groups. Shifting messaging from restriction to protection will resonate better with community members.

Discussion was held on how to message and reach people who do not want to hear the information or recommendations regarding public health.

Joan Theurer outlined the process followed for ensuring individuals diagnosed with positive COVID-19 test results, as well as contacts. Joan shared that the current practice for care facilities is to consider one case as an outbreak, and for businesses two cases.

The Board discussed what neighboring counties are considering, or have considered for their communities.

Discussion was held on the possibility of holding a special meeting to allow more time to consider the proposed ordinance.

Motion to support concepts contained in the COVID -19 ordinance and move it forward to Health & Human Services Committee. Seconded by Sandi Cihlar. Motion approved.

At the discretion of the Chair of Board of Health, a special meeting may be held to consider any significant changes made by the Health & Human Services Committee.

Members are to share any thoughts or additional concerns with the proposed ordinance with Joan Theurer or John Robinson to be considered.

C. Update on Marathon County's COVID-19 response efforts and focus for the next 30 days

Joan Theurer shared where the response is going, given Safer at Home is no longer in place. Focus areas are harm reduction (what community members can do to protect themselves and others), surveillance (analyze local data from cases and close contacts, testing, outbreaks, and healthcare system capacity), boxing in the virus (testing, isolating, contact tracing, and quarantine). Marathon County is in the process of gearing up for averaging 1,980 tests per week to meet the state's goal of 85,000 tests per week. Joan shared the purpose for holding the community testing events in the last couple of weeks.

Joan shared the State has provided funding allocations to cover COVID-19 costs. Joan shared that state funds are to 1) offset costs associated with contact tracing, 2) support local testing coordination, and 3) update public health preparedness plans with COVID-19 response in mind.

Joan shared that local health departments do have the option to opt out of contact tracing funding, and allow the state to take over those roles. The decision was made to accept funds and associated work

load, with the thinking that knowledge of local communities and residents was critical to being successful in doing contact tracing.

Discussion was held on work being done with long term care facilities to ensure they have resources available to follow recommendations for care.

- D. Determine the merit to move the Board of Health meeting to align with the timing of the Health and Human Services Committee held on the first Wednesday of the month

John Robinson shared that the County Board structure change has changed when committee meetings happen. Board members were asked if they were comfortable moving the meetings to the 2nd Tuesday of the month. Meetings will be held 2nd Tuesdays, with the next meeting taking place on July 14, 2020.

- E. Report from the Health and Human Services Committee May 6, 2020 meeting on policy issues impacting public health

Joan shared that she provided an update on COVID-19 in relationship to what Marathon County Health Department's role and responsibilities. The role of the committee was also reviewed, as well as supporting objectives of the County's strategic plan.

5. Educational Presentations/Outcome Monitoring Reports

- A. None

6. Announcements

None

7. Next Meeting Date & Time, Location, Future Agenda Items:

- A. Confirm July's meeting date and determine agenda topics
 - i. Status of the identification of community health priorities with members of Healthy Marathon County
 - ii. Board of Health Self-Assessment Plan of Work

8. Adjourn

John Robinson adjourned the meeting at 9:39 a.m.

Respectfully submitted,

Lori Shepherd, Secretary
Chris Weisgram, Recorder

**Health Officer Notes
July, 2020**

A. Policy Discussion and Possible Action

A. Discuss membership opportunities to serve on the Wisconsin Association of Local Health Departments and Boards (WALHDB) and National Association of Local Boards of Health (NALBOH)

Sandi Cihlar, Board of Health member will share membership opportunities for Board of Health members to serve on state and national public health associations. Refer to WALHDAB <https://www.walhdab.org> and NALBOH <https://nalboh.site-ym.com/default.aspx>

B. Update on the Marathon County Community Health Assessment process and Health Officer's decision to delay until 2021.

Joan Theurer will share the decision to delay the community health assessment until 2021.

C. Update on Start Right Program funding in light of the adoption of the Marathon County 2020 Budget Repair Plan

John Robinson, Chairperson, Human Resources, Finance & Property Committee will provide an overview of the 2020 Mid-Year Budget Repair Plan. Joan Theurer, Health Officer will share plan for reduction of funding to Children's contract who provide home visiting, Play N'Learn, and a warm-line. Link to the 2020 Mid-Year Budget Repair Plan <https://www.co.marathon.wi.us/Portals/0/Departments/CAD/Documents/MarathonCounty2020BudgetRepairPlan.pdf>

D. Report from the Health & Human Services Committee July 1, 2020 meeting on policy issues impacting public health

Joan Theurer, Health Officer along with Board of Health members in attendance will share policy issues discussed and action taken.

B. Educational Presentations/Outcome Monitoring Reports

A. Update on Marathon County's COVID-19 response efforts and focus for the next 30-90 days

Joan Theurer, Health Officer will provide an update on focus areas for the upcoming months and challenges public health is facing.

C. Announcements

D. Next Meeting Date & Time, Location, Future Agenda Items:

- A. Confirm August's meeting date and determine agenda topics
- i. Board of Health Self-Assessment Plan of Work

What parts of the state most at risk?

UW-Madison did the research on COVID-19 with what may be important results

Guy Boulton
Milwaukee Journal Sentinel
USA TODAY NETWORK - WISCONSIN

What ZIP codes throughout Wisconsin have the highest proportion of adults at high risk of severe complications from COVID-19? Where should public health departments allocate the most resources? What areas should be monitored the most closely?

Researchers at the University of Wisconsin-Madison have pulled together information to help answer those questions.

The researchers drew from electronic health records to identify ZIP codes throughout the state that have higher percentages of adults who are older or who have medical conditions, such as obesity and diabetes, that put them at greater risk if infected by the coronavirus.

"We found substantial variation across communities in the proportion of people who had these risk factors for severe complications," said Maureen Smith, a physician and professor at the University of Wisconsin-Madison School of Medicine and Public Health. "That finding suggests that matching community with the right resources needs to take into account that communities are different."

The information — pulled together when the crisis first hit the state — could be even more important in the coming months as businesses reopen and more people venture from their homes.

PHOTO ILLUSTRATION BY
JODI MISKELL AND TRAVIS METCALF/
USA TODAY NETWORK/GETTY IMAGES

See RESEARCH, Page 2A

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Research

Continued from Page 1A

That could increase the risk of the virus spreading not only in urban areas but also in rural parts of the state that have not seen a large number of confirmed cases.

"There are rural ZIP codes with a substantial portion of people who are at risk of severe complications," said Smith, a professor of population health sciences and family medicine.

For example, in Oconto County, 46% of the adults in the 54138 ZIP code and 47% in 54175 ZIP code have two or more risk factors. In Chippewa County, 36% to 40% of the adults in three ZIP codes are at the same risk. In Forest County, 44% of the adults in the 54566 ZIP code have two or more risk factors.

Risk factors include age, severe obesity, diabetes, compromised immune systems from medical conditions such as lupus, rheumatoid arthritis, HIV/AIDS or multiple sclerosis, serious heart conditions, kidney failure, liver disease and chronic obstructive pulmonary disease, or COPD.

"It is important when we think about all of these communities," Smith said. "We really need to recognize that we

are only as safe as every community is safe." Some experts see the pandemic evolving into patchwork of small epidemics. And for many small communities, the first wave has yet to hit.

"It's not one big epidemic," Caroline Buckee, associate professor of epidemiology at Harvard University T.H. Chan School of Public Health, said in a podcast from the Brookings Institution. "It's multiple small epidemics."

That increases the importance of understanding the potential risk to different communities.

Rural areas, for instance, have a larger percentage of people who are older. They also have fewer physicians and hospital beds.

The information compiled by UW researchers can help identify potential hot spots, said Jessica Bonham-Werling, director of the Neighborhood Health Partnership Program, which prepared the reports, at the UW School of Medicine and Public Health. That in turn can help public health and other officials make decisions on where to allocate resources, from testing and contact tracing to community services, such as delivering groceries.

In all, at least 35% of adults in about 15% of the ZIP codes in the state have two or more risk factors for severe complications from COVID-19.

The information — which can be seen on an interactive map — also shows the wide variation within counties.

That variation has been seen in Milwaukee County, where the pandemic has disproportionately affected first African American communities and now Latino communities.

In all, Milwaukee County has more seven ZIP codes where 35% or more of the adults are at severe risk of complications.

The pandemic also has disproportionately affected people who work in low-wage jobs and who are more likely to live in intergenerational households.

"COVID-19 really has shown where the tears are in our society," said Mary Kay Fahey, a spokeswoman and director of membership and business development for the Wisconsin Collaborative for Healthcare Quality.

The percent of people at risk of severe complications was drawn from electronic health records provided by more than 20 health systems to the the Wisconsin Collaborative for Healthcare Quality, known as WCHQ.

Information that can identify individual patients is not included in the data.

The organization, founded in 2003 by health systems, had been working with the Neighborhood Health Partnership Program to look at quality measures by ZIP code.

WCHQ and the UW researchers realized the information for that project would be used to estimate the percentage of adults at risk of developing severe complications from COVID-19, said Matt Gigot, director of performance measurement and analysis at the organization.

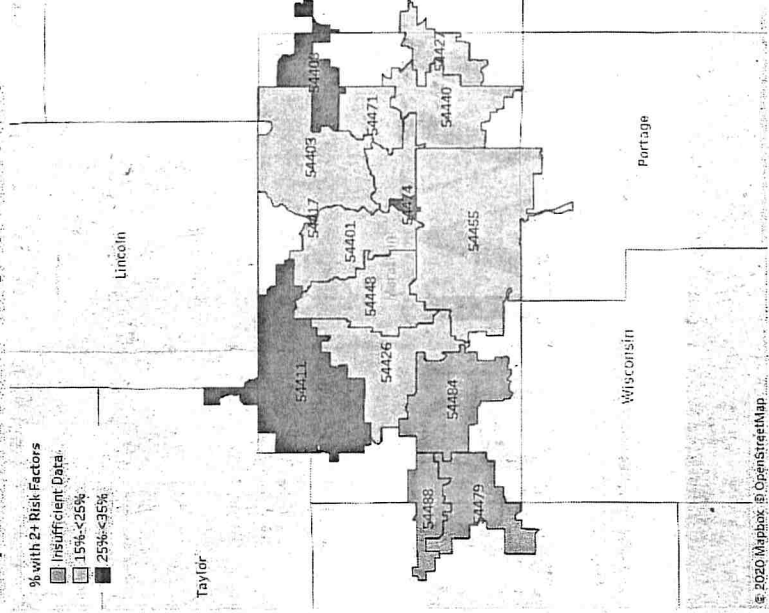
The variation within the counties, Gigot said, shows the importance of having detailed information.

Information from electronic health records was used to release detailed reports last year on the differences in health and health care experienced by people in Wisconsin depending on their race, income, health coverage and geography.

The Wisconsin Public Health Research Network has helped get the information on which ZIP codes have large percentages of people at risk to public health officials throughout the state. Reports also were prepared for specific health systems.

"Reliable and accurate data is absolutely essential in preparing for, responding to and recovering from CO-

Percentage of adults aged 18-85 in Marathon County with two or more risk factors for severe complications of COVID-19 by Zip Code (2018)



VID-19," said Smith, who is director of the Health Innovation Program at the UW School of Medicine and Public Health. "And that's why this WCHQ data is so important."

The Health Innovation Program is a campus-wide program that works with health systems and community organizations to improve health and health equity in the state. The Neighborhood Health Partnership Program, an affiliate, was established partly to help that effort by providing information on health outcomes and care at the neighborhood level.

The maps produced for the pandemic are an example of what the program hopes to do — and Smith said they will be important in matching the right resources with the communities that need them in the coming months.

"It is critical to understand that we are all only as safe as the members of our community who are most at risk," she said.

town of Marathon. Voting no were supervisors Arnold Schlei, town of farm service rep-ve Eric Vogel, town-urg. Supervisor Rick Eland, left the meet- to a vote being taken. 'dinance will return- unity board with one, odification proposed- rvisor Drabek. The e would make illegal i dumping over 300 et of stacked manure 10 feet of a waterway. final ordinance, fol- ate performance stan- disallowed anything- quare feet of manure. land and water pro- anager Paul Daigle amended ordinance- er than nothing" and- ounty's real concern- discharge of much- antities of manure to- vers and streams. s something we can- " Daigle said.

See **WASTE/** page 5



A bird in the hand...

Evan Laduron, 4, Medford, keeps company with a rooster at Saturday's pizza night at Stoney Acres Farm, town of Halsey.



Andy Kurtz

Block of Main Street. Board members discussed the projects in a closed session. Village administrator Andy Kurtz released selective details about the projects on Thursday.

Kurtz said the village board voted to send the grocery store project to the village's redevelopment authority for consideration and possible Tax Incremental Finance (TIF) funding.

Kurtz would not identify the grocery store business the village is in conversation with.

He did say, however, the See **GROCERY STORE/** page 5

County committee OKs COVID-19 ordinance



Scott Corbett

The Marathon County Health and Human Services Committee last week Wednesday advanced an ordinance that would strengthen the powers of the health department to combat COVID-19.

The ordinance, responding to the Wisconsin State Supreme Court decision in *Wisconsin Legislature vs. Palm*, grants police powers to health department officers to investigate and contain a COVID-19 outbreak either in a single dwelling, a business, a municipality or across the county.

The ordinance, explained by county attorney Scott Corbett, does not duplicate sweeping Safer at Home rules at the county level, but, instead, is carefully "narrow and tailored" to empower county health department workers to take actions at various levels on infection. The ordinance says the county can quarantine individuals, demand

See **COVID-19 ORDINANCE/** page 12



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The Record Review
6/10/20

principal resigns

Marathon School District is advertising for a new principal at Marathon Area Elementary School/Marathon Venture Academy following the resignation of Sarah Budny, administrator Rick Parks announced on Monday.

He said Budny has accepted a principal job in the Wausau School District.

Parks said a committee of school board members, teachers, administrators and a citizen will interview candidates for the Marathon principal's position.

He said the Marathon Board of Education would officially accept Budny's letter of resignation at this week Wednesday's regular school board meeting.

Marathon County judge Michael Moran on Tuesday granted Friends of Maple Grove, Inc. an injunction to allow Maple Grove charter school in Hamburg to remain open for now.

Friends of Maple Grove, Inc. filed a lawsuit in court against the Merrill Area Common Public School District on March 3 alleging the district falsely claimed it had defaulted on a contract.

Merrill Area Common Public School District delivered a "Notice of Events of Default" on Jan. 15 to Maple Grove Governance Board. Merrill schools alleged Maple Grove School has defaulted on three items in its five-year charter school contract that ends in 2022.

Merrill schools gave the Maple Grove Governance Board an April 1 deadline to fix the three items of default in the

charter school contract or face closing Maple Grove School.

Both the Maple Grove Governance Board and Merrill Area Public School Board of Education planned to hold meetings on Tuesday night to discuss the judge's decision and talk about what their next steps are in the future.

Muskego man allegedly possessed drugs

The Marathon County Sheriff's Department arrested a 32-year-old Muskego man for possession of psilocybin mushrooms during a STH 29 traffic stop in the town of Rib Falls on May 29.

The department reports a deputy pulled over Ryan Welch after he passed him on STH 29 and headed north on Lumber Falls Rd. The suspect has a

suspended driver's license.

The deputy noticed that Welch had his pants undone during the traffic stop and suspected the suspect of seeking to stash contraband within his pants. The officer asked the suspect if there was anything illegal in the car. Welch responded no.

A K9 from Lincoln County was sum-

moned. The dog signalled the presence of drugs. A car search produced 1.8 grams of psilocybin mushrooms in a cellophane wrapper.

The suspect, who was not free to drive away, was not arrested. He was handed a summons to appear in court.

COVID-19 ordinance

Continued from page 1

protective measures, such as employee testing and staggered shifts, at businesses with multiple cases and limit gatherings and mandate face masks in municipalities after documentation of a substantial increase in cases. The health department could limit gatherings and mandate face masks in public county-wide should cases rise to the point where local hospitals might be overwhelmed.

The ordinance says the county will seek voluntary compliance with county COVID-19 orders and generally not seek enforcement actions against citizens or businesses.

"There is no reason to issue a man-

datory order when people, businesses, organizations and localities are implementing recommendations voluntarily," the ordinance reads.

County health officer Joan Theurer said the county has pretty much taken a voluntary approach to health orders in the past.

She noted that in her memory her department only once has had to go to court to enforce a tuberculosis quarantine order.

Corbett said the proposed ordinance responds to the Wisconsin Supreme Court's position that the state's Safer at Home order was too broad because it, in effect, quarantined everyone in

the state, not just people who have contracted COVID-19.

"We aren't going to tell everybody they have to stay in their homes or they can't go to work," he said.

Corbett said an ordinance drafting committee considered writing an ordinance that would strengthen the health department's ability to fight all kinds of diseases, but, in the end, settled on one that was limited to COVID-19.

With the committee action, the ordinance will now go to the county's Executive Committee and, in turn, the full county board. The county's Board of Health will be able to review the ordinance.

Health and Human Services Committee chairman Tim Buttke said the county needed to address the health department's powers in light of the Wisconsin Supreme Court's decision.

"Time is of the essence," he said. "I do think we need to have something in place."

County administrator Lance Leonhard told committee members the plan was shared with Dave Eckman, Wausau Chamber of Commerce, for his perspective and comments.

County budget plan will trim staff, projects

Marathon County administrator Lance Leonhard on Tuesday told the Human Resources, Finance and Property Committee said he planned to reduce staff costs, minimize travel and training, save money in county projects and reduce inmate housing to help deal with a sharp drop in revenues due to the COVID-19 pandemic.

Leonhard said the anticipated savings, \$2.45 million, would fill about half of the \$5.2 million shortfall expected in 2020.



Lance Leonhard

The administrator said the personnel savings would largely be accomplished through not filling vacancies as they occur.

In his plan, Leonhard does not specify departments where savings will be realized. He did

note, however, that the county could save an additional \$55,000 by not funding non-for-profit agencies, such as the United Way, and another \$79,000 by not providing Start Right with full funding.

Committee members called on Leonhard to proceed with the plan while providing committee members with monthly updates as to how it is working out.

Committee chairman John Robinson, Wausau, said he agreed with the partial cut to Start Right funding, but questioned taking money away from non-for-profit agencies, such as United Way, which has provided needed human services during the COVID-19 pandemic.

"In their absence, we would see more demands for services from us," he said.

Robinson said the 211 emergency phone line run by United Way has been important for people to get information about the pandemic. He said he would hate to see funding get cut for an Entrepreneurial Boot Camp when the county will need start-up businesses to employ people once the pandemic ends.

Leonhard reported the county expects to see its sales tax revenue fall by \$1.9 million below budgeted expectations in 2020.



Long Gone plays at Stoney Acres

Husband and wife duo Donley and Lisa Niskanen perform some favorite tunes while Stoney Acres customers enjoyed pizza on the farm Saturday night in the town of...

Jacobs refuses parole, sentenced to jail

A Medford man found guilty in August 1998 of kidnapping Helen Kunz has decided not to accept parole and has been sent back to the Dodge County Correctional facility in Waupun, according to Marathon County jail administrator Sandra LaDu.

The administrator said Chris Jacobs III, acquitted of a quintuple homicide of Kunz family members in October 1989, was released from prison on Feb. 4, 2020, but, due to a rule violation, was held in the Marathon County

Jail. LaDu said Jacobs was returned to prison in order to serve out his 31-month sentence on June 2.

The administrator said it was "common" for long-time convicts to refuse parole when offered.

"They don't want to adjust to life outside of prison, she said.

In a March 19, 2020, letter to County Judge Kevin Klein, Jacobs said he did not want parole under the terms set by the state.

"I refuse to sign parole papers,"

Teenager suspected of stealing cell phone

The Marathon County Sheriff's Department has reported a teenager wearing a white sweatshirt and surgical face mask may have stolen a diaper bag carrying cash and a \$1,150 cell phone belonging to an Edgar resident on June 6.

In an incident report, the department said Tiffany Lukasko reported theft of the cream and blue diaper bag from the

front porch of a relative on Quav Avenue between 9:10 a.m. and 10 a.m. The bag contained toddler clothing, sunblock, diapers, \$300 in cash and the cell phone.

A neighborhood witness told police a male teenager wearing a white shirt, jeans and a surgical face mask after 9 a.m. ran down Quav Avenue and dropped a cell phone. The witness said the individual he saw matched the description of the suspect.

location theories range from Stevens Point to Pleasant Prairie

Sarah Razner
Fond du Lac Reporter
USA TODAY NETWORK - WISCONSIN

Where in Wisconsin is Point Place?

This is the question fans of "That '70s Show" have pondered since the series began in 1998 - and 22 years later, the question remains.

The Fox television series, which ran until 2006, introduced many now-famous actors, like Topher Grace, Ashton Kutcher, Mila Kunis, Laura Prepon, Wilmer Valderrama and Danny Masterson as the characters of Eric For-man, Michael Kelso, Jackie Burkhardt, Donna Pin-ciotti, Fez and Steven Hyde, respectively, as they moved through their teenage years in 1970s Wis-consin.

The episodes revolved around the characters' romantic entanglements and various antics, be it flashing President Gerald Ford when he visited, meeting up on top of the water tower or avoiding the wrath of Eric's father, Red. Each was dotted with references to the state, like the Green Bay Packers helmet always seen in the Forman base-ment, or calling out "Hello Wisconsin" at the end of

POINT PLACE

Wisconsin. The show featured Laura Prepon, Topher Grace, Danny Masterson, Wilmer Valderrama, Ashton Kutcher, and Mila Kunis,

PHOTO: COURTESY OF FOX;
ILLUSTRATION: JODI MISKELL/
USA TODAY NETWORK

its iconic theme song, "In the Street."

When the gang was not hanging out in the Forman family basement and joining in a "circle" to smoke marijuana, they hopped in the Vista Cruiser to travel around their fictional home of Point Place, and visit Wisconsin locales far and wide.

Taking these adventures into consid-eration, USA TODAY NETWORK-Wisconsin asked readers to find evidence and form the-ories about where Point Place truly lies. From Stevens Point to Kenosha, readers suggested numerous locations where the show could've taken place, citing references in the series and a conversation with one of the show's stars.

Let the search begin

When searching for the setting of a fictional lo-cation, the best place to start is with its creators, Bonnie Turner, Terry Turner and Mark Brazill. The name Point Place doesn't have any Wiscon-

See **SHOW**, Page 3A

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closed to the public, barring outside events exceeu-ing 10 people. Retail businesses in the Dreyfus Uni-versity Center will open with safeguards in place, ac-cording to the release.

The university has tentatively rescheduled spring commencement for the second week of December.

Proposal would let county health officer close businesses amid pandemic

Alan Hovorika Wausau Daily Herald
USA TODAY NETWORK - WISCONSIN

WAUSAU - A proposal to give Marathon County's health officer the power to close businesses in an ef-fort to help prevent the spread of the coronavirus is on hold after pushback from local business leaders. The proposed ordinance would allow the county's health officer to temporarily shut down businesses, issue fines of up to \$25,000 for violating health offi-cer orders and take other actions to make people comply with local, state and federal guidelines.

But the Greater Wausau Chamber of Commerce says the proposal goes too far. It hired the law firm that represented legislative Republicans in their law-

See **PROPOSAL**, Page 5A

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bigger problem today.

Bill Savage, an aide to Republican Rep. Janel Brandtjen of Menomonee Falls, aired his views on Facebook in response to a post by pastor Marty Calderon of God Touch Milwaukee that called for labeling the KKK a terrorist group.

"I wasn't even aware that they existed," Savage wrote. "I haven't heard about anything about them being involved in any of these issues unlike black lives matter that kill police officers."

The KKK has a long, violent history of lynching black men and planting burning crosses in the yards of the homes of black families. Black Lives Matter was



Johnson

Tonya Johnson of Milwaukee said she was taken aback by the comments after a reporter showed them to her.

"I think it's insulting first of all to say that, but then to equate Black Lives Matter with the KKK — I just don't understand that," she said. "Any person of color knows that the KKK exists today because we know people who show tendencies who act like they are members, whether that's in the Capitol or outside."

The brief Facebook exchange included Calderon saying he couldn't believe

THE REPLY WAS UNIMPESSIVE.

"The conversation I had with the representative was garbage," Calderon said. "All she kept falling back on was he has the First Amendment to say what he wants."

But Brandtjen said she thought her discussion with Calderon was good. She said she cannot control everything Savage says but said she told him not to engage in similar conduct in the future. "I've addressed it with Bill and I'm not wading into a Facebook fight between two grown men," she said.

Savage said he was only asking a question.

"I simply asked whether the KKK was even in existence, meaning of course in

and raising concerns about Black Lives Matter.

Calderon told Savage that the KKK had killed many people.

"You'd think I would have heard about those killings," Savage responded. "The media doesn't miss many chances to hurl some racially divisive stuff. When were these killings? I was out last week."

Calderon told him to read some history, adding he was "SMH" — internet lingo for "shaking my head" — at the notion that Savage worked for a lawmaker.

"Shake your freaking head bozo!!" Savage wrote, adding that the most recent KKK killing he could find was in 1981.

Proposal

Continued from Page 1A

suit against Wisconsin health officials over the state's safer-at-home order to review the measure.

"The ordinance contains ambiguous and subjective language, empowers one individual to unilaterally order a business to close, and is not supported by law," according to a statement from the chamber.

Marathon County Board Chairman Kurt Gibbs, who supports the proposed ordinance, recommended Thursday postponing any action so officials can further review the proposal after comments from the chamber and its attorney.

"People have to understand it's a proposed ordinance," Gibbs said. "We're still in the development stage."

The county's Executive Committee on Thursday sent the proposal back to the Health and Human Services Committee for revisions, decided to hold a public hearing on the proposal in the future and will forward a copy to the Wis-

consin Counties Association. The association is forming a work group that will focus on how counties can draft such ordinances within the constraints of the state Supreme Court's mid-May ruling.

Chamber board members said the proposed ordinance was filled with ambiguity and subjective language.

County Board member William Harris, of Wausau, said during Thursday's meeting that the intent of the ordinance was misconstrued and people misinterpreted it as taking away their freedoms. Instead, he said the county intended to create an ordinance to deal with people who maliciously and knowingly spread the virus in the community.

In an interview with the Wausau Daily Herald, Gibbs said the proposal wouldn't change anything within the county. Many businesses, individuals and groups already follow guidelines to prevent the spread of COVID-19, he said, and the ordinance would offer a way to handle the worst-case scenario of widespread cases of the virus.

The process to create the draft ordinance included initial talks between county leaders and the chamber that

both parties described as positive, Gibbs said.

Gibbs said the chamber identified two major issues with the drafted ordinance: how the county defines a COVID-19 cluster relative to a business's size and whether state law allows the health officer to close businesses and doll out fines to violators.

The chamber then hired Husch Blackwell to review the ordinance. Attorneys from Husch Blackwell represented legislative Republicans who successfully sued the state health officials over their safer-at-home order. "The Chamber believes not only that the Reclosure Ordinance will result in severe negative economic consequences for the region and our entire State, but also that the proposed ordinance is unsupported by law," Lane Ruhland, senior counsel with Husch Blackwell, wrote in a letter to Gibbs and the County Board.

Ruhland said the penalties in the ordinance are too severe, noting the \$25,000 a day fine is equivalent to a Class F felony like drunken driving. She also criticized a litany of orders the health officer could issue, such as

forcing businesses that are "epidemiologically linked" to a rash of COVID-19 cases to undertake at least 10 different actions, including monitoring health daily, mandating the use of personal protective equipment, reducing the number of employees or shifts or implementing a temporary shutdown.

"These severe penalties, coupled with the overwhelmingly broad language triggering enforcement authority, raise significant due process issues for all subject to the ordinance. Although the proposed ordinance states in conclusory fashion that it is narrowly tailored, it permits the local health official to enforce these measures in any locality, and potentially even countywide," Ruhland wrote.

Gibbs said the county's proposal is different from the state's order because it focuses on people, businesses and areas that are the root causes of disease spread, rather than a "blanket solution."

"This is the furthest thing from that. It is the opposite end of that," Gibbs said.

Contact reporter Alan Hovorka at 715-345-2252 or ahovorka@gannett.com.

The Record-Review

6/17/2020

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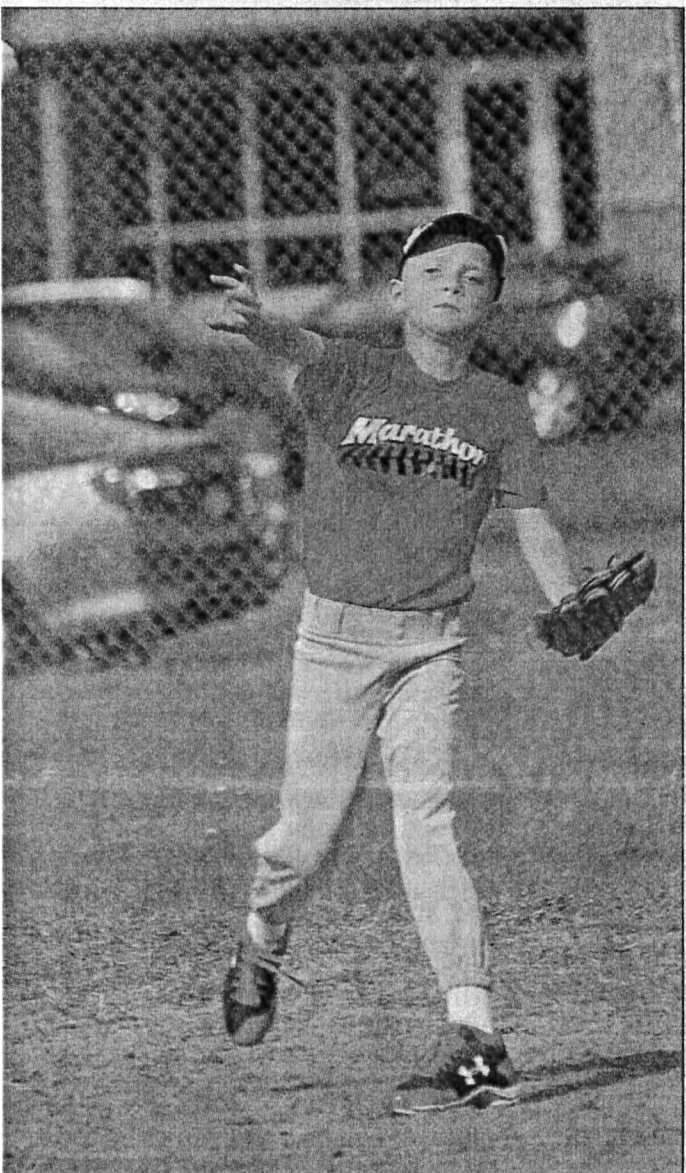
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JUN 18 2020



COVID-19 ordinance sent back to committee

Chamber threatens lawsuit

The Marathon County Executive Committee on Thursday voted unanimously to return a COVID-19 ordinance back to the Health and Human Services Committee while a Wisconsin Counties Association (WCA) task force reviews the legislation over the next six weeks.

The committee's move comes as the ordinance was attacked both by the Wausau Chamber of Commerce and the state's largest business lobby, Wisconsin Manufacturers and Commerce (WMC).

The ordinance, drafted by county attorney Scott Corbett

as a reaction to the Wisconsin Supreme Court decision in *Wisconsin Legislature v. Palm*, provided a local ordinance foundation for the county health officer to use state-granted powers to order COVID-19 quarantines at the individual, business, municipality and county levels. The ordinance passed without dissent at the Health and Human Services Committee level.



Kurt Gibbs

County board chairman Kurt Gibbs, town of Cassel, said he, Corbett, Sheriff Scott Parks and health officer Joan Theurer met earlier in the week with Wausau Chamber of Com-

s play ball

on City Minor League baseball player Jack Chrouser on y hurls a grounder to first base in a practice field opened last f part of the village's COVID-19 recovery plan.

See **COVID-19 ORDINANCE/** page 4

K-12 and college, if they do not reopen with in-person learning by Sept. 8.

The bill, "Reopen Our Schools Act," would deny federal funding to schools in 2020-21 that either remain closed due to COVID-19 or use virtual learning.

"These open-ended school shutdowns have set students back, made it harder for teachers to teach, and pushed parents to the breaking point," said Tiffany in a press release. "It's time to reopen America and get back to school."

Tiffany and Banks said their bill responds to a *Wall Street Journal* report showing that students did not reach learn-



Rep. Tom Tiffany

virus. Tricia Zunker, Wausau School Board president, who has announced her candidacy to oppose Tiffany in the upcoming November election, said the congressman's bill was misguided.

"Threatening to defund our schools is unacceptable," she said. "No matter where you stand on pandemic measures, our children and our teachers should not be held hostage. Rep. Tiffany should be focused on ensuring that our students and teachers have the tools they need during this pandemic by working to expand rural broadband access throughout northern Wisconsin."

Stratford man faces sex charges

A 24-year-old Stratford man faces 18 counts of sex crimes against children, including 13 felonies, that allegedly occurred with three underage girls in 2018, 2019 and into the beginning of 2020.



Tyler Custer

A Marathon County District Attorney's Office criminal complaint says Tyler Custer had weekly sexual contact with a 16-year-old girl at his town of Frankfort residence that started in summer 2019 and ran through Jan. 8, 2020. The encounters included included five specific alleged acts of sexual intercourse. The complaint alleges that the suspect and girl traded sexually explicit Snapchat texts, photos and video.

The victim told investigators she initially

told Custer she did not want to have sex, but that he was "very persistent" and "so beyond manipulative."

The complaint alleges Custer in 2018 sent a nude picture of himself to a 14-year-old girl and, threatening to tell her mother about the pictures, she responded by sending nude pictures of herself.

The complaint further alleges Custer sent a 15-year-old girl sexually explicit photographs in 2019. This third girl, according to the complaint, never responded to his requests for nude pictures.

Custer is scheduled to appear at a preliminary hearing scheduled before Judge Lamont Jacobson on Thursday, June 25.

COVID-19 ordinance

Continued from page 1

merce representatives to discuss the ordinance and, despite "great discussion...and feedback," could not resolve differences over the ordinance.

Gibbs recommended that supervisors put the ordinance "on hold" while the WCA task force, which will include doctors, representatives of the Wisconsin Restaurant and Wisconsin Economic Development Board and WCA legal counsel, reviews the county ordinance.

Supervisor William Harris, Wausau, said he supported the ordinance as narrowly crafted legislation to address the situation where "specific persons would maliciously do community spread" of COVID-19. He said the ordinance would not, as critics have alleged, create an Orwellian state with a health officer with dictatorial powers.

Supervisor E.J. Stark, Rothschild, said he largely supported the ordinance, but also looked forward to WCA

Marathon County."

In a Wednesday e-mailed letter to chairman Gibbs, Lane Ruhland, senior counsel for the Wausau Chamber of Commerce, expressed further opposition to the COVID-19 ordinance and threatened legal action.

The attorney objected to ordinance fines, which start at \$100 but reach to a maximum of \$25,000, and to granting the county health officer the "unfettered ability" to close a business if it could be shown to be "epidemiologically linked" to COVID-19.

"These severe penalties, coupled with the overwhelmingly broad language triggering enforcement authority, raise significant due process issues for all subject to the ordinance," Ruhland writes.

The attorney questions the power of a county health official to take action against an offending business

given the *Wisconsin Legislation v. Palm* decision. He notes that the state law that empowers county health officers "closely mirrors" the one that the Wisconsin Supreme Court held was overly broad and not constitutional.

The attorney threatened a lawsuit against the county. "The chamber has no interest in a protracted and costly legal dispute," he wrote. "However, if this proposed ordinance is enacted, the chamber and several of its members intend to avail themselves of all remedies available at law."

The Wausau Chamber of Commerce represents 900 members.

In related business, the Executive Committee voted to extend the official declaration of the COVID-19 pandemic as an emergency through December 2020.

Opinion/Editorial

Protect public health

The Marathon County Board of Supervisors must stand its ground and not cave in to an intimidation campaign from business groups and right-wing political organizations to shelve its proposed COVID-19 ordinance.

This past week, business leaders and political activists attacked the ordinance. Going further, the Wausau Chamber of Commerce threatened to go to court to block it.

"The Chamber has no interest in a protracted and costly legal dispute," wrote the organization's attorney Lane Ruhland in a letter to county board chairman Kurt Gibbs. "However, if this proposed ordinance is enacted, the Chamber and several of its members intend to avail themselves of all remedies available at law."

This is completely outrageous. The Wausau Chamber of Commerce (which failed to return any of our phone calls) should applaud county efforts to keep its member business customers and employees healthy with a common sense, narrowly crafted ordinance. Instead, the organization promises to fight the county all the way to the Supreme Court. It makes no sense. Would the Chamber want no county health department with the power to quarantine citizens who have COVID-19? No health department to close down hot spot businesses, including factories, where COVID-19 is spreading through the workforce? No health department to impose county-wide stay-at-home orders in a dire emergency, like Arizona is experiencing, where COVID-19 caseloads overload the capacity of local hospitals?

The Wausau chamber's extreme reaction to the county's ordinance, we think, can only be understood as part of a larger political pile-on involving Wisconsin Manufacturers and Commerce (WMC), the state's business lobby, Open Wisconsin Now, the libertarian Koch Brothers supported organization that organized protests against Gov. Tony Evers Safer at Home order and Empower Wisconsin, an arch-conservative media platform with Koch Brothers ties.

Even Rachel Campos Duffy, wife to former Rep. Sean Duffy, a Republican, has joined this anti-ordinance brigade. Going on Twitter, Campos-Duffy, a Fox News commentator, criticized the proposed county ordinance as "more like Berkeley, California, than Central Wisconsin." (Frankly, we think the Duffy family should get its COVID-19 story straight. Back in April, the former congressman told hundreds at the anti-Safer at Home rally held at IROW, Mosinee, that a state Department of Health Services secretary shouldn't be able to impose statewide coronavirus orders, but that county boards should be in charge of coronavirus response. Now, when the Marathon County Board of Supervisors is doing precisely that, Mrs. Campos-Duffy thinks her husband's suggestion is a radical leftist plot.)

Opponents of the COVID-19 law won something of a victory on Thursday. Faced with the Chamber lawsuit, the county's Executive Committee voted to send the proposal back to committee while a Wisconsin Counties Association (WCA) task force reviews it. This strategic retreat may prove valuable, but we are skeptical it will end the controversy. Our sense is that opponents are deadset on killing the ordinance, either at the county board level, or, if they have to, in the courts.

There is nothing wrong with Marathon County leaning on WCA to strengthen its ordinance, especially if it is destined to wind up in front of Supreme Court justices, but supervisors need to be prepared to face down the law's attackers and support its own health department when the proposal returns for a vote. Supervisors need to reject arguments that the ordinance will turn the county health department into a COVID-19 Gestapo. That's not the Marathon County Health Department. For years, the department has quarantined individuals for tuberculosis and, within memory, it only had to get a court order once. During the entire COVID-19 pandemic, the health department has used voluntary compliance, not police powers to keep help county coronavirus numbers relatively low.

The stakes here are high. At risk is a 91-year tradition of county health departments in Wisconsin. Let supervisors hear the perspective of the business community, WMC, Empower Wisconsin and even Rachel Campos Duffy. In the end, however, supervisors need to stand firm. They must protect the public health and give the health department clear legal authority to deal with COVID-19.

LETTER TO THE

Are you ready for some social justice in the NFL this fall?

To the Editor:

Really, Mr. Wokatsch? Only a village idiot would believe that Democrats are going to eliminate the police.

Hang on! It's gonna be the wild west. Everywhere! But wait, first they're going to take all the guns. Or maybe you believe they're going to get all our gasoline cars and we'll all be driving golf carts. Or they're going to get rid of all the cows. Or that windmills cause cancer or that modern lighting "makes my skin look orange."

Or that was the "largest crowd ever" or any of the 30,000 lies that your Idiot-in-Chief has told you. To include that three million people voted illegally and they all voted for Hillary. Or that mail-in voting is going to be corrupt. He mailed his ballot, why can't I?

It was the Republicans that got caught stuffing the ballot box. If you're so worried about mail-in voting, then call your congressman and senator and demand proper funding. Why are you so scared of eligible voters voting?

The Loser-in-Chief is about to go on the road again for his Nuremberg rallies and we are sure to hear all about the "rigged system" just like in 2016. And, just like then, he has no proof. No doubt after he loses he will never concede.

Once again we see a black man shot twice in the back by police. A man that they claim was too drunk to drive but was still able to fend off two cops and take a Taser. They had his car, they knew who he was and where he lived. There was little reason to even chase him. Were these brave officers of the law afraid of a drunk man with a one

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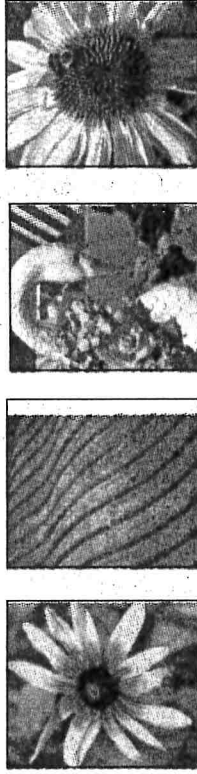
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JUN 24 2020

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VOLUME 58 NO. 26
SIXTEEN PAGES



Edgar ready for summer school

A planned summer school in July will be a "dry run" for operating Edgar Public Schools in the fall during a COVID-19 pandemic, elementary principal Lisa Witt told school board members last week Wednesday.

The principal said she expected 373 students to attend this year's shortened July 6-31 summer school. The school will have in-person classes, she said, but with safety protocols in place to minimize student and staff infection.



County COVID-19 cases soar past 100

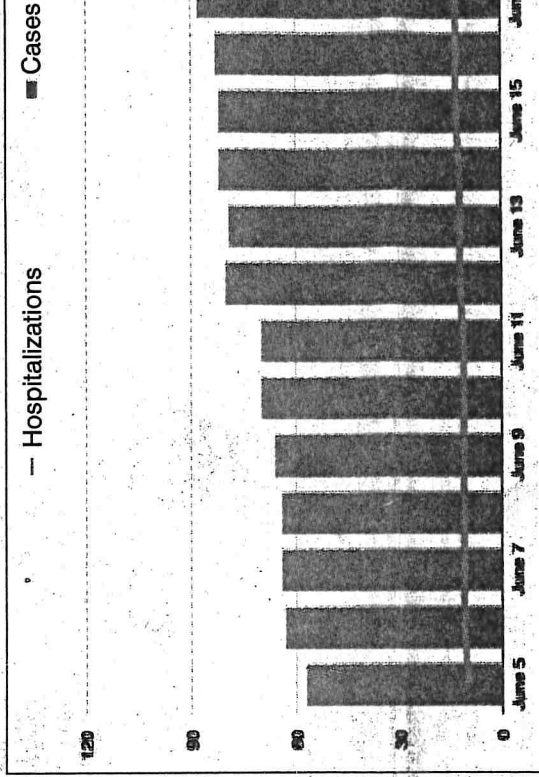
Hospitalizations higher but remain relatively low

The number of COVID-19 cases in Marathon County has dramatically increased, doubling the number of active cases, according to Judy Burrows, public health information officer for the county health department.

On June 19, the county passed the 100-case mark and, since then, new cases continue to be confirmed at a pace of four or five per day. The count as of Monday was 115.



Judy Burrows



a teacher's guidance and being in the classroom with other students.

"Children need interaction with teachers and their peers," a parent wrote.

One parent said she, like other parents, supports sending students back to school in the fall, but wondered if parents would actually sign waivers holding Edgar School District harmless should their child get sick.

This parent said society found itself in "uncharted territory" in dealing with COVID-19.

Jill Heier, a mother of four young children and president of Youth Education Supporters (YES) in Athens, said her organization has not conducted a poll, but she supports sending children

schools in the fall, mainly giving school districts a range of options on how to conduct hybrid in-person and distance learning instruction.

The guidelines call for Center for Disease Control social distancing, use of masks when appropriate and giving custodial staff one day during the week to "deep clean" buildings.

None of the guidelines are mandatory. Here are the scenarios laid out for school districts to consider:

■ **The Four Day Week.** Here, all students attend school in-person for four days. Students have a single

of students report to school two full days (such as Monday/Tuesday), while the other half report on two other days (Thursday/Friday). Students will be provided with both standard in-class and virtual learning materials.

■ **The A/B Week Rotation.** Half the student body attends school one week, the other half of students attends the following week. When not at school, students will have virtual lessons. These are four day weeks. A fifth day is used for school cleaning and teacher preparation.

■ **The Elementary Face-to-Face Plan.** In this option, elementary stu-

rents in the upper grades will get virtual learning.

The DPI guidelines call for "the timely isolation and removal" of students or staff who are sick with COVID-19, but don't describe a scenario where a school needs to close due to illness.

The guidelines say that schools need to take care to meet the needs of special education, gifted and talented and English Learning students.

The guidelines do not address extra-curricular activities. Nor do they address how to handle bus transportation of students to keep social distancing.

COVID-19

Continued from page 1

"Until now, we have seen a relatively slow but steady increase in cases," stated Burrows. "This two week period for us has been record breaking."

Burrows said the sharp increase in cases has not, as yet, resulted in a major increase in people hospitalized due to a COVID-19 infection. Last week, the county had 11 hospitalizations. That number has increased to 17. The county, as of Monday, still had a single death caused by the disease.

Burrows said the slow growth in hospitalization is likely due to a greater percentage of new cases showing up in younger people, who are more able than older people to fight off the disease.

"In the month of June, the number of cases of COVID-19 continue to increase each week," she said. "For Marathon County, 10-39 year olds account for 58

percent of all cases, having 25 percent of cases among 20-29 year olds. Ninety-one (91) percent of hospitalizations are individuals between the ages of 30-69 years of age, having 38 percent of hospitalizations among 60-69 year olds."

Burrows cautioned against seeing too much of a pattern in these statistics. She said there is much about COVID-19 that remains unknown.

"Data tells us what has already happened; it does not definitively tell us what will happen in the future," she said. "We can use it to try to forecast the future and need to be mindful that this is a novel virus, and we continue to monitor the data and do our best to make decisions based on what has happened."

With this recent spurt in cases, Marathon County has experienced more CO-

VID-19 cases than other northcentral Wisconsin counties. Total number of reported in bordering counties as of Monday:

- Portage, 86
- Wood, 29
- Clark, 56
- Lincoln, 8
- Langlade, 7
- Taylor, 8
- Shawano, 66.

To avoid getting or spreading the disease, the Marathon County Health Department encourages residents to stay home when sick. If they are not sick, limit their contacts with other people, travel only within their home community, and avoid mass gatherings and gatherings where physical distancing cannot be attained.

Emergency is cancelled

Marathon County chairman Kurt Gibbs on Thursday announced he was pulling a resolution passed by the Executive Committee extending the county's COVID-19 emergency past Thursday, June 27.

Gibbs said the coronavirus is still present, but, as things have turned out, the county does not need an emergency declaration to access state and federal COVID-19 grants.

He said an emergency declaration meant that the county would not need to follow its procurement code, but Gibbs said there was no need to do so.

"COVID-19 is still here and a significant threat," he said. "But we can be thankful the rate of infected cases in Marathon County and Wisconsin is not like it is in some other states."