CALL TO ORDER

The Regular meeting of the Forest County Board of Supervisors was held on August 18, 2020, in the County Board Room at the Courthouse in Crandon, Wisconsin. Chairperson Gretzinger called the meeting to order at 6:00 p.m. the Pledge of Allegiance was given by all present. Clerk, Nora Matuszewski, read the agenda.

MOMENT OF SILENCE IN MEMORY OF MELINDA OTTO

Chair Gretzinger read a little about Melinda and then asked for a moment of silence in her memory.

ROLL CALL

Present: Berg, Black, Campbell, Chaney, Collins, Dehart, Goode, Gretzinger, Karl, Laabs, Lukas, Miller, Stamper & Tauer (14); Absent: Houle & Matuszewski (2); Vacant seats (5).

APPROVAL OF AMENDED AGENDA

Motion by Stamper, second by Laabs to approve the amended agenda as presented. All present voting AYE (14); Absent (2) Houle & Matuszewski; Vacant seats (5). Motion carried.

APPROVE MINUTES FROM THE JUNE 16, 2020 REGULAR MEETING

Motion by Chaney to approve the June 16, 2020 minutes as presented, second by Miller. All present voting AYE (14); Absent (2) Houle & Matuszewski; Vacant seats (5). Motion carried

PUBLIC COMMENT ON AGENDA ITEMS

None

COMMUNICATIONS ON FILE WITH THE BOARD

Corporation Counsel, Paul Payant discussed a letter that was received from the Sokaogon Chippewa on their concern with Brush Run being held in September. Payant talked from the legal standpoint and told all present there is not a resolution that prohibits large gatherings. He explained it would be difficult to stop the event. The WCA advised that no one to their knowledge was successful in stopping any event and the only other way to stop a large gathering would be by petition of private citizens stopping it as a public nuisance. He also told those present the County has no liability in the matter.

Motion by Berg to place all communications on file with the County Clerk’s Office, second by Campbell. All present voting AYE (14); Absent (2) Houle & Matuszewski; Vacant seats (5). Motion carried.

PERSONAL APPEARANCES

Joshua Bradley, Forest County Jail Administrator updated all present on the progress of the Jail. He told everyone the contractors are on schedule. They foresee some delays because some detention materials may not be available and at no fault of the contractor. The staffing is on target as well, and he thanked everyone for the support.

Chairperson Report: Gretzinger explained the vacancies on the County Board which now is five (5), as Sherry Pethers had resigned today. The vacancies are being advertised until the beginning of September. She urged everyone to get out and see if they can find anyone interested in the positions.

Recognition of past board members: Terry Lukas did the honor of recognizing four (4) members: Paul Millan- 30 years, Scott Shaffer- 26 years, Tom Vollmar- 16 years, and Don LeMaster- 10 years.

Scott Williams-Wisconsin Lift, did a presentation on a business he would like to start up in Forest County. He spoke of a drone project he and others have been working on, how it came to be and what its capabilities are. He explained the struggles to get this up and running because of COVID and grant funding not being made available. This drone would be able to hold a 150-pound computer that can fly above areas to bring in needed internet or cell service. He asked everyone to contact their elected officials in support of this venture.

William Korrer- Human Service Center- Tamara Feest did a power point presentation on the Human Service Center explaining its inception, that it is a tri-county center with Forest, Vilas and Oneida Counties, the services offered and the financial structure of the Human Services.

Jeff Belongia- Jeff Belongia explained the bonding for the $5 million borrowing of general obligation debt came in at 1.302%. He was very pleased with everyone involved in working on the project, including the work done to secure the S & P Rating and the borrowing. He told the board the money will be secured by September 1st, 2020 if the resolution is passed.

APPOINTMENTS OR ELECTIONS

Human Service Center: Nancy Tauer & Paul Millan

Motion by Lukas to appoint Nancy Tauer & Paul Millan to the Human Service Center, second by Collins. All present voting AYE (14); Absent (2) Houle & Matuszewski; Vacant seats (5). Motion carried.

RESOLUTIONS

Resolution 31-2020 Offered by Finance

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

Section 1.  Sale 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 DOLLARS ($5,000,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and 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. To evidence the obligation of the County, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, the general obligation promissory notes aggregating the principal amount of FIVE MILLION DOLLARS ($5,000,000) (the "Notes") for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

 Section 2.  Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2020A"; shall be issued in the aggregate principal amount of $5,000,000; shall be dated September 1, 2020; 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 August 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit B-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, 2021. 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 B-2 and incorporated herein by this reference (the "Schedule").

Section 3.  Redemption Provisions. The Notes maturing on August 1, 2028 and thereafter are subject to redemption prior to maturity, at the option of the County, on February 1, 2028 or on any date thereafter. Said Notes 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 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 C 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 2020 through 2029 for the payments due in the years 2021 through 2030 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 2020A, dated September 1, 2020" (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.  Designation as Qualified Tax‑Exempt Obligations. The Notes are hereby designated as "qualified tax‑exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax‑exempt obligations.

Section 11.  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 12.  Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by Huntington National Bank, Grand Rapids, Michigan, which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The County hereby authorizes the Chairperson and County Clerk or other appropriate officers of the County to enter a Fiscal Agency Agreement between the County and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Notes.

Section 13.  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 14.  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 15.  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 16.  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 17.  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 18.  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 19.  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 20.  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.

Motion by Lukas, second by Berg to approve the resolution as presented. All present voting AYE(14); Absent (2), Houle & Matuszewski; Vacant seats (5). Motion carried.

Resolution 32-2020 Offered by Forestry and Recreation

NOW, THEREFORE, BE IT RESOLVED BY THE FOREST COUNTY BOARD OF SUPERVISORS does hereby delegate to the Forestry and Recreation Committee, authority to make application to the State of Wisconsin Department of Natural Resources for funds appropriated for the improvement of fish and wildlife habitat as well as operate and maintain eligible projects for its intended purpose.

BE IT RESOLVED, that the Forestry and Recreation Committee of the Forest County Board of Supervisors, is hereby authorized to expend the funds to be received from the State of Wisconsin for County Fish and Game projects which have been approved by the Department of Natural Resources.

BE IT RESOLVED, that the Forestry and Recreation Committee shall have this authority, from year to year, without the necessity of a County Board Resolution, provided however this authority shall extend only to submitting for funds to the State of Wisconsin, as set forth above.

BE IT FURTHER RESOLVED, that the Forestry and Recreation Committee may authorize the Forestry Department Staff to apply for grants, sign the contracts and complete grant reimbursement as necessary. Motion by Chaney, second by Dehart to approve the resolution as presented. All present voting AYE(14); Absent (2), Houle & Matuszewski; Vacant seats (5). Motion carried.

Resolution 33-2020 Offered by Land Conservation-Land Information, Personnel & Finance

NOW, THEREFORE, BE IT RESOLVED that the Forest County Board of Supervisors hereby approves the employment of a surveyor as a limited term employee as approved by the Personnel Committee.

Motion by Karl, second by Black to approve the resolution as presented. All present voting AYE(14); Absent (2), Houle & Matuszewski; Vacant seats (5). Motion carried.

Resolution 34-2020 Offered by Highway

NOW, THEREFORE BE IT RESOLVED THAT THE FOREST COUNTY BOARD OF SUPERVISORS, hereby consent to the use of the Highway right of way on County Road W (also known as County Highway W), between Keith Siding Road and Southview Drive for the use of a snowmobile trail.

Motion by Campbell, second by Goode to approve the resolution as presented. All present voting AYE(14); Absent (2), Houle & Matuszewski; Vacant seats (5). Motion carried.

Resolution 35-2020 Offered by Rules & Regulations

NOW, THEREFORE, BE IT RESOLVED by the Forest County Board of Supervisors that all future monthly County Board Meetings commence at 6:00 P.M. (with the exception of the annual meeting).

Motion by Berg, second by Stamper to approve the resolution as presented. All present voting AYE(14); Absent (2), Houle & Matuszewski; Vacant seats (5). Motion carried.

ORDNINANCES

None

ANNUAL REPORTS

Highway Operations Report

Forest County Department of Aging Annual Report

Motion by Dehart to place annual reports on file in the County Clerk’s Office, second by Campbell. All present voting AYE (14); Absent (2), Houle & Matuszewski; Vacant seats (5). Motion carried.

ADJOURNMENT

There being no further business, Motion by Black to adjourn, second by Dehart. All present voting AYE (14); Absent (2), Houle & Matuszewski; Vacant seats (5). Motion carried. Meeting adjourned at 8:00 p.m. These minutes are not official and are subject to change. They will be officially approved at the October 20, 2020 Forest County Board of Supervisors meeting.

 Nora Matuszewski

 Forest County Clerk