OFFICIAL PROCEEDINGS
OF THE
BOARD OF SUPERVISORS
OF
PORTAGE COUNTY, WISCONSIN

June 20, 2023

Meeting was called to order by Chair Al Haga at 5:04p.m.
Roll call taken by County Clerk Davis revealed:
(24) present:
(22) attending in person: Supervisors Steve Cieslewicz, Jeanne Dodge, Chris Doubek, Bob Gifford, Al Haga, Joan Honl, Barry Jacowski, Matt Jacowski, Donald Jankowski, Pat Keller, Dave Ladick, David Medin, Vinnie Miresse, Julie Morrow, Suzanne Oehlke, Mike Olson, David Peterson, Shaun Przybylski, Larry Raikowski, Andrew Rockman, Scott Soik, and Mike Splinter
(2) attending remotely via Webex: Supervisors Greg Hakala and Stan Potocki
(1) vacant: Supervisory District 3

All present saluted the flag.
Invocation by Supervisor Mike Olson

Public Comment

Public comments offered by Kathy Celer, Dan Lathrop, Eric Olson, Lisa Pett, Luke Arneson, Charles Bigelow, Jackie Szehner, Jason D'Acchioli, Jan Way, William Wood, David Eiden, Molly Roberts, Jack Elsinger, Scott Roberts, Nena Fisher, Maria Mohr, Keith Kedrowski, Kim Whelan, Sam Lang, Kerri Ryan, Andrea Olson, and Shannon Lewis regarding the appointment of Kari Prokop.

Public comments offered by Kathy Celer, Eric Olson, Luke Arneson, Charles Bigelow, Meleesa Johnson, Jan Way, Kevin Flatoff, Carol Molepske, Mildred Neville, Nena Fisher, Maria Mohr, Keith Kedrowski, Armin Nebel, Kim Whelan, Sam Lang, Kerri Ryan, Andrea Olson, and Janell Wehr regarding the appointment of Mark Hemmrich.

Public comments offered by Dominique Swangstu regarding resolution no. 125-2022-2024.

Correspondence

Wisconsin Counties Association Forward Analytics - Silent Killer, The Fentanyl Epidemic in Wisconsin
Office of Portage County Clerk - Out-of-County Resolutions
2023 Portage County Official Directory

Presentations

Ryan Rose, Portage County Parks Director - 2022 Annual Report
Kevin Masarik, UWSP Groundwater Outreach Specialist and Jen McNelly, Portage County Water Resource Specialist - 2022 Portage County Well Water Quality Project Report

County Board Appointment

Motion by Supervisor Soik, second by Supervisor Barry Jacowski to approve the appointment of Mark Hemmrich to fill District 3 County Board Supervisor vacancy for the remainder of the term expiring April 15, 2024

Roll call vote on the motion revealed (14) ayes, Supervisors Morrow, Ladick, Potocki, Splinter, Jankowski, Keller, Haga, Raikowski, Soik, Dodge, Matt Jacowski, Barry Jacowski, Steve Cieslewicz, and David Peterson, (10) nays, Supervisors Miresse, Doubek, Medin, Przybylski, Honl, Rockman, Gifford, Olson, Oehlke, and Hakala, (1) vacant, District 3. The appointment was approved.

Oath of Office

Clerk Davis administered the oath of office for Mark Hemmrich, District 3 County Board Supervisor. Mark Hemmrich was seated as the District 3 Supervisor.

Executive/Operations Committee Appointments

Motion by Supervisor Jankowski, second by Supervisor Soik to approve the appointment of Mark Hemmrich to the Judicial/General Government committee for the remainder of a two-year term expiring April 15, 2024.

Motion carried by voice vote, with (1) nay vote, Supervisor Honl.

Motion by Supervisor Barry Jacowski, second by Supervisor Soik to approve the appointment of Mark Hemmrich to the Health Care Center committee for the remainder of a two-year term expiring April 15, 2024.

Motion carried by voice vote, with (1) negative vote, Supervisor Honl.

Chair Haga asked that this item be sent back to committee as this appointment needs to come from the Solid Waste Management Board and that appointment is a County Executive appointment.

Motion by Supervisor Raikowski, second by Supervisor Jankowski to refer the appointment of Mark Hemmrich to the Land and Water Conservation committee for the remainder of a two-year term expiring April 15, 2024, back to the Executive/Operations Committee.

Motion carried by voice vote, with no negative votes.

Approval of Minutes

Motion by Supervisor Doubek, second by Supervisor Keller, to approve the May 16, 2023, County Board meeting minutes.

Motion carried by voice vote, with no negative votes. The minutes were approved.

Confirmation of County Executive Appointments

Motion by Supervisor Keller, second by Supervisor Barry Jacowski to confirm the appointment of Kari Prokop to the Public Library Board for a three-year term expiring January 31, 2026.

Corporation Counsel Hickethier explained that per ordinance 3.1.b.2, All County Executive appointments are subject to confirmation by the Executive/Operations Committee and the County Board, unless otherwise specified by agreement of the County Board of Supervisors. Since the appointment was not confirmed by the Executive/Operations Committee, the County Board of Supervisors could refer the appointment back to committee or agree to consider the appointment.

Motion by Supervisor Soik, second by Supervisor Barry Jacowski to take up the appointment for consideration.

Roll call vote on the motion to take up the appointment for consideration revealed (16) ayes, Supervisors Medin, Ladick, Honl, Potocki, Jankowski, Keller, Haga, Raikowski, Soik, Hakala, Dodge, Matt Jacowski, Barry Jacowski, Steve Cieslewicz, Peterson, and Morrow, (8) nays, Supervisors Miresse, Doubek, Przybylski, Rockman, Gifford, Splinter, Olson, and Oehlke, (1) abstention, Supervisor Hemmrich. Motion carries.

Roll call vote on the motion to confirm the appointment of Kari Prokop revealed, (12) ayes, Supervisors Medin, Honl, Splinter, Keller, Haga, Raikowski, Soik, Dodge, Matt Jacowski, Barry Jacowski, Cieslewicz, and Peterson, (12) nays Supervisors Miresse, Doubek, Przybylski, Ladick, Rockman, Gifford, Potocki, Jankowski, Olson, Oehlke, Hakala, and Morrow, (1) abstention, Supervisor Hemmrich. Motion failed. The appointment of Kari Prokop was not confirmed.

Motion by Supervisor Doubek, second by Supervisor Soik, to confirm the Appointment of Brandon Taylor to Board of Adjustment for a three-year term expiring June 30, 2026

Motion carried by voice vote, with no negative votes.

Motion by Supervisor Potocki, second by Supervisor Barry Jacowski to confirm the Appointment of Don Butkowski to the Park Commission for a seven-year term expiring June 30, 2030

Motion carried by voice vote, with no negative votes.

Motion by Supervisor Barry Jacowski, second by Supervisor Soik to confirm the Reappointment of James Garbe to Board of Adjustment for a three-year term expiring June 30, 2026

Motion carried by voice vote, with no negative votes.

Motion by Supervisor Rockman, second by Supervisor Ladick to confirm the Reappointment of Dennis Meis to Board of Adjustment for a three-year term expiring June 30, 2026

Motion carried by voice vote, with no negative votes.

Resolutions/Ordinances

RESOLUTION NO. 119-2022-2024

RE: PORTAGE COUNTY ZONING ORDINANCE MAP AMENDMENT, WAGLER

NOW, THEREFORE, BE IT RESOLVED, that the Portage County Board of Supervisors does enact and ordain as follows: The Portage County Zoning Ordinance Map is hereby amended by changing the zoning classification of 2 acres from A1 Exclusive Agricultural to A4 General Agricultural.

Motion by Supervisor Raikowski, second by Supervisor Barry Jacowski for the adoption.

Motion carried by voice vote, with no negative votes.

RESOLUTION NO. 120-2022-2024

RE: TOWN OF SHARON COMPREHENSIVE PLAN AMENDMENT AND PORTAGE COUNTY ZONING ORDINANCE MAP AMENDMENT, VARIOUS PROPERTIES

NOW, THEREFORE, BE IT RESOLVED, that the Portage County Board of Supervisors does enact and ordain as follows: The Future Land Use designation of parcels 032240908-11.06, 032240917-10.05, 032240917-11.08 and 032240918:01.02, totaling 22.61 acres, is hereby changed from L2 Intermediate Agriculture to L3 Limited Agriculture/Mixed Use on the Town of Sharon Comprehensive Plan Future Land Use Map, and is incorporated into the Portage County Comprehensive Plan 2025 through Section 8.8 of that document; and the Portage County Zoning Ordinance Map is hereby amended by changing the zoning classification of the same area from A1 Exclusive Agricultural to A4 General Agricultural.

Motion by Supervisor Dodge, second by Supervisor Splinter for the adoption.

Motion carried by voice vote, with no negative votes.

RESOLUTION NO. 121-2022-2024

RE: TOWN OF HULL COMPREHENSIVE PLAN AMENDMENT AND PORTAGE COUNTY ZONING ORDINANCE MAP AMENDMENT, NOWAK PROPERTIES

NOW, THEREFORE, BE IT RESOLVED, that the Portage County Board of Supervisors does enact and ordain as follows: The Future Land Use designation of parcel 020240808-07.02, from Natural Areas Limited to Rural Residential (.86 acres) and Natural Areas Protected (.22 acres) on the Town of Hull Comprehensive Plan Future Land Use Map, and is incorporated into the Portage County Comprehensive Plan 2025 through Section 8.8 of that document; and the Portage County Zoning Ordinance Map is hereby amended by changing the zoning classification of the same parcel from R4 Multiple Family Residence to Conservancy (.22 acres) and A4 General Agricultural (17.29 acres).

Motion by Supervisor Morrow, second by Supervisor Splinter for the adoption.

Motion carried by voice vote, with no negative votes.

RESOLUTION NO. 122-2022-2024

RE: ADOPTING AND ENACTING REVISIONS TO THE PORTAGE COUNTY CODE OF ORDINANCES SECTION 7.9, PRIVATE SEWAGE SYSTEM ORDINANCE

NOW, THEREFORE, BE IT RESOLVED that the Portage County Board of Supervisors hereby approves, adopts, and enacts the attached revisions to Portage County Code of Ordinance Section 7.9, Private Sewage System Ordinance.

Motion by Supervisor Cieslewicz, second by Supervisor Morrow for the adoption.

Motion carried by voice vote, with no negative votes.

RESOLUTION NO. 123-2022-2024

RE: APPROVING AND ADOPTING THE PUBLIC PARTICIPATION PLAN FOR PORTAGE COUNTY'S COMPREHENSIVE PLAN UPDATE

NOW, THEREFORE, BE IT RESOLVED that that the Portage County Board of Supervisors hereby approves and adopts the attached Public Participation Plan for Portage County's comprehensive plan update.

Motion by Supervisor Morrow, second by Supervisor Splinter for the adoption.
Motion carried by voice vote, with no negative votes.

RESOLUTION NO. 124-2022-2024

RE: APPROVING AND AUTHORIZING PORTAGE COUNTY SOLID WASTE TO EXECUTE AN AMENDED INTERGOVERNMENTAL AGREEMENT WITH MARATHON AND SHAWANO COUNTIES

NOW, THEREFORE, BE IT RESOLVED, that the Portage County Board of Supervisors hereby approves and authorizes the Portage County Solid Waste Director to execute an amended agreement with Marathon and Shawano Counties.

Motion by Supervisor Medin, second by Supervisor Miresse for the adoption.
Motion carried by voice vote, with no negative votes.

RESOLUTION NO. 125-2022-2024

RE: APPROVING AND AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN PORTAGE COUNTY AND PARTICIPATING POLITICAL PARTIES TO APPLY FOR A PLANNING AND DEMONSTRATION GRANT AS PART OF THE SAFE STREETS AND ROAD FOR ALL (SS4A) DISCRETIONARY PROGRAM

NOW, THEREFORE, BE IT RESOLVED that the Portage County Board of Supervisors hereby approves the attached Intergovernmental Agreement and authorizes appropriate County officials, including the County Executive, to enter into and execute the Intergovernmental Agreement for Portage County; and

BE IT FURTHER RESOLVED that the Portage County Board of Supervisors hereby approves Portage County being the applicant for the grant and to be the receiving and disbursing government entity in the event the grant is awarded, with all participating political parties being subject to the terms and conditions of the grant.

Motion by Supervisor Gifford, second by Supervisor Miresse for the adoption.
Motion carried by voice vote, with (1) negative vote, Supervisor Soik.

RESOLUTION NO. 126-2022-2024

RE: APPROVING AND AUTHORIZING BROADBAND, EQUITY, ACCESS AND DEPLOYMENT (BEAD) PLANNING GRANT AND MEMORANDUM OF UNDERSTANDING (MOU) WITH CENTERGY BROADBAND ALLIANCE AND A WORK AGREEMENT WITH THE NORTH CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION FOR THE BEAD GRANT

NOW, THEREFORE, BE IT RESOLVED that the Portage County Board of Supervisors hereby approves the BEAD grant Memorandum of Understanding between Portage County and Centergy.

BE IT FURTHER RESOLVED that the Portage County Board of Supervisors hereby approves the Work Agreement between Portage County and the North Central Wisconsin Regional Planning Commission for the County's requirements in the BEAD grant.

BE IT FURTHER RESOLVED that appropriate County officials, including the County Executive, are authorized to enter into and sign the MOU, the Work Agreement, and the necessary documents for the purposes of the BEAD grant.

Motion by Supervisor Raikowski, second by Supervisor Dodge for the adoption.
Motion carried by voice vote, with no negative votes.

RESOLUTION NO. 127-2022-2024

RE: AUTHORIZING STATE AND LOCAL FISCAL RECOVERY FUNDS PROGRAM (SLFRF) PROJECTS

NOW, THEREFORE, BE IT RESOLVED, that the Portage County Board of Supervisors approves the projects identified in the attachments for inclusion in Portage County's SLFRF Program.

Motion by Supervisor Ladick, second by Supervisor Rockman for the adoption.
Motion carried by voice vote, with no negative votes, and (1) abstention, Supervisor Soik.

NO. 128-2022-2024

RE: AUTHORIZING 2023 BUDGET AMENDMENTS AND TRANSFERS

NOW, THEREFORE, BE IT RESOLVED, that the Portage County Board of Supervisors authorizes the attached 2023 budget adjustments as recommended by the Finance Committee.

Motion by Supervisor Dodge, second by Supervisor Morrow for the adoption.

Motion carried by voice vote, with no negative votes.

RESOLUTION NO. 129-2022-2024

RE: APPROVING RESCINDING AND WRITING-OFF REAL ESTATE TAXES ON PARCEL CREATED IN ERROR

NOW, THEREFORE, BE IT RESOLVED that the Portage County Board of Supervisors hereby approves rescinding and writing-off the property tax including interest and penalty for the erroneously created parcel for the reasons set forth in in this resolution.

Motion by Supervisor Raikowski, second by Supervisor Soik for the adoption.

Motion carried by voice vote, with no negative votes.

RESOLUTION NO. 130-2022-2024

RE: APPROVING RESCINDING AND WRITING-OFF REAL ESTATE TAXES ON PARCEL CREATED IN ERROR

NOW, THEREFORE, BE IT RESOLVED that the Portage County Board of Supervisors hereby approves rescinding and writing-off the property tax including interest and penalty for the erroneously created parcel for the reasons set forth in in this resolution.

Motion by Supervisor Soik, second by Supervisor Gifford for the adoption.

Motion carried by voice vote, with no negative votes.

RESOLUTION NO. 131-2022-2024

RE: AUTHORIZING THE FINAL RECONCILIATION FOR FISCAL YEAR 2022 FOR ALL COUNTY FUNDS

NOW, THEREFORE, BE IT RESOLVED, that the Portage County Board of Supervisors hereby authorizes the final reconciliation of $1,567,371 decrease in fund balance to the governmental funds and a $1,240,032 increase in net assets to the proprietary funds to properly close the 2022 fiscal year. This resolution to reconcile the budget requires a vote of at least 2/3 of the members-elect of the County Board of Supervisors pursuant to Portage County Code section 3.8.8.

Motion by Supervisor Cieslewicz, second by Supervisor Doubek for the adoption.

Motion carried by voice vote, with no negative votes.

RESOLUTION NO. 132-2022-2024

RE: RESOLUTION AWARDING THE SALE OF

$5,930,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2023A

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 NINE HUNDRED THIRTY THOUSAND DOLLARS ($5,930,000) 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, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal, 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 2023A"; shall be issued in the aggregate principal amount of $5,930,000; shall be dated July 19, 2023; 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 June 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 June 1 and December 1 of each year commencing on June 1, 2024. 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 2023 through 2025 for the payments due in the years 2024 through 2026 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 shall 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 2023A, dated July 19, 2023" (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.

Motion by Supervisor Ladick, second by Supervisor Raikowski for the adoption.

Motion carried by voice vote, with no negative votes.

RESOLUTION NO. 133-2022-2024

RE: RESOLUTION AWARDING THE SALE OF

$1,490,000 TAXABLE GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2023B

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 ONE MILLION FOUR HUNDRED NINETY THOUSAND DOLLARS ($1,490,000) 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, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal, 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 "Taxable GeneralObligation Promissory Notes, Series 2023B"; shall be issued in the aggregate principal amount of $1,490,000; shall be dated July 19, 2023; 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 June 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 June 1 and December 1 of each year commencing on June 1, 2024. 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 2023 through 2025 for the payments due in the years 2024 through 2026 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 shall 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 Taxable General Obligation Promissory Notes, Series 2023B, dated July 19, 2023" (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.

(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. 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 9. 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 10. 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 11. 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 12. 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 13. 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 14. 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 15. 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 16. 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 17. 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 Supervisor Ladick, second by Supervisor Keller for the adoption.

Motion carried by voice vote, with no negative votes.

Adjournment

Motion by Supervisor Ladick, second by Supervisor Cieslewicz to adjourn the meeting. Motion carried by voice vote, with no negative votes. Meeting adjourned at 7:55p.m.

STATE OF WISCONSIN)
)SS
COUNTY OF PORTAGE)

I, Maria Davis, County Clerk of said County do hereby certify that the above is a true and correct record of the adjourned session of the Portage County Board of Supervisors for Portage County, Wisconsin.

MARIA N. DAVIS
County Clerk

Minutes are subject to amendment or change at subsequent meetings of the County Board and such changes will then be subsequently published.

The unofficial full text of the Portage County Code of Ordinances, including any changes approved in the above proceedings, once published, can be accessed on the Portage County website: https://www.co.portage.wi.us/government/code-of-ordinances. For the official full text, please consult the Revised Code of Ordinances for Portage County, available in the Portage County Clerk’s Office, 1516 Church St., Stevens Point, WI 54481.

Publish date: June 29, 2023