

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**Thursday, September 15, 2022, 6:00 p.m., Board Room, Second Floor, Government Center**  
**1316 North 14<sup>th</sup> Street, Superior, Wisconsin**

Meeting called to order by Chairman Mark Liebaert.

Pledge of Allegiance to be recited.

Roll call taken by Kaci Lundgren. There were 19 Present 2 Absent. Absent – Slay, Allen.

Motion by Pomush, second Hendrickson, to approve the August 18, 2022, meeting minutes. Motion carried.

**PUBLIC COMMENT**

The following individuals provided comment opposing Amendment to Ordinance 8.0, Zoning Ordinance, Preferred Living, LLC: Brian Huesby, Brian Finstad, Katy Metcalfe, Jenny Huesby.

**ORDINANCES**

**AMENDMENT TO ORDINANCE #8.0  
ZONING ORDINANCE  
PRESENTED BY THE ZONING COMMITTEE**

**THE COUNTY BOARD OF SUPERVISORS OF THE  
COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:**

WHEREAS, the Douglas County Zoning Committee held a public hearing on August 10, 2022, on the following petition for amendment of the county zoning district ordinance map:

Lot 1, Blk 2, Gordon Heights, Section 1, T43N-R12W & Lot 2, Blk 2, Gordon Heights, Section 1, T43N-R12W; (GO-012-02349-00, 02350-00, 9323 E Bass Lake Rd), Town of Gordon – .51 acre of parcels from the R-1: Residential zone district to the C-1: Commercial zone district. Proposed use: Mini storage building.

WHEREAS, public hearing notice, affidavit of publication, notice given to town clerk of the hearing, and letter of town approval, are as shown in Exhibit A-9-22.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Zoning Committee and approves the petition.

BE IT FURTHER RESOLVED that the County Clerk notify the town clerk of this action.

Dated this 15<sup>th</sup> day of September, 2022.

(Committee Action: Roll call vote taken and passed with 4 – Yes, 1 – No, 0 – Absent. Voting no - Borgeson)  
(Fiscal Note: None)

**ACTION:** Motion by Baker, second Borgeson, to deny. Motion carried.

Roll Call		
District Number	Yes	No
1. Pomush		
2. Bong		
3. Slay		
4. Fennessey		
5. Baker		
6. Leino		
7. Glazman		
8. Raunio		
9. Jaques		
10. Peterson		
11. Staupe		
12. Lear		
13. Allen		
14. Ryan		
15. Hendrickson		
16. Luostari		
17. Liebaert		
18. Moen		
19. Long		
20. Borgeson		
21. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ Lost _____ Refer _____ Amend _____ Other _____ X _____		
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**AMENDMENT TO ORDINANCE #5.04  
ALL-TERRAIN VEHICLE AND UTILITY TERRAIN  
VEHICLE ROUTES AND OPERATION  
PRESENTED BY THE TRANSPORTATION &  
INFRASTRUCTURE COMMITTEE**

**THE COUNTY BOARD OF SUPERVISORS OF THE  
COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:**

**SECTION II. ATV/UTV ROUTES**

B. The following county highway segments are not designated as ATV/UTV routes:

1. CTH B, STH 35 to CTH A; 2.78 miles. This segment is closed due to Federal funding for the current bicycle lane; and
2. CTH Y, STH 27 to 2.12 miles south. This segment under Bayfield County jurisdiction.
3. ~~CTH B, Degerman Road to Fitch Avenue; 1.28 miles.~~

Dated this 15<sup>th</sup> day of September, 2022.

(Committee Action: Unanimous)

(Fiscal Note: None)

**ACTION:** Motion by Luostari, second Baker, to adopt. Motion carried.

Roll Call		
District Number	Yes	No
1. Pomush		
2. Bong		
3. Slay		
4. Fennessey		
5. Baker		
6. Leino		
7. Glazman		
8. Raunio		
9. Jaques		
10. Peterson		
11. Staube		
12. Lear		
13. Allen		
14. Ryan		
15. Hendrickson		
16. Luostari		
17. Liebaert		
18. Moen		
19. Long		
20. Borgeson		
21. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ X _____ Lost _____ Refer _____ Amend _____ Other _____		
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## **RESOLUTIONS**

**RESOLUTION #47-22**  
**RESOLUTION BY THE LAND AND DEVELOPMENT**  
**COMMITTEE**

Subject: Land Sales

WHEREAS, the following parcels of land were advertised on August 5, 12 and 19, 2022, in accordance with Section 76.59, Wisconsin Statutes, and the highest bids received are as follows:

\$ 800.00 Parcel 17-22: A parcel of land in the SW 1/4 of SE 1/4 of Section 23, Township 48, Range 14, described as follows: Beginning at a point 33.0' east of the northwest corner of said SW1/4 SE1/4 of Section 23, Township 48, Range 14, said point being on the easterly right of way limits of County Trunk Highway "A" and "C" as now laid out; thence east for a distance of 10.0'; then south and parallel to the center line of said County Trunk Highway "A" and "C" for a distance of 770.0'; thence west for a distance of 10.0'; thence north and parallel to the center of County Trunk Highway "A" and "C" for a distance of 770.0' to place of beginning. This parcel of land contains 0.17 acres; and also a triangular parcel of land in the Southwest corner of above described forty acres. This triangular parcel has a base of 527.0' and altitude of 527.0' and whose third side is a 10 degree curve 886.0' long, the central angle of this curve being the southwest corner of said SW1/4 of SE1/4 of Section 23, Township 48, Range 14. This parcel contains 1.34 acres. Except, a parcel of land in the SE1/4 of SE1/4 of Section 23, Township 48, Range 14, described as follows: Beginning at the southeast corner of the above said forty, thence west on section line for a distance of 710.0' thence north for a distance of 33.0'; thence east and parallel to first described line for a distance of 710.0'; thence south for a distance of 33.0' to place of beginning. This parcel of land contains 0.53 acres; all located in the Town of Superior, from Nathan Samarzia. Zoned: A1 Agricultural. (PT TS-030-01550-00) Intended use: Unknown at this time.

\$ 20,000.00 Parcel 20-22: A parcel of land located in the Southwest Quarter of Northeast Quarter (SW1/4 of NE1/4) Section 2, Township 46 North, Range 13W, Town of Oakland, described as follows: Commencing at the Northwest corner of the Southwest Quarter of Northeast Quarter (SW1/4 of NE1/4), thence East 300 feet along the North line of

Roll Call		
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1. Pomush		
2. Bong		
3. Slay		
4. Fennessey		
5. Baker		
6. Leino		
7. Glazman		
8. Raunio		
9. Jaques		
10. Peterson		
11. Staupe		
12. Lear		
13. Allen		
14. Ryan		
15. Hendrickson		
16. Luostari		
17. Liebaert		
18. Moen		
19. Long		
20. Borgeson		
21. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ X _____ Lost _____ Refer _____ Amend _____ Other _____		
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Roll Call		
District Number	Yes	No
1. Pomush		
2. Bong		
3. Slay		
4. Fennessey		
5. Baker		
6. Leino		
7. Glazman		
8. Raunio		
9. Jaques		
10. Peterson		
11. Staupe		
12. Lear		
13. Allen		
14. Ryan		
15. Hendrickson		
16. Luostari		
17. Liebaert		
18. Moen		
19. Long		
20. Borgeson		
21. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____		
Passed _____ X _____ Lost _____ Refer _____ Amend _____ Other _____		
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said quarter; thence perpendicular 150 feet South from the North line of said quarter; thence perpendicular 300 feet West to the West line of said quarter; thence 150 feet North along the West line of said quarter to the point of beginning, from James Olson. Zoned: F1 Forestry. (OA-022-00022-01) Intended use: Garage.

WHEREAS, the following parcels of land were previously advertised on the dates indicated below, in accordance with Section 76.59, Wisconsin Statutes, and the highest bids received are as follows:

\$ 1,500.00 Parcel 13-19: (March 1, 8, and 15, 2019 and August 5, 12 and 19, 2022) North ½ of Lot 25 and all of Lot 26, Block 6, Catlin’s Division of West Superior, City of Superior, 1108 Fisher Avenue, from John Bass. Zoned: R3 – Apartment Residential. (05-805-02564-00) Intended use: Construct single family home; maximize value.

\$ 1,142.59 Parcel 5-20: (March 6, 13 and 20, 2020 and April 2, 6 and 16, 2021) The part of the SW 1/4 of SE 1/4, Section 26, Township 45 North, Range 12 West, Village of Solon Springs, Douglas County, Wisconsin, more particularly described as follows: Commencing at the south quarter corner of said section 26, thence north 90 degrees, 0 seconds, east along the south line of said section 26, a distance of 1132.15 feet; thence north 3 degrees, 20 seconds west a distance of 33.05 feet to the intersection of the north right of way of the east-west town road and the easterly line of an existing 50 feet wide road easement; thence continuing north 3 degrees, 20 seconds west along the easterly line of said easement, 116 feet to the point of beginning; then continuing north 3 degrees, 20 seconds west a distance of 96 feet thence north 90 degrees east 180.0 feet to the east line of said SW1/4 of SE1/4 thence south 3 degrees, 20 seconds east along said east line 96 feet; thence south 90 degrees, 0 seconds west to the point of beginning. For description purposes, the south line of section 26 is assumed to bear north 90 degrees, 0 seconds east, from Robert Edelstein. Zoned: Residential. (SS-181-00637-06) Intended use: Recreation

\$ 35,100.00 Parcel 2-21: (April 2, 9 and 16, 2021 and August 5, 12 and 19, 2022) NW1/4 of NE1/4, Section 3-46-13,

Roll Call		
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1. Pomush		
2. Bong		
3. Slay		
4. Fennessey		
5. Baker		
6. Leino		
7. Glazman		
8. Raunio		
9. Jaques		
10. Peterson		
11. Staube		
12. Lear		
13. Allen		
14. Ryan		
15. Hendrickson		
16. Luostari		
17. Liebaert		
18. Moen		
19. Long		
20. Borgeson		
21. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ X _____ Lost _____ Refer _____ Amend _____ Other _____		
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except West 66' of NW1/4 of NE1/4, Town of Oakland, from Christopher Crawford. Zoned: A1 Agricultural. (OA-022-00043-00) Intended use: Cabin/house.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors, in regular meeting assembled, authorizes the County Clerk to execute quit claim deeds on the above named properties.

Dated this 15<sup>th</sup> day of September, 2022.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$38,542.59; Increase "Land Sales Receipts Account" by \$20,000)

ACTION: Motion by Jaques, second Pomush, to adopt. Motion carried.

Roll Call		
District Number	Yes	No
1. Pomush	X	
2. Bong	X	
3. Slay		
4. Fennessey	X	
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio	X	
9. Jaques	X	
10. Peterson	X	
11. Staupe	X	
12. Lear	X	
13. Allen		
14. Ryan	X	
15. Hendrickson	X	
16. Luostari	X	
17. Liebaert	X	
18. Moen	X	
19. Long	X	
20. Borgeson	X	
21. Bergman	X	
Roll:		
Ayes	<u>19</u>	
Noes	<u>0</u>	
Absent	<u>2</u>	
Abstain	<u>    </u>	
Passed	<u>  X  </u>	
Lost	<u>    </u>	
Refer	<u>    </u>	
Amend	<u>  X  </u>	
Other	<u>    </u>	
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**RESOLUTION #48-22**

**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$7,500,000 General Obligation Promissory Notes

WHEREAS, the County Board of Supervisors hereby finds and determines that it is necessary, desirable and in the best interest of Douglas County, Wisconsin (the "County") to raise funds for public purposes, including paying the cost of capital improvement projects, including highway projects (the "Project");

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the County is authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, none of the proceeds of the general obligation promissory notes shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by the property taxes;

WHEREAS, it is the finding of the County Board of Supervisors that it is necessary, desirable and in the best interest of the County to authorize the issuance of and to sell the general obligation promissory notes (the "Notes") to Robert W. Baird & Co. Incorporated (the "Purchaser");

WHEREAS, the Purchaser intends to submit a bond purchase agreement to the County (the "Proposal") offering to purchase the Notes in accordance with the terms and conditions to be set forth in the Proposal; and

WHEREAS, in order to facilitate the sale of the Notes to the Purchaser in a timely manner, the County Board of Supervisors hereby finds and determines that it is necessary, desirable and in the best interest of the County to delegate to the County Board Chairperson and the County Administrator (the "Authorized Officers") of the County the authority to accept the Proposal on behalf of the County so long as the Proposal meets the terms and conditions set forth in this Resolution by executing a certificate in substantially the form as Exhibit A and incorporated herein by reference (the "Approving Certificate").



Roll Call		
District Number	Yes	No
1. Pomush	X	
2. Bong	X	
3. Slay		
4. Fennessey	X	
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio	X	
9. Jaques	X	
10. Peterson	X	
11. Staupe	X	
12. Lear	X	
13. Allen		
14. Ryan	X	
15. Hendrickson	X	
16. Luostari	X	
17. Liebaert	X	
18. Moen	X	
19. Long	X	
20. Borgeson	X	
21. Bergman	X	
Roll:		
Ayes	<u>19</u>	
Noes	<u>0</u>	
Absent	<u>2</u>	
Abstain	<u>    </u>	
Passed	<u>X</u>	
Lost	<u>    </u>	
Refer	<u>    </u>	
Amend	<u>X</u>	
Other	<u>    </u>	
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NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors of the County that:

Section 1. Authorization and Sale of the Notes; Parameters.

For the purpose of paying costs of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of not to exceed SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS (\$7,500,000) from the Purchaser upon the terms and subject to the condition set forth in this Resolution. Subject to satisfaction of the condition set forth in Section 16 of this Resolution, 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, Notes aggregating the principal amount of not to exceed SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS (\$7,500,000). The purchase price to be paid to the County for the Notes shall not be less than 97.75% of the principal amount of the Notes and the difference between the initial public offering price of the Notes and the purchase price to be paid to the County by the Purchaser shall not exceed 2.25% of the principal amount of the Notes, with an amount not to exceed 1.00% of the principal amount of the Notes representing the Purchaser's compensation and an amount not to exceed 1.25% of the principal amount of the Notes representing costs of issuance, including bond insurance premium, payable by the Purchaser or the County.

Section 2. Terms of the Notes.

The Notes shall be designated "General Obligation Promissory Notes"; shall be issued in the aggregate principal amount of up to \$7,500,000; shall be dated as of their date of issuance; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall mature or be subject to mandatory redemption on the dates and in the principal amounts set forth below, provided that the principal amount of each maturity or mandatory redemption amount may be increased or decreased by up to ~~\$500,000~~ **\$200,000** per maturity or mandatory redemption amount and that the aggregate principal amount of the Notes shall not exceed \$7,500,000.

<u>Date</u>	<u>Principal Amount</u>
02-01-2023	<del>\$1,875,000</del> <b>\$1,865,000</b>
02-01-2024	\$1,550,000
02-01-2025	\$1,750,000
02-01-2026	\$295,000
02-01-2027	\$305,000
02-01-2028	<del>\$315,000</del> <b>\$320,000</b>
02-01-2029	\$330,000
02-01-2030	\$345,000
02-01-2031	\$360,000
02-01-2032	<del>\$375,000</del> <b>\$380,000</b>

Roll Call		
District Number	Yes	No
1. Pomush	X	
2. Bong	X	
3. Slay		
4. Fennessey	X	
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio	X	
9. Jaques	X	
10. Peterson	X	
11. Staupe	X	
12. Lear	X	
13. Allen		
14. Ryan	X	
15. Hendrickson	X	
16. Luostari	X	
17. Liebaert	X	
18. Moen	X	
19. Long	X	
20. Borgeson	X	
21. Bergman	X	
Roll:		
Ayes	<u>19</u>	
Noes	<u>0</u>	
Absent	<u>2</u>	
Abstain	<u>      </u>	
Passed	<u>X</u>	
Lost	<u>      </u>	
Refer	<u>      </u>	
Amend	<u>X</u>	
Other	<u>      </u>	
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Interest shall be payable semi-annually on February 1 and August 1 of each year commencing on February 1, 2023. The true interest cost on the Notes (computed taking the Purchaser's compensation into account) shall not exceed 4% ~~4.5%~~. 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.

Section 3. Redemption Provisions. The Notes shall not be subject to optional redemption or shall be callable as set forth on the Approving Certificate. If the Proposal specifies that certain of the Notes are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment to the Approving Certificate labeled as Schedule MRP. Upon the optional redemption of any of the Notes subject to mandatory redemption, the principal amount of such Notes so redeemed shall be credited against the mandatory redemption payments established in the Approving Certificate in such manner as the County shall direct.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form as Exhibit B 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 2022 through 2031 for the payments due in the years 2023 through 2032 in the amounts as are sufficient to meet the principal and interest payments when due.

(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,

Roll Call		
District Number	Yes	No
1. Pomush	X	
2. Bong	X	
3. Slay		
4. Fennessey	X	
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio	X	
9. Jaques	X	
10. Peterson	X	
11. Staupe	X	
12. Lear	X	
13. Allen		
14. Ryan	X	
15. Hendrickson	X	
16. Luostari	X	
17. Liebaert	X	
18. Moen	X	
19. Long	X	
20. Borgeson	X	
21. Bergman	X	
Roll:		
Ayes	19	
Noes	0	
Absent	2	
Abstain		
Passed	X	
Lost		
Refer		
Amend	X	
Other		
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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 - 2022" (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

Roll Call		
District Number	Yes	No
1. Pomush	X	
2. Bong	X	
3. Slay		
4. Fennessey	X	
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio	X	
9. Jaques	X	
10. Peterson	X	
11. Staupe	X	
12. Lear	X	
13. Allen		
14. Ryan	X	
15. Hendrickson	X	
16. Luostari	X	
17. Liebaert	X	
18. Moen	X	
19. Long	X	
20. Borgeson	X	
21. Bergman	X	
Roll:		
Ayes	19	
Noes	0	
Absent	2	
Abstain		
Passed	X	
Lost		
Refer		
Amend	X	
Other		
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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 1. 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 2. 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 3. 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

Roll Call		
District Number	Yes	No
1. Pomush	X	
2. Bong	X	
3. Slay		
4. Fennessey	X	
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio	X	
9. Jaques	X	
10. Peterson	X	
11. Staupe	X	
12. Lear	X	
13. Allen		
14. Ryan	X	
15. Hendrickson	X	
16. Luostari	X	
17. Liebaert	X	
18. Moen	X	
19. Long	X	
20. Borgeson	X	
21. Bergman	X	
Roll: Ayes        19 Noes        0 Absent      2 Abstain     _____		
Passed      X Lost        _____ Refer       _____ Amend      X Other        _____		
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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 4. 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 5. 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

Roll Call		
District Number	Yes	No
1. Pomush	X	
2. Bong	X	
3. Slay		
4. Fennessey	X	
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio	X	
9. Jaques	X	
10. Peterson	X	
11. Staupe	X	
12. Lear	X	
13. Allen		
14. Ryan	X	
15. Hendrickson	X	
16. Luostari	X	
17. Liebaert	X	
18. Moen	X	
19. Long	X	
20. Borgeson	X	
21. Bergman	X	
Roll:		
Ayes	19	
Noes	0	
Absent	2	
Abstain		
Passed	X	
Lost		
Refer		
Amend	X	
Other		
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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 6. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the Finance Director or a third party fiscal agent (the "Fiscal Agent") as set forth in the Approving Certificate. If a third party fiscal agent is appointed in the Approving Certificate, the County hereby authorizes the Chairperson and County Clerk or other appropriate officers of the County to enter into a Fiscal Agency Agreement between the County and the third party fiscal agent. Such contract may provide, among other things, for the performance by the third party fiscal agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Notes.

Section 7. 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 8. 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.

Roll Call		
District Number	Yes	No
1. Pomush	X	
2. Bong	X	
3. Slay		
4. Fennessey	X	
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio	X	
9. Jaques	X	
10. Peterson	X	
11. Staupe	X	
12. Lear	X	
13. Allen		
14. Ryan	X	
15. Hendrickson	X	
16. Luostari	X	
17. Liebaert	X	
18. Moen	X	
19. Long	X	
20. Borgeson	X	
21. Bergman	X	
Roll: Ayes        19 Noes        0 Absent      2 Abstain     _____		
Passed      X Lost        _____ Refer       _____ Amend      X Other        _____		
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Section 9. 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 10. Condition on Issuance and Sale of the Notes. The issuance of the Notes and the sale of the Notes to the Purchaser are subject to approval by the Authorized Officers of the principal amount, definitive maturities, redemption provisions, interest rates and purchase price for the Notes, which approval shall be evidenced by execution by the Authorized Officers of the Approving Certificate.

The Notes shall not be issued, sold or delivered until this condition is satisfied. Upon satisfaction of this condition, the Authorized Officers are authorized to execute a Proposal with the Purchaser providing for the sale of the Notes to the Purchaser.

Section 11. Official Statement. The County Board of Supervisors hereby directs the Authorized Officers to approve the Preliminary Official Statement with respect to the Notes and deem 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 the Authorized Officers or other 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 12. 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

Roll Call		
District Number	Yes	No
1. Pomush	X	
2. Bong	X	
3. Slay		
4. Fennessey	X	
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio	X	
9. Jaques	X	
10. Peterson	X	
11. Staupe	X	
12. Lear	X	
13. Allen		
14. Ryan	X	
15. Hendrickson	X	
16. Luostari	X	
17. Liebaert	X	
18. Moen	X	
19. Long	X	
20. Borgeson	X	
21. Bergman	X	
Roll:		
Ayes	19	
Noes	0	
Absent	2	
Abstain		
Passed	X	
Lost		
Refer		
Amend	X	
Other		
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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 13. 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 14. 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 15. 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.

Dated this 15<sup>th</sup> day of September, 2022.

(Committee Action: Unanimous)  
(Fiscal Note: None)

**ACTION:** Motion by Liebaert, second Baker, to adopt with proposed amendments distributed. Roll call vote taken and passed with 19 - Yes, 0 - No, 2 - Absent. Absent – Allen, Slay.



Roll Call		
District Number	Yes	No
1. Pomush	X	
2. Bong	X	
3. Slay		
4. Fennessey	X	
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio	X	
9. Jaques	X	
10. Peterson	X	
11. Staupe	X	
12. Lear	X	
13. Allen		
14. Ryan	X	
15. Hendrickson	X	
16. Luostari	X	
17. Liebaert	X	
18. Moen	X	
19. Long	X	
20. Borgeson	X	
21. Bergman	X	
Roll: Ayes <u>  19  </u> Noes <u>    0  </u> Absent <u>    2  </u> Abstain <u>      </u>		
Passed <u>  X  </u> Lost <u>      </u> Refer <u>      </u> Amend <u>      </u> Other <u>      </u>		
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**RESOLUTION #49-22**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Budgetary Transfers

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approves the budgetary transfers as set forth in Exhibit D-9-22.

Dated this 15<sup>th</sup> day of September, 2022.

(Committee Action: Unanimous)

(Fiscal Note: Included in Exhibit D-9-22)

ACTION: Motion by Lear, second Bergman, to adopt. Roll call vote taken and passed with 19 - Yes, 0 - No, 2 - Absent. Absent – Allen, Slay.

**RESOLUTION #50-22**  
**RESOLUTION BY THE ZONING COMMITTEE AND**  
**SUPERVISOR JAQUES**

Subject: Northwest Regional Planning Commission Agreement for  
Administration of Current Housing Program Approved

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Zoning Committee and Supervisor Jaques and approves Agreement between Douglas County and Northwest Regional Planning Commission for administration of current housing program as set forth in Exhibit E-9-22.

Dated this 15<sup>th</sup> day of September, 2022.

(Committee Action: Unanimous)  
(Fiscal Note: None)

**ACTION:** Motion by Pomush, second Hendrickson, to adopt.  
Motion carried.

Roll Call		
District Number	Yes	No
1. Pomush		
2. Bong		
3. Slay		
4. Fennessey		
5. Baker		
6. Leino		
7. Glazman		
8. Raunio		
9. Jaques		
10. Peterson		
11. Staupe		
12. Lear		
13. Allen		
14. Ryan		
15. Hendrickson		
16. Luostari		
17. Liebaert		
18. Moen		
19. Long		
20. Borgeson		
21. Bergman		
Roll: Ayes        _____ Noes        _____ Absent      _____ Abstain     _____  Passed     ___ X ___ Lost        _____ Refer       _____ Amend      _____ Other        _____		
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Roll Call		
District Number	Yes	No
1. Pomush		
2. Bong		
3. Slay		
4. Fennessey		
5. Baker		
6. Leino		
7. Glazman		
8. Raunio		
9. Jaques		
10. Peterson		
11. Staupe		
12. Lear		
13. Allen		
14. Ryan		
15. Hendrickson		
16. Luostari		
17. Liebaert		
18. Moen		
19. Long		
20. Borgeson		
21. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ X _____ Lost _____ Refer _____ Amend _____ X _____ Other _____		
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**RESOLUTION #51-22**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Federal Legislation Prohibiting Local Regulation of Pesticide Use Opposed

WHEREAS, H.R. 7266 is proposed legislation to amend the Federal Insecticide, Fungicide, and Rodenticide Act to prohibit the local regulation of pesticide use, and for other purposes, and

WHEREAS, this legislation prohibits local governments from adopting pesticide laws that are more protective than federal rules and it overturns decades of precedent and Supreme Court rulings, and could prevent local governments from tailoring laws to the specific needs of their communities, and

WHEREAS, communities across the country routinely have passed policies to restrict the use of pesticides in response to emerging evidence about potential human and environmental impacts; with many of these laws working to protect the most vulnerable among us, such as children, who take in more pesticides relative to their body weight than adults and have developing organ systems, and others focus on safeguarding precious water resources, or the protection of wildlife, and

WHEREAS, local governments have responded to the scientific evidence, their residents' concerns, and their area's unique ecological conditions through prudent measures to reduce exposure to hazardous pesticides.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors opposes H.R. 7266 and strongly supports the right to locally regulate pesticide use in order to protect public health and the environment.

BE IT FURTHER RESOLVED that copies of this resolution be sent to U.S. Representatives David Scott, Debbie Stabenow, and Thomas Tiffany, and Senators Ron Johnson and Tammy Baldwin.

Dated this 15<sup>th</sup> day of September, 2022.

(Committee Action: Unanimous)  
(Fiscal Note: None)

**ACTION:** Motion by Hendrickson, second Jaques, to adopt. Motion by Glazman, second Baker, to amend and sponsor by County Board. Motion carried. Motion to adopt as amended, carried.