Winnebago County
The Wave of the Future

COUNTY BOARD OF SUPERVISORS MEETING MINUTES
TUESDAY, OCTOBER 15, 2024

A. Call to Order

Chairman Thomas Egan called the meeting of the Winnebago County Board of Supervisors to order at 6:00 P.M. from the Winnebago County Courthouse, 415 Jackson Street, Oshkosh, Wisconsin and virtually by TEAMS.

B. Roll Call

The following Supervisors were present: 33 – Dowling, Laux, Ulbricht, Lutz, Holt, Reinke, Hancock-Cooke, Nussbaum, Stafford, Paterson, Gabert, Binder, Swan, Gilbertson, Mueller, Halbur, Ponzer, Belville, Macho, Hinz, Zellmer, Schellenger, Buck, Powers, Hanson, Cox, Gustafson, Farrey, Harrison, Frassetto (via TEAMS), Egan, Nelson and Miller; Excused: 3 - Wise, Bureau and O'Brien.

C. Pledge of Allegiance

The meeting opened with the Pledge of Allegiance.

D. Invocation

Invocation by Supervisor Karen Powers

E. Adopt Agenda

Motion by Supervisor Gabert, seconded by Supervisor Nussbaum, to adopt the agenda including the friendly amendments below. CARRIED BY VOICE VOTE.

There were four friendly amendments added to the Consent Calendar prior to the agenda being adopted. These were for agenda items 1-4. Item no. 1, added September 3, 2024, and September 17, 2024, after the Approval of Proceedings; and item nos. 2-4 added Zoning Amendatory Ordinance at the beginning of each item.

F. Public Comments

There were no public comments.

G. Communications from the County Clerk

There were no communications from the County Clerk.

H. Reports from Committees, Commissions and Boards

Supervisor Schellenger reported on the last meeting of the Park View Health Center (PVHC) Committee. Mr. Schellenger stated the committee was presented with a report from Baker Tilly about the operations at PVHC. He voiced his concerns and frustrations regarding this report. The assumptions that Baker Tilly made about PVHC in its current status are always the most negative picture they could construe and the scenarios that they paint are always glossing over the very real concerns that PVHC has at the moment. Mr. Schellenger stated the board will hear more about the Baker Tilly report as they get through to the budget at the end of the month. Supervisor Schellenger informed the board that PVHC has a meeting on Thursday, October 17, 2024, at 3:30 p.m. at the JP Coughlin Center. Mr. Schellenger encouraged the board to attend either in person, watch via Streaming, or on the TEAMS meeting recording to get the full picture of the current status of the Park View Health Center.

Supervisor Gilbertson informed the board that the UW Extension Committee extended an invitation to all the board members to their "Introduction to Plain Language Course" Event. This will take place on Thursday, November 7, 2024, from 1:00-3:00 p.m. and 6:00-8:00 p.m.

Supervisor Swan informed the board that the next UW Oshkosh Fox Cities Campus Board of Trustees will hold a meeting on Monday, October 28, 2024, at 1:00 p.m. at the campus located at 1478 Midway Road in Menasha.

Supervisor Powers thanked Chairman Egan, Critters and Woodeye's for a great county board tour and dinner.

Supervisor Binder voiced his concerns over the compensation pay at Park View Health Center.

Vice-Chairman Farrey informed the board that there is a Legislative Committee meeting scheduled for Monday, October 21, 2024, at 8:30 a.m. taking place at the JP Coughlin Center.

Supervisor Hinz informed the board that there is a Facilities & Property Management Committee meeting scheduled for Wednesday, October 16, 2024, at 12:00 p.m. at the Maintenance Facility located at 1221 Knapp Street in Oshkosh. Mr. Hinz mentioned they would be discussing the 2025 Budget and Capital Improvement Plan.

Supervisor Hinz also thanked the board for supporting his amendment to the County Board Rules on April 23, 2024, at the Organizational Meeting, adding a Fall County Board Tour. Supervisor Hinz has received a lot of good feedback on this second tour. He briefly mentioned some of the things and places they toured.

I. County Executive's Report and Appointments

1. Comments on Items on Agenda

Executive Doemel commented and asked for support on the following resolutions:

- *Resolution 042-102024: Authorization of $125,405 from the Spirit Fund for the Purchase of two Vehicles and Installation of Necessary Equipment for the Morgue.*
- *Resolution 043-102024: Requesting $700,000 of the Spirit Funds be Appropriated for the Purchase of an Asphalt Paver and Screed.*
- *Resolution 046-102024: Approving the Spirit Fund Unallocated Government Identified Community Projects Funds and Earned Interest Be Allocated to the County Government Category*

Executive Doemel then took questions from the board.

2. County Executive's Appointments

- ***Appointment of Ms. Jennifer Ruetten as the Information Technology Director***

Motion by Supervisor Nussbaum, seconded by Supervisor Gustafson to accept. CARRIED BY VOICE VOTE.

3. Introduction of the 2025 Budget Proposal

Executive Doemel stated the Budget Books were not finished yet due to an illness in our General Services Department. All the budget books have been printed but are not bound yet. Mr. Doemel stated that he would get the budget books out to everyone before Monday, October 28, 2024, and it would also be posted on the County website for viewing.

Executive Doemel covered the 2025 budget proposal and what to expect during the budget session. This was a comprehensive budget. Mr. Doemel noted changes that included Information Technology Interfund; Strategic Priorities; Solid Waste added as a Public Works Department; County Board Scholarship to General Government Division; and Added Programs and Definitions by Department.

Executive Doemel asked departments to stay as flat as possible with their budgets. He stated they would assume a 4% increase in wages and a 6.52% increase in health insurance premiums.

Executive Doemel then took questions from the board.

Mary Anne Mueller, Corporation Counsel, touched on the roles and responsibilities. Statutes state 59.17 that the County Executive shall be the chief executive officer of the county. Ms. Mueller listed the responsibilities of both, the County Executive, and the County Board.

J. **County Board Chair's Report and Appointments**

1. **Excused County Board Supervisors**

Chairman Egan reported that Supervisors Wise, Bureau and O'Brien were excused from tonight's meeting.

2. **County Mutual Insurance Wisconsin Appointments**

Chairman Egan informed the board that there would be an upcoming appointment to the Wisconsin County Mutual Insurance Corporation Advisory Committee. Mr. Egan mentioned if there was anyone interested, to please fill out the application and turn it in to the County Clerk's office.

K. **Consent Calendar**

Consent Calendar Items are those items which are voted on by the Winnebago County Board of Supervisors in a single roll call vote. Committees recommend approval of all items. Any Winnebago County Board of Supervisor may request an Item be removed from the Consent Calendar for discussion. Questions relating to items on the Consent Calendar do not require the item be removed from the Consent Calendar.

1. **Approval of Proceedings for September 3, 2024, and September 17, 2024**

2. **Zoning Amendatory Ordinance - Chromy, Nathan/Christine - 2676 E Shady Ln, Neenah - Parcel 006-0018-01 - Town of Clayton - Zoning Map Amendment**

3. **Zoning Amendatory Ordinance - Town of Vinland - Goodermuth, Geoff and Kelly Parcel ID 026-0476**

4. **Zoning Amendatory Ordinance - Review of the Town of Winchester's new zoning ordinance recreating Chapter 17**

5. **ORDINANCE 041-102024: Amend Winnebago County General Code Chapter 12 to adopt Wisconsin Public Records Board Retention Schedules and other changes recommended in recodification meetings**

WHEREAS, records are a basic tool of transacting business on behalf of all government units. They are the foundation for government accountability; and

WHEREAS, as part of the Winnebago County recodification project, Municode observed that the Winnebago County records retention schedule found in Chapter 12, section 12.04 was adopted in 1995 and is outdated, an observation shared by many County departments through the recodification process thus far; and

WHEREAS, Municode suggested we replace section 12.04 with the Wisconsin Public Records Board (PRB) General Records Schedule (GRS) for County and Related Records (County GRS) and other available state retention schedules; and

WHEREAS, the PRB updated the County GRS in March 2023 and report that it "was developed following guidelines for complying with legal, fiscal, and archival requirements for records retention and facilitates cost-effective management of records commonly found in county governments."; and

WHEREAS, the County GRS covers many types of records kept by Winnebago County, but the PRB recognizes that the schedule "may not include records which are unique to the mission of a single government unit," an observation shared by some County departments; and

WHEREAS, the PRB approves other General Records Schedules for use by all units of Wisconsin government at the state, county and municipal level that cover records generated in the following areas: administrative, budget, fiscal and accounting, fleet and aircraft management, human resources, information technology, payroll and benefits, purchasing and procurement and risk management; and

WHEREAS, adoption of the above-listed Schedules is optional for counties, it is recommended by Municode and the PRB; and

WHEREAS, adoption of the County and the other GRSs listed above will provide Winnebago County the most updated and comprehensive record retentions schedules available and the legal authorization to dispose of records on a regularly scheduled basis

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby amends Chapter 12 of the Winnebago County General Code regarding records management as attached:
Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Hinz, seconded by Supervisor Stafford to adopt the consent calendar as presented.

VOTE ON CONSENT CALENDAR: CARRIED BY VOICE VOTE.

L. Business Items, Resolutions, and Ordinances

1. *RESOLUTION 042-102024: Authorization of $125,405 from the Spirit* Fund for the Purchase of Two Vehicles and Installation of Necessary Equipment for the Morgue

WHEREAS, the Medical Examiner is currently allotted $66,000 in the county budget for mortuary expenses, but the current expenses at year's end are projected to reach $86,000, amounting to $20,000 over budget; and WHEREAS, the Medical Examiner currently contracts out any mortuary work including transportation; and

WHEREAS, the morgue needs new lights, cots and transportation vans to allow the Medical Examiner to carry out work in-house; and

WHEREAS, the cost of purchasing and installing new lights is $3941.55, the cost of purchasing five new medical cots is $19,258.99 all together, and the cost of purchasing two new 2024 Ford Transit T-150 Cargo Vans is
$102,203.00 for both, with a total of $125,403.54; and

WHEREAS, the new equipment would lower mortuary costs for the Medical Examiner in the long run, since mortuary work would cease to be conducted through a contracted third-party.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the appropriation of $125,405 from the Spirit Fund for the purchase and or installation of: new mortuary lights, five new medical cots, and two Cargo Vans.
Submitted by:
ARPA STRATEGY & OUTCOMES COMMISSION

Motion by Supervisor Farrey, seconded by Supervisor Stafford to adopt.
CARRIED BY VOICE VOTE.

2. *RESOLUTION 043-102024: Requesting $700,000 of the SPIRIT Funds be Appropriated for the Purchase of an Asphalt Paver and Screed*

WHEREAS, the Winnebago County Highway Department recommends replacing the current asphalt paver which has amassed 9,000 logged hours since 2013 and has been upkept past the expected life expectancy of an asphalt paver by the Highway Department; and

WHEREAS, sourcing parts to repair the aging 2013 Volvo-PF6160 is becoming nearly impossible and a major concern for the Highway Department. The pandemic further exacerbated these issues while also increasing the overall cost of repair and equipment rentals during downtimes; and

WHEREAS, a catastrophic failure during a project in 2023 cost the county
$126,500 after factoring in the cost of repairs, a replacement rental, and labor time lost; and

WHEREAS, the purchase of a new asphalt paver would greatly reduce the compounding costs incurred by the Highway Department for repairs of the current equipment and the purchase of a new paver would be used for the improvement of local, County, and State roadways in Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the appropriation of $700,000 from the Spirit fund for the purchase of an asphalt paver.
Submitted by:
ARPA STRATEGY & OUTCOMES COMMISSION

Motion by Supervisor Buck, seconded by Supervisor Powers to adopt.
Motion by Supervisor Gustafson, seconded by Supervisor Farrey, to call the question.

Vote on Call the Question: CARRIED BY VOICE VOTE.
Vote on the Original Resolution: CARRIED BY VOICE VOTE.

3. ***RESOLUTION 044-102024: Authorization of $505,000 from the Spirit* Fund for the Purchase of a Chip Spreader**

WHEREAS, the Highway Department recommends replacing the Road Maintenance Chip Spreader which has amassed approximately 4000 road hours in 22 years of service; and

WHEREAS, the cost of maintenance has been increasing due to pandemic price increases and the scarcity of replacement parts; and

WHEREAS, chip sealing is an economical method that increases the life of roadways by 10-12 years and Winnebago County is one of few in the state that own a chip spreader ; and

WHEREAS, owning a chip spreader has allowed the Highway Department to travel to 6 different counties in the northeast region of Wisconsin to provide a chip sealing service on an annual basis, where the chip sealing service has been a large revenue generator for the Highway Department; and

WHEREAS, a new chip spreader would continue the chip spreading service to everyone in the northeast region, keep Highway Department employees employed, generate revenue, and have a projected service life of over 20 years.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the appropriation of $505,000 from the Spirit Fund for the purchase of a new Chip Spreader.

Submitted by:
ARPA STRATEGY & OUTCOMES COMMISSION

Motion by Supervisor Cox, seconded by Supervisor Buck to adopt.
Motion by Supervisor Gustafson, seconded by Supervisor Farrey, to call the question.
Vote on Call the Question: CARRIED BY VOICE VOTE.
Vote on the Original Resolution: CARRIED BY VOICE VOTE.

4. ***RESOLUTION 045-102024: Appropriation of $400,000 from the Spirit* Fund County Government Projects for the Demolition of an Airport Hangar**

WHEREAS, the Winnebago County Board created a special revenue fund, known as the Spirit Fund, to be spent on County Government Projects and Government Identified Community Projects; and

WHEREAS, Spirit Funds were utilized to complete a comprehensive Facilities Condition Assessment for county facilities and equipment; and

WHEREAS, the assessment identified several airport buildings which have significant structural or other needs, including Hangar #13; and

WHEREAS, this spring, significant and catastrophic storm damage to Hangar #13's roof caused the building to be unusable; and

WHEREAS, Facilities and Airport staff are recommending the building be demolished for future planning and use; and

WHEREAS, by using Spirit Funds, the county will not borrow or deplete other fund balances for the project; and

WHEREAS, it is recommended by the ARPA Strategy and Outcomes Commission to complete the demolition as a County Government Project.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates $400,000 in Spirit Funds for the purpose of the demolition of Airport Hangar #13.

Submitted by:
ARPA STRATEGY & OUTCOMES COMMISSION

Motion by Supervisor Gustafson, seconded by Supervisor Gabert to adopt.
Motion by Supervisor Cox, seconded by Supervisor Nussbaum to call the question.
Vote on Call the Question: CARRIED BY VOICE VOTE.
Vote on the Original Resolution: CARRIED BY VOICE VOTE.

5. ***RESOLUTION 046-102024: Approving the Spirit Fund Unallocated* Government Identified Community Projects Funds and Earned Interest Be Allocated to the County Government Category**

WHEREAS, the American Rescue Plan Act (ARPA) provided State and Local Fiscal Recovery Funds (SLFRF) to local governments in two tranches; and

WHEREAS, Winnebago County received $33.39 million and created the ARPA Strategy and Outcomes Commission, with citizen appointments, to advise the county board on prudent expenditures; and

WHEREAS, Winnebago County utilized the ARPA funds for general government services and created a special revenue fund, the Spirit Fund, to allocate resulting surpluses equally to County Government Projects and Government Identified Community Projects; and

WHEREAS, after an open application process, the Commission and County Board have nearly exhausted the allocation of Government Identified Community Projects to organizations and partners assisting the county government in serving its mission; and

WHEREAS, the commission has discussed how to move forward with remaining Spirit Funds and interest; and

WHEREAS, the commission believes the following recommendation is in the best interest of Winnebago County and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby closes the Government Identify Community Projects Spirit Fund Category and allocates the approximate remaining unallocated balance of $152,000 to the County Government Project Category.

BE IT FURTHER RESOLVED that all interest accrued in Spirit Fund ~~prior to October 31, 2024,~~ be allocated to the County Government Project Category. ~~and subsequent earned interest be applied to the Winnebago County General Fund in accordance to standard county practice.~~

Submitted by:
ARPA STRATEGY & OUTCOMES COMMISSION

Motion by Supervisor Farrey, seconded by Supervisor Gustafson to adopt.

Motion by Supervisor Farrey, seconded by Supervisor Stafford, to make an amendment to the resolution. On line 35, put a period after the word, "Category"; and strike the remaining verbiage, "and subsequent earned interest be applied to the Winnebago County General Fund in accordance to standard county practice."

Supervisor Schellenger proposed a friendly amendment, striking the verbiage "prior to October 31, 2024," beginning on line 34.

Motion by Supervisor Gustafson, seconded by Supervisor Stafford, to call the question.

Vote on Call the Question: CARRIED BY VOICE VOTE.

Vote on the Amendment: CARRIED BY VOICE VOTE.

Vote on Resolution as Amended: AYES: 30; NAYES: 1 - Buck; ABSTAIN: 1 - Hanson; ABSENT: 4 - Wise, Bureau, Frassetto and O'Brien. MOTION PASSED.

6. ***RESOLUTION NO. 47-102024: AWARDING THE SALE OF $8,120,000 GENERAL OBLIGATION PROMISSORY NOTES***

WHEREAS, on September 17, 2024, the County Board of Supervisors of Winnebago County, Wisconsin (the "County") by a vote of at least 3/4ths of the members-elect, adopted a resolution (the "Authorizing Resolution"), authorizing the issuance of general obligation promissory notes (the "Notesi') in an amount not to exceed $8,120,000 for the public purpose of paying the cost of constructing, remodeling and improving roads, highways, buildings, parks and sites and acquiring furnishings, fixtures and equipment (collectively, the "Project");

WHEREAS, none of the proceeds of the 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 property taxes; and

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 sell the Notes to Robert W. Baird & Co. Incorporated (the "Purchaser"), pursuant to the terms and conditions of its note purchase agreement attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

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

Section 1. 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 and the Authorizing Resolution, the principal sum of EIGHT MILLION ONE HUNDRED TWENTY THOUSAND DOLLARS ($8,120,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. To evidence the obligation of the County, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, the general obligation promissory notes aggregating the principal amount of EIGHT MILLION ONE HUNDRED TWENTY THOUSAND DOLLARS ($8,120,000) for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes"; shall be issued in the aggregate principal amount of $8,120,000; shall be dated November 7, 2024; 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 April 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit B-1 and incorporated herein by this reference. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2025. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit B-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes maturing on April 1, 2032 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on October 1, 2031 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the County, and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

If the Proposal specifies that any of the Notes shall be subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. 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 Exhibit MRP for such Notes 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 attached hereto as Exhibit C and incorporated herein by this reference.

Section 5. Tax Provisions.

1. *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 2024 through 2033 for the payments due in the years 2025 through 2034 in the amounts set forth on the Schedule.*
2. *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.*
3. *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.

1. *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, dated November 7, 2024" (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 such further deposits as may be required by Section 67.11, Wisconsin Statutes.
2. *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.l 1(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").*
3. *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(±) 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 Nates and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Nates; Closing; Professional Services. The Nates shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 12. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the County Clerk or the County Treasurer (the "Fiscal Agent").

Section 13. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

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

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

Section 14. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

Section 16. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Chairperson and County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 18. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date.All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be

illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.
Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Cox, seconded by Supervisor Powers to adopt.
Supervisor Gustafson requested a recorded vote.
Vote on Resolution: AYES: 29; NAYES: 2 - Dowling and Swan; ABSTAIN: 1 - Hanson; ABSENT: 4 - Wise, Bureau, Frassetto and O'Brien. MOTION PASSED.

M. Adjourn

Motion by Supervisor Farrey, seconded by Supervisor Stafford, to adjourn until the Board's Budget Session on Monday, October 28, 2024, at 6:00 p.m. The meeting was adjourned at 8:29 p.m.

Submitted by:
Cassie J. Smith-Gregor
Winnebago County Deputy Clerk

State of Wisconsin) County of Winnebago) ss

I, Cassie J. Smith-Gregor do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their Business Meeting held October 15, 2024.

Cassie J. Smith-Gregor
Winnebago County Deputy Clerk

The video portion of this meeting is available on the County website: https://winnebagocowi.portal.civicclerk.com