

**MEETING OF THE RUSK COUNTY
BOARD OF SUPERVISOR
SEPTEMBER 25, 2007
7:00 P.M.**

Meeting called to order at 7:00 p.m. by Chair Randy Tatur.

Roll Call. Present-20. Excused-1. Present: DuSell, Hauser, Svoma, Fetke, Kromrey, Solsrud, Kaiser, Dixon, Costello, Skogen, Mai, Willingham, Farrington, Hofacker, Platteter, Stencil, Taylor (arrived 7:03 p.m.), Schneider, Golat, Tatur. Excused: Heiden. Corporation Counsel Richard Summerfield present.

Invocation by David Smith of Ladysmith Baptist Church.

Pledge of Allegiance led by Michael Fetke, District #4 Supervisor.

APPROVAL OF MINUTES

Motion by Golat, second by Farrington to approve the minutes of the August 28, 2007 meeting. Motion carried by aye vote.

RECOGNIZE SPECIAL GROUPS AND INDIVIDUALS

Edward Nays, founder of the Memorial Fund for military memorial tributes, presented a plaque honoring all veterans, POW, MIA, and KIA who serviced during wars in defense of their county, to the Ladysmith VFW Post 2490 who then presented it to the county board for display in the courthouse.

RESOLUTION # 07-30 2008 TRANSPORT WAGES FOR RUSK COUNTY DEPUTY CORONER

WHEREAS, an hourly compensation, established prior to 2004, of \$10 per hour is paid to Rusk County Deputy Coroner's; and

WHEREAS, the transport rate is paid for clinical and forensic autopsies or for the transportation required during an investigation; and

WHEREAS, the duties, responsibilities and training requirements make it increasingly more difficult to attract and retain quality personnel; and

WHEREAS, the Rusk County Sheriff's Committee has reviewed and acknowledged the need to increase the hourly rate of pay.

NOW THEREFORE BE IT RESOLVED, that the transport wages paid to the Rusk County Deputy Coroner be set at \$11.00 per hour effective January 1, 2008.

Submitted by: Personnel Committee

Motion by Costello, second by Dixon to adopt. Discussion regarding average cost per year. Resolution adopted by aye vote.

RESOLUTION # 07-31 CREATION OF FAMILY CARE DEVELOPMENT COUNCIL

WHEREAS, the Northwest Wisconsin Long Term Care Options Consortium (NW-LTCO) will complete all Phase I – Plan to Plan activities by September 30, 2007; and

WHEREAS, through Resolution # 1, the Rusk County Board of Supervisors has authorized Rusk County's staff and agents to participate in Phase II – Plan to Implement Phase activities with the good faith intention of developing a regional, public, Family Care program in partnership with the counties of Ashland, Barron, Bayfield, Burnett, Douglas, Iron, Polk, Price, Sawyer and Washburn; and

WHEREAS, the Plan to Implement phase will result in specific plans of governance, organization, services, provider network, care management, quality management, and financial and business management of the Managed Care Organization (MCO) operating the Family Care Program; and

WHEREAS, the NW-LTCO wishes to establish a Family Care Development Council (FCDC) to work in partnership with the NW-LTCO until such time as a Long Term Care District Board is established; and

WHEREAS, the Family Care Planning Council will consist of one representative and alternate of each county participating in NW-LTCO; four representatives of consumers, families or advocates; and two members with expertise in managed care

NOW THEREFORE BE IT RESOLVED, that the Rusk County Board of Supervisors supports the creation of a Family Care Development Council, that a representative and an alternate be appointed by the Rusk County Board Chair and confirmed by the Rusk County Board of Supervisors;

AND BE IT FURTHER RESOLVED, that a copy of this resolution will be sent to the Secretary of the State Department of Health & Family Services and the County Clerks of Ashland, Barron, Bayfield, Burnett, Douglas, Iron, Polk, Price, Rusk, Sawyer, and Washburn Counties.

Submitted by: Health & Human Services Board

Motion by Schneider, second by Golat to adopt. Gary River, H&HS Director, spoke on this regarding the process needed for the creation of the family care council and program. Resolution adopted by aye vote.

RESOLUTION # 07-32 AUTHORIZING FULL TIME BENEFIT SPECIALIST POSITION

WHEREAS, the Benefit Specialist position is currently part time; and

WHEREAS, the demand for benefit specialist services are increasing commensurate with the increasing number of Rusk County elderly residents; and

WHEREAS the benefit specialist services can assist elderly residents access benefits and resources that are available to them, reducing the demand on local publicly funded benefits; and

WHEREAS, Rusk County anticipates developing an Aging and Disability Resource Center, beginning in the third or fourth quarter of the 2008 service year which is predicted to further increase the demand for benefit specialist services;

NOW THEREFORE BE IT RESOLVED, by the Rusk County Board of Supervisors that the Benefit Specialist position be increased from a part time position to a full time position effective January 1, 2008.

Submitted by: S/Dixon, Costello, Kromrey

Motion by DuSell, second by Mai to adopt. Erika Robinson, Senior Service's Advisor commented on allocating time, Medicare's new regulations, and more elderly in community needing assistance. Resolution adopted by aye vote.

RESOLUTION # 06-23I AMEND THE RUSK COUNTY GENERAL CODE TO CREATE AN ALL-TERRAIN VEHICLE ORDINANCE AND TO DESIGNATE ALL-TERRAIN VEHICLE ROUTES

WHEREAS, Rusk County has not created an ordinance regulating the uses of all-terrain vehicles in the county, and

WHEREAS, Rusk County has not designated any all-terrain vehicle routes in Rusk County, and

WHEREAS, it has become necessary to promote the recreational use of all-terrain vehicles in Rusk County to designate a limited number of all-terrain vehicle routes.

NOW THEREFORE BE IT RESOLVED that Section 7.16 of the Rusk County Code is renumbered to Section 7.17.

BE IT FURTHER RESOLVED that the Rusk County Board of Supervisors does hereby ordain as follows:

Section 7.16 of the Rusk County Code is created as follows:

7.16 All-Terrain Vehicles.

(1) Except as provided in (2) below, Section 23.33 as it exists at the time of the adoption of this ordinance, and as it may from time to time be amended, is hereby adopted as a Rusk County ordinance.

(2) Sections 23.33 (13) (b) 2. And 3.; 23.33 (13) (c), (cg), (cm), and (d) are not adopted as portions of the Rusk County All-Terrain Vehicle Ordinance as they provide for criminal penalties which can not be made part of a county ordinance.

(3) The following are designated as all-terrain vehicle routes in Rusk County:

- A. County Highway D from Plumber Road to Dzimielia Road.
- B. County Highway D from Cut Across Road to Fireside Lake Road.
- C. The portion of CTH "M" in the Village of Hawkins from Grand Ave to South Ave. The portion of CTH "M" from Grand Ave to Highway "8" is Closed to ATV travel.
- D. CTH "H" from Highway "40" to Imalone Road in the Town of Murry
- E. Town of Hawkins CTH M south of South Avenue in the Village of Hawkins to Little Jump Road and CTH "M" north of the Village of Hawkins line to Cranberry Road.
- F. Town of Washington – CTH "D" from Old "D" to Ranch Road, CTH "E" From CTH "D" north to Chippewa Ave, and CTH "E" from Bailey Rd North to Town of Thornapple.
- G. Town of Hubbard – CTH "A" from the intersection of State Highway 40 and CTH "A" to the intersection of West Fairveiw Road and CTH "A". For the purpose of ATV traffic across the Chippewa River Bridge on CTH "A" to allow access to the ATV trail system in the Blue Hills.
- H Town of Rusk – CTH "F" from Bednarek Road to Sugar Lake Road, a

distance of 2.5 miles.

I. Town of Rusk – CTH “D” from Sunrise Point Road to the Town of Rusk/
Town of Big/Bend line, a distance of approximately 1.5 miles

J. Town of Big Bend – CTH “D” from Plummer Road to the Town of
Big Bend/Town of Rusk line.

K. Town of Stubbs – CTH “F” from Amacoy Lake Road to Norwegian Road.

L. Village of Tony – CTH “I” north from North Avenue to Deertail Road and
CTH “I” due south from Highway 8 to Old 14.

**M. Town of Willard – CTH “I” from Rangeline Road to CTH “G” and CTH
“G” to the Conrath Village Line.**

(4) The cost of appropriate signage and markings for designated all-terrain vehicle routes shall be paid by an all-terrain vehicle club or the Township in which the route is located.

Submitted by: Highway Committee

Motion by Golat, second by Dixon to adopt. Roll call. Voting yes-16. Voting no-4. Voting yes: Hofacker, Stencil, Taylor, Schneider, Golat, DuSell, Hauser, Svoma, Fetke, Kromrey, Solsrud, Kaiser, Dixon, Costello, Mai, Farrington. Voting no: Platteter, Skogen, Willingham, Tatur. Resolution adopted by roll call vote.

RESOLUTION #07-33 TO REZONE PARCELS FROM AGRICULTURAL-1 TO FORESTRY-1, TOWN OF STUBBS, BLANE AND RENA CHRISTMAN, OWNER

The Rusk County Board of Supervisors does ordain as follows:

SECTION 1: A public hearing having been held by the Zoning Committee and the Committee having acted, subsequent thereto, in recommending the following amendment in application of the Zoning Code to subject real estate upon a petition submitted by the town of Stubbs; the affected lands as follows:

NE¹/₄-NW¹/₄, SW¹/₄-NW¹/₄, SE¹/₄-NW¹/₄ and NW¹/₄-SW¹/₄ of S13-T34N-R8W, NE¹/₄-SE¹/₄ and SE¹/₄-SE¹/₄ of S14-T34N-R8W, the NE¹/₄-NE¹/₄ of S23-T34NR8W and NW¹/₄-NW¹/₄ S24-T34NR8W. Only those areas zoning A-1 will be rezoned.

It is hereby ordained that said parcel of real estate be rezoned from Agriculture-1 to Forestry-1.

Submitted by: S/Willingham, Schneider, Mai, Costello

Motion by Dixon, second by Willingham to adopt. Discussion on acreage, description and current use. Resolution adopted by aye vote.

RESOLUTION #07-34 A RESOLUTION CHANGING ORDINANCE 2.02 OF THE RUSK COUNTY CODE

The Rusk County Board of Supervisors does hereby ordain as follows:

WHEREAS, the City of Ladysmith has annexed the following parcels of land to the City:

Parcel 1: Lot 10 in Block 5 of Ladysmith Townsite Company’s Third Addition.

Parcel 2: That portion of the SW ¹/₄ of the SE ¹/₄ of Section 10, Town 34 North, Range 6 West, lying west of the Wisconsin Central (d/b/a Canadian National) railroad right of way that was not previously annexed to the City of Ladysmith.

WHEREAS, the City annexed Parcel 1 to Ward 2 and annexed Parcel 2 to Ward 4, and

WHEREAS, said Parcel 1 is in County Supervisory District 5 and Parcel 2 is in County Supervisory District 21, and

WHEREAS, all of the remainder of Ward 2 is in District 12, and all of the remainder of Ward 4 is in District 16, and

WHEREAS, if the County does not change the Supervisory District, the City would be required to create a new ward with only one or two voters in the new Ward, and

WHEREAS, the creation of a new ward with only one or two people in it would eliminate the voting secrecy for these people, and

WHEREAS, the City of Ladysmith and the State Elections Board and the County Board has requested that this problem be resolved to keep voting a secret,

NOW THEREFORE BE IT RESOLVED, that Rusk County Code 2.02 Supervisory Districts shall be amended as follows:

That Lot 10 in Block 5 of Ladysmith Townsite Company’s Third Addition shall be removed from Supervisory District 5 and placed into Supervisory District 12; consistent with the placement into City Ward 2, and

That that portion of the SW ¼ of the SE ¼ of Section 10, Town 34 North, Range 6 West, lying west of the Wisconsin Central (d/b/a Canadian National) railroad right of way that was not previously annexed to the City of Ladysmith, shall be removed from Supervisory District 21 and placed into Supervisory District 16.

Submitted by: S/Tatur

Motion by Platteter, second by Hauser to adopt. Rich Summerfield, Corp. Counsel explained this was due to property that had been annexed to the City. Resolution adopted by aye vote.

RESOLUTION #07-35 AUTHORIZATION TO APPROVE AGREEMENT FOR PROFESSIONAL SERVICES FOR REGISTER OF DEEDS RODdirect WEB APPLICATION FOR ON LINE DOCUMENTS

WHEREAS, part of the Register of Deeds Mission Statement is to provide the safe archival storage and convenient access to public records and to implement system modernization to assure a high level of timely service for our citizen-customers.

WHEREAS, the Agreement for Professional Services for Rusk County Register of Deeds RODdirect Web Application Customization is new technology which will provide easy access to and purchase of legal documents recorded in the Register of Deeds Office on the County's Land Records Website. This program will also provide the ability to search, display document images and to provide credit card transactions through Official Payments, our current credit card service carrier for Vital Records.

WHEREAS, the Land Information Grant monies have enabled us to index and back scan our documents back to 1994, and we are continuing the process, in order to provide more information of our back data and images for our users on the computer, and eventually on the Web.

WHEREAS, the County Board already approved access for this Web Application with Applied Data Consultants as a pilot county with \$300.00 a year maintenance fee. Within this time period and before implementation, a Partnership was formed with Applied Data Consultants of Eau Claire and ME Data Solutions of Pareville with more improved and reliable technology. This includes updated security measures with our confidential records and an extra back-up for archival storage, and credit card capability.

WHEREAS, Applied Data Consultants currently have the Treasurer's Tax Rolls and the Surveyor's GIS Maps on the Web site already. Almost all the necessary implementation has been in place, and they will continue to provide reliable on-going support and maintenance service.

WHEREAS, the initial cost will be \$5,000, with a annual fee of \$995 for hosting, support, & maintenance fee for RODdirect.

WHEREAS, the Land Information Committee has reviewed, and approved this agreement, and recommends monies taken from the Public Access Line of the Land Information Budget to cover all cost. These monies are revenue from the Register of Deeds Office, designated to be used specifically for public access and obtained through the retaining of \$1.00 recording fee of each document recorded. Over the years the Public Access Line item has accumulated over \$22,000 with a continue estimate of \$4,500 to \$5,000 per year added from recording fees. **NO MONIES WILL BE TAKEN FROM THE COUNTY LEVY.**

NOW THEREFORE BE IT RESOLVED, the Rusk County Board of Supervisors hereby approves the RODdirect Web Applications in the Register of Deeds Office in order to continue to and insure the high level of timely service for our citizens-customers, as stated in our mission statement.

Submitted by: S/Mai,Willingham

Motion by Schneider, second by Costello to adopt. Linda Effertz, Register of Deeds, commented that funds come from public access account, treasurer and mapping departments' already using, documents that would be available and how payments would be obtained. Resolution adopted by aye vote.

RESOLUTION #07-36 RUSK COUNTY COMPREHENSIVE PLANNING DEVELOPMENT

WHEREAS, Rusk County needs to move forward with development of the nine required elements of a comprehensive plan and the County need time to complete this task, and

WHEREAS, most of the population in Wisconsin resides in counties and municipalities that have already adopted a plan or are in the planning stages, and

WHEREAS, Wisconsin Statutes require that after January 1, 2010, all programs and actions of local governmental units that affect land use and economic development must be guided by, and consistent with, that governmental unit's adopted comprehensive plan.

NOW THEREFORE BE IT RESOLVED, that a contracted service person be hired, starting approximately January 1, 2008 that is qualified to lead Rusk County into comprehensive planning development and

BE IT FURTHER RESOLVED, that the contracted service person use existing data to prepare this plan and local agencies and directors for information and

BE IT FURTHER RESOLVED, that the contracted service person recommend on whether Rusk County should complete a grant application and

BE IT FURTHER RESOLVED that contracted service person recommend whether Rusk County should use Northwest Regional as a consultant and

BE IT FURTHER RESOLVED, that funds be placed into the 2008 budget for this purpose and

BE IT FURTHER RESOLVED, that the contracted service person reports to the Economic Development.

Submitted by: S/Platteter, Skogen, Tatur

Motion by Platteter, second by Mai to adopt. Platteter mentioned the need for this getting underway. Discussion on how many counties have a plan or working on one, cost, towns association not supporting this, plan design, elements in plan, existing plans in county departments, guest speakers on subject, and Corp Counsel having to defend plan once in place. Motion by Stencil, second by Taylor to amend the resolution by striking out the 3rd whereas. Discussion on where resolution came from, requirements needed for placing resolutions on agenda, and wording of entire resolution. Roll call. Voting yes-7. Voting no-13. Voting yes: Stencil, Taylor, Schneider, Golat, Fetke, Solsrud, Kaiser. Voting no: DuSell, Hauser, Svoma, Kromrey, Dixon, Costello, Skogen, Mai, Willingham, Farrington, Hofacker, Platteter, Tatur. Amendment failed by roll call vote. Motion by Kaiser, second by Taylor to amend paragraph #1 by changing needs to wishes, eliminating paragraph #2, changing paragraph #4 by adding - at a cost not to exceed \$50,000 after the word hired, changing paragraph #6 by adding - additional required 14 goals at the end of paragraph, changing paragraph #7 by adding after the word recommend - a consultant to the county at a cost not to exceed \$200,000.00 and change paragraph #9 by adding county board after the word committee and to add a paragraph #10 to state be it further resolved, that Rusk County not proceed until 2/3rd of the local governmental units request that the county proceed.

Recessed 9:13 p.m. Reconvened at 9:28 p.m. Kromrey excused from meeting at 9:19 p.m.

Roll call. Voting yes-4. Voting no-15. Voting yes: Stencil, Hauser, Solsrud, Kaiser. Voting no: Taylor, Schneider, Golat, DuSell, Svoma, Fetke Dixon, Costello, Skogen, Mai, Willingham, Farrington, Hofacker, Platteter, Tatur. Amendment failed by roll call vote. Andy Albarado, Ec. Development Coordinator, recommend he and Summerfield look into this further, see what townships want to do and report information back to the board at their next meeting. Motion by Platteter, second by Fetke to post pone resolution and look for a substitute resolution for a future meeting. Motion carried by aye vote.

RESOLUTION # 07-37 AUTHORIZING WAGE ADJUSTMENT FOR CHILDREN & FAMILIES AND ADULT SERVICES SUPERVISOR POSITIONS

WHEREAS, the Health & Human Services Board has approved a re-organizational plan that includes not filling a vacant supervisory position; and

WHEREAS, the duties and responsibilities of the vacant supervisory position have been transferred to the Children & Families Supervisor and the Adult Services Supervisor; and

WHEREAS, the Health & Human Services Board and the Personnel Committee recommend a wage adjust to the two supervisory positions whose duties and responsibilities have been significantly increased;

NOW THEREFORE BE IT RESOLVED, by the Rusk County Board of Supervisors that the Personnel Committee recommended wage adjustments be authorized as follows: Children & Family Services Supervisor: currently \$25.47 per hour to \$26.74 per hour; Adult Services Supervisor; currently \$25.47 per hour to \$26.74 per hour, effective January 1, 2008;

BE IT FURTHER RESOLVED, that should the proposed organizational change not be sustainable, requiring the filling of the vacant supervisory position, the wage adjustment authorized by this resolution will be rescinded.

Motion by Stencil, second by Costello to adopt. Rivers spoke on work responsibilities, experience needed for job, and time frame for adjustment of new duties. Roll call. Voting yes-18. Voting no-1. Voting yes: Taylor, Schneider, Golat, DuSell, Svoma, Fetke, Solsrud, Kaiser, Dixon, Costello, Skogen, Mai, Willingham, Farrington, Hofacker, Platteter, Stencil, Tatur. Voting no: Hauser. Resolution adopted by roll call vote.

RESOLUTION #07-38 RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$3,355,000 GENERAL OBLIGATION REFUNDING BONDS

WHEREAS Rusk County, Wisconsin (sometimes hereinafter called the "County") is presently in need of the sum of Three Million Three Hundred Fifty-Five Thousand Dollars (\$3,355,000) for the public purpose of refunding obligations of the County, including interest on them; and

WHEREAS the County Board of Supervisors of the County deems it necessary and in the best interest of the County that said sum be borrowed pursuant to the provisions of Section 67.04, Wis. Stats., upon the terms and conditions hereinafter provided;

NOW THEREFORE BE IT RESOLVED that the County borrow an amount not to exceed \$3,355,000 by issuing its general obligation bonds for the public purpose of refunding obligations of the County, including interest on them;

BE IT FURTHER RESOLVED that:

Section 1. Sale of Bonds. The County shall sell and deliver its \$3,355,000 General Obligation Refunding Bonds (the "Bonds"), issued for the purpose above stated, to Robert W. Baird & Co. Incorporated (the "Purchaser") for the purchase price set forth in the Bond Purchase Agreement attached hereto as Exhibit A and incorporated herein by this

reference (the "Proposal"). The Proposal is hereby approved, and the appropriate County officials are hereby authorized and directed to execute the same.

Section 2(A). The Bonds. The Chairperson and County Clerk shall make, execute and deliver the Bonds to the Purchaser, for and on behalf of the County. The Bonds shall be negotiable, general obligation bonds of the County, registered as to both principal and interest, in the denomination of Five Thousand Dollars (\$5,000) each or whole multiples thereof, numbered from R-1 upward and dated October 15, 2007. The Bonds shall bear interest at the rates per annum set forth in the Proposal and shall mature on October 1 of each year, in the years and principal amounts set forth in the Pricing Summary attached hereto as Exhibit B-1 and incorporated herein by this reference. The Bonds shall be subject to mandatory redemption by lot on October 1 of each of the years and in the amounts specified in Section 2(B), and in the manner specified in Section 2(B).

Interest on the Bonds shall be payable on April 1 and October 1 of each year, commencing April 1, 2008.

The Bonds maturing on October 1, 2015 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on October 1, 2014 or on any date thereafter. Said Bonds 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.

Section 2(B). Mandatory Redemption of Term Bonds. The Bonds identified on Exhibit B-2 (the "Term Bonds") shall be subject to mandatory redemption on October 1 of each of the years and in the amounts set forth on Exhibit B-2 at the price of par plus accrued interest.

The Term Bonds to be so redeemed in each such year shall be selected by lot from among the Term Bonds of that maturity then outstanding. Notice of each such redemption shall be given in the manner and at the times specified in the bond form established in Section 3 hereof.

Section 3. Form of Bonds. The Bonds shall be in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 4. Tax Provisions.

(A) Direct Annual Irrepealable Tax. For the purpose of paying the principal of and interest on the Bonds as the same become due, the full faith, credit and resources of the County are hereby irrevocably pledged and there be and there hereby is levied on all the taxable property in the County a direct, annual, irrepealable tax in the years 2007 through 2019 for payment of principal of and interest on the Bonds in the years 2008 through 2020 in the amounts set forth on Exhibit B-3 attached hereto and incorporated herein by this reference.

(B) Tax Collection. 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 Bonds, said tax shall be, from year to year, carried into the tax rolls of the County and collected as other taxes are collected, provided that the amount of tax carried into said tax rolls may be reduced in any year by the amount of any surplus money in the Debt Service Account created in Section 5(A) hereof.

(C) Additional Funds. If in any year there shall be insufficient funds from the tax levy to pay the principal of or interest on the Bonds when due, the said principal or interest shall be paid from other funds of the County on hand, said amounts to be returned when said taxes have been collected.

Section 5. Debt Service Fund and Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. 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 be and there hereby is established a separate and distinct account designated as the "Debt Service Account for \$3,355,000 'General Obligation Refunding Bonds,' dated October 15, 2007" (the "Debt Service Account") and said Account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The County Treasurer shall deposit in such Debt Service Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) the taxes herein levied for the specific purpose of meeting principal of and interest on the Bonds when due; (iii) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (iv) any premium which may be received by the County over and above the par value of the Bonds and accrued interest thereon; (v) surplus monies in the Borrowed Money Fund as specified in Section 6 hereof; and (vi) such further deposits as may be required by Sec. 67.11, Wis. Stats.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds 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 Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wis. Stats., in interest-bearing obligations of the United States of America, in other obligations of the County or in other investments permitted by law, which investments shall continue to be a part of the Debt Service Account.

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all permitted investments disposed of, any money remaining in the Debt Service Account shall be deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 6. Borrowed Money Fund. All monies received by the County upon the delivery of the Bonds to the Purchaser thereof except for accrued interest and premium, if any, shall be deposited by the County Treasurer into a Borrowed Money Fund and such fund shall be maintained separate and distinct from all other funds of the County and shall be used for no purpose other than the purpose for which the Bonds are issued. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested as provided in Section 66.0603(1m), Wis. Stats. Any monies, including any income from permitted investments, remaining in the Borrowed Money Fund after the purpose for which the Bonds have been issued has been accomplished, and, at any time, any monies as not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Account.

Section 7. No Arbitrage. All investments permitted by this resolution shall be legal investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") or the Regulations of the Commissioner of Internal Revenue thereunder (the "Regulations"); and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of closing which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of said Code or Regulations.

Section 8. Fiscal Agent. The County will enter into a contract with Associated Trust Company, National Association, Green Bay, Wisconsin (the "Fiscal Agent") to serve as its fiscal agent with respect to the Bonds pursuant to Wis. Stats. Sec. 67.10(2), which contract shall be in substantially the form attached hereto as Exhibit D and incorporated herein by this reference. The Chairperson and County Clerk are hereby authorized to enter into such contract on the County's behalf. Such contract may provide among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Bonds.

Section 9. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond 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 Bond 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 Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond 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 Fiscal Agent shall deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

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

The fifteenth day of each calendar month next preceding each interest payment date shall be the record dates for the Bonds. Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the Fiscal Agent at the close of business on the corresponding record date.

Section 10. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Bonds and the Refunded Obligations defined in Section 13 and their ownership, management and use will not cause the Bonds or the Refunded Obligations 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 Bonds 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 Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds 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 Bonds 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 Bonds provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of Wisconsin, and to the extent that there is a reasonable period of time in which to comply.

Section 11. Designation as Qualified Tax-Exempt Obligations. The Bonds 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 12. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York, the County agrees to the

applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 13. Redemption of Refunded Obligations. The County has outstanding its General Obligation Refunding Bonds, dated May 15, 1998 (the "1998 Bonds") and its General Obligation Promissory Notes, dated September 18, 2007 (the "2007 Notes") (collectively, the "Refunded Obligations").

(a) The 1998 Bonds, which mature in the years 2008 and 2009, are called for prior payment on October 26, 2007 at the price of par plus accrued interest to the date of redemption. The County Clerk shall direct Associated Trust Company, National Association, Green Bay, Wisconsin (successor to Associated Bank Green Bay, National Association), as fiscal agent of the County with respect to the 1998 Bonds, to cause timely notice of the call of the 1998 Bonds to be redeemed to be given by mailing a notice thereof, in substantially the form attached hereto as Exhibit E-1 and incorporated herein by this reference, by registered or certified mail no later than September 26, 2007, to the registered owner of each 1998 Bond to be redeemed at the address shown on the registration books.

In addition to the official notice of redemption provided for in the paragraph above, the County Clerk shall cause further notice of the redemption of the Refunded Obligations to be given on behalf of the County to Financial Guaranty Insurance Company, New York, New York, the insurer of the 1998 Bonds, to the Municipal Securities Rulemaking Board, to all nationally recognized municipal securities information repositories, to all registered securities depositories in the business of holding substantial amounts of obligations of types such as the 1998 Bonds (such depositories being The Depository Trust Company of New York, New York) and to one or more national information services that disseminate notices of redemption of obligations such as the 1998 Bonds. Each further notice of redemption shall be sent by registered or certified mail, overnight express delivery, facsimile transmission or email transmission and shall contain the information set forth in the official notice of redemption provided on Exhibit E-1.

(b) The 2007 Notes are called for prior payment on December 18, 2007 at the price of par plus accrued interest to the date of redemption. The County Clerk shall cause timely notice of the call of the 2007 Notes to be redeemed to be given by sending a notice thereof, in substantially the form attached hereto as Exhibit E-2 and incorporated herein by this reference, by registered or certified mail, facsimile transmission, electronic transmission or overnight express delivery no later than November 18, 2007 to the registered owner of each 2007 Note to be redeemed at the address shown on the registration books.

Section 14. Undertaking to Provide Continuing Disclosure. The County covenants and agrees, for the benefit of the holders of the Bonds, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data upon request and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the holders of the Bonds or by the original purchaser(s) of the Bonds on behalf of such holders (provided that the rights of the holders and the purchaser(s) 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 Bonds).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, 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. Records. The County Clerk shall provide and keep a separate 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 these Bonds.

Section 16. Initial Resolution. The first resolution paragraph of this Resolution shall constitute the initial resolution required under Sec. 67.05(1) Wis. Stats.

Section 17. Bond Insurance. If the Purchaser of the Bonds determines to obtain municipal bond insurance with respect to the Bonds, 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 Bond 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 Bonds by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 18. Designation of Maturities. For purposes of State law, the Bonds are designated as being issued to pay and discharge the debts incurred by the County through the issuance of the Refunded Obligations and the obligations refunded by the Refunded Obligations in the order in which those debts were incurred, so that the Bonds of the earliest maturities are considered to be issued to discharge the debts which were incurred first.

Section 19. Closing. The Chairperson and County Clerk are hereby authorized and directed to execute and deliver the Bonds to the Purchaser thereof upon receipt of the purchase price. The Chairperson and County Clerk may execute the Bonds by manual or facsimile signature, but at least one of said officers shall sign the Bonds manually.

The officers of the County hereby are directed and authorized to take all necessary steps to close the bond issue as soon as practicable hereafter, in accordance with the terms of sale thereof, and said officers are hereby authorized and directed to execute and deliver such documents, certificates and acknowledgments as may be necessary or convenient in accordance therewith.

Motion by Skogen, second by Costello to adopt. Motion by Skogen, second by Platteter to amend the resolution by using the substitute resolution. Motion to amend passed by aye vote. Albarado explained the change in the amount of the obligation is due to the actual rate being better than the projected rate. Roll call. Voting yes-19. Voting no-0. Voting yes: Schneider, Golat, DuSell, Hauser, Svoma, Fetke, Solsrud, Kaiser, Dixon, Costello, Skogen, Mai, Willingham, Farrington, Hofacker, Platteter, Stencil, Taylor, Tatur. Resolution as amended adopted by roll call vote.

RESOLUTION # 94-75A AMEND CHAPTER 3 FINANCE AND TAXATION OF THE RUSK COUNTY GENERAL CODE RE: PAYMENTS TO COUNTY

WHEREAS, it has become necessary for Rusk County to increase the allowable amount for departments to retain overpayments due to the cost associated with the current refund procedure.

NOW THEREFORE BE IT RESOLVED, that the Rusk County Board of Supervisors does hereby ordain the following amendment to Chapter 3 Rusk County General Code, Section 3:07 (3) to read as follows:

OVERPAYMENTS AND UNDERPAYMENTS. Unless otherwise provided by law, departments may retain overpayments of fees, licenses, or similar charges, when the overpayment is ~~\$2~~ \$5 or less, unless such refund is specifically requested in writing. Underpayments of not more than \$2 may be waived when the administrative cost of collection would exceed the amount of underpayment.

Submitted by: Finance Committee

Motion by Costello, second by Dixon to adopt. Resolution adopted by aye vote.

BIDS – FINE ARTS CENTER DEMOLITION

Skogen informed the board on total bids received and possible reason for lower bid than expected. Discussion regarding Hwy not submitting bid or quote, Hwy doing demolition, cost and responsibility of county to keep good faith with company that submitted lowest bid. Albarado explained how Property Committee got to this point, bid specs, and when demolition would begin. Motion by Solsrud, second by Platteter to accept the bid from Haas & Son's for \$56,000 and \$10,000 for fill and if they can not do it to give it to the next apparent low bidder Robnco Inc. for \$73,100 and \$5,250 for fill. Motion by Willingham, second by Dixon to amend the motion by removing the second low bidder from the process. Roll call. Voting yes-8. Voting no 11. Voting yes: Hauser, Svoma, Kaiser, Dixon, Willingham, Farrington, Platteter, Stencil. Voting no: Golat, DuSell, Fetke, Solsrud, Costello, Skogen, Mai, Hofacker, Taylor, Schneider, Tatur. Amendment fails by roll call vote. On the main motion. Roll call. Voting yes-19. Voting no-0. Voting yes: DuSell, Hauser, Svoma, Fetke, Solsrud, Kaiser, Dixon, Costello, Skogen, Mai, Willingham, Farrington, Hofacker, Platteter, Stencil, Taylor, Schneider, Golat, Tatur. Motion carried by roll call vote.

POSSIBLE SALE OF INDUSTRIAL PARK PROPERTY

Albarado informed the board no need for closed, described location of property to sell, acreage amount, and distributed an option agreement handout. Corp. Counsel explained some changes that might need to be made in agreement. Motion by Golat, second by Willingham to go ahead with the option agreement with Indeck Energy Services Inc. letting them pay an option fee of \$10,000.00 for one year and they may extend the option for an additional one year at an additional \$10,000.00 and agree to sell at a purchase price of \$200,000.00 In the event the options are exercised the option fees paid shall be used against the purchase price. Motion carried by aye vote.

ANNOUNCEMENTS

Tatur commented he has not heard back from Oman or Lorkowski regarding their BOA appointments, Mount Senario project is to be looked at again, Marshfield Clinic interested in talking with County and Hospital, working with Hwy and DOT for out of service signs for RR tracks on Hwy 8, and 2008 budget is close but need to cut about \$19,000.00 still.

Skogen mentioned that Wis. Mutual is doing a settlement agreement on the Zimmerman's law suit.

Clerk Wetzel reminded board members to turn in time sheets, the Sexual Harassment training is at 8:30 a.m. tomorrow morning during the Dept. Administrator's meeting, and there will be a Health Insurance Committee meeting on Thursday at 4:00 p.m.

Closed session announced by Chair for discussion and possible motion regarding the possible purchase of a storage building in the Industrial Park property. For deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, WI Stats 19.85 (1)(e).

Motion by Skogen, second by Fetke to enter closed session. Roll call. Voting yes-19. Voting no-0. Voting yes: DuSell, Hauser, Svoma, Fetke, Solsrud, Kaiser, Dixon, Costello, Skogen, Mai, Willingham, Farrington, Hofacker, Platteter, Stencil, Taylor, Schneider, Golat, Tatur.

CLOSED SESSION at 10:37 p.m.

Motion Willingham, second by Skogen to return to in open session.

OPEN SESSION at 10:55 p.m.

(County Board Meeting of September 25, 2007 cont. Page 10)

ADJOURNMENT

Motion by DuSell, second by Fetke to adjourn. Motion carried by aye vote. Meeting adjourned at 10:56 pm

No meeting at this time for October. Next meeting November 13, 2007.

Denise Wetzel, Rusk County Clerk
Bonnie Stoneberg, Chief Deputy