

The Florence County Board of Supervisors met pursuant to adjournment on October 20, 2020. The meeting was called to order by the Chair at 7:00 p.m. A quorum of members was present.

County Board Supervisors present: Bomberg, Brunette, Hedmark, Johnson, Kelley, Kellstrom, Mills, Modschiedler, Nichols, Steber and Theer.
Excused: Supervisor Dzekute
Absent: None

Agenda

Moved by Supervisor Steber to approve the agenda as presented.
Motion seconded by Supervisor Theer.
Motion carried, with all voting "Aye" on a voice vote.

Minutes

Moved by Supervisor Mills to approve the minutes as presented.
Motion seconded by Supervisor Kelly.
Motion carried, with all voting "Aye" on a voice vote.

Those wishing to address the Board

None

Adopt 2019 Audit

Moved by Supervisor Kelley approval to adopt 2019 Audit results presented by our independent auditor, Scott Sternhagen, CliftonLarsonAllen LLP at the August County Board meeting as recommended by the Audit & Budget Committee.
Motion seconded by Supervisor Steber.
Motion carried, with all voting "Aye" on a voice vote.

No Work Travel

Moved by Supervisor Steber approval to send letter to employees to continue the No work travel until further notice. Departments will be required to use virtual or phone formats when provided.
Motion seconded by Supervisor Theer.
Motion carried, with all voting "Aye" on a voice vote.

Michigan Border Frozen Road Application

Moved by Supervisor Steber to approve the Michigan Border Frozen Road Application/Permit as recommended by the Highway Committee. Steber reminded the Board that the permit can be pulled at any time.
Motion seconded by Supervisor Hedmark.
Motion carried, with all voting "Aye" on a voice vote.

Resolutions

Moved by Supervisor Kelley to adopt resolution # 2020 – 22 Authorizing a Representative (s) for DNR Grant.
Motion seconded by Supervisor Mills.
Motion carried, with all voting "Aye" on a voice vote.

RESOLUTION #2020-22

AUTHORIZATION OF REPRESENTATIVE(S) FOR DNR GRANTING

WHEREAS, the FLORENCE COUNTY LAND CONSERVATION DEPARTMENT is interested in obtaining a cost-share grant from the Wisconsin Department of Natural Resources for the purpose of the LAKE MONITORING & PROTECTION NETWORK (as described in the application);

WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application;

WHEREAS, a grant agreement is requested to carry out the project; and

NOW, THEREFORE, BE IT RESOLVED, that the FLORENCE COUNTY LAND CONSERVATION DEPARTMENT will meet the financial obligations necessary to fully and satisfactorily complete the project and hereby authorizes and empowers the following officials or employees to submit the following documents to the Wisconsin Department of Natural Resources for financial assistance:

Task	Title of Authorized Representative	Email address and Phone Number
Sign and submit a grant application	County Conservationist	swolf@co.florence.wi.us 715-528- 2420

Enter into a grant agreement with the DNR	County Conservationist	swolf@co.florence.wi.us 715-528-3430
Submit quarterly and/or final reports to the DNR to satisfy the grant agreement,	County Conservationist	swolf@co.florence.wi.us 715-528-3430
Submit reimbursement request(s) to the DNR no later than the date specified in the grant	County Conservationist	swolf@co.florence.wi.us 715-528-3430
Sign and submit all other forms	County Conservationist	swolf@co.florence.wi.us 715-528-3430

BE IT FURTHER RESOLVED that applicant will comply with all local, state and federal rules, regulations and ordinances relating to this project and the cost-share agreement.

Moved by Supervisor Steber to adopt resolution # 2020 – 23 Awarding the Sale of 1,500,000 General Obligation Promissory Notes, Series 2020A.

Motion seconded by Supervisor Nichols.

Motion carried, with all voting "Aye" on a voice vote.

RESOLUTION NO. **2020-23**
RESOLUTION AWARDING THE SALE OF
\$1,500,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2020A

WHEREAS, on August 18, 2020, the County Board of Supervisors of Florence County, Wisconsin (the "County") by a vote of at least three-fourths of the members-elect, adopted an initial resolution authorizing the issuance of general obligation promissory notes in an amount not to exceed \$1,500,000 for the public purpose of paying the cost of capital improvement projects, including facilities improvements and equipment (the "Project") (the above-referenced initial resolution is referred to herein as the "Initial Resolution");

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 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; 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 such general obligation promissory notes to Huntington Securities, Inc. dba Huntington Capital Markets (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. Authorization and Sale of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes and the Initial Resolution, the principal sum of ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) 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 ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) (the "Notes") for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2020A"; shall be issued in the aggregate principal amount of \$1,500,000; shall be dated November 3, 2020; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on October 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 October 1, 2021. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit B-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes maturing on October 1, 2028 and thereafter are subject to redemption prior to maturity, at the option of the County, on October 1, 2027 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the County, and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

If the Proposal specifies that any of the Notes are 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.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2020 through 2029 for the payments due in the years 2021 through 2030 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Promissory Notes, Series 2020A, dated November 3, 2020" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

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

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the County and disbursed solely for the purpose or purposes for which borrowed. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of

Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Moved by Supervisor Kelley to adopt resolution # 2020 – 24 to extend the Emergency Declaration for Covid-19. Motion seconded by Supervisor Hedmark with using a 60-day expiration and the option to extend with Board approval.

Motion carried, with all voting "Aye" on a voice vote.

RESOLUTION # 2020-24
EMERGENCY DECLARATION FOR COVID-19

WHEREAS, in December, 2019, a novel strain of the coronavirus known as COVID-19 was detected, and COVID-19 has continued to spread throughout the world, including to the United States and the State of Wisconsin; and

WHEREAS, the federal government, state governments, and local governments are working together to contain the further spread of the disease and treat existing cases; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services declared a Public Health Emergency, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic, and on March 12, 2020 the Governor of the State of Wisconsin declared a Health Emergency in the State; and

WHEREAS, Florence County (the "County") has been working to protect the health and well-being of its residents from the spread of COVID-19, and to prepare for the impacts the disease is likely to have on the County; and

WHEREAS, the County Board (the "Board") has determined that it is necessary to make all possible resources and means available to the County in order to protect the health, safety, and welfare of its residents from the threat posed by the continued spread of COVID-19, be able to seek and utilize mutual aid and to potentially obtain reimbursement from the State or Federal Governments if available; and

NOW THEREFORE BE IT RESOLVED that pursuant to Wis. Stat. § 323.11 the Board finds and declares that an emergency exists within the County by reason of an imminent threat of disaster impairing medical care, health, and other critical systems of the County due to the spread of COVID-19, and ensures that the Counties health professionals and other local stake holders have the necessary tools at their disposal such as N-95 respirators; and

BE IT FURTHER RESOLVED that during the period of emergency prescribed by this Resolution, the Board may order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within the County; and

BE IT FURTHER RESOLVED that the County Board Chair and County Administrative Coordinator are hereby authorized and directed by the Board to coordinate and administer the County's emergency management response and to carry out the orders of the Board related thereto.

BE IT FURTHER RESOLVED that the Head of Emergency Management of the County is authorized and directed to carry out his duties under the County's Emergency Management Plan under the supervision and direction of the County Board Chair and County Administrative Coordinator and perform such other duties as may be directed by further resolution of the Board.

BE IT FURTHER RESOLVED that during the period of emergency the County Supervisors are hereby authorized to attend meetings of the Board remotely, and the Board shall take all actions necessary to effectuate the same in compliance with all other applicable laws.

BE IT FURTHER RESOLVED that, based upon the information available to the Board and the ongoing threat posed by the spread of COVID-19, the period of emergency shall continue for sixty (60) days from the effective date of this Resolution unless sooner terminated or extended by further resolution of the Board.-

BE IT FURTHER RESOLVED that all actions heretofore taken by the Board and other appropriate public officers and agents of the County with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved.

Moved by Supervisor Kelley to adopt resolution # 2020 – 25 to extend the Designation of Emergency and Healthcare Provider Employees.

Motion seconded by Supervisor Hedmark with using a 60-day expiration, removing the word volunteer from the resolution and the option to extend with Board approval.

Motion carried, with all voting "Aye" on a voice vote.

RESOLUTION 2020-25

Designation of "emergency responder" and "healthcare provider" Employees

WHEREAS, in December, 2019, a novel strain of the coronavirus was detected, now named COVID-19, and it has spread throughout the world, including every state in the United States;

WHEREAS, on January 3, 2020, the World Health Organization declared COVID-19 to be a Public Health Emergency of International Concern;

WHEREAS, on March 12, 2020, Governor Tony Evers declared a public health emergency to direct all resources needed to respond to and contain COVID-19 in Wisconsin;

WHEREAS, on March 13, 2020, President Donald Trump proclaimed a National Emergency concerning COVID-19;

WHEREAS, on March 18, 2020, President Donald Trump signed the Families First Coronavirus Response Act ("FFCRA"), which expands the Family and Medical Leave Act (Emergency Family and Medical Leave Expansion Act), and creates a paid sick leave entitlement for certain eligible employees (Emergency Paid Sick Leave Act);

WHEREAS, the provisions of the FFCRA allows employers to exempt "emergency responders" and "health care provider" from provisions of the FFCRA;

WHEREAS, on March 24, 2020, the State of Wisconsin issued a Safer at Home Emergency Order, Emergency Order #12, in response to the emergency;

WHEREAS, Paragraphs 1 and 12 recognize that all services provided by local governments to ensure the continuing operation of the government body and provide and support the health, safety, and welfare of the public are considered "Essential Governmental Functions" that must continue for sixty (60) days from the effective date of this Resolution unless sooner terminated or extended by further resolution of the Board.-

WHEREAS, Emergency Order #12 categorically exempts broad categories of local government employees from the restrictions contained therein and otherwise provides local governments with broad discretion to identify employees and contractors necessary for the performance of a local government's "Essential Governmental Functions;" and

WHEREAS, the purpose of this Resolution is to provide the process for identifying employees, categories of employment, positions and/or departments that are "emergency responders" or "health care providers" under the FFCRA and, as a result, exempt from the provisions of the FFCRA.

NOW, THEREFORE, BE IT RESOLVED:

1. The following positions in Florence County are hereby designated as “emergency responder” for purposes of the application and implementation of the FFCRA: *public health operations, paid first responders to include law enforcement, EMS, and firefighters; first responder; training academies; building inspectors; emergency management personnel; emergency dispatchers; court personnel, jurors and grand jurors; corrections personnel; hazardous materials responders; child protection and child welfare personnel; housing and shelter personnel; human services include food security; public heating assistance; adult services; elders services; persons with disabilities; infrastructure work including building management and maintenance, custodial services, transportation related work include road construction and maintenance; water and waste operations; any utilities operations; communications positions, and all support positions associated with such positions.*

2. The following positions in Florence County are hereby designated as “health care provider” for purposes of the application and implementation of the FFCRA: all employment positions associated with or related to those within the meaning of section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611) and as further clarified by 29 CFR 825.124.

3. It is the intent of this Resolution to define the terms “emergency responder” and “health care provider” in the broadest sense possible consistent with the law in an effort to ensure and continue our essential functions during this time of emergency. Final determinations regarding the definition of emergency responder and/or health care provider as applied to any employment position with Florence County shall be determined by the Florence County Board of Supervisors with such decision being final.

Committee reports

None

Board member concerns for future agenda items

None

Adjourn

Moved by Supervisor Theer to adjourn.

Motion seconded by Supervisor Mills.

Motion carried, with all voting “Aye” on a voice vote.

Meeting adjourned at 7:19 p.m.

Respectfully submitted,

Donna Trudell
County Clerk