

RESOLUTION NO. 2026-07

RESOLUTION AUTHORIZING PAYMENT OF THE TOWN OF DAY'S SHARE OF JOINT LEGAL FEES AND LITIGATION EXPENSES TO THE TOWN OF EAU PLEINE

WHEREAS, the Towns of Brighton, Cleveland, Day, Eau Pleine, and Green Valley, of Marathon County, Wisconsin, (collectively, the "Participating Towns") are jointly involved in, or jointly represented in connection with, The Hub City Wind Farm Project; and

WHEREAS, the Participating Towns have agreed to equally share legal fees, litigation expenses, and other reasonable costs incurred in connection with the Joint Matter, according to an agreed cost-sharing arrangement; and

WHEREAS, the Town of Eau Pleine has agreed to serve as the receiving and disbursing municipality for invoices and payments related to the Joint Matter, including receiving invoices from legal counsel and making payments for legal fees and litigation expenses on behalf of the Participating Towns; and

WHEREAS, the Town of Eau Pleine will submit invoices, statements, or written reimbursement requests to the Town of Day for the Town of Day's allocated share of the joint legal fees and litigation expenses; and

WHEREAS, the Town Board of the Town of Day finds that paying the Town of Day's agreed share of reasonable, documented legal fees and litigation expenses related to the Joint Matter serves a lawful public purpose of the Town of Day.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Day, Marathon County, Wisconsin, as follows:

1. Authorization of joint-case payments. The Town Board authorizes payment of the Town of Day's agreed share of reasonable legal fees, court costs, filing fees, expert fees, discovery expenses, mediation expenses, and other litigation-related expenses incurred in connection with the Joint Matter involving the Towns of Brighton, Cleveland, Day, Eau Pleine, and Green Valley.
2. Payee. All payments authorized under this Resolution shall be made payable to:

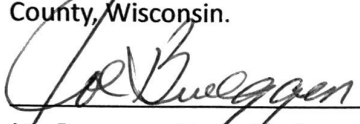
Town of Eau Pleine
111630 Equity Street,
Stratford, WI 54484

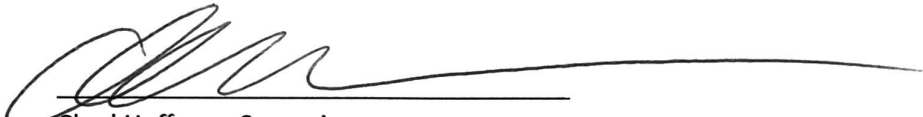
The Town of Eau Pleine shall receive those payments as the designated recipient and disbursing municipality for the Participating Towns' joint legal fees and litigation expenses.

3. Invoice and reimbursement process. Upon receiving an invoice, statement, or written reimbursement request from the Town of Eau Pleine, the Town Clerk and/or Town Treasurer are authorized to process payment to the Town of Eau Pleine for the Town of Day's allocated share, subject to the requirements of this Resolution and the Town's ordinary claims-payment procedures.
4. Required documentation. Each reimbursement request from the Town of Eau Pleine shall identify, at a minimum:
 - a. The name of the Joint Matter and applicable billing period;
 - b. The total legal fee or litigation expense incurred;
 - c. The Town of Day's cost-sharing percentage, formula, or fixed amount;
 - d. The resulting amount requested from the Town of Day;
 - e. A description sufficient to confirm that the cost relates to the Joint Matter; and
 - f. Supporting information reasonably available, including an attorney invoice, redacted invoice, proof of payment, allocation worksheet, or written certification from an authorized official of the Town of Eau Pleine.
5. Town of Day allocation. The Town of Day shall pay:
 - a. One-fifth (1/5) of the approved joint legal fees and litigation expenses, reflecting an equal allocation among the five Participating Towns; or
6. Payment timing and authorization. After the Clerk confirms that a request is complete and consistent with this Resolution, payment shall be processed promptly under the Town's lawful financial and claims-payment procedures. If an additional Town Board action is required by law or Town policy before payment, the request shall be placed on the agenda for the earliest practicable Town Board meeting.
7. Budgeting and records. Payments under this Resolution shall be charged to the Town's legal-services, litigation-expense, or other lawfully designated account. The Town Clerk shall retain the invoice or reimbursement request, cost-allocation calculation, payment record, and supporting documentation for each payment.
8. Restrictions. This Resolution authorizes only the Town of Day's share of expenses related to the Joint Matter. It does not authorize payment of:
 - a. Expenses unrelated to the Joint Matter;
 - b. Expenses attributable solely to another Participating Town;
 - c. Amounts exceeding the Town of Day's approved allocation; or
 - d. Costs not reasonably supported by the documentation required by this Resolution.

9. No waiver of rights. Approval and payment under this Resolution do not waive any legal defense, claim, objection, insurance right, privilege, right of reimbursement, or other right held by the Town of Day.
10. Effective date and duration. This Resolution takes effect upon adoption and remains effective through conclusion of the Joint Matter, unless amended or rescinded by subsequent action of the Town Board.

Adopted this 18th day of August, 2026, by the Town Board of the Town of Day, Marathon County, Wisconsin.


Joe Brueggen, Town Chairperson


Chad Hoffman, Supervisor


Trine Spindler, Supervisor

ATTEST:


Rebecca Post, Town Clerk

Vote:

Ayes: 3

Nays: 0

Abstained: -

Absent: -