



# LIVE WELL LINCOLN

HEALTHIER TOGETHER

**Lincoln County Health Department**  
**607 N. Sales Street, Suite 101**  
**Merrill, WI 54452**  
**715-536-0307**  
**Fax 715-536-2011**

**Lincoln County Nutrition Coalition Meeting**  
**Lincoln County Health Department, 607 N. Sales Street, Merrill WI 54452**  
**Friday, January 26, 2024 9:30 AM-11:00 AM**  
**Meeting Location: Health & Human Services 1-103: Health Clinic Room (50)**  
**607 N. Sales St., Merrill, WI 54452**

**Teleconference Attendance:** Persons wishing to attend the meeting by phone may call into the telephone conference beginning ten minutes prior to the start time indicated above using the following number:

**Meeting ID:**

Video call link: [meet.google.com/vhd-grbf-zdz](https://meet.google.com/vhd-grbf-zdz)

**Phone Numbers:** (US) +1 971-267-3922

**PIN:** 558 817 604#

The teleconference cannot start until the host dials in and enters the host password.

All public participants' phones, microphones and chat dialog boxes will be muted or disabled during the meeting. If "public comment" appears on the agenda, before the meeting is called to order, the clerk will ask teleconference attendees whether any public comment is being offered. When called upon by the clerk or chair, any person offering public comment should state their name and comments.

## AGENDA

1. Call to Order and Introductions
2. Approve Minutes of Previous Meeting **Friday, September 8, 2023**
3. Open discussion of current state/local legislation influencing nutrition.
4. Action Plan Dashboard and Annual Workplan
5. Review Current and Future Coalition Work
6. Partner Update
7. Recruit new coalition members
8. Next Meeting Date – Friday, April 26, 2024
9. Adjournment

**Posted to county website on \_\_\_\_\_ at \_\_\_\_\_ m. by \_\_\_\_\_ Requests for reasonable accommodations for disabilities or limitations should be made prior to the date of this meeting. Please contact the County Clerk at 715-539-1019 or [chris.marlowe@co.lincoln.wi.us](mailto:chris.marlowe@co.lincoln.wi.us) as early as possible so that proper arrangements can be made. Requests are kept confidential.**

### GENERAL REQUIREMENTS:

1. Must be held in a location which is reasonably accessible to the public.
2. Must be open to all members of the public unless the law specifically provides otherwise.

### NOTICE REQUIREMENTS:

1. In addition to any requirements set forth below, notice must also be in compliance with any other specific statute.
2. Chief presiding officer or his/her designee must give notice to the official newspaper and to any members of the news media likely to give notice to the public.

### MANNER OF NOTICE:

Date, time, place, and subject matter, including subject matter to be considered in a closed session, must be provided in a manner and form reasonably likely to give notice to the public.

### TIME FOR NOTICE:

1. Normally, a minimum of 24 hours prior to the commencement of the meeting.
2. No less than 2 hours prior to the meeting if the presiding officer establishes there is a good cause that such notice is impossible or impractical.

### EXEMPTIONS FOR COMMITTEES AND SUB-UNITS:

Legally constituted sub-units of a parent governmental body may conduct a meeting during the recess or immediately after the lawful meeting to act or deliberate upon a subject which was the subject of the meeting, provided the presiding officer publicly announces the time, place, and subject matter of the sub-unit meeting in advance of the meeting of the parent governmental body.

### PROCEDURE FOR GOING INTO CLOSED SESSION:

1. Motion must be made, seconded, and carried by roll call majority vote and recorded in the minutes.

2. If motion is carried, chief presiding officer must advise those attending the meeting of the nature of the business to be conducted in the closed session, and the specific statutory exemption under which the closed session is authorized.

#### STATUTORY EXEMPTIONS UNDER WHICH CLOSED SEESIONS ARE PERMITTED:

1. Deliberation of judicial or quasi-judicial matters. Sec. 19.85(1)(a)
2. Considering dismissal, demotion, or discipline of any public employee or the investigation of charges against such person and the taking of formal action on any such matter; provided that the person is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action is taken. The person under consideration must be advised of his/her right that the evidentiary hearing be held in open session and the notice of the meeting must state the same. Sec. 19.85(1)(b).
3. Considering employment, promotion, compensation, or performance evaluation data of any public employee. Sec. 19.85(1)(c).
4. Considering strategy for crime detection or prevention. Sec. 19.85(1)(d).
5. Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session. Sec. 19.85(1)(e).
6. Considering financial, medical, social, or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of specific charges, which, if discussed in public would likely have an adverse effect on the reputation of the person referred to in such data. Sec. 19.85(1)(f).
7. Conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved. Sec. 19.85(1)(g).
8. Considering a request for advice from any applicable ethics board. Sec. 19.85(1)(h).

#### CLOSED SESSION RESTRICTIONS:

1. Must convene in open session before going into closed session.
2. May not convene in open session, then convene in closed session and thereafter reconvene in open session with twelve (12) hours unless proper notice of this sequence was given at the same time and in the same manner as the original open meeting.
3. Final approval or ratification of a collective bargaining agreement may not be given in closed session.

#### BALLOTS, VOTES, AND RECORDS:

1. Secret ballot is not permitted except for the election of officers of the body or unless otherwise permitted by specific statutes.
2. Except as permitted above, any member may require that the vote of each member be ascertained and recorded.
3. Motions and roll call votes must be preserved in the record and be available for public inspection.

#### USE OF RECORDING EQUIPMENT:

The meeting may be recorded, filmed, or photographed, provided that it does not interfere with the conduct of the meeting or the rights of the participants.

#### LEGAL INTERPRETATION:

1. The Wisconsin Attorney General will give advice concerning the applicability or clarification of the Open Meeting Law upon request.
2. The municipal attorney will give advice concerning the applicability or clarification of the Open Meeting Law upon request.

#### PENALTY:

Upon conviction, any member of a governmental body who knowingly attends a meeting held in violation of Subchapter IV, Chapter 19, Wisconsin Statutes, or who otherwise violates the said law shall be subject to forfeiture of not less than \$25.00 nor more than \$300.00 for each violation.



**\*\*Working Document to be finalized at Healthy Lifestyles Coalition Meeting on January 26, 2024.\*\***

## Healthy Lifestyles 2024 Workplan

**Lincoln County will support healthy nutrition by advancing social and environmental conditions.**

**Objective 1: By December 31, 2024, Lincoln County Healthy Lifestyles will implement 2 strategies that aim to build robust cross-sector partnerships among diverse partners and community**

**Strategy 1.1: Build and foster partnerships to support and enhance nutrition options and resources in the community.**

Activities	Progress Updates	Target Audience	Resources/ Assets	Lead Partner(s)
(a) Provide technical assistance to schools and youth serving organizations <b>(b) By December 31, 2024, Healthy Lifestyles Partners will recruit # of new partners and/or community members to participate in the coalition through various methods.</b> (c) Assist partners in obtaining resources and funds (d) Promote events and activities			Healthy Lifestyles	LCHD

**Strategy 1.2: Recruit Nutrition Coalition champions to assist in developing an advocacy network that promotes and educates on best practices for healthy nutrition policies, infrastructure,**

Activities	Progress Updates	Target Audience	Resources/ Assets	Lead Partner(s)
(a) Develop an advocacy partnership list (b) Standing agenda item on nutrition legislation at coalition meetings <b>(c) By December 31, 2024, will create a call to action template document fo other organizations and the community to use to advocate.</b>			Healthy Lifestyles	

**Objective 2: By December 31, 2024, Lincoln County Healthy Lifestyles will implement 1 strategy to increase equitable access to nutritious foods throughout the community.**

**Strategy 2.1: Address barriers to utilizing local nutrition resources and food systems through awareness, education, and support. (HE)**

Activities	Progress Updates	Target Audience	Resources/ Assets	Lead Partner(s)
(a) Maintain and expand resource directories such as FindHelp, 2-1-1, local resource guides <b>(b) By June 30, 2024, Lincoln County Healthy Lifestyles Coalition will develop a campaigns to increase use of farmers markets and educate on the EBT reader.</b>			Healthy Lifestyles	

**Strategy 2.2: Strengthen and enhance food support systems to provide nutritious food options for low income individuals. (HE)**

Activities	Progress Updates	Target Audience	Resources/ Assets	Lead Partner(s)
(a) Assess and develop improvement plan for healthier options or systems availability in the community (Food Pantries, Community Gardens, Gleaning) <b>By December 31, 2024, UW Extension and LCHD will assess one food pantry in Lincoln County.</b> <b>By April 30, 2024, LCHD will use two different methods to promote the gleaning toolkit in Lincoln County.</b>			Healthy Lifestyles	UW Extension, LCHD

**Objective 3: By December 31, 2024, Lincoln County Healthy Lifestyles will implement 2 strategies to improve life skills that promote healthy nutrition through education and connection to**

**Strategy 3.1: Educate the community on healthy nutrition for youth and low income individuals. (HE)**

Activities	Progress Updates	Target Audience	Resources/ Assets	Lead Partner(s)
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<p>(a) Develop, implement, and evaluate the impact of campaigns that promote healthy nutrition <b>Could this tie into farmers market campaign above - and hit both strategies?</b> <b>(b) By December 31, 2024, Aspirus and Healthfirst will provide # food demonstrations and cooking tools for low-income families at PRSYL and Tomahawk Headstart. (b) By December 31, 2024, Aspirus and Healthfirst will provide # food demonstrations and cooking tools for low-income adults.</b></p> <p>(c) Provide mini grant opportunities to partners who support low income individuals and youth</p>			Healthy Lifestyles	Aspirus, Healthfirst
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**Record of Changes**

Date	Update Made
1/10/24	Pulled priority projects identified in the 5 year work plan.

Bill Emerson Good Samaritan Act

PUBLIC LAW 104–210—OCT. 1, 1996 110 STAT. 3011  
Public Law 104–210  
104th Congress  
An Act

To encourage the donation of food and grocery products to nonprofit organizations for distribution to needy individuals by giving the Model Good Samaritan Food Donation Act the full force and effect of law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVERSION TO PERMANENT LAW OF MODEL GOOD SAMARITAN FOOD DONATION ACT AND TRANSFER OF THAT ACT TO CHILD NUTRITION ACT OF 1966.

(a) CONVERSION TO PERMANENT LAW.—Title IV of the National and Community Service Act of 1990 is amended—

(1) by striking the title heading and sections 401 and 403 (42 U.S.C. 12671 and 12673); and

(2) in section 402 (42 U.S.C. 12672)—

(A) in the section heading, by striking “MODEL” and inserting “BILL EMERSON”;

(B) in subsection (a), by striking “Good Samaritan” and inserting “Bill Emerson Good Samaritan”;

(C) in subsection (b)(7), to read as follows:

“(7) GROSS NEGLIGENCE.—The term ‘gross negligence’ means voluntary and conscious conduct (including a failure to act) by a person who, at the time of the conduct, knew that the conduct was likely to be harmful to the health or well-being of another person.”;

(D) by striking subsection (c) and inserting the following:

“(c) LIABILITY FOR DAMAGES FROM DONATED FOOD AND GROCERY PRODUCTS.—

“(1) LIABILITY OF PERSON OR GLEANER.—A person or gleaner shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the person or gleaner donates in good faith to a nonprofit organization for ultimate distribution to needy individuals.

“(2) LIABILITY OF NONPROFIT ORGANIZATION.—A nonprofit organization shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the nonprofit organization received as a donation in good faith from a person or gleaner for ultimate distribution to needy individuals.

“(3) EXCEPTION.—Paragraphs (1) and (2) shall not apply to an injury to or death of an ultimate user or recipient of the food or grocery product that results from an act or omission of the person, gleaner, or nonprofit organization, as applicable, constituting gross negligence or intentional misconduct.”; and

(E) in subsection (f), by adding at the end the following: “Nothing in this section shall be construed to supercede State or local health regulations.”.

(b) TRANSFER TO CHILD NUTRITION ACT OF 1966.—Section 402 of the National and Community Service Act of 1990 (42 U.S.C. 12672) (as amended by subsection (a))—

(1) is transferred from the National and Community Service Act of 1990 to the Child Nutrition Act of 1966;

(2) is redesignated as section 22 of the Child Nutrition Act of 1966; and

(3) is added at the end of such Act.

(c) CONFORMING AMENDMENT.—The table of contents for the National and Community Service Act of 1990 is amended by striking the items relating to title IV.

Approved October 1, 1996.

LEGISLATIVE HISTORY—H.R. 2428:

HOUSE REPORTS: No. 104–661 (Comm. on Economic and Educational Opportunities).

CONGRESSIONAL RECORD, Vol. 142 (1996):

July 12, considered and passed House.

Aug. 2, considered and passed Senate, amended.

Sept. 5, House concurred in Senate amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 32 (1996):

Oct. 1, Presidential statement.

Let’s Glean!

Lincoln County Health Department



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HEALTHY LIFESTYLES  
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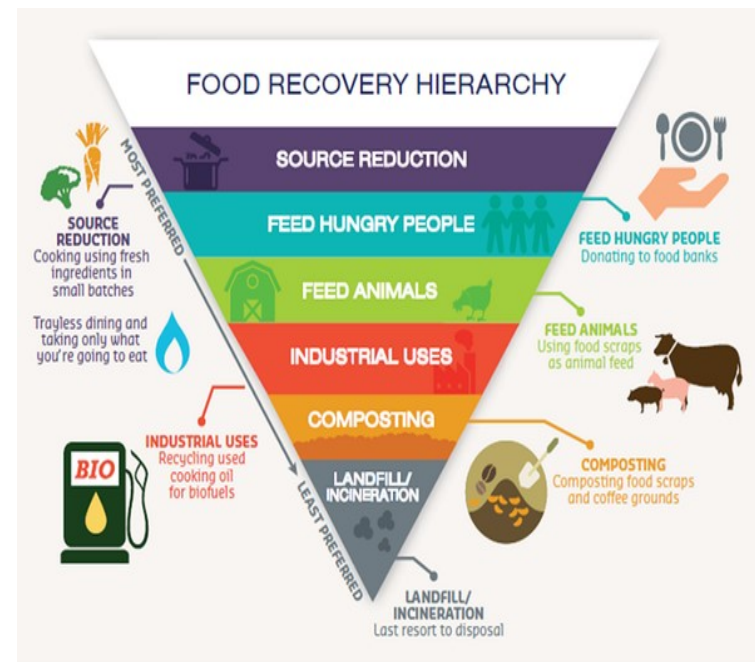
# Let's Glean!

## What is Gleaning

Gleaning is simply the act of collecting excess fresh foods from farms, gardens, farmers markets, grocers, restaurants, state/county fairs, or any other source in order to provide it to those in need.

*"Some of the foods we receive from gleaning are things that would otherwise be too expensive to buy... One of the great benefits of working with farmers markets is getting fresh fruits and veggies that are healthy."*

*-Staff Member at the DC Central Kitchen, a non-profit organization in Washington DC, which regularly takes surplus food and cooks it into 4,5000 meals for the hungry each day.*



## Why Glean

- Each year, 2.07 million tons of food goes to waste in Wisconsin each year (ReFED, 2019).
- According to the Food Recovery Network, (2018), 150,000 pounds of food are wasted in restaurants and 133 billion pounds across the nation (EPA, 2015) annually, while 50 million Americans are food insecure (1 in 5 children).
- Some estimates from 2010 indicate that up to 31 percent of American's food supply goes to waste, at the retail and consumer levels. While the EPA estimated in 2010 that 218.9 pounds of food is wasted per person. (USDA, n.d.)
- The excess total health care cost associated with food insecurity is \$1,561 per food-insecure adult in Wisconsin
- Gleaning initiatives are best practices in experts opinions, according to the County Health Rankings.

**In 2020, Lincoln County Wisconsin alone has 2,280 food insecure\* people with a rate of 8.2% per capita (Feeding America, 2020).**

**\*The U.S. Department of Agriculture (USDA) defines food insecurity as a lack of consistent access to enough food for an active, healthy life.**

Gleaning— the practice of collecting and donating excess foods— help simultaneously address these pressing issues. Importantly, it also gives low-income individuals access to fresh and locally grown foods that are not always available in their communities. In fact more than 23 million Americans, including 6.5 million children, live in low-income urban and rural neighborhoods that are known “food deserts,” where affordable, quality, and nutritious foods are inaccessible. (IPL, n.d.)

## References

- Brahm, J., Chananie, H., Samonte, T., Yang, Y. (2014). Increasing restaurant food donations: A strategy for food waste diversion. Retrieved from: [http://conserve.restaurant.org/Downloads/PDFs/Reduce-waste-and-recycle/2014\\_Duke\\_report\\_Donation.aspx](http://conserve.restaurant.org/Downloads/PDFs/Reduce-waste-and-recycle/2014_Duke_report_Donation.aspx)
- Feeding America. (1996). Bill Emerson Act. Retrieved from: <https://www.feedingamerica.org/ways-to-give/corporate-and-foundations/product-partner/bill-emerson>
- Wisconsin State Statute 895.51 (2). Civil liability exemption: Food or emergency household products; donations, sales, or distribution. Retrieved from: <https://docs.legis.wisconsin.gov/statutes/statutes/895/ii/51/2>
- Internal Revenue Code 170 (e)(3). Special rule for certain contributions of inventory and other property. <https://www.naeir.org/wp-content/uploads/TAX-CODE-170E3.pdf>
- Comprehensive Resource for Food Recovery Program. (2016). Retrieved from: [www.foodprotect.org/media/guide/comprehensive-resource-for-food-recovery-2016-version.pdf](http://www.foodprotect.org/media/guide/comprehensive-resource-for-food-recovery-2016-version.pdf)
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- IPA. (n.d.) Food Deserts Research. <https://www.ipl.org/essay/Food-Deserts-Research-PCUSQL8G8SM>

## For more information contact:

Lexi Buntrock, Public Health Educator  
(715) 539-1374 or [lexi.buntrock@co.lincoln.wi.us](mailto:lexi.buntrock@co.lincoln.wi.us)  
607 N. Sales Street, Suite 101, Merrill, WI 54452

# Let's Glean!

## Food Service Donation Questions and Answers

### Q: What food is acceptable to donate to the Food Pantry?

A:

- Chopped fresh produce packaged separately in food-grade packaging
- Any foods in their original package, prior to expiration date
- Dairy products chilled to 41°F
- Prepared foods chilled to 41° F that have not been served or placed on a buffet
- Baked goods
- Chilled perishable packaged foods such as juice and cheese in their original packaging
- Frozen or fresh meat, poultry and fish

### Q: How do I properly cool hot foods for storage?

A: Cooling foods from hot temperatures should be done as rapidly as possible and must not take more than 6 hours for all parts of the food to reach the required refrigeration temperature. The recommended time frame to achieve cooling within this 6-hour window are: 2 hours to cool foods from 135° F to 70° F and within a total of 6 hours to cool foods from 135°F to 41°F (Comprehensive Resource for Food Recovery Programs, 2016).

### Q: What food is unacceptable to donate to the food pantry?

A:

- Foods that have been served or put on a buffet table
- Stale bread or baked goods
- Foods that have been previously reheated
- Foods that have been kept in the temperature danger zone (temperatures between 41°F and 140°F) for more than 2 hours (USDA, 2017).

### Q: How can I package my donations?

A: Any food-grade bags or containers

### Q: I am usually very busy. Does donating food take a lot of time?

A: In the time it takes to throw away excess food, you could package it for donations to the Food Bank instead. The food pantry does all the paperwork and a receipt for your donation will be mailed to you. Donating to the food pantry is an easy, efficient way to be generous.



### Q: How do I ensure foods remain safe during transport from one facility to the next?

A: Foods must be kept hot or cold during transport. Cold foods must be maintained at 41°F or less and hot foods must be maintained at 135°F or higher. When transporting food, use a visible, active (e.g., refrigeration vehicle) or a passive (e.g., insulated coolers, bags, blankets) temperature retention system for the safe transport of chilled food to maintain foods at no more than 41°F or hot foods at 135°F or above (Comprehensive Resource for Food Recovery Programs, 2016).

### Q: I'd like to donate food, but I'm concerned about liability. Will I be held responsible if someone falls ill after eating food I donated?

A: The Bill Emerson Good Samaritan Act limits liability for food donation. The Bill Emerson Good Samaritan Food Donation Act, which was created to encourage the donation of food and grocery products to qualified nonprofit organizations and provides liability protection to food donors (Brahm et al, 2014). Under this Act, as long as the donor has not acted with negligence or intentional misconduct, the company is not liable for damage incurred as the result of illness (Brahm et al, 2014). This act can be found on page 7 of this toolkit.

In addition, the Wisconsin State Statute 895.51 (2) which states: *"Any person engaged in the processing, distribution or sale of food products, for profit or not for profit, who donates or sells, at a price not to exceed overhead and transportation costs, qualified food to a charitable organization, food distribution service, or governmental unit is immune from civil liability for the death of or injury to an individual caused by the qualified food donated or sold by the person."*

### Q: I am still concerned about liability. Is there a waiver form that I can fill out to protect myself?

A: Yes, if your business is still concerned about donating, we have provided a template waiver that could be used between a food service business and a local food pantry on page 5. This tool is only a starting point for those parties interested in food donation. Lincoln County Health Department does not offer professional legal guidance for food donation. If you have further legal questions regarding the tools in this document it is recommended you contact your organization's legal counsel.

### Q: Are their tax benefits for donating food from my restaurant?

A: Internal Revenue Code 170(e)(3) provides enhanced tax deductions to businesses to encourage donations of fit and wholesome food to qualified nonprofit organizations serving the poor and needy. Qualified business taxpayers can deduct the cost to produce the food and half the difference between the cost and full fair market value of the donated food.



**Waiver of Liability Agreement**
*Waiver template provided by Touchpoint legal department*

This Food Donation Agreement (the “Agreement”) is made and entered, as of the date written below, by and between \_\_\_\_\_ (“VENDOR”) and \_\_\_\_\_ (“Partner”) (each, a “Party”; collectively, the “Parties”).

WHEREAS, Partner wishes to donate excess food to VENDOR; and

WHEREAS, VENDOR wishes to distribute excess food donated by Partner to homeless shelters, rescue missions, and other VEN-DOR clients;

NOW, THEREFORE, in consideration of the mutual covenants herein, and for other good and valuable consideration, the sufficien-cy of which is hereby acknowledged, the Parties agree as follows:

I. Obligations of Partner

A. Health and Safety

Partner shall only provide food to VENDOR, safe for human consumption, and not otherwise spoiled or contaminated.

B. Free Distribution

VENDOR will distribute food donated by Partner free of charge to its clients. VENDOR will not sell, barter, or other-wise exchange food donated by Partner for money or other items of value. VENDOR will handle the donated food as specified by Partner and in compliance with all applicable food safety requirements. VENDOR represents that it holds all required licenses or permits to collect and distribute the donated food.

C. Liability Insurance

VENDOR carries sufficient amounts of liability insurance to protect itself against claims that are reasonably foreseea-ble, and to satisfy its indemnity obligations under this Agreement.

II. Indemnity and Limitation of Liability

A. Indemnification of Partner

VENDOR agrees to indemnify, defend and hold all harmless Partner, the Partner client location from which the food is donated and their respective control persons, employees and agents, from and against any losses, liabilities, dam-ages, claims, fines, costs, and expenses that were actually incurred (“Losses”), and that arise from Partner’s dona-tions of excess food to VENDORS. Notwithstanding the foregoing, this indemnity shall not apply to the extent that the Losses were caused by fraud, willful misconduct or criminal conduct of Partner.

III. Term and Termination

This Agreement shall continue in full force and effect until terminated by either Party. Either Party may terminate this Agree-ment, with or without cause, upon written notice to the other Party.

IV. Governing Law

This Agreement shall be governed by the laws of the State of Wisconsin, without regard to its conflicts of law provisions.

V. Authority to Enter Agreement

Each person signing this Agreement represents and warrants that he or she is duly authorized and had legal capacity to execute and deliver this Agreement. Each Party represents and warrants to the other Party that the execution and delivery of the Agree-ment and the performance of such Party’s obligations her under had been duly authorized, and that the Agreement is a valid and legal Agreement binding on such Party and enforceable in accordance “runner”.

With its terms.

**AGREED TO AND ACCEPT:**

This \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 Name of Partner                      VENDOR

By: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_

Email: \_\_\_\_\_

Let’s Glean! Lincoln County

**Local Food Pantries**

All food pantries and other organizations that feed the hungry are happy to receive donations, especially high-quality, fresh food. If you don’t already have an established relationship with a nearby food pantry or other community organization contact the Lincoln County Health Department, we can help find one near you.

**Pantries in Lincoln County are:**

- Community Food Pantry- 503 S. Center Avenue, Merrill  
Contact: (715) 536-4505 or (715) 539-2666
- Open Hearts Food Bank Trinity Lutheran Church - 107 N. State Street, Merrill  
Contact person: (715) 536-5482
- His Hands Extended New Testament Church – N2519 Hwy K, Merrill  
Contact person: (715) 536– 8554
- United Methodist Church Tomahawk Food Pantry– 1104 School Road, Tomahawk  
Contact person: (715) 453-4378

What Hunger Looks Like in Wisconsin

