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**LA CROSSE COUNTY BOARD OF SUPERVISORS PLANNING MEETING  
PROCEEDINGS; MONDAY, SEPTEMBER 13, 2010**

The La Crosse County Board of Supervisors Planning Meeting was held on Monday, September 13, 2010 in the Administrative Center, Room B410. Chair Doyle called the meeting to order at 6:00 P.M. The County Clerk, Linda Stone, took attendance. 28 supervisors were present when Chair Doyle called the meeting to order at 6:01 PM and those otherwise present, excused or absent are noted in the roll call detail:

<b>District</b>	<b>Name</b>	<b>Attendance</b>
1	Richmond, Andrea	Present; Excused at 08:51 PM
2	Geary, Ralph	Present
3	Feehan, Bill	Present
4	Johnson, Jai	Present; Excused at 08:26 PM
5	Konkel, Bradley	Excused
6	Billings, Jill	Present; Excused at 6:19 PM; Present at 7:26 PM
7	Plesha, Roger	Present
8	Freedland, Maureen	Present
9	Hampson, Sharon	Present; Excused at 6:50 PM
10	Wood, Margaret	Excused
11	Kader, Audrey	Present
12	Flood, Bridget	Present; Excused at 7:19 PM, Present at 7:51 PM
13	Brockmiller, Bill	Present
14	Medinger, John	Present; Excused at 8:23 PM
15	Mach, Beverly	Present
16	Sebranek, Gerald	Present
17	Meyer, Donald	Excused
18	Johnson, Tara	Present; Excused at 7:31 PM
19	Keil, Robert	Present
20	Bina, Donald	Present
21	Manthei, Dennis	Present at 6:58 PM
22	Ebert, Ray	Present
23	Gamroth, Tammy	Present
24	Pfaff, Leon	Excused
25	Schroeder, Jeffrey	Excused
26	Burke, Vicki	Present at 6:05 PM
27	Pedretti, Marilyn	Present
28	Doyle, Steve	Present
29	Kruse, Monica	Present
30	Spiker, Charles	Present
31	Ferries, Dan	Present
32	Benrud, Arlene	Present
33	Berns, Jim	Present
34	Wehrs, Tina	Present
35	Bilskemper, Joe	Present; Excused at 08:31 PM

## PLEDGE OF ALLEGIANCE

### COMMUNICATIONS AND ANNOUNCEMENTS:

#### A) County Board Chair Report - Steve Doyle

- Parliamentary Procedure
  - Limit Debate: At a recent meeting Supervisor B. Konkel moved to “exhaust the speakers list”. Talking with him after the meeting he learned they use that at the UWL student senate and it means that no names can be added to the speakers list so the vote must be taken when all those on the list have spoken. Corporation Counsel William Shepherd researched Roberts Rules and concluded that is similar to a motion to limit debate. We will incorporate that into our meeting format, so a supervisor can move to “limit debate” in a number of ways, such as “to those already on the list”, “to one minute per person”, “to the next 5 minutes” or whatever. The Chair can still rule it out of order. If not, the motion would require two-thirds of members present to pass and is not debatable.
  - Point of order: Noted that he’s had some complaints about supervisors not staying on topic during discussions, so he is asking for assistance from the Board. When that happens, he encouraged others supervisors to call for a “point of order”, which he can then rule on.
- Open Meetings Law – Corporation Counsel Bill Shepherd
  - Walking quorums: It is important to remind public bodies that it is possible to violate the open meetings law with walking quorums. That can be a series of meetings of less than a quorum with the intent of reaching a quorum in a certain action. In this technological age, there are many ways that can be done, such as email, texting and social networking, in addition to meeting face to face or via phone. If members reply back and forth and have an electronic debate or discussion about an issue, it could be a violation. Chair Doyle noted that a party/get-together of members of a Board or Committee is not a violation if they are only talking about social topics (football, etc.), and not Board issues. There is also the concept of a “negative quorum”; when an issue requires two-thirds of the Board to pass, one-third would constitute a negative quorum so any exchange or discussion involving 12 or more members of the 35 member Board strategizing about that issue outside of a noticed meeting would be a violation as well. Chair Doyle has no doubt none of the supervisors would be in violation on purpose; just always keep in mind what you are discussing and ask yourself if there are too many people involved. He suggested you check with Corporation Counsel if you have any concerns or questions before engaging in a possible violation. Corporation Counsel clarified that the open meetings law applies to local governments, not State or Federal. Nor does it apply to non-voting officials, such as the Administrator. A one-way email correspondence is not a violation either, nor would some individual responses to that correspondence, as long as it is less than a quorum and the intent isn’t trying to create an agreement, as in lining up votes or polling the voting members, to pass or defeat an item.
  - One committee attending another committee meeting: Another problem can be when multiple members of a committee or board attend a meeting of another body. If there is going to be a quorum present from another committee, we should add it to the meeting notice and agenda. In response to a question about putting a general reference to the possibility of any other committee attending on all meeting notices, Chair Doyle felt that would be contrary to the spirit of the law. Supervisors are just reminded to be sensitive, think, look around and be aware there could be a problem. Administrator O’Malley advised that they can always do a joint meeting if such a situation is anticipated. Other solutions, should the problem arise accidentally, would be to table the item in question until it can be properly noticed, or for some supervisors from the “visiting” committee to leave. Shepherd responded to additional questions and comments from the Board.

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- Supervisor Conference Reports:
  - D. Bina: Announced the Statewide RC&D (Resource, Conservation and Development) conference to be held September 23-24. On Friday they will be discussing alternative fuels, such as bio mass, river fall migration, conservation, energy, etc. The fee is \$95 for all 3 days but will be reduced for partial attendance.
  - S. Hampson: Recently attended a LADCO meeting (La Crosse Area Development Corporation) where La Crosse County was presented with a Triangle of Achievement Award plaque recognizing the collaboration of La Crosse County with the consortium of 12 other counties and the Wisconsin State Legislature, to form Mississippi Valley Health Services.
  - B. Mach: Attended a Wisconsin Economic Development summit on August 26<sup>th</sup>. It was the 2<sup>nd</sup> of 3; the next will be October 5<sup>th</sup> in Milwaukee. She heard much interesting discussion; many ideas were shared. She was pleased to note that many of them were things we are already doing in this area. The 2 workshops she attended were just part of the 11 points in their statement of strategy for the future.
- UW-Extension Open House: Each supervisor has an invitation on their desk to "Your Ticket to Lifelong Learning" on September 16, 2010 from 3:30-6:30 in Room B190 of the Administrative Center. He encouraged supervisors to attend.

B) Administrator Report - Steve O'Malley

- Solid Waste Open House: Friday, September 17<sup>th</sup> there will be an open house with tours of the Solid Waste Department as well as a presentation of the summary of the Solid Waste assessment resulting from the study that was done with the Cities of La Crosse and Onalaska. There is no recommendation; it identifies a range of options for the major cities and the community to consider in how to handle solid waste collection.

• **PROCLAMATION: SEPTEMBER 2010: LIBRARIES AND UW-EXTENSION MONTH**

**WHEREAS**, educational programs for agricultural professionals, businesses, communities, families and youth are brought to the residents of La Crosse County; and, **WHEREAS**, educational and library programs identify and respond to specific community needs for education, research and knowledge to improve the quality of life in local communities, to strengthen families, to increase the competitiveness of businesses and agriculture, and to develop leadership skills for managing resources and planning for the future; and, **WHEREAS**, libraries provide recreational and educational resources in the pursuit of life-long learning; and, **WHEREAS**, UW-Extension programming combines faculty, campus-based specialists, and staff expertise in the areas of Agriculture/Horticulture; Community, Natural Resources and Economic Development; Family Living Education; and 4H & Youth Development; and, **WHEREAS**, UW-Extension faculty & staff and area library staff are committed to educating the residents of La Crosse County in order to promote life-long learning and provide a more knowledgeable and informed community. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby proclaim the month of September as La Crosse County Libraries and UW-Extension Month, and urges all residents to join in recognizing the valuable contribution of persons dedicated to educating the residents of La Crosse County.

Motion by A. Benrud/T. Johnson to approve passed on a unanimous voice vote with 7 excused - J. Billings, B. Konkell, D. Manthei, D. Meyer, L. Pfaff, J. Schroeder and M. Wood.

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- 2011 County Administrator Budget Recommendation:  
The "Administrator's Recommended Budget" book, which was given to each supervisor, includes summaries of some of the anticipated key issues. With the aid of graphs and charts, he showed and discussed the statistics and his logic in arriving at his budget recommendation. He encouraged supervisors to let him know of any particular issue(s) they want more information on. Chair Doyle interjected that if a supervisor has suggestions for changes, or amendments they intend to propose, do NOT wait until budget deliberation in November. It is important to let staff know ahead of time so they can research the impact; other line items could be affected as well. He gave special recognition to Financial Manager Mary Powell for putting the budget documentation together.

Latest Comparative Data and 2011 County Administrator Recommended Budget September 2010: The data on the first six slides was from the Wisconsin Taxpayers Alliance 2008 Analysis. The County portion of our property taxes was the 5<sup>th</sup> lowest in the state. The average Wisconsin County tax levy is 42% higher than La Crosse. Our cost per capita for Highway was \$50, Public Safety was \$179 and Human Services was \$302 and General Government was \$89. We spent less per capita than our comparable counties in all areas except for Public Safety, where we were right in the middle. We were ranked rather high in debt usage, but unlike many other counties, we have a landfill and made a significant investment in waste to energy; that debt is serviced by landfill fees and is not currently being funded by property tax. These figures do not include the 2009 debt for the Law Enforcement addition. Todd Berry, from WTA, will address the Board at the October Planning Meeting.

2011 Challenges, Cost Drivers and Revenues:

- Increased service demand, limited revenue sources
- Next State Budget begins July 2011, yet County must adopt a Budget by Nov 2010. Structural deficit over \$1.1b, ended w/ \$2.7b shortfall. Relied on \$2b of stimulus.
- Scheduled LEC Debt payment \$873k = 2.99% Levy Incr.
- Maximum Operating Levy under the 3% Levy Limit would allow La Crosse County \$2.99 million = 10% Incr. (\$740,000 new levy, plus \$2,252,717 Unused Levy authority)
- However, the 1992 Rate Limit imposes a lower limit on La Crosse County because of drop in Equalized Value.

Summary Overview 2011 Recommended Budget: Overall changes from 2010:

- Gross Expenditures, up .25% to \$133.758 million
- Total Operating Expenditures, decline .42%
- Tax Levy rises by 2.99%, due to LEC payment
- Operating Levy at 0%, raises Operating rate to 3.11
- Library declines .44%, rate unchanged @.22
- Debt Levy up 25.46%, raises Debt rate to .56
- Total Mill Rate rises to 3.88 (up 3.74%)

Operating Levy and Rate Limit Considerations:

- Budget is under the 2011 3% Operating Levy Limit by \$739,000, not including over \$2.25 million unused Levy Authority (through 2010 Budget)

Examples:

- A levy increase of just over \$1 million would bring the Operating Mill Rate to 3.24 (the 1992 Rate Limit)

-or-

- If we raised the operating levy by the 3% increase of \$739,000 for 2011, and Equalized Value dropped by 2%, we would have to cut \$175,000 to keep at 3.24

*[Note: 2.7% Avg. drop of the 8 counties closest in size.]*

The 2011 Tax Levy of \$29.8 million is broken down as follows: General Government - 15.55%; Health, Aging and Nursing Home - 9.4%; Debt Service - 9.5%; Highway - 5.4%; Human Services - 22.5%; Courts and Public Safety - 34.0%; Library - 3.7%. Additional graphs showed our equalized value, mill rates and tax rate history. He is optimistic that the employees understand the situation we are in, and in addition to

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bargaining for no wage increases he is implementing a number of cost savings strategies such as voluntary unpaid time off, vacation buy-up options, cutting some management positions and a systematic review of management to employee ratios. This budget is definitely not business as usual and not without pain. He is recommending that we maintain our reserves for 2012 due to expected funding cuts from the State. He noted some additional policy options the Board could consider for 2011-2012 such as additional debt refinancing, cutting non-mandated services, increasing fees, increasing spending in areas of concern to the Board or the public, increasing the operating levy or use more fund balance or other reserves such as excess sales tax. We may need to review and consider changes in our fund balance and reserve policies to some extent for 2012. He explained his plan for short-term Highway debt, noting that the Federal Government has allocated one-time very low cost bonding authority of ARRA stimulus money of \$1.6 million at an estimated interest rate of 2% on a 5 year note. The Highway Fund Balance is strong and can service the debt payments for the next several years, without raising property tax for debt payments. Using debt with payments spread over less than the life of the roads (5 years), paid by the Highway Fund Balance, preserves options during the LEC debt service situation and uses ARRA allocation. As for the possible Hillview Assisted Living Facility, they have recently learned that ARRA borrowing would require federal prevailing wage rates which would increase the cost of the project. So we're reevaluating the effect of this funding mechanism, compared to standard rates, which are very low right now. Other options might be State Trust Fund loans for the LEC or refinancing prior year service debt to save levy. Since the Hillview Assisted Living bids did not consider the state prevailing wage law, they have been returned unopened and the new bid opening date will be October 7, 2010. Aging and Long Term Care will address the bid award at their October 11<sup>th</sup> meeting and a resolution may come to the County Board at the October 21<sup>st</sup> meeting, to include a decision on debt funding. He believes these can't be separate issues because you don't want to award a bid and then refuse to fund it. Any resolution on borrowing that will require a bond sale will come to the Executive Committee October 26<sup>th</sup>. The subsequent Initial Resolution, calling for the sale, would come to the Board November 1<sup>st</sup> and resolution for the sale would be December 6<sup>th</sup>. Consequently, the October meeting no longer needs to be moved to the 6<sup>th</sup>; it can occur on October 13<sup>th</sup>, the regularly scheduled date. That concluded his main budget presentation, during which he responded to questions and comments from the Board through-out. He then addressed some separate sheets he didn't want to bury in the budget book regarding outside agencies included in the recommended budget, a detailed listing of how indirect costs were handled, a summary of 2009-2011 fund balances and a detail of 2000 - 2011 excess sales tax. He responded to a few additional questions.

Chair Doyle noted any cards and correspondence are on the bulletin board and there are no committee meetings to be held during recess.

**CLOSED SESSION**

Motion by G. Sebranek/J. Medinger to go into closed session pursuant to Wisconsin state statutes section 19.85 (1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved to wit: the claims of Estate of J. King; T. Lynch; S. Sage; Estate of R. Hawkins; Estate of W. Harter; P. Pfaff-Olson; and K. Dresen passed on a unanimous voice vote with 28 ayes and 7 excused - S. Hampson, T. Johnson, B. Konkel, D. Meyer, L. Pfaff, J. Schroeder and M. Wood.

**OPEN SESSION ACTION**

No action was taken in closed session.

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**RECONVENE INTO OPEN SESSION**

Motion by G. Sebranek/B. Brockmiller to reconvene into open session passed on a unanimous voice vote with 24 ayes and 11 excused - J. Bilskemper, S. Hampson, T. Johnson, J. Johnson, B. Konkel, J. Medinger, D. Meyer, L. Pfaff, A. Richmond, J. Schroeder and M. Wood.

**ITEMS FOR FUTURE AGENDAS:**

WCA via Amtrak: G. Sebranek informed the Board on the ease and economy of purchasing train tickets versus driving to the WCA convention in Milwaukee. Chair Doyle encouraged supervisors that are attending WCA to do so.

Redistricting Committee: The first meeting will be September 21<sup>st</sup> at 2:30 PM in room 3220. No census figures will be available until next spring so at this time the committee will be laying out the road map for where we are going. The first thing to discuss is a range for board size as well as whether or not to change to staggered terms. All supervisors are welcome to attend.

**ADJOURN**

Motion by R. Keil/D. Manthei to adjourn at 9:03 PM passed on a unanimous voice vote with 24 ayes and 11 excused - J. Bilskemper, S. Hampson, T. Johnson, J. Johnson, B. Konkel, J. Medinger, D. Meyer, L. Pfaff, A. Richmond, J. Schroeder, and M. Wood.

**STATE OF WISCONSIN )**

**COUNTY OF LA CROSSE )**

**I, Linda Stone, La Crosse County Clerk, in and for the County of La Crosse, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the La Crosse County Board of Supervisors at the La Crosse County Board of Supervisors Planning Meeting held Monday, September 13, 2010 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS 16<sup>th</sup> DAY OF SEPTEMBER 2010.**