

**LA CROSSE COUNTY BOARD OF SUPERVISORS SPECIAL MEETING  
PROCEEDINGS; MONDAY, DECEMBER 29, 2014**

The La Crosse County Board of Supervisors Special Meeting was held on Monday, December 29, 2014 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 23 supervisors were present when Chair Tara Johnson called the meeting to order at 7:00 P.M. and those otherwise present, excused or absent are noted in the roll call detail:

<b>District Name</b>	<b>Attendance</b>
1 Richmond, Andrea	Present
2 Geary, Ralph	Present
3 Veenstra, Joe	Present
4 Freedland, Maureen	Present at 07:05 PM
5 Rosa, Keyla	Excused
6 Plesha, Roger	Present
7 Hampson, Sharon	Present
8 Jerome, Peg	Present
9 Caucutt, Nancy	Present
10 Cable, Kim	Present
11 Scheller, Patrick	Present
12 Holtze, Dave	Excused
13 Logue, Brian	Present
14 Schroeder, Jeffrey	Excused
15 Kruse, Monica	Present
16 Ferries, Dan	Present
17 Giese, Mike	Present
18 Berg, Laurence	Present
19 Hoffman, Hubert	Present
20 Doyle, Steve	Present
21 Burke, Vicki	Present
22 Barlow, Patrick	Present
23 Nikolay, Matt	Excused
24 Pfaff, Leon	Present
25 Ebert, Ray	Present
26 Hesse, Dan	Present
27 Wehrs, Tina	Present
28 Keil, Robert	Excused
29 Johnson, Tara	Present

**PLEDGE OF ALLEGIANCE**

**County Board Chair Report - Tara Johnson**

- Chair Johnson announced the passing of Ray Sundet who was the first Corporation Counsel for La Crosse County in the early 1960's. He served the County for over 30 years. A moment of silence of held.

**CLOSED SESSION**

Motion by S. Hampson/R. Plesha to go into closed session at 7:04 PM pursuant to Wis. Stat., s. 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public

(175-14/15)

properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. **TO WIT:** Negotiations with Associated Bank regarding the agreement to purchase Associated Bank property and with STIZO Development LLC regarding the sale of the County Administrative Center passed on a unanimous voice vote with 23 ayes, 6 excused - M. Freedland, D. Holtze, R. Keil, M. Nikolay, K. Rosa and J. Schroeder.

**RECONVENE INTO OPEN SESSION:** Motion by A. Richmond/K. Cable to reconvene into open session at 7:12 PM passed on a unanimous voice vote with 24 ayes, 5 excused - D. Holtze, R. Keil, M. Nikolay, K. Rosa and J. Schroeder.

**CLOSED SESSION ACTION:** Chair Johnson noted that no action was taken in closed session.

**RESOLUTION NO. 58-12/14 RE: ACCEPTANCE OF PURCHASE AGREEMENT FROM WEBER HOLDINGS FOR LOT C**

**WHEREAS**, due to the presence of asbestos in the present County Administrative Center, it became necessary to consider options for remediation of the asbestos and the future of the Administrative Center; and, **WHEREAS**, by resolution #71-1/14 the La Crosse County Board accepted an offer to purchase for \$250,000 from STIZO Development for the County Administrative Center and authorized La Crosse County to negotiate the purchase of Associated Bank properties; and, **WHEREAS**, the offer to purchase with STIZO Development also provided that the Administrative Center would be leased back to La Crosse County, for a rental of \$1,667 per month, where the County would be responsible for property taxes, insurance, utilities and maintenance costs, and also included a restrictive covenant in the deed that would require the property to remain subject to general property taxes for a minimum of 20 years; and, **WHEREAS**, by resolution #17-6/14 the La Crosse County Board of Supervisors approved entering into a purchase agreement and a short term lease with Associated Bank, whereby La Crosse County would purchase 3 Associated Bank properties for a total of \$4.6 million, conditioned upon Associated Bank participating in the development of County Lot C in a manner acceptable to the County and Associated Bank, and which also included a provision for Associated Bank to lease back a portion of its former property from La Crosse County during construction of its property on Lot C; and, **WHEREAS**, by resolution #26-8/14 the La Crosse County Board of Supervisors authorized the County Board Chair to select a negotiation team to negotiate a development agreement with Weber Holdings for the sale and development of La Crosse County parking lot C and to bring back such an agreement for approval to the La Crosse County Board; and, **WHEREAS**, the agreement with Weber Holdings includes the following provisions:

- Purchase price of \$1,000,000.
- Earnest money of \$10,000 to be paid within 5 business days of acceptance.
- County to provide title insurance commitment at County's expense.
- Buyer's general contractor shall use local subcontractors to the extent economically and practically feasible.
- County shall have a repurchase right for County Lot C if by August 31, 2015 Buyer has not commenced and continued construction of the project substantially consistent with the Weber Holdings RFP as modified by the date of delivery of the Associated Bank space.
- County shall be entitled to liquidated damages of \$500 per day if Buyer does not provide Associated Bank space on Lot C by June 1, 2016, subject to delays caused by acts of God or similar delays beyond control of Buyer.
- Offer is contingent upon County selling Administrative Center to STIZO Development LLC.
- Offer is contingent upon County closing on purchase from Associated Bank of Associated Bank properties.
- Offer is contingent on County and Buyer entering into a final long-term parking

(176-14/15)

agreement, whereby County is provided with up to 125 parking spaces, with a minimum of 40 spaces physically present on County Lot C, and also entering into a short term lease back and memorandum of repurchase rights by the closing date.

- Purchase Agreement also includes a temporary lease back for temporary public parking on Lot C or on nearby available space before physical development of property commences, with the Buyer providing advance notice to County of lease termination and the County responsible for liability insurance and any maintenance costs.
- Closing shall occur on or before January 9, 2015 or such other time as mutually agreed between the parties.
- At the time the County is satisfied that its parking needs for 125 spaces are met, the County shall provide the purchase price to assist with the cost of an additional parking facility.

**NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby accepts the purchase agreement from Weber Holdings incorporating the terms referenced in this resolution; and, **BE IT FURTHER RESOLVED** that the County Board Chair and County Clerk are authorized to sign all necessary documentation to complete the sale and lease back of the property, in accordance with the terms outlined in the purchase agreement, after approval by Corporation Counsel. The County Board Chair shall also be authorized to sign any extensions of the closing date and minor amendments as needed to effectuate the sale of the property. **FISCAL NOTE:** Purchase price of \$1,000,000 shall be received in Org 1064, Non Departmental Account 56015, Sale of County Property. Purchase price shall be designated to assist with the cost of an additional parking facility to meet the needs of the County resulting from the development of Lot C. County shall also be responsible for the cost of the title commitment and any other customary closing expenses.

#### **EXECUTIVE COMMITTEE**

Motion by S. Hampson/J. Veenstra to approve. Discussion ensued. Community Development Specialist Brian Fukuda explained the resolution, purchase price, development, conditions to close, lease for temporary parking, and closing. Fukuda, Administrator O'Malley and Corporation Counsel David Lange responded to questions from the Board. The motion to approve passed on a roll call vote with 20 ayes, 3 nays - D. Ferries, D. Hesse and H. Hoffman, 1 abstention - B. Logue, 5 excused - D. Holtze, R. Keil, M. Nikolay, K. Rosa and J. Schroeder.

#### **ADJOURN**

Motion by A. Richmond/P. Barlow to adjourn at 7:55 PM passed on a unanimous voice vote with 24 ayes, 5 excused - D. Holtze, R. Keil, M. Nikolay, K. Rosa and J. Schroeder.

**STATE OF WISCONSIN )**

**COUNTY OF LA CROSSE )**

**I, Ginny Dankmeyer , 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 Special Meeting held Monday, December 29, 2014 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 30 OF DECEMBER 2014.**