

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING
PROCEEDINGS; THURSDAY, JUNE 19, 2014**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, June 19, 2014 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 29 supervisors were present when Chair Tara Johnson called the meeting to order at 6:00 P.M. and those otherwise present, excused or absent are noted in the roll call detail:

District Name	Attendance
1 Richmond, Andrea	Present
2 Geary, Ralph	Present
3 Veenstra, Joe	Present
4 Freedland, Maureen	Present
5 Rosa, Keyla	Present
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	Present
13 Logue, Brian	Present
14 Schroeder, Jeffrey	Present
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	Present
24 Pfaff, Leon	Present
25 Ebert, Ray	Present
26 Hesse, Dan	Present
27 Wehrs, Tina	Present
28 Keil, Robert	Present
29 Johnson, Tara	Present

PLEDGE OF ALLEGIANCE

COMMUNICATIONS AND ANNOUNCEMENTS:

County Board Chair Report - Tara Johnson

- County Board Picnic Update – Supervisor Keil has decided to step down from planning the County Board Picnic and Chair Johnson asked that any Supervisor interested in taking over the planning for the picnic should contact her.
- Supervisor Conference Reports
 - Supervisor Pfaff announced the La Crosse County Dairy Breakfast is this Saturday, June 21 at the Jeff and Todd Servais' Farm.

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- o Supervisor Freedland attended Stopping the Commercial Sexual Exploitation of Children. She also went to the Potawatomi Casino with Solid Waste Director Hank Koch, Nick Nichols and Marilyn Pedretti to look at the anaerobic digester they have. This digester break down waste such as food, manure, crop residue into bio gas and reusable products.
- o Supervisor Kruse, along with 40 others from La Crosse, went to Madison to familiarize themselves with the program called Joining Forces for Families. It's a program that cut down the large number of people entering the Social Services needy ranks.
- o Supervisor Jerome attended the Vital Aging Conference held at UWL that was partially sponsored by the County Aging Department. Supervisor Jerome also volunteered at a 4-H camp in the Wisconsin Dells which was put on by the UW-Extension office.

County Clerk Report – Ginny Dankmeyer

- Update on Same-sex Marriage Applications - Clerk Dankmeyer gave an update on the status of same-sex marriage applications for La Crosse County. A total of 9 couples applied but no licenses were issued because of the 5 day waiting period. A stay was issued late Friday which stopped the issuance and application of same-sex marriage licenses. The licenses of the couples who did apply will remain valid for 30 days but will not be issued.

Motion by D. Ferries/L. Berg to recess at 6:17 P.M. to take the County Board Picture passed on a unanimous voice vote with 29 ayes.

Chair Johnson called the meeting back to order at 6:37 P.M.

CHAIR CHANGE

1st Vice Chair Hampson took the chair.

APPOINTMENTS

Appoint **Patrick Scheller** to the Southwest Badger Resource Conservation and Development as a County Board Supervisor to replace Andrew Londre; appoint **Marilyn Pedretti** to the Southwest Badger Resource Conservation and Development as a Citizen Member to replace Marc Schultz; appoint **Nancy Caucutt** to the City of La Crosse Neighborhood Revitalization Commission to replace Karin Johnson; appoint **Hubert Hoffman** to the Lake Onalaska Protection/Rehabilitation Board to replace Tina Wehrs; appoint **Matt Nikolay** to the La Crosse Area Development Corp to replace Jim Berns.

Motion by T. Johnson/M. Kruse to approve passed on a unanimous voice vote with 29 ayes.

CHAIR CHANGE

Chair T. Johnson resumed the chair.

CONSENT AGENDA

Motion by D. Ferries/J. Veenstra to approve the minutes of the La Crosse County Board of Supervisors Planning meeting held May 5, 2014 and the Monthly meeting held May 15, 2014 and the claims list for \$5,690,664.81 passed on a unanimous voice vote with 28 ayes, 1 excused - R. Plesha.

RESOLUTION NO. 10-6/14 RE: OPPOSITION TO PROPOSED LAPSE IN STATE FUNDING TO CIRCUIT COURT SYSTEM

WHEREAS, the 2013-15 State Biennial Budget requires the Wisconsin court system to return a total of \$11.8 million to the state general fund over the next two-year period, resulting in budget cuts affecting the La Crosse County circuit court system; and, **WHEREAS**, if said budget cuts are made, the La Crosse County circuit court system will no longer receive State funding at its previous level in the form of circuit court payments; interpreter assistance; and guardian ad litem assistance; and, **WHEREAS**, the proposed

reduction of funding and resulting budget cuts would create an enormous financial challenge to La Crosse County, potentially resulting in an increased tax levy, while striving to meet the challenge of the state levy cap; and, **WHEREAS**, it is in the best interests of La Crosse County to oppose this proposed budget reduction. **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby states its opposition to the lapse of Wisconsin judicial branch funding to the State general fund over the next two-year period; and, **BE IT FURTHER RESOLVED**, that the La Crosse County Clerk shall forward a copy of this resolution to La Crosse County's State Legislators, Governor Scott Walker, the Director of State Courts, and all other Wisconsin Counties.

FISCAL NOTE: No cost to La Crosse County.

JUDICIARY AND LAW COMMITTEE

Motion by V. Burke/P. Barlow to approve passed on a voice vote with 26 ayes, 1 nay - B. Logue, 1 abstention - L. Berg, 1 excused - R. Plesha.

RESOLUTION NO. 11-6/14 RE: APPROVING ADDITIONAL LPN SERVICES IN THE LA CROSSE COUNTY JAIL

WHEREAS, La Crosse County has contracted with Correctional Healthcare (CHC) companies (formerly HPL, Ltd.) for medical services for detainees and inmates of the County Jail since 2003 and the current contract runs through January 2017; and, **WHEREAS**, the 2014 budget for medical services is \$560,000 to provide the following professional medical services (hours per week): Physician (3), Nurse Practitioner (4.5), Registered Nurse (40), Licensed Practical Nurse (105), Medical Records Clerk (15), plus: access to an on-call physician 24 hours a day, pharmacy services, dental services, off-site hospitalization and specialty services; and **WHEREAS**, over the past five years the number of people who require medical supervision for detoxification from opiates and/or alcohol has increased from approximately 11 per month in 2009 to over 100 per month in 2013 and more than 126 per month so far in 2014, significantly exceeding the capacity of the current level of professional medical services provided; and, **WHEREAS**, the County has received a proposal from CHC to provide an additional 32 hours of LPN coverage in the Jail per week for an additional cost of \$4,734 per month (\$56,808/annualized). **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board of Supervisors approves an additional 32 hours of LPN services in the Jail, to be paid by a transfer of \$28,404 from Org 1064 Non-Departmental Acct 79127 Highway Maintenance/Jail Staffing to Org 1125 Jail and Court Services Acct 64059 Medical Services and authorizes the County Board Chair to execute an amendment to the contract with CHC, after approval by Corporation Counsel. **BE IT FURTHER RESOLVED**, that the Sheriff and County Administrator evaluate the adequacy of this increase for medical service needs during preparation of the 2015 budget. **FISCAL NOTE:** The 2014 budget in Org 1064 Acct 79127 is \$314,200, plus \$95,700 carried forward from 2013. There are sufficient funds available for this purpose.

EXECUTIVE COMMITTEE

JUDICIARY AND LAW COMMITTEE

Motion by V. Burke/K. Cable to approve. Discussion ensued. The motion to approve passed on a unanimous voice vote with 28 ayes, 1 excused - R. Plesha.

FIRST CONSIDERATION OF ORDINANCE

ORDINANCE NO. 128 TO AMEND CHAPTER 18 ENTITLED "SUBDIVISION AND PLATTING" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN
Motion by D. Holtze to move the first reading. Discussion ensued. Planner Charlie Handy responded to questions from the Board. The ordinance will be held over for 30 days and is on file and open for public inspection in the office of the County Clerk and on the La Crosse County web site at: www.co.la-crosse.wi.us. Upon adoption and publication it will be incorporated into the La Crosse County General Code of Ordinances.

RESOLUTION NO. 12-6/14 RE: APPROVE PURCHASE OF 2015 AERIAL PHOTOGRAPHY SERVICES FROM AYRES ASSOCIATES, INC.

WHEREAS, the purchase of 2015 aerial photography updates will provide additional Geographic Information System (GIS) data for all of La Crosse County, including local units of government, state and federal agencies, and local private consultants; and, **WHEREAS**, the delivery of 2015 aerial photography updates will improve the efficient delivery of GIS images to all parties and will promote potential sources of future revenue; and, **WHEREAS**, the estimated cost to purchase the 2015 aerial photography services from Ayres Associates, Inc. is in the amount of \$57,400, with a portion of the funds provided by project partners; and, **WHEREAS**, the County Land Information Council recommended the purchase from the Land Records Assessment Fund on August 7, 2013. **NOW, THEREFORE, BE IT RESOLVED**, that the La Crosse County Board of Supervisors hereby approves the purchase of 2015 aerial photography services from Ayres Associates, Inc. at a cost not to exceed \$38,500. **BE IT FURTHER RESOLVED**, that the County Board Chair is authorized to execute any documents to effectuate this purchase, after approval by Corporation Counsel. **FISCAL NOTE:** Funds to be provided by Fund 260 Land Record Assessment Fund; Account 33203 Special Reserve Fund. Funds of up to \$38,500 will be transferred from Account 33203 to Account 2600-64076 Professional Services Miscellaneous. The anticipated Fund Balance at year end 2014 is projected to be approximately \$228,915.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Holtze/M. Giese to approve. Discussion ensued. It was noted that Ayres is the correct spelling in the Now, Therefore, Be it Resolved. The motion to approve passed on a voice vote with 28 ayes, 1 nay - L. Berg.

RESOLUTION NO. 13-6/14 RE: APPROVAL OF TOWN OF CAMPBELL ZONING AMENDMENT

WHEREAS, the Town of Campbell has adopted a zoning ordinance, which ordinance was approved by the La Crosse County Board by Resolution #52-1/13 on January 17, 2013; and, **WHEREAS**, Wis. Stat. s. 60.62(3) states that no zoning ordinance or amendment to a zoning ordinance may be adopted by the town unless approved by the county board; and, **WHEREAS**, after a public hearing on May 13, 2014, the Town of Campbell approved a petition by Jerold King to rezone parcel #4-1554-0 located at Bayshore Drive and parcel #4-1564-3 located at Lakeview Drive, from the Rural Residential District to the Residential District "A", for the purpose of creating three (3) single-family use lots. **WHEREAS**, the Planning, Resources and Development Committee, after receiving input from Zoning, Planning and Land Information Department staff, recommend approval of the proposed zoning amendment. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby approves the amendment to the zoning district of the Town of Campbell zoning ordinance regarding parcel #4-1554-0 and parcel #4-1564-3 approved by the Town of Campbell on May 13, 2014 in accordance with Wis. Stat. s. 60.62(3). **FISCAL NOTE:** No fiscal impact to La Crosse County.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Holtze/J. Schroeder to approve. Discussion ensued. Planner Charlie Handy responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 29 ayes.

ZONING ORDINANCE NO. Z328-6/14 RE: PETITION NO. 1939 FILED BY DAVID NYHUS TO REZONE UP TO 3% OF A BASE FARM TRACT FROM THE EXCLUSIVE AGRICULTURE DISTRICT TO THE RURAL DISTRICT IN THE TOWN OF BARRE

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1939 to amend the La Crosse County Zoning Ordinance filed by David Nyhus, N2992 Drogseth Rd, La Crosse, WI, 54601 and having held a public hearing on the 2nd day of June, 2014 for a petition to rezone up to 3% of a Base Farm Tract from the Exclusive Agriculture District to the Rural District for new residential use a 1.91 acre lot in the Town of Barre and described as follows: Part of the NE/SW and the NW/SE of Section 25, T16N, R6W and as depicted on a preliminary Certified Survey Map prepared by Coulee Region Land Surveyors, LLC. Tax parcel 2-243-1. Town of Barre. And pursuant to s. 59.69 Wis.

Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of six (6) in favor, zero (0) no, and one (1) excused (Wehrs), the committee recommended approval of Zoning Petition No. 1939 subject to the recording of deed restrictions indicating:

1. Only one single family dwelling is allowed on the proposed 1.91 acre CSM lot with no further subdividing, and;
2. The remainder of the Base Farm Tract shall be limited to one single family dwelling only and only continued and future agricultural development.

(If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) The County Board, under s.59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. **The County Board** took the following action this 19th day of June, 2014. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Holtze/T. Wehrs to approve. Discussion ensued. Planner Charlie Handy responded to questions from the Board. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 29 ayes.

ZONING ORDINANCE NO. Z329-6/14 RE: PETITION NO. 1940 FILED BY MILESTONE MATERIALS CO, O/B/O MATHY CONSTRUCTION CO TO REZONE FROM EXCLUSIVE AGRICULTURE AND GENERAL AGRICULTURE DISTRICTS TO THE RECREATION AND NATURALRESOURCE DISTRICT IN THE TOWNS OF HAMILTON AND ONALASKA

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1940 to amend the La Crosse County Zoning Ordinance filed by Milestone Materials Co, 920 10TH Ave N, Onalaska, WI, 54650, o/b/o Mathy Construction Co, 920 10TH Ave N, Onalaska, WI 54650 and having held a public hearing on the 2nd day of June, 2014 for a petition to rezone from the Exclusive Agriculture and General Agriculture Districts to the Recreation and Natural Resource District approximately 343.8 acres for future expansion of an existing dolomite (limestone) nonmetallic mine/quarry for aggregate use including on-site processing in the Towns of Hamilton and Onalaska and described as follows:

SE/NE and NE/SE of Section 22, T17N, R7W, and; SW/NE, SE/NW, SW/NW, NW/SW, NE/SW, and Part of the NW/NW, NW/SE, and NE/SE of Section 23, T17N, R7W. Towns of Hamilton and Onalaska. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of six (6) in favor, zero (0) no, and one (1) excused (Wehrs), the committee recommended approval of Zoning Petition No. 1940 subject to the recording of deed restrictions indicating:

1. All mining activities shall be carried out in accordance with the Impact Statement and Non-metallic Mining Reclamation Plan submitted as part of the application and dated May 1, 2014, along with any addendums required to comply with Reclamation.

(If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) The County Board, under s.59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. **The County Board** took the following action this 19th day of June, 2014. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Holtze/M. Nikolay to approve as recommended by the Committee passed on a unanimous voice vote with 29 ayes.

RESOLUTION NO. 14-6/14 RE: REQUEST OF A WAIVER FROM TRANS 75 REQUIREMENTS FOR PEDESTRIAN ACCOMMODATIONS FOR THE CTH XX STRUCTURE OVER HALFWAY CREEK

WHEREAS, La Crosse County has been working towards the reconstruction of the CTH XX Bridge over Halfway Creek, Project ID 7371-00-00, in conjunction with the Wisconsin Department of Transportation (WisDOT) since 2013; and, **WHEREAS**, due to the lack of need for sidewalks along rural CTH XX and with no development planned in the future, the planning, development and scoping of the reconstruction project did not include sidewalks within the project limits; and, **WHEREAS**, WisDOT has enacted Wisconsin Administrative Code Chapter Trans 75, Bikeways and Sidewalks in Highway Projects, effective January 1, 2011, which will require that without a Trans 75 Exception sidewalk and bikeways be installed where not previously planned; and, **WHEREAS**, the conditions for Trans 75, Exception 4 – Absence of Need for pedestrian accommodations require that no significant development is planned within the next 10 years; and, **WHEREAS**, the County believes the project meets the conditions for the Trans 75, Exception 4 – Absence of Need to exclude sidewalks. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board accepts that the conditions are met for Administrative Code Trans 75 Exception 4 the Absence of Need within the project area and requests a waiver from Trans 75 requirements for pedestrian accommodations for the CTH XX structure over Halfway Creek. **FISCAL NOTE:** No cost to La Crosse County. Trans 75 exception will save County funds otherwise required for sidewalk installation as part of the bridge project.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/V. Burke to approve. Discussion ensued. The motion to approve passed on a unanimous voice vote with 29 ayes.

RESOLUTION NO. 15-6/14 RE: REQUEST OF A WAIVER FROM TRANS 75 REQUIREMENTS FOR PEDESTRIAN ACCOMMODATIONS FOR THE CTH M STRUCTURE OVER BRANCH MORMON CREEK

WHEREAS, La Crosse County has been working towards the reconstruction of the CTH M Bridge over Branch Mormon Creek, Project ID 5436-00-00, in conjunction with the Wisconsin Department of Transportation (WisDOT) since 2013; and, **WHEREAS**, due to the lack of need for sidewalks along rural CTH M and with no development planned in the future, the planning, development and scoping of the reconstruction project did not include sidewalks within the project limits; and, **WHEREAS**, WisDOT has enacted Wisconsin Administrative Code Chapter Trans 75, Bikeways and Sidewalks in Highway Projects, effective January 1, 2011, which will require that without a Trans 75 Exception sidewalk and bikeways be installed where not previously planned; and, **WHEREAS**, the conditions for Trans 75, Exception 4 – Absence of Need for pedestrian accommodations require that no significant development is planned within the next 10 years; and, **WHEREAS**, the County believes the project meets the conditions for the Trans 75, Exception 4 – Absence of Need to exclude sidewalks. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board accepts that the conditions are met for Administrative Code Trans 75 Exception 4 the Absence of Need within the project area and requests a waiver from Trans 75 requirements for pedestrian accommodations for the CTH M structure over Branch Mormon Creek. **FISCAL NOTE:** No cost to La Crosse County. Trans 75 exception will save County funds otherwise required for sidewalk installation as part of the bridge project.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/L. Pfaff to approve passed on a unanimous voice vote with 29 ayes.

RESOLUTION NO. 16-6/14 RE: APPROVAL OF SALE OF LAKEVIEW HEALTH CENTER

PROPERTY

WHEREAS, La Crosse County requested proposals for the sale of the present Lakeview Health Center building and the surrounding property on or about October 15, 2013; and, **WHEREAS**, La Crosse County received one proposal from Harry Griswold and Peter Opsahl on November 14, 2013 as a result of the request for proposals; and, **WHEREAS**, Harry and Carol Griswold and Peter C. Opsahl and Kassandra Opsahl have negotiated with La Crosse County and agreed to terms for the purchase of the Lakeview building and surrounding property in the amount of 15.63 acres; and, **WHEREAS**, the Purchase Agreement involves the following terms:

- 1) Purchase price of \$100,000.00
- 2) Down payment of \$10,000.00
- 3) Agreement to restrictive covenant that at least one-half of the property will remain taxable for a period of up to 25 years or be subject to liquidated damages
- 4) Buyers agree to use the property for commercial and multi-unit residential apartment purposes
- 5) No financial contingency
- 6) La Crosse County agrees to join in any petition to the Village of West Salem to rezone the property as required
- 7) Closing to occur within a reasonable time after County vacates premises
- 8) Buyer has option to unilaterally rescind contract up to September 30, 2014 by payment of \$50,000 in liquidated damages to the County; and,

WHEREAS, the buyers will need to expend additional expenses to remodel the Lakeview building, including removing a cooling tower on the Lakeview roof which contains asbestos and relocating the electrical system since the current electrical system originates in the Neshonoc Center; and, **WHEREAS**, if the County does not sell the Lakeview building and surrounding property to Griswold and Opsahl, the County will need to raze the Lakeview building at an expense of approximately \$600,000; and, **WHEREAS**, it is in the best interests of La Crosse County to accept the offer from Harry and Carol Griswold and Peter and Kassandra Opsahl. **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby authorizes the execution of an offer to purchase to sell the Lakeview Health Center building and the surrounding acreage of approximately 15.63 acres to Harry R. Griswold and Carol M. Griswold and Peter G. Opsahl and Kassandra Opsahl according to the terms outlined in this resolution; and, **BE IT FURTHER RESOLVED** that the County Board Chair and County Clerk are hereby authorized to execute any documents to effectuate the purposes of this resolution, after approval by Corporation Counsel. **FISCAL NOTE:** Funds from the purchase of the Lakeview property will be deposited in Org. 4901, Account 56015, Sale of County Property. An alternative to selling the property is to raze the property at a total estimated cost of \$600,000 and sell either to the West Salem School District at \$25,000 per acre or place the property for sale again through a public bidding process.

EXECUTIVE COMMITTEE

VETERANS, AGING AND LONG TERM CARE COMMITTEE

Motion by P. Jerome/R. Plesha to approve. Discussion ensued. Administrator O'Malley, Corporation Counsel David Lange, and Planner Charlie Handy responded to questions from the Board. The motion to approve passed on a roll call vote with 27 ayes, 2 nays - D. Hesse and H. Hoffman.

RESOLUTION NO. 17-6/14 RE: APPROVAL OF PURCHASE AGREEMENT AND SHORT TERM LEASE FOR ASSOCIATED BANK PROPERTY

WHEREAS, by Resolution 71-1/14, the La Crosse County Board authorized La Crosse County staff to pursue an agreement to purchase 3 parcels owned by Associated Bank for \$4.6 million, including a lease back of a portion of the property to Associated Bank and the purchase by Associated Bank of approximately .75 acres of land on Lot C, conditioned on County Board approval of a final agreement; and, **WHEREAS**, the parties have negotiated the terms of a purchase agreement and of a short term lease of a portion of the Associated

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Bank property for a period of approximately 18 months; and, **WHEREAS**, the significant terms include the following:

- Purchase price for 3 Associated Bank properties: \$4,600,000.00
- \$10,000 earnest money due within 5 days of the execution of a purchase agreement.
- Balance due from the County at closing, which closing date is December 1, 2014, or such other date as mutually agreed upon by the parties.
- Purchase Agreement is conditioned upon the simultaneous closing of the sale of County Parking Lot C to a master developer, who includes in the plan a new Associated Bank facility consisting of approximately 12,000 square feet with access to State and Fourth Streets, and the execution of an agreement between the County and the developer for the construction of the new Associated Bank. Either party may terminate if either of these conditions are not met.
- The tentative agreement is for Associated Bank to purchase land on Lot C for \$13 per square foot.
- If it is determined that Associated Bank will not participate in the development of County Parking Lot C in a manner acceptable to the County or Associated Bank, either party may terminate the agreement by written notice to the other and any deposits shall be promptly returned to the County.
- Property is purchased in "as is" condition with regard to physical condition of property. Associated Bank shall deliver to the County all contracts, reports, audits or any other documentation pertaining to the property within 10 days of execution of the purchase agreement.
- County shall have the right to enter the property until the date of closing to inspect the property and its physical condition and perform such tests as the County deems appropriate, and have the ability to terminate the agreement at any time prior to September 30, 2014 if the County, in its discretion, determines that the property is unsuitable for its intended use or is unsatisfactory for any reason whatsoever; and,

WHEREAS, the parties have negotiated the terms of a short term lease, which include the following:

- Lease term shall commence when County closes on the purchase of the Associated Bank properties and ends when Associated Bank opens for business on County Parking Lot C.
- Rent of \$500 per month for a period of 18 months.
- Associated Bank may only use the property for the current banking purposes.
- County shall maintain the building and the electrical and air conditioning and Associated Bank shall be responsible to maintain the leased premises in good condition and repair.
- Associated Bank agrees to pay a pro rata share of the utility charges based upon the premises leased by tenant and a pro rata share of the taxes based on square footage
- County shall maintain suitable property insurance to insure for fire or other casualty to the premises and Associated Bank shall maintain general liability insurance to cover any liability for injuries occurring upon the leased premises.
- Associated Bank shall not be allowed to assign the property.

WHEREAS, the sale of the Administrative Center to STIZO Development also contains a condition that there will be a successful completion of the purchase of the Associated Bank property by La Crosse County; and, **WHEREAS**, it is in the best interests of the County of La Crosse to execute the Purchase Agreement and the short term lease with Associated Bank according to the basic terms outlined in this resolution. **NOW THEREFORE BE IT RESOLVED** that the County Board Chair is hereby authorized to execute a Purchase Agreement with Associated Bank, and any other required documents, in accordance with the above terms, after approval by Corporation Counsel; and, **BE IT FURTHER RESOLVED** that the County Board Chair is further authorized to execute a Lease Agreement with Associated Bank according the terms outlined in this resolution, and any other required documents, after approval by Corporation Counsel. **FISCAL NOTE:** Lease rent for a period of 18 months totals \$9,000 to be deposited in Org 1131 Property Management Acct

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55060 Building Rent. \$10,000 for the down payment will be paid from Org 1132 Capital Improvement Acct 87350 Admin Center. Balance of the purchase price in the amount of \$4,590,000 to be paid from long term debt proceeds as part of the estimated \$19,420,214 project (Option E – Relocate to Associated Bank & Addition to Health and Human Services Building).

EXECUTIVE COMMITTEE

Motion by S. Hampson/J. Veenstra to approve. Discussion ensued. 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 23 ayes, 6 nays - D. Ferries, D. Hesse, H. Hoffman, B. Logue, A. Richmond and J. Schroeder.

RESOLUTION RE: APPROVAL OF ONE TIME FUNDING FOR A PORTION OF NEIGHBORHOOD PARK IMPROVEMENTS IN TAX INCREMENTAL DISTRICT #15, DUE TO REALLOCATION OF TID REVENUES FOR TRANE COMPANY EXPANSION

EXECUTIVE COMMITTEE

Motion by S. Hampson/V. Burke to approve. Discussion ensued. Motion by A. Richmond/P. Jerome to postpone until the July 7th Planning meeting. Discussion ensued. Corporation Counsel David Lange responded to questions from the Board. The motion to postpone passed on a voice vote with 24 ayes, 4 nays - L. Berg, S. Hampson, D. Holtze and L. Pfaff, 1 excused - R. Ebert.

ADJOURN

Motion by R. Keil/D. Ferries to adjourn at 8:19 PM passed on a unanimous voice vote with 29 ayes.

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 Monthly Meeting held Thursday, June 19, 2014 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 20 OF JUNE 2014.