

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING  
PROCEEDINGS; THURSDAY, AUGUST 20, 2015**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, August 20, 2015 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 25 supervisors were present when 1<sup>st</sup> Vice Chair Sharon Hampson called the meeting to order at 6:00 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	Excused at 06:27 PM
4 Freedland, Maureen	Present
5 Rosa, Keyla	Absent
6 Plesha, Roger	Present
7 Hampson, Sharon	Present
8 Jerome, Peg	Present
9 Caucutt, Nancy	Present
10 Cable, Kim	Present
11 Scheller, Patrick	Excused
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	Excused
26 Hesse, Dan	Present
27 Wehrs, Tina	Present
28 Keil, Robert	Present
29 Johnson, Tara	Excused

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

**County Board 1<sup>st</sup> Vice Chair Report – Sharon Hampson**

- County Board Picnic Reminder - Supervisors were reminded that the picnic will start at noon tomorrow at Lake Neshonoc.
- Supervisors were also reminded to turn in their computers after the meeting for IT to install upgrades.
- Supervisor Conference Reports

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- Supervisor Kruse attended the Rebuilding for Learning 5<sup>th</sup> Annual Summit with other staff and Supervisors. The theme was "Continuing Our Journey as a Compassionate and Responsive Community." The goal of the summit was to address roadblocks to learning in La Crosse County.
- Supervisor Burke encouraged Supervisors to review this month WCA magazine for an article on Evidence Based Decision Making.
- Supervisor Hoffman announced the annual meeting for the Lake Onalaska District will be September 1<sup>st</sup> at 6:45 PM at the Upper Midwest Science Center on French Island.

**CHAIR CHANGE**

2<sup>nd</sup> Vice Chair J. Veenstra took the chair.

**APPOINTMENTS**

Motion by S. Hampson/L. Pfaff to appoint Patricia Soell to the Criminal Justice Management Council to replace Dennis Montabon for a three year term to expire April 30, 2018. Discussion ensued. Supervisor Doyle and Veenstra spoke to the many great things that Judge Montabon has accomplished while at La Crosse County. The motion to approve passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - R. Ebert, T. Johnson and P. Scheller.

**CHAIR CHANGE**

1<sup>st</sup> Vice Chair S. Hampson resumed the chair.

**CONSENT AGENDA**

Motion by R. Plesha/M. Kruse to approve the minutes of the La Crosse County Board of Supervisors Planning meeting held July 6, 2015 and the Monthly meeting held July 16, 2015 and the claims list for \$33,539,913.11 passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - R. Ebert, T. Johnson and P. Scheller.

**AGENDA ORDER:** Supervisor J. Veenstra asked for unanimous consent to move the Executive Committee report to the top of the agenda. There were no objections.

**RESOLUTION NO. 26-8/15 RE: ACCEPTANCE OF CLIFTONLARSONALLEN AUDIT REPORT ON LA CROSSE COUNTY'S 2014 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)**

**WHEREAS**, the audit firm of CliftonLarsonAllen recently completed their audit of the Financial Statements of La Crosse County for the year ended December 31, 2014; and, **WHEREAS**, the Financial Audit and Management Letter was presented to the La Crosse County Board at the County Board meeting on July 6, 2015. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby accepts the Financial Audit and Management Letter as presented for the 2014 fiscal year. **FISCAL NOTE:** CliftonLarsonAllen's fee for 2014 audit services is \$73,140, for which money is budgeted in 2015 and allocated across several departments.

**EXECUTIVE COMMITTEE**

Motion by J. Veenstra/K. Cable to approve passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - R. Ebert, T. Johnson and P. Scheller.

**RESOLUTION NO. 27-8/15 RE: AUTHORIZATION TO BORROW \$5,475,000 AS A REVENUE OBLIGATION LOAN FROM THE TRUST FUNDS OF STATE OF WISCONSIN FOR ADVANCE REFUNDING OF TAXABLE GENERAL OBLIGATION SOLID WASTE BONDS, SERIES 2006A**

**WHEREAS**, pursuant to the provisions of Chapter 66 Subchapter VIII or Chapter 67 of the Wisconsin Statutes, municipalities may borrow money for purchasing, acquiring, constructing, extending, adding to, improving operating and managing a public utility and repay such loan

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from revenues received from any source; and, **WHEREAS**, pursuant to the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands ("BCPL") is authorized to make loans from the State Trust Funds to municipalities for such purposes; and, **WHEREAS**, the County of La Crosse owns and operates the La Crosse County Solid Waste Utility (the "System") for the collection, treatment, storage and disposal of solid waste; and, **WHEREAS**, certain improvements to the System necessary to meet the needs of the County of La Crosse and the residents thereof (the "Project") were funded by the La Crosse County Taxable General Obligation Solid Waste Bonds, Series 2006A; and, **WHEREAS**, the County of La Crosse deems it to be necessary, desirable and in its best interest to obtain a Revenue Obligation Trust Fund Loan from BCPL for advance refunding of Taxable Solid Waste Bonds, Series 2006A, and such Loan is to be payable from the income and revenues of the System. **NOW, THEREFORE BE IT RESOLVED**, that the County of La Crosse is hereby authorized to borrow from the Trust Funds of the State of Wisconsin the sum of Five Million Four Hundred Seventy Five Thousand and 00/100 Dollars (\$5,475,000.00) for the purpose of advance refunding of Taxable Solid Waste Bonds, Series 2006A and for no other purpose. Such loan shall be payable within 10 years from the 15<sup>th</sup> day of March preceding the date the loan is disbursed. The loan will be repaid in full on the 15<sup>th</sup> day of March, 2025 with interest at the rate of 4.00 percent per year from the date of disbursement of the loan to the date the loan is repaid. Such loan may be prepaid before the maturity date in accordance with the limitations set forth in Chapter 24 of the Wisconsin Statutes. **BE IT FURTHER RESOLVED**, that the revenues of the System are hereby pledged to BCPL to repay this loan and that such pledge shall be senior and superior to all other pledges of such revenues. No notes, bonds or other obligations payable out of the revenues of the System may be issued in such manner as to enjoy priority over this Loan. Any and all payments made to the County of La Crosse out of the revenues of the System, including any required tax equivalent payments, shall be subordinate to payments required under this obligation. **BE IT FURTHER RESOLVED**, that all ordinances, resolutions, or orders, or parts thereof which were previously enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed, and this Resolution shall be in effect from and after its passage. **BE IT FURTHER RESOLVED**, we acknowledge that should the County of La Crosse default on this loan, BCPL is required under Wisconsin Statute Section 24.70 to intercept any state payments that may be otherwise due the County of La Crosse. **BE IT FURTHER RESOLVED**, we acknowledge that the Certificate of Indebtedness will contain a covenant requiring that the System tipping and other user fees and rates charged to customers of the System will be sufficient to ensure adequate maintenance and repair, adequate replacement reserves when considering the current functional age of the System and expected timing and costs of future capital expenditures including liabilities for anticipated landfill closure(s), and a debt service coverage ratio (defined as net operating income divided by total debt service) exceeding 1.25. **BE IT FURTHER RESOLVED**, that if BCPL agrees to make such loan, that the Chair and Clerk of the County of La Crosse are authorized and empowered in the name of the County to execute and deliver to BCPL, those Certificates of Indebtedness in such form as required by BCPL, for the sum of money that may be loaned to the County of La Crosse pursuant to this resolution. The Chair and Clerk are authorized and directed to perform all actions reasonably necessary to fully carry out the provisions of Chapter 24 of the Wisconsin Statutes, and these resolutions. **BE IT FURTHER RESOLVED**, that these recitals and these resolutions and the votes by which they were adopted, shall be recorded, and that the Clerk of the County of La Crosse shall forward this certified record, along with the application for the loan, to BCPL.

#### **EXECUTIVE COMMITTEE**

Motion by J. Veenstra/H. Hoffman to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. Motion by J. Veenstra/H. Hoffman to waive the rules and allow no fiscal note passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - R. Ebert, T. Johnson and P. Scheller. The motion to approve passed on a unanimous roll call vote with 25 ayes, 1 absent - K. Rosa, 3 excused - R. Ebert, T. Johnson and P. Scheller

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**RESOLUTION NO. 28-8/15 RE: AUTHORIZATION FOR APPLICATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT SMALL CITIES HOUSING PROGRAM**

**WHEREAS**, La Crosse County approved the submission of a grant application on behalf of the Southwest Wisconsin Housing Consortium by Resolution #37-10/12; and, **WHEREAS**, in 2012, the State awarded the Southwest Wisconsin Housing Region \$2,080,000 for the first phase of the Community Development Block Grant Housing Program and in 2014 the second phase of \$1,599,370 was awarded; and, **WHEREAS**, La Crosse County has been and will continue to be the lead county for the Southwest Wisconsin Housing Region; and, **WHEREAS**, federal monies are available under the Wisconsin Community Development Block Grant Housing Program, administered by the State of Wisconsin, Department of Administration, Division of Housing, for the purpose of housing activities; and, **WHEREAS**, after public meeting and due consideration, the Executive Committee has recommended applications be submitted to the State of Wisconsin for housing projects that include owner-occupied mortgages, rental rehabilitation mortgages, and home buyer assistance loans; and, **WHEREAS**, it is necessary for the La Crosse County Board of Supervisors to approve the preparation and filing of applications for the Southwest Wisconsin Housing Region to receive funds from this program; and, **WHEREAS**, it is in the best interest of La Crosse County to apply for this grant again and to sign all necessary contracts to implement this program. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby approves the current application for the Community Development Block Grant Small Cities Housing Program for the Southwest Wisconsin Housing Region and future applications for the Program as the lead county for the Region. **BE IT FURTHER RESOLVED**, that the County Board Chair is hereby authorized to sign all necessary documents with the State to apply for these Grants and to sign any documents necessary to implement this Community Development Block Grant Housing Program, after approval by Corporation Counsel. **FISCAL NOTE:** The 2014-2015 Community Development Block Grant is estimated at approximately \$3,000,000 to be distributed to region members. Part of the grant dollars helps pay for administrative work by County staff. No additional staff required to administer the grant.

**EXECUTIVE COMMITTEE**

Motion by J. Veenstra/V. Burke to approve. Discussion ensued. Planner Charlie Handy responded to question from the Board. The motion to approve passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - R. Ebert, T. Johnson and P. Scheller.

**FIRST CONSIDERATION OF ORDINANCE**

ORDINANCE NO. 143 TO AMEND S. 2.01(2) ENTITLED "SUPERVISORY DISTRICTS" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN. Motion by J. Veenstra to move the first reading. Discussion ensued. Administrator O'Malley and Clerk Dankmeyer 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](http://www.co.la-crosse.wi.us). Upon adoption and publication it will be incorporated into the La Crosse County General Code of Ordinances.

**ZONING ORDINANCE NO. Z348-8/15 RE: PETITION NO. 1962 FILED BY JOSHUA WALDEN, WORKING FOR AND O/B/O CROSSFIRE, INC., TO REZONE A 22.16 ACRE PARCEL FROM THE EXCLUSIVE AGRICULTURE DISTRICT TO THE RURAL DISTRICT FOR FUTURE RESIDENTIAL USE IN THE TOWN OF FARMINGTON**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1962 to amend the La Crosse County Zoning Ordinance filed by: Joshua Walden, working for and o/b/o Crossfire, Inc., P.O. Box 1944, La Crosse, WI, 54602-1944 and having held a public hearing on the 3<sup>rd</sup> day of August 2015 for a petition to rezone a 22.16 acre parcel from the Exclusive Agriculture District to the Rural District for future residential use in the Town of Farmington and described as follows: Lot 1 of Certified Survey Map No. 66 in Volume 14 except Certified Survey Map No. 123 in Volume 14 and except part taken for road purposes. Tax parcel 5-178-1. Town of Farmington. 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

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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 five (5) in favor (Hundt-Wehrs, Hoffman, Giese, Scheller, Hesse), and two (2) no (Holtze, Nikolay), the committee recommended denial of Zoning Petition No. 1962. (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 20<sup>th</sup> day of August, 2015. Denied the petition, (no ordinance is adopted).

#### **PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by T. Wehrs/D. Hesse to approve as recommended by the Committee to deny passed on a voice vote with 23 ayes, 1 nay - M. Nikolay, 1 absent - K. Rosa, 4 excused - R. Ebert, T. Johnson, P. Scheller and J. Veenstra.

#### **RESOLUTION NO. 29-8/15 RE: APPROVAL OF UTILITY EASEMENT FOR LAKEVIEW CAMPUS AND FUTURE REGIONAL DEVELOPMENT**

**WHEREAS**, there is a need for an easement to accommodate utilities from Xcel Energy, WE Energies, Charter Communications, and CenturyLink to serve the new Lakeview campus and to serve future development on the Lakeview Farm property; and, **WHEREAS**, the easement shall consist of a 10' wide utility easement along the northern edge of County property located just south of Garland Street in the Village of West Salem and legally described as follows: A parcel of land located in the Fractional NW<sup>1</sup>/<sub>4</sub>- Fractional NW<sup>1</sup>/<sub>4</sub> and the Fractional NE<sup>1</sup>/<sub>4</sub> - Fractional NW<sup>1</sup>/<sub>4</sub>, Section 2, T16N, R6W, Village of West Salem, La Crosse County, Wisconsin, described as follows: Commencing at the Northwest corner of said Section 2; thence South along the West line of the said Fractional NW<sup>1</sup>/<sub>4</sub>-Fractional NW<sup>1</sup>/<sub>4</sub>, a distance of 33.00 feet, to the South line of Garland Street East; thence East along the South line of said Garland Street East to the Northeast corner of lands as shown and described in Vol. 8 Certified Survey Map, Page 49 at document number 1197907, and the point of beginning; thence continuing East, along the South line of Garland Street East, to the Northwest corner of Lot 1 of lands as shown and described in Vol. 14 Certified Survey Map, Page 7 at document number 1502709; thence South along the West line of said Lot 1 of Vol. 14 Certified Survey Map, Page 7, a distance of 10.00 feet; thence West, parallel with the South line of Garland Street East, to the West line of Lot 1 of lands as described in Vol. 8 Certified Survey Map, Page 49; thence North along the East line of said Lot 1 of lands described in Vol. 8 Certified Survey Map, Page 49, a distance of 10.00 feet, to the point of beginning; and, **WHEREAS**, at the present time Xcel Energy, WE Energies, Charter Communications, and CenturyLink, have a need to utilize this easement over La Crosse County property; and, **WHEREAS**, it is in the best interests of La Crosse County to grant a non-exclusive perpetual easement to these utilities and to future utilities as needed. **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby approves the granting of a 10' wide non-exclusive perpetual easement described above to the utilities referenced in this resolution and to future utilities as needed to serve the Lakeview campus and future development in the area. **BE IT FURTHER RESOLVED**, that the County Board Chair and County Clerk are authorized to sign any documents necessary to effectuate this resolution, after approval by Corporation Counsel. **FISCAL NOTE:** Recording fee of \$30 for each utility easement agreement will be paid out of Org 1131 Property Management, Account 74045 Property Care/Maintenance.

#### **PUBLIC WORKS AND INFRASTRUCTURE**

Motion by M. Freedland/A. Richmond to approve passed on a unanimous voice vote with 24 ayes, 1 absent - K. Rosa, 4 excused - R. Ebert, T. Johnson, P. Scheller and J. Veenstra.

#### **RESOLUTION NO. 30-8/15 RE: AUTHORIZATION OF LETTER OF INTEREST TO LEASE COUNTY PROPERTY FOR NORTHERN STATES POWER SOLAR PROJECT**

(58-15/16)

**WHEREAS**, Northern States Power Company has solicited requests for proposals for utilization of solar energy in connection with a Connect Communities Project; and, **WHEREAS**, as part of the Connect Communities Project the companies responding to the request for proposals need to make available a site of approximately 10 acres to locate solar panels, where various entities can pay a fee to utilize the energy from the solar panels to meet their energy needs; and, **WHEREAS**, La Crosse County has been contacted as a possible site by at least one of the companies responding to the request for proposals for the solar Connect Communities Project; and, **WHEREAS**, if the County would be used as a site for such a project, the County would lease the site for a period of approximately 25 years or such other term to be negotiated with the company and for rental rates and other terms and conditions to be negotiated with the successful company; and, **WHEREAS**, the Lakeview campus could possibly use the energy from the solar site to help meet its energy needs; and, **WHEREAS**, the County's participation to lease property for such a project would help promote the use of energy from non-fossil fuels in the region. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby authorizes the County Board Chair to sign Letters of Interest to lease approximately 10 acres of County property on the Lakeview Farm at a specific site to be determined by the Facilities Director, after approval by Corporation Counsel. **BE IT FURTHER RESOLVED**, that the final agreement for lease of any County property to a company for use in connection with the Project will be subject to further review and approval by the La Crosse County Board. **FISCAL NOTE:** No direct cost to La Crosse County. County would receive revenues under the negotiated lease. Property is currently leased for farm purposes and anticipated revenue from lease would exceed farm rental.

**EXECUTIVE COMMITTEE**

**PUBLIC WORKS AND INFRASTRUCTURE**

Motion by M. Freedland/A. Richmond to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. The motion to approve passed on a voice vote with 22 ayes, 2 nays - L. Berg and D. Hesse, 1 absent - K. Rosa, 4 excused - R. Ebert, T. Johnson, P. Scheller and J. Veenstra.

**SUGGESTION FOR FUTURE AGENDA TOPICS**

- Supervisor Doyle asked for an update from Corporation Counsel on lawsuits filed against the County.

**ADJOURN**

Motion by D. Holtze to adjourn at 6:36 PM passed on a unanimous voice vote with 24 ayes, 1 absent - K. Rosa, 4 excused - R. Ebert, T. Johnson, P. Scheller and J. Veenstra.

**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, August 20, 2015 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 1 OF SEPTEMBER 2015.**