

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING  
PROCEEDINGS; THURSDAY, JULY 21, 2016**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, July 21, 2016 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 22 supervisors were present when First 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	Excused
2 Geary, Ralph	Present
3 Weidenbach, Doug	Present
4 Freedland, Maureen	Present
5 Rosa, Keyla	Excused
6 Plesha, Roger	Present
7 Hampson, Sharon	Present
8 Jerome, Peg	Present
9 Gundersen, Jerome	Present
10 Cable, Kim	Present
11 Scheller, Patrick	Present
12 Holtze, Dave	Present
13 Tryggestad, Tina	Present
14 Larson, Margaret	Present
15 Kruse, Monica	Present
16 Ferries, Dan	Present
17 Giese, Mike	Present
18 Berg, Laurence	Present
19 Cornforth, Rick	Present
20 Doyle, Steve	Excused
21 Burke, Vicki	Present
22 Barlow, Patrick	Present
23 Nikolay, Matt	Present
24 Pfaff, Leon	Excused
25 Ebert, Ray	Excused
26 Hesse, Dan	Present
27 Wehrs, Tina	Present
28 Tyser, Kathie	Present at 06:22 PM
29 Johnson, Tara	Excused

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

**County Board Chair Report - Tara Johnson**

- Moment of Silence for Michael McGuire – He was the Printing Department Supervisor for many years and adapted well to the many changes that printing went through over the years.
- Supervisor Conference Reports
  - Supervisor Holtze attended the first meeting of the WCA Shoreland Zoning Task Force in Stevens Point.

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- Supervisor Burke noted the Mississippi Regional Planning Commission report that was placed on Supervisors desks.
- Supervisor Cable announced the La Crosse Homeless Coalition is hosting the Project Homeless Connect which lends a hand to locals in need of food, hygiene services, health screenings and housing information on July 28, 2016.
- Supervisor Jerome invited Supervisors to the Korean Veterans War Memorial dedication on Wednesday, July 27<sup>th</sup> and Veterans Freedom Park.
- Supervisor Barlow thanked several people who staffed the cooling center at the Salvation Army through the times of the heatwave.
- Supervisor Weidenbach attended the Northside Neighborhood Association and they discussed the development of the Kane Street Gardens into housing. He also attended the Arts Board meeting and took the Roads and Ridges tour with Highway Commission Ron Chamberlain.

**Administrator Report - Steve O'Malley**

- Wisconsin Land Information Association (WLIA) "Best Presentation Award" to Bryan Meyer
  - WLIA President, Martin Goettl presented the "Best Presentation Award" to the County Surveyor Bryan Meyer. Bryan has been a regular presenter at their meetings and this is his 3<sup>rd</sup> consecutive year winning this award. The award is voted on by his peers.
- Presentation to Moody's Investor Services
  - Administrator O'Malley gave an overview of the presentation he gave to Moody's regarding the County's bond rating. Moody's Investment Services, after their thorough independent analysis, reaffirmed the Aa1 bond rating for La Crosse County which was a basis for the bids that will be considered later in the meeting.

**AGENDA ORDER**

First Vice-Chair Hampson asked for unanimous consent to take Item #7-15 out of order. There were no objections.

**RESOLUTION NO. 23-7/16 RE: DETERMINING TO ISSUE \$31,425,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2016A, OF THE COUNTY OF LA CROSSE, WISCONSIN, PROVIDING DETAILS, PRESCRIBING THE FORM OF BOND, AWARDING THE BONDS TO THE BEST BIDDER, AND LEVYING TAXES**

**WHEREAS**, the County of La Crosse, Wisconsin (the "County") is authorized by the provisions of Chapter 67, Wisconsin Statutes, as supplemented and amended, to issue bonds for any public purpose and to refund any municipal obligations, including interest on them; and **WHEREAS**, by initial resolutions duly adopted on Jun 18, 2015 and June 16, 2016, there have been authorized to be issued not to exceed \$32,365,000 general obligation bonds of the County for the public purposes as follows:

\$11,050,000 for the acquisition of land, buildings and related improvements and the construction of improvements thereto, all for a County administration building, constructing improvements to the Law Enforcement Center, the Health and Human Services Building and other County buildings and providing parking; and, \$2,410,000 for laying out, opening and widening streets and highways and providing street and highway improvements; and, \$18,900,000 for refunding outstanding obligations of the County; and,

**WHEREAS**, it is considered necessary and desirable by the County Board of Supervisors of the County that the County borrow \$31,425,000 for the purposes aforesaid and that the

County issue its General Obligation Corporate Purpose Bonds, Series 2016A (the "Bonds") to evidence the indebtedness thereby incurred; and, **WHEREAS**, notice of the sale of such bonds for such purpose was published on July 20, 2016, in *The Bond Buyer*; and, **WHEREAS**, it is now necessary that said bonds be sold and issued for the public purposes aforesaid in the aggregate principal amount of \$31,425,000; and, **WHEREAS**, pursuant to the advertisement aforesaid, sealed bids were received for the purchase of said bonds in said amount until 10:30 A.M., C.T., on July 21, 2016, and are as follows:

NAME OF BIDDER	TRUE INTEREST RATE
Stifel Nicolaus & Company	1.8754% *
Mesirow Financial Inc.	2.1552%
Hutchinson, Shockey, Erley & Co.	2.1603%
Robert W. Baird & Company Inc.	2.2031%
Jefferies & Company, Inc.	2.3613%

; and **WHEREAS**, the bid of Stifel Nicolaus & Company, Inc. of Denver, Colorado, and associates at a price of \$32,624,038.93, was the best bid submitted, which bid is as follows:

- TIC after re-sizing is 1.8759%.

(Here insert or attach a true copy of the Winning Bid)

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Supervisors of the County of La Crosse, Wisconsin, as follows:

*Section 1. Definitions.* For all purposes of this Resolution, except as otherwise expressly provided herein or unless the context otherwise requires, the terms defined in this Section 1 shall have the meanings set forth below, and shall include the plural as well as the singular:

"Bond" or "Bonds" shall mean one or more of the General Obligation Corporate Purpose Bonds, Series 2016A, authorized to be issued by the County by the terms of this Resolution.

"Bond Register" shall mean the books of the County kept by the Registrar to evidence the registration and transfer of the Bonds.

"Code" means the Internal Revenue Code of 1986, as amended.

"County" shall mean the County of La Crosse, Wisconsin, and any successor to the duties or functions of the County.

"Cross-Over Refunded Bonds" means the October 1, 2018 and October 1, 2019 maturities of the County's outstanding General Obligation Law Enforcement Center Bonds, Series 2009-A, outstanding in the aggregate principal amount of \$13,365,000.

"Current Refunded Obligations" means the March 15, 2017, 2018 and 2019 maturities of the County's outstanding State Trust Fund Loan dated February 5, 2010, currently outstanding in the aggregate principal amount of \$5,020,823.81.

"Escrow Agent" shall mean Wells Fargo Bank, National Association, of Minneapolis, Minnesota, and its successors.

"Escrow Agreement" shall mean the Escrow Agreement by and between the County and the Escrow Agent, relating to the Cross-Over Refunded Bonds.

"Escrow Fund" shall mean the Escrow Fund established under the Escrow Agreement.

"Governing Body" shall mean the County Board of Supervisors of the County, or such other council, board, commission or body, by whatever name known, which shall succeed to its powers.

"Refunded Bonds" means, collectively, the Cross-Over Refunded Bonds and the Current Refunded Obligations.

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“Registrar” shall mean Wells Fargo Bank, National Association, of Minneapolis, Minnesota, or a successor designated as Registrar under this Resolution.

“Resolution” shall mean this resolution as adopted by the Governing Body of the County.

*Section 2. Authorization.* The issuance of \$31,425,000 aggregate principal amount of Bonds is hereby authorized for the purpose of providing funds in an amount sufficient to finance the public purpose projects of the County and to refund the Refunded Bonds, as set out in the preamble to this Resolution.

The Bonds shall be designated “General Obligation Corporate Purpose Bonds, Series 2016A,” shall be dated the date of issuance, and shall also bear the date of their authentication by the Registrar. The Bonds shall be in fully registered form, shall be in denominations of \$5,000 each and integral multiples thereof (but no single Bond shall represent installments of principal maturing on more than one date), shall be lettered “R” and numbered consecutively starting with the number one, shall mature [serially] on October 1 of the years and in the principal amounts, and shall bear interest at the rates per annum, as follows:

YEAR	PRINCIPAL AMOUNT	INTEREST RATE	YEAR	PRINCIPAL AMOUNT	INTEREST RATE
2017	<u>\$ 840,000</u>	<u>2.000%</u>	2027	<u>\$2,305,000</u>	<u>1.875%</u>
2018	<u>2,175,000</u>	<u>2.000</u>	2028	<u>2,420,000</u>	<u>2.000</u>
2019	<u>2,250,000</u>	<u>1.750</u>	2029	<u>640,000</u>	<u>2.125</u>
2020	<u>2,295,000</u>	<u>1.625</u>	2030	<u>655,000</u>	<u>2.250</u>
2021	<u>2,350,000</u>	<u>3.000</u>	2031	<u>670,000</u>	<u>2.250</u>
2022	<u>2,420,000</u>	<u>3.000</u>	2032	<u>675,000</u>	<u>2.300</u>
2023	<u>2,495,000</u>	<u>3.000</u>	2033	<u>690,000</u>	<u>2.375</u>
2024	<u>2,375,000</u>	<u>3.000</u>	2034	<u>710,000</u>	<u>2.500</u>
2025	<u>2,190,000</u>	<u>3.000</u>	2035	<u>1,020,000</u>	<u>2.500</u>
2026	<u>2,250,000</u>	<u>1.750</u>			

*Section 3. Interest; Payment Provisions.* The Bonds shall bear interest from their date or from the most recent interest payment date to which interest has been paid or duly provided for, at the rates set out above, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable on April 1 and October 1 of each year, commencing on April 1, 2017. Interest on each Bond shall be paid by check or draft of the Registrar to the person in whose name such Bond is registered at the close of business on the fifteenth day of the calendar month next preceding the applicable interest payment date. The principal of each Bond shall be payable in lawful money of the United States of America only upon presentation and surrender of such Bond at the designated corporate trust office of the Registrar.

*Section 4. Execution; Authentication.* The Bonds shall be executed on behalf of the County with the manual or facsimile signature of the Chairperson of the County and with the manual or facsimile signature of the County Clerk of the County, and sealed with the official seal of the County or a printed facsimile of such seal. In case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

All Bonds shall have thereon a certificate of authentication substantially in the form hereinafter set forth duly executed by the Registrar as authenticating agent of the County and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Resolution unless and until such certificate of authentication shall have been duly executed by the Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Resolution. The certificate of authentication on any Bond shall be deemed to have been executed by the Registrar if signed by an authorized officer of the Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued under this Resolution.

*Section 5. Registration of Bonds; Persons Treated as Owners.* The County shall cause books (the "*Bond Register*") for the registration and for the transfer of the Bonds as provided in this Resolution to be kept at the designated corporate trust office of the Registrar, which is hereby constituted and appointed the registrar of the County with respect to the Bonds herein authorized.

Upon surrender for transfer of any Bond at the designated corporate trust office of the Registrar duly endorsed by, or accompanied by a written instrument or instruments of transfer in form satisfactory to the Registrar duly executed by the registered owner thereof or his attorney duly authorized in writing, the County shall execute and the Registrar shall authenticate, date and deliver in the name of the transferee or transferees a new fully registered Bond or Bonds of the same maturity and interest rate of authorized denomination or denominations, for a like aggregate principal amount. Any fully registered Bond or Bonds may be exchanged at said office of the Registrar for a like aggregate principal amount of Bond or Bonds of the same maturity and interest rate of other authorized denominations. The execution by the County of any fully registered Bond shall constitute full and due authorization of such Bond, and the Registrar shall thereby be authorized to authenticate, date and deliver such Bond; *provided, however*, that the principal amount of the outstanding Bonds authenticated by the Registrar shall never exceed the authorized principal amount of the Bonds, less previous retirements.

The Registrar may, but shall not be required to, transfer or exchange any Bond during the period of fifteen (15) days next preceding any interest payment date on such Bond, nor to transfer or exchange any Bond after notice calling such Bond for redemption prior to maturity has been mailed nor during the period of fifteen (15) days next preceding mailing of a notice of redemption of any Bonds.

The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and the payment of the principal of, premium (if any) or interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Bonds, but the County or the Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds, except in the case of the issuance of a Bond or Bonds for the unredeemed portion of a Bond surrendered for redemption.

The County and/or the Registrar may enter into an agreement with a securities depository registered under Section 17A of the Securities Exchange Act of 1934, as amended (the "*Securities Depository*"), including without limitation The Depository Trust Company, which is the record owner of the Bonds, to establish procedures with respect to Bonds owned

by such Securities Depository. Such agreement may impose additional requirements on the Registrar with respect to the Bonds.

*Section 6. Prior Redemption.* The Bonds maturing on and after October 1, 2026, shall be subject to redemption prior to maturity at the option of the County as a whole, or in part in such order of maturity as the County may determine (less than all of the Bonds of a single maturity to be selected by the Registrar as hereinafter provided), on October 1, 2025, and on any date thereafter, at a redemption price of 100% of the principal amount thereof being redeemed plus accrued interest to the date fixed for redemption.

The Bonds shall be redeemed only in the principal amount of \$5,000 each and integral multiples thereof. At least forty-five (45) days prior to the date fixed for any optional redemption (unless a shorter notice shall be satisfactory to the Registrar), the County shall notify the Registrar of such date fixed for redemption and of the principal amount of Bonds to be redeemed. For purposes of any redemption of less than all of the outstanding Bonds of a single maturity, the particular Bonds or portions of Bonds to be redeemed shall be selected by the Registrar from the outstanding Bonds of such maturity then outstanding by such method as the Registrar shall deem fair and appropriate, and which may provide for the selection for redemption of Bonds or portions of Bonds in principal amounts of \$5,000 and integral multiples thereof.

The Registrar shall promptly notify the County in writing of the Bonds or portions of Bonds selected for redemption prior to maturity and, in the case of any Bond selected for partial redemption, the principal amount thereof to be redeemed.

*Section 7. Redemption Procedure.* Unless waived by any registered owner of the Bonds (or portions thereof) to be redeemed, notice of the call for any such redemption prior to maturity shall be given by the Registrar on behalf of the County by mailing the redemption notice by registered or certified mail, postage prepaid, not less than thirty (30) days prior to the date fixed for redemption to the registered owner of the Bond or Bonds to be so redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Registrar. Failure to give such notice by mailing to any owner of any Bond, or any defect therein, shall not affect the validity of any proceedings for the redemption of any other Bonds.

All notices of redemption shall state:

- (1) the date fixed for redemption,
- (2) the redemption price,
- (3) if less than all outstanding Bonds are to be redeemed, the identification, including CUSIP numbers (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed,
- (4) that on the date fixed for redemption the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and
- (5) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal corporate trust office of the Registrar.

Prior to any date fixed for redemption, the County shall deposit with the Registrar an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on that date. With respect to an optional redemption of the Bonds, unless moneys sufficient to pay the principal of and interest on the Bonds to be redeemed shall have been received by the Registrar prior to the giving of such notice of redemption, such notice may, at the option of the County, state that said redemption shall be conditional

upon the receipt of such moneys by the Registrar on or prior to the date fixed for redemption. If such moneys are not received, such notice shall be of no force and effect, the County shall not redeem the Bonds or portion thereof and the Registrar shall give notice, in the same manner in which the notice of redemption was given, that such moneys were not so received and that the Bonds or portion thereof will not be redeemed.

Notice of redemption having been given as aforesaid, subject to the provisions above for a conditional call, the Bonds or portions of Bonds so to be redeemed shall, on the date fixed for redemption, become due and payable at the redemption price therein specified, and from and after such date (unless the County shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Registrar at the redemption price. Installments of interest due on or prior to the date fixed for redemption shall be payable as herein provided for the payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of the same maturity in the amount of the unpaid principal. All Bonds which have been redeemed shall be cancelled and destroyed by the Registrar, and shall not be reissued.

In addition to the redemption notice required above, further notice of redemption (the "Additional Redemption Notice") shall be given by the Registrar as set forth below, but no defect in the Additional Redemption Notice nor any failure to give all or any portion of the Additional Redemption Notice shall in any manner affect the effectiveness of a call for redemption if notice thereof is given as prescribed above.

Each Additional Redemption Notice given hereunder shall contain the information required above, plus (i) the date such notice required above has been or will be mailed; (ii) the date of issuance of the Bonds being redeemed, as originally issued; (iii) the maturity date of each Bond (or portion thereof) to be redeemed; and (iv) any other descriptive information needed to identify accurately the Bonds being redeemed prior to maturity.

Each Additional Redemption Notice shall be sent at least thirty (30) days before the date fixed for redemption by legible facsimile transmission, registered or certified mail (postage prepaid) or overnight delivery service to The Depository Trust Company of New York, New York, and to at least two (2) national information services that disseminate notices of redemption of obligations such as the Bonds.

*Section 8. Form of Bonds.* The Bonds, the certificate of authentication to be endorsed thereon and the form of assignment to be endorsed thereon are all to be in substantially the following forms with necessary and appropriate variations, omissions and insertions as permitted or required by this Resolution:

No. R-\_\_\_\_\_

\$\_\_\_\_\_

**UNITED STATES OF AMERICA**

**STATE OF WISCONSIN**

**COUNTY OF LA CROSSE**

**GENERAL OBLIGATION**

**CORPORATE PURPOSE BOND, SERIES 2016A**

RATE OF

(59-16/17)

INTEREST	MATURITY DATE	DATED DATE	CUSIP NUMBER
_____ %	October 1, _____	August 18, 2016	_____

Registered Owner:

Principal Amount:

KNOW ALL MEN BY THESE PRESENTS: That the County of La Crosse in the State of Wisconsin (the "*County*"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner hereinabove identified, or registered assigns as hereinafter provided, on the Maturity Date hereinabove identified, the Principal Amount hereinabove identified and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on such Principal Amount from the Dated Date hereinabove identified or from the most recent interest payment date to which interest has been paid at the Rate of Interest per annum hereinabove identified on April 1 and October 1 of each year, commencing on April 1, 2017, until said Principal Amount is paid, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be and become applicable to this Bond.

The principal of this Bond is payable in lawful money of the United States of America only upon presentation and surrender of this Bond at the designated corporate trust office of Wells Fargo Bank, National Association, as registrar and paying agent, and its successors (the "*Registrar*"). Payment of each installment of interest hereon shall be made to the Registered Owner hereof who shall appear on the registration books of the County maintained by the Registrar at the close of business on the fifteenth day of the calendar month next preceding the applicable interest payment date, and shall be paid by check or draft of the Registrar mailed to such Registered Owner at his address as it appears on such registration books or at such other address as may be furnished in writing by such Registered Owner to the Registrar.

Reference is hereby made to the further provisions of this Bond set forth on the reverse side hereof, and such further provisions shall for all purposes have the same effect as if set forth on the front side of this Bond.

It is hereby certified, recited and declared that all acts, conditions and things required to be done, exist, happen and be performed precedent to and in the issuance of this Bond have been done, have existed, have happened and have been performed in due time, form and manner as required by the Constitution and the laws of the State of Wisconsin; that this Bond, together with all other indebtedness of the County, does not exceed any limitation prescribed by law; and that the County has levied a direct annual irrepealable tax sufficient to pay the interest hereon when it falls due and also to pay and discharge the principal hereof at maturity.

The full faith, credit and resources of the County are hereby pledged for the payment of the principal of and interest on this Bond and the issue of which it is a part as the same respectively become due and for the levy and collection of sufficient taxes for that purpose.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Registrar.

IN WITNESS WHEREOF, the County of La Crosse, Wisconsin, by its County Board of Supervisors, has caused this Bond to be executed with the duly authorized manual or facsimile signature of its Chairperson and with the duly authorized manual or facsimile signature of its County Clerk, and its official seal or a facsimile thereof to be impressed or reproduced hereon, as of the Dated Date hereinabove identified.



\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chairperson

[SEAL]

**CERTIFICATE OF AUTHENTICATION**

This Bond is one of the Bonds described in the within mentioned Resolution, and is one of the General Obligation Corporate Purpose Bonds, Series 2016A, of the County of La Crosse, Wisconsin.

Date of Authentication: \_\_\_\_\_

WELLS FARGO BANK, NATIONAL ASSOCIATION, as  
Bond Registrar

By \_\_\_\_\_  
Authorized Officer

This Bond is one of an authorized issue of General Obligation Corporate Purpose Bonds, Series 2016A, aggregating the principal amount of \$31,425,000 (the "Bonds") issued for the following purposes:

\$11,050,000 for the acquisition of land, buildings and related improvements and the construction of improvements thereto, all for a County administration building, constructing improvements to the Law Enforcement Center, the Health and Human Services Building and other County buildings and providing parking;  
\$2,410,000 for laying out, opening and widening streets and highways and providing street and highway improvements; and  
\$17,965,000 for refunding outstanding obligations of the County; and

pursuant to and in all respects in compliance with Chapter 67, *Wisconsin Statutes*, as supplemented and amended and a resolution adopted by the County Board of Supervisors of the County on July 21, 2016 (the "Resolution").

Bonds of the issue of which this Bond is one maturing on and after October 1, 2026, are subject to redemption prior to maturity at the option of the County as a whole, or in part in integral multiples of \$5,000 in such order of their maturity as the County may designate (less than all of the Bonds of a single maturity to be selected by the Bond Registrar in such manner as it shall deem fair and appropriate) on October 1, 2025, and on any date thereafter, at a redemption price equal to 100% of the principal amount thereof being redeemed plus accrued interest to the date fixed for redemption.

Notice of any intended redemption shall be sent by registered or certified mail, postage prepaid, not less than thirty (30) days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed (in whole or in part) at the address shown on the registration books of the County maintained by the Registrar or at such other address as is

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furnished in writing by such registered owner to the Registrar. Such notice of redemption may be conditional as provided in the authorizing resolution. When so called for redemption, this Bond, or the portion hereof being so called for redemption, will cease to bear interest on the specified redemption date, provided funds for redemption are on deposit at the place of payment on that date, and shall not be deemed to be outstanding.

This Bond is transferable by the Registered Owner hereof in person or by his attorney duly authorized in writing at the designated corporate trust office of the Registrar, but only in the manner, subject to the limitations and upon payment of the charges provided in the authorizing resolution, and upon surrender and cancellation of this Bond. Upon such transfer a new Bond or Bonds of the same maturity and interest rate of authorized denomination or denominations and for a like aggregate principal amount will be issued to the transferee in exchange for this Bond.

The Bonds are issuable in fully registered form in denominations of \$5,000 each and integral multiples thereof. This Bond may be exchanged at the designated corporate trust office of the Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations, upon the terms set forth in the authorizing resolution.

The County and the Registrar may deem and treat the registered owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the County nor the Registrar shall be affected by any notice to the contrary.

\* \* \*

The following abbreviations, when used in the inscription on the face of the within Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM- as tenants in common

UNIF GIFT/TRANS MIN ACT-  
\_\_\_\_\_Custodian \_\_\_\_\_  
(Cust) (Minor)

TEN ENT- as tenants by the entirety

under Uniform Gifts/Transfers to Minors

JT TEN- as joint tenants with right of survivorship and not as tenants in common

Act \_\_\_\_\_  
(State)

Additional abbreviations may also be used though not listed above.

(62-16/17)

**ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_  
\_\_\_\_\_

(Name and Address of Assignee)

the within Bond, and does hereby irrevocably constitute and appoint \_\_\_\_\_  
\_\_\_\_\_, or its successor as Registrar, to transfer  
the said Bond on the books kept for registration thereof with full power of substitution in the  
premises.

Dated: \_\_\_\_\_

\_\_\_\_\_  
NOTICE: The signature to this Assignment must  
correspond with the name of the registered  
owner as it appears upon the face of the within  
Bond in every particular, without alteration or  
enlargement or any change whatever.

Signature guaranteed:

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed by  
an "eligible guarantor institution" meeting the  
requirements of the Registrar, which require-  
ments include membership or participation in  
STAMP or such other "signature guaranty  
program" as may be determined by the  
Registrar in addition to or in substitution for  
STAMP, all in accordance with the Securities  
Exchange Act of 1934, as amended.

*Section 9. Sale of Bonds.* The sale of the Bonds to Stifel Nicolaus & Company, Inc.  
of Denver, Colorado, and associates, at a price of \$32,624,038.93, is hereby confirmed, the  
same being the best bid submitted. The County Treasurer of the County is hereby authorized  
to deliver the Bonds to said purchasers upon payment of the purchase price.

*Section 10. Tax Levy.* In order to provide for the collection of a direct annual tax  
sufficient to pay the interest on the Bonds and to pay and discharge the principal thereof at  
maturity, there is hereby levied upon all the taxable property in the County of La Crosse,  
Wisconsin, a direct annual tax in amounts sufficient for that purpose, and there is hereby  
levied upon all taxable property in the County the following direct annual tax in each of the  
years and amounts, to-wit:

YEAR	AMOUNT	YEAR	AMOUNT
2016	<u>\$ 1,324,901.36</u>	2026	<u>\$ 2,515,193.76</u>
2017	<u>2,899,637.52</u>	2027	<u>2,586,975.00</u>

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2018	<u>2,931,137.52</u>	2028	<u>758,575.00</u>
2019	<u>2,936,762.52</u>	2029	<u>759,975.00</u>
2020	<u>2,954,468.76</u>	2030	<u>760,237.50</u>
2021	<u>2,953,968.76</u>	2031	<u>750,162.50</u>
2022	<u>2,956,368.76</u>	2032	<u>749,637.50</u>
2023	<u>2,761,518.76</u>	2033	<u>753,250.00</u>
2024	<u>2,505,268.76</u>	2034	<u>1,045,500.00</u>
2025	<u>2,499,568.76</u>		

On the date of issuance, \$327,782.71 in premium paid for the Bonds will be deposited in the Debt Service Fund referred to in Section 12 hereof, thereby lowering the tax levy in 2016.

In each of said years from 2016 to 2034, inclusive, the direct annual tax above levied shall be extended upon the tax rolls of the County in the same manner and time as taxes for general County purposes, and when collected the proceeds of said taxes shall be deposited into the account of the debt service fund established in favor of the Bonds, to be used solely for paying the principal of and interest on the Bonds as long as any of the Bonds remain outstanding.

*Section 11. Sufficiency.* Interest or principal maturing at any time during the life of the Bonds when there shall be insufficient funds on hand from the above tax levy to pay the same shall be paid promptly when due from the general fund of the County, and said fund shall be reimbursed in a like amount out of the proceeds of taxes hereby levied when the same shall have been collected.

*Section 12. Debt Service Fund.* There has been ordered to be established in the County Treasury a fund separate and distinct from all other funds of the County to be designated the "Debt Service Fund," which fund shall be used solely for the purpose of paying principal of, premium, if any, and interest on municipal obligations issued pursuant to Chapter 67, *Wisconsin Statutes*, as supplemented and amended. There is hereby created, and there shall be deposited in, an account known as the "Series 2016A General Obligation Corporate Purpose Bond Account," to be held as a part of the Debt Service Fund, all money raised by taxation pursuant to Section 10 hereof, and such other sums as may be necessary to pay interest on the Bonds when the same shall become due and to retire the Bonds at their respective maturity dates.

*Section 13. Use of Proceeds; No Arbitrage; Bonds to Remain in Registered Form; Reimbursement.* The proceeds of the Bonds shall be deposited as follows:

- (a) \$13,625,124.50 (which includes \$642,874.14 of premium) shall be deposited in the Escrow Fund, and used solely for the purposes of advance refunding the Cross-Over Refunded Bonds as provided in the Escrow Agreement;
- (b) \$5,125,435.77 (which includes \$228,382.08 of premium) shall be deposited in the debt service fund established with respect to the Current Refunded Obligations, [together with other available funds of the County,] and used solely for the purpose of refunding the Current Refunded Obligations;
- (c) \$13,400,000.00 shall be deposited in a special fund, and used solely for the purpose of financing the public purpose projects for which the Bonds are hereby authorized and the Governing Body hereby covenants and agrees that said principal proceeds shall be devoted to and used with due diligence for such purposes; and

- (d) 327,782.71 in premium paid for the Bonds will be deposited in the Debt Service Fund referred to in Section 12 hereof; and
- (e) \$145,695.95 shall be deposited in a special fund, and used solely for the purpose of financing the costs of issuance of the Bonds.

The County recognizes that the purchasers and owners of the Bonds will have accepted them on, and paid therefor a price which reflects, the understanding that the interest thereon is excludible from Federal gross income of the owners thereof under laws in force at the time the Bonds shall have been delivered. In this connection, the County agrees that it shall take no action which may render the interest on any of the Bonds includible in Federal gross income of the owners of the Bonds. The County agrees that, to the extent possible under state law, it will comply with whatever Federal law is adopted in the future which applies to the Bonds and affects the tax-exempt status of the interest on the Bonds.

The Chairperson, the County Clerk, the County Treasurer and the Finance Director of the County, or any of them, are hereby authorized to execute on behalf of the County a Tax Exemption Certificate and Agreement to assure the purchasers and owners of the Bonds that the proceeds of the Bonds are not expected to be used in a manner which would or might result in the Bonds being "reimbursement bonds" issued in contravention of Section 1.103-18 of the United States Treasury Department Regulations (the "Regulations") or "arbitrage bonds" under Section 148 of the Code or the Regulations currently in effect or proposed. Such Tax Exemption Certificate and Agreement shall constitute a representation, certification and covenant of the County, and shall be incorporated herein by reference, and no investment of Bond proceeds or of moneys accumulated to pay the Bonds herein authorized shall be made in violation of the expectations prescribed by said Tax Exemption Certificate and Agreement. Such Tax Exemption Certificate and Agreement shall constitute an agreement of the County to follow certain covenants which may require the County to take certain actions (including the payment of certain amounts to the United States Treasury) or which may prohibit certain actions (including the establishment of certain funds) under certain conditions as specified in such Tax Exemption Certificate and Agreement.

The County further recognizes that Section 149(a) of the Code requires the Bonds to be issued and to remain in fully registered form in order that the interest thereon is excludible from Federal gross income of the owners thereof under laws in force at the time the Bonds are delivered. In this connection, the County agrees that it will not take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form.

*Section 14. Escrow Agreement.* The Chairperson of the County is hereby authorized and directed to execute, and the County Clerk of the County is hereby authorized and directed to attest and to affix the official seal of the County to, and the Chairperson and the County Clerk of the County are hereby authorized and directed to deliver, the Escrow Agreement in substantially the same form as presented to the County Board of Supervisors of the County herewith, with such changes therein as shall be approved by the Chairperson of the County, his execution of the Escrow Agreement to constitute conclusive evidence of his approval of any and all such changes.

*Section 15. Duties of Registrar.* If requested by the Registrar, the Chairperson of the County is hereby authorized to execute, and the County Clerk of the County is hereby authorized to attest, and said Chairperson and County Clerk are hereby authorized to deliver, the Registrar's standard form of agreement between the County and the Registrar with respect to the obligations and duties of the Registrar hereunder which shall include the following:

- (a) to act as Registrar, authenticating agent, paying agent and transfer agent as provided herein;

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- (b) to give notice of redemption of the Bonds as provided herein;
- (c) to cancel and destroy Bonds which have been paid at maturity or upon earlier redemption or submitted for exchange or transfer;
- (d) to furnish the County at least annually a certificate of destruction with respect to Bonds cancelled and destroyed; and
- (e) to furnish the County at least annually an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds.

The County Clerk of the County is hereby directed to file a certified copy of this Resolution with the Registrar.

The County covenants that it shall at all times retain a Registrar with respect to the Bonds, that it will maintain at the designated corporate trust office of such Registrar a place or places where Bonds may be presented for payment or registration of transfer or exchange, and that it shall require that the Registrar properly maintain the Bond Register and perform the other duties and obligations imposed upon it by this Resolution in a manner consistent with the standards, customs and practices of the municipal securities industry.

The Registrar shall signify its acceptance of the duties and obligations imposed upon it by this Resolution by executing the certificate of authentication on any Bond, and by such execution the Registrar shall be deemed to have certified to the County that it has all requisite power to accept and has accepted such duties and obligations. The Registrar is the agent of the County, and shall not be liable in connection with the performance of its duties, except for its own negligence or willful wrongdoing. The Registrar shall, however, be responsible for any representation in its certificate of authentication on the Bonds.

The County may remove the Registrar at any time. In case at any time the Registrar shall resign, shall be removed, shall become incapable of acting, or shall be adjudged as bankrupt or insolvent, or if a receiver, liquidator or conservator of the Registrar, or of the property thereof, shall be appointed, or if any public office shall take charge or control of the Registrar, or of the property or affairs thereof, the County covenants and agrees that it will thereupon appoint a successor Registrar. The County shall mail notice of any such appointment made by it to each registered owner of any Bond within twenty (20) days after such appointment. Any Registrar appointed under the provisions of this Section 14 shall be a County officer or a bank, trust company or national banking association.

Any corporation or association into which the Registrar may be converted or merged, or with which it may be consolidated, or to which it may sell or transfer its corporate trust business as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, merger or consolidation to which it is a party, shall be and become successor Registrar hereunder, and vested with all the duties, powers, discretions, immunities, privileges and all other matters as was its predecessor, without the execution or filing of any instrument or any further act, deed or conveyance on the part of any of the parties hereto, anything herein to the contrary notwithstanding. Any such successor Registrar shall give notice thereof to the County and the registered owners of the Bonds.

*Section 16. Continuing Disclosure Undertaking.* The Chairperson, the County Clerk, the County Treasurer or the Finance Director of the County, or any of them, are hereby authorized, empowered and directed to execute and deliver a Continuing Disclosure Undertaking with respect to the Bonds (the "*Continuing Disclosure Undertaking*") in substantially the form as the individual executing the Continuing Disclosure Undertaking on behalf of the County shall approve, his or her execution to constitute conclusive evidence of his or her approval of the form of such Continuing Disclosure Undertaking. When the

Continuing Disclosure Undertaking is executed and delivered on behalf of the County as herein provided, the Continuing Disclosure Undertaking will be binding on the County and the officers, employees and agents of the County, and the officers, employees and agents of the County are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Continuing Disclosure Undertaking, as executed. Copies of the Continuing Disclosure Undertaking shall be placed in the official records of the County, and shall be available for public inspection at the offices of the County. Notwithstanding any other provision of this Resolution to the contrary, the sole remedy for failure to comply with the Continuing Disclosure Undertaking shall be the ability of any beneficial owner of any Bond to seek mandamus or specific performance by court order, to cause the County to comply with its obligations under the Continuing Disclosure Undertaking.

*Section 17. Other Documents.* The Chairperson, the County Clerk, the County Treasurer, the Finance Director and all other officers of the County are hereby authorized to execute all documents and certificates necessary in connection with the authorization and delivery of the Bonds, including without limitation an official statement describing the Bonds and the County.

*Section 18. Prior Action.* The action of the Finance Director of the County in causing the notice of the sale of the Bonds to be published is hereby in all respects ratified and confirmed.

*Section 19. Severability.* If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability or such section, paragraph or provision shall not affect any of the remaining sections, paragraphs and provisions of this Resolution.

*Section 20. Conflicting Proceedings Superseded.* All ordinances, resolutions or orders, or parts thereof, heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, shall be and in the same are hereby superseded to the extent of such conflict, and this Resolution shall be in effect from and after its passage.

**FISCAL NOTE:** Debt Service Funding will be provided for in the 2017 budget.

#### **EXECUTIVE COMMITTEE**

Motion by M. Giese/M. Kruse to approve. Corporation Council responded to questions from the Board. Discussion ensued. First Vice-Chair Hampson asked for unanimous consent to only reading the title and small portions of the resolution. There were no objections. La Crosse County's Financial Advisor from Springsted, Joe Murray, responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 23 ayes, 6 excused - S. Doyle, R. Ebert, T. Johnson, L. Pfaff, A. Richmond and K. Rosa.

#### **CHAIR CHANGE**

Second Vice-Chair M. Giese took the Chair.

#### **APPOINTMENTS**

Motion by S. Hampson/D. Holtze to reappoint Vicki Burke to the Mississippi Regional Planning Commission for a three year term to expire July 15, 2019; Reappoint Marc Schultz to the Harbor Commission for a three year term to expire July 31, 2019; and Addendum Item #7-18 - Appoint Mike Giese to the Wisconsin Pace (Property Assessed Clean Energy) Commission as the La Crosse County Representative Director for a term to end April 30, 2018 passed on a unanimous voice vote with 23 ayes, 6 excused - S. Doyle, R. Ebert, T. Johnson, L. Pfaff, A. Richmond and K. Rosa.

#### **CHAIR CHANGE**

First Vice-Chair S. Hampson resumed the Chair.

**CONSENT AGENDA**

Motion by M. Nikolay/M. Freedland to approve the minutes of the La Crosse County Board of Supervisors Planning meeting held June 6, 2016 and the Monthly meeting held June 16, 2016 and the claims list for \$6,030,129.42 passed on a unanimous voice vote with 23 ayes, 6 excused - S. Doyle, R. Ebert, T. Johnson, L. Pfaff, A. Richmond and K. Rosa.

**RESOLUTION NO. 24-7/16 RE: APPROVAL OF ACCEPTANCE OF GRANT FOR PURCHASE OF NEW Lenco BEARCAT AND SALE OF EXISTING BEARCAT VEHICLE**

**WHEREAS**, in 2004 the Office of Justice Assistance-Homeland Security awarded a grant to La Crosse County for the purchase of an armored Lenco Bearcat for law enforcement purposes; and, **WHEREAS**, as a result of the grant, La Crosse County purchased an armored Bearcat and has used the Bearcat successfully in a number of life threatening situations in La Crosse County and the surrounding area; and, **WHEREAS**, the law enforcement agencies of local governments that received funding for the purchase of the Bearcat are referred to as the Aligned Law Enforcement Response Teams (ALERT); and, **WHEREAS**, the Department of Military Affairs-Division of Emergency Management (WEM) has started a long range plan for future replacement of the Bearcat vehicles and funding has been authorized and delivery of a new replacement vehicle to La Crosse County is anticipated in 2017; and, **WHEREAS**, the grant for the new replacement Bearcat vehicle is \$225,000 to go towards the purchase of an armored Bearcat vehicle; and, **WHEREAS**, the ALERT training committee has conducted a process to determine the best vehicle available and has identified the Lenco Bearcat G3 as the top choice for a replacement vehicle; and, **WHEREAS**, the Sheriff's Department and the La Crosse County Emergency Response Team agree with the choice of the Lenco Bearcat G3 as a replacement vehicle; and, **WHEREAS**, the replacement process established by WEM allows the local agency to sell the current Bearcat vehicle to another law enforcement agency in the State of Wisconsin, subject to review and approval by WEM; and, **WHEREAS**, funds from the sale of the current Bearcat vehicle can be used towards the purchase of the new Bearcat vehicle; and, **WHEREAS**, it is in the best interest of La Crosse County to accept the grant award for a new Bearcat vehicle and sell the current vehicle to another law enforcement agency. **NOW THEREFORE BE IT RESOLVED** the La Crosse County Board hereby approves acceptance of the award of \$225,000 from the office of the Department of Military Affairs-Division of Emergency Management for the purchase of a Lenco Bearcat G3; and, **BE IT FURTHER RESOLVED**, that La Crosse County shall be authorized to sell the current Lenco Bearcat vehicle to another law enforcement agency, subject to approval of the Judiciary and Law Committee, and utilize the proceeds for the purchase of the new Bearcat vehicle; and, **BE IT FURTHER RESOLVED**, the La Crosse County Board Chair is hereby authorized to execute any documents to effectuate this resolution, after approval of Corporation Counsel. **FISCAL NOTE:** Cost of new Bearcat is approximately \$300,000-\$312,000. Selling price of used vehicle is between \$60,000 and \$80,000, depending on equipment and condition. If the cost of the Bearcat is more than the net proceeds of the sale of the old Bearcat plus grant funding, the Sheriff Department will prepare a carryforward from the 2016 budget, Org 1120 Law Enforcement Services, Account 61555 Gasoline & Oil, in an amount not to exceed \$10,000. No County funds needed for purchase of the new Bearcat.

**JUDICIARY AND LAW COMMITTEE  
EXECUTIVE COMMITTEE**

Motion by D. Holtze/M. Larson to approve passed on a unanimous voice vote with 23 ayes, 6 excused - S. Doyle, R. Ebert, T. Johnson, L. Pfaff, A. Richmond and K. Rosa.

**RESOLUTION NO. 25-7/16 RE: APPROVAL OF PARTICIPATION IN THE GREEN TIER LEGACY PROGRAM**

**WHEREAS**, the Wisconsin Department of Natural Resources in partnership with the League of Wisconsin Municipalities, 1,000 Friends of Wisconsin, Wisconsin Energy Conservation Corp, Municipal Environmental Group, Center on Wisconsin Strategy, the Wisconsin Counties Association, Eau Claire County and 12 Wisconsin municipalities have created a Green Tier Charter for Legacy Communities to assist municipalities in achieving superior environmental performance in one or both of the following two areas: (1) water resources management; (2)



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sustainability practices; and goals relating to economic development, public health and social equity; and to recognize their efforts and progress; and, **WHEREAS**, on June 6, 2011 the La Crosse County Solid Waste Department became the first Wisconsin publicly owned solid waste disposal system to join the Wisconsin Department of Natural Resources Green Tier 1 program, and, **WHEREAS**, the City of La Crosse, the County's partner in sustainability, has signed the Legacy Communities Charter; and, **WHEREAS**, La Crosse County would subscribe to the sustainability component of this Charter to develop a Sustainability Implementation and Monitoring Plan which may include one or all of the following elements:

1. 'Build and Buy Green' strategies and programs.
2. Strategies to promote environmental stewardship in the private sector.
3. Transportation policies and actions that increase pedestrians, bicyclists and transit passengers as a primary mode of transportation, and that are designed to reduce public per-capita vehicle miles traveled and greenhouse gas emissions.
4. Land use policies and actions that seek to identify, cleanup and redevelop brownfield sites, promote street connectivity and mixed-use development, and protect natural resources.
5. Environmental stewardship, energy efficiency, waste and materials management policies and the use of renewable fuels to reduce total energy consumption throughout the community.
6. Local government practices that encourage county employees to conserve energy, preserve the environment, and decrease greenhouse gas emissions from county facilities, services, and vehicle fleets.
7. Encourage residents and businesses to adopt sustainable practices; and,

**WHEREAS**, the Sustainable La Crosse Commission recommends participation in this voluntary program and believes participation will further enhance the County's current commitment to sustainability; and, **WHEREAS**, La Crosse County will benefit from such a partnership with the Green Tier Legacy Communities Program by receiving positive recognition, gaining access to a DNR staff liaison and DNR resource team, receiving prioritization in applying for certain grants and streamlining of certain DNR permitting processes; and, **WHEREAS**, by adopting this resolution La Crosse County agrees to sign and comply with the Green Tier Charter for Legacy Communities. La Crosse County staff will participate in quarterly meetings, network and share information with the public and the communities in the program, and provide an annual report noting the progress in meeting goals, baselines and sustainability plans. **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby approves declaration of the County as a signatory to the Green Tier Charter for Legacy Communities and authorizes the County Administrator to take all actions necessary for La Crosse County to participate in the Green Tier Legacy Program. **BE IT FURTHER RESOLVED** that La Crosse County staff are directed to assist with meeting the Charter goals and to submit an annual report to the Organizational Signatories. **BE IT FURTHER RESOLVED** that that upon adoption, the County Clerk is hereby directed to send a copy of this resolution to the Wisconsin DNR and the Legacy Communities Green Tier Steering Committee. **FISCAL NOTE:** No direct cost to participate in the Program.

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

Motion by T. Wehrs/M. Nikolay to approve passed on a unanimous voice vote with 23 ayes, 6 excused - S. Doyle, R. Ebert, T. Johnson, L. Pfaff, A. Richmond and K. Rosa.

#### **CONDITIONAL USE PERMIT NO. 986 FILED BY ERIC HURTZ, ACTING O/B/O NICOLE M. GREENO FOR AN AFTER THE FACT CONDITIONAL USE PERMIT FOR CONTINUED OPERATION OF A CUSTOM CABINET SHOP INCLUDING MILLWORK AND COUNTERTOPS, ON PROPERTY ZONED RESIDENTIAL DISTRICT "A" IN THE TOWN OF ONALASKA**

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by Eric Hurtz, acting o/b/o Nicole M. Greeno, W7854 County Rd Z, Onalaska, WI, 54650 and having held a public hearing on the 5<sup>th</sup> day of July, 2016 for an after the fact Conditional Use Permit for continued operation of a custom cabinet shop including

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millwork and countertops, utilizing a ¾ ton pickup, 7-ft x 16-ft enclosed trailer, table saw, air compressor, shaper, planer, routers, dust collector, and a self-contained spray booth among other tools on property zoned Residential District "A" in the Town of Onalaska and described as follows: Lot 6 of Maple Shade Addition. Tax parcel 10-1493-0. Property address W7854 County Rd Z. Town of Onalaska. And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: 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 or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 91.48(1), Wis. Stats., along with the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. 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 (Hesse), the committee recommended approval of Conditional Use Permit No. 986 subject to the following thirteen (13) conditions:

1. This permit is granted to Eric Hurtz, acting on behalf of Nicole M. Greeno, W7854 County Rd Z, Onalaska, WI, 54650, for an after the fact Conditional Use Permit for continued operation of a custom cabinet shop including millwork and countertops, utilizing a ¾ ton pickup, 7-ft x 16-ft enclosed trailer, table saw, air compressor, shaper, planer, routers, dust collector, and a self-contained spray booth among other tools on property zoned Residential District "A";
2. The applicant shall provide the Zoning Department a detailed list inventorying all power tools, spray booths, and other tools currently associated with the business that would not be considered to be normally associated with domestic or residential uses. This includes an inventory of vehicles and trailers associated with the business;
3. Use of equipment and vehicles are limited to those listed on the inventory list. Tools and vehicles can be replaced in kind, but the types and number of vehicles and tools shall not be increased or enlarged except upon amendment of this conditional use permit.;
4. No outside storage of material, tools, chemicals, product, inventory, or anything else associated with the operation of this cabinet making business except vehicles;
5. All work is to be done inside existing buildings on this parcel. No outside work;
6. Hours of operation from 7:00 a.m. to 5:00 p.m. Monday through Friday only;
7. All equipment and tools associated with this business shall be reported to the local assessor annually;
8. Only one employee – Eric Hurtz - is authorized by this permit;
9. This permit is not transferrable and shall automatically terminate if this use is discontinued for greater than 12 consecutive months or if the property is transferred to a new owner;
10. One ¾ ton pickup and one 7-ft x 16-ft enclosed trailer are authorized to be used in operation of this business;
11. No advertising is allowed on the premises or buildings;
12. It is the applicant's responsibility for, and the applicant assumes all liability associated with, the proper disposal of any hazardous or flammable materials; and
13. The Holmen Area Fire Department shall inspect any building occupied by this business for compliance with safety of the building and for residents. The results of that inspection shall be submitted to the Zoning Department by the applicant and made part of this file.

**THE COUNTY BOARD** took the following action this 21<sup>st</sup> day of July, 2016. Approved subject to conditions as outlined.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by T. Wehrs/V. Burke to approve as recommended by the Committee passed on a unanimous voice vote with 23 ayes, 6 excused - S. Doyle, R. Ebert, T. Johnson, L. Pfaff, A. Richmond and K. Rosa.

**ZONING ORDINANCE NO. Z365-7/16 RE: PETITION NO. 1979 FILED BY ERNEST M PADGETT ACTING TOGETHER WITH AND O/B/O THOMAS VIERLING TO REZONE A**

**0.51 ACRE PARCEL FROM THE GENERAL AGRICULTURE DISTRICT TO RESIDENTIAL DISTRICT "A" FOR ACCESSORY TO RESIDENTIAL USE IN THE TOWN OF ONALASKA**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1979 to amend the La Crosse County Zoning Ordinance filed by Ernest M Padgett, N5791 Huntington Ct, Onalaska, WI, 54650. acting together with and o/b/o Thomas Vierling, N5794 Rivendell Ct., Onalaska, WI, 54650 and having held a public hearing on the 5<sup>th</sup> day of July 2016 for a petition to rezone a 0.51 acre parcel from the General Agriculture District to Residential District "A" for accessory to residential use in the Town of Onalaska and described as follows: Part of the NW/SE of Section 23, T17N, R8W. Town of 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 (Hesse), the committee recommended approval of Zoning Petition No. 1979 subject to no conditions. (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 21<sup>st</sup> day of July, 2016. Approved the petition as submitted, becomes an ordinance.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by T. Wehrs/R. Cornforth to approve as recommended by the Committee passed on a unanimous voice vote with 23 ayes, 6 excused - S. Doyle, R. Ebert, T. Johnson, L. Pfaff, A. Richmond and K. Rosa.

**RESOLUTION NO. 26-7/16 RE: APPROVAL OF 2016 DEER MITIGATION AND HANDICAPPED HUNT AT LA CROSSE COUNTY LANDFILL**

**WHEREAS**, there has been growing concern at the La Crosse County Landfill site regarding the concentration of deer in the area; and, **WHEREAS**, a managed deer hunt at the La Crosse County Landfill site will reduce excessive browsing and destruction of newly planted trees and native habitat for landfill restoration; and, **WHEREAS**, a managed deer hunt will also help control the risk of spreading disease and help reduce erosion on trails caused by continuous deer use; and, **WHEREAS**, a managed deer hunt coordinated with the Wisconsin Department of Natural Resources, the North American Squirrel Association (NASA), and the city of Onalaska will also help physically challenged and elderly persons enjoy the hunting experience; and, **WHEREAS**, all hunters will be accompanied by a mentor appointed by NASA during the hunt and will participate in a safety meeting each day of hunt; and, **WHEREAS**, hunts are tentatively proposed for the dates of September 3<sup>rd</sup>, 4<sup>th</sup>, 10<sup>th</sup>, and 11<sup>th</sup>, with 5 hunters and 5 mentors for each day of the hunt. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby authorize NASA to conduct a managed and handicapped deer hunt at the landfill in accordance with the terms outlined in this resolution and with approval of the Wisconsin DNR and the city of Onalaska. **BE IT FURTHER RESOLVED**, the County Board Chair is authorized to sign any permits or other documents required by the state and federal agencies in order to hold this hunt, after review and approval by Corporation Counsel. **FISCAL NOTE:** No cost to La Crosse County.

**PUBLIC WORKS AND INFRASTRUCTURE**

Motion by M. Freedland/P. Barlow to approve passed on a unanimous voice vote with 22 ayes, 7 excused - S. Doyle, R. Ebert, T. Johnson, M. Nikolay, L. Pfaff, A. Richmond and K. Rosa.

**RESOLUTION NO. 27-7/16 RE: AUTHORIZATION TO SELL PROPERTY TO CITY OF LA CROSSE**

**WHEREAS**, La Crosse County has acquired title to a certain property in the City of La Crosse, located at 1002 5<sup>th</sup> Ave South, tax parcel no. 17-30090-40, pursuant to a tax foreclosure

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action; and, **WHEREAS**, the City of La Crosse desires to purchase said property by paying the outstanding taxes against said property; and, **WHEREAS**, the City of La Crosse has indicated an intent to work with Couleecap to rehabilitate the property as part of a neighborhood revitalization project; and, **WHEREAS**, La Crosse County is authorized to sell the parcel to the City of La Crosse without publically advertising the property for bids pursuant to s. 75.69, Wis. Stats. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby authorizes the sale of 1002 5<sup>th</sup> Ave South, tax parcel no. 17-30090-40, to the City of La Crosse for payment of outstanding taxes, including interest and penalty against the property, which currently total \$11,849.45, as of June 30, 2016. **BE IT FURTHER RESOLVED**, that the County Board Chair and County Clerk are hereby authorized to sign a Quit Claim Deed conveying this property to the City of La Crosse, upon approval of Corporation Counsel. **FISCAL NOTE:** The total amount owing as of June 30, 2016 = \$11,849.45, consisting of unpaid general property taxes and special assessments in the amount of \$8,313.00, unpaid interest and penalties of \$3,536.45. Property appraised value=\$32,000.

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

Motion by M. Freedland/P. Scheller to approve. Discussion ensued. Brian Fukuda responded to questions from the Board. The motion to approve passed on a voice vote with 22 ayes, 1 abstention - K. Cable, 6 excused - S. Doyle, R. Ebert, T. Johnson, L. Pfaff, A. Richmond and K. Rosa.

#### **RESOLUTION NO. 28-7/16 RE: AUTHORIZATION TO SELL UNIMPROVED PARCELS TO TOWN OF MEDARY**

**WHEREAS**, La Crosse County has acquired title to certain property in the Town of Medary, computer parcel numbers 9-1163-101 and 9-1163-103, pursuant to a tax foreclosure action; and, **WHEREAS**, the Town of Medary desires to purchase said property by paying the outstanding taxes against said property; and, **WHEREAS**, La Crosse County is authorized to sell the parcel to the Town of Medary without publically advertising the property for bids pursuant to s. 75.69, Wis. Stats. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby authorizes the sale of parcel numbers 9-1163-101 and 9-1163-103, to the Town of Medary for payment of outstanding taxes against the property, which currently total \$222.60. **BE IT FURTHER RESOLVED**, that the County Board Chair and County Clerk are hereby authorized to sign a Quit Claim Deed conveying this property to the Town of Medary, upon approval of Corporation Counsel. **FISCAL NOTE:** The total amount owing as of May, 2016 = \$349.28, consisting of unpaid general property taxes in the amount of \$222.60 and unpaid interest and penalty of \$126.68.

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

Motion by M. Freedland/M. Nikolay to approve. Discussion ensued. Corporation Counsel responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 23 ayes, 6 excused - S. Doyle, R. Ebert, T. Johnson, L. Pfaff, A. Richmond and K. Rosa.

#### **RESOLUTION NO. 29-7/16 RE: APPROVAL OF AMENDMENT TO PURCHASE AGREEMENT FOR SALE OF LAKEVIEW HEALTH CENTER PROPERTY**

**WHEREAS**, by Resolution #16-6/14, the La Crosse County Board approved the sale of the Lakeview Health Center building and surrounding land to Harry and Carol Griswold and Peter C. Opsahl and Cassandra Opsahl; and, **WHEREAS**, one of the conditions of the Purchase Agreement was that the Lakeview Health Center building would be remodeled and used for commercial and multi-unit residential apartment purposes; and, **WHEREAS**, the Buyers no longer wish to remodel the building, but desire to raze the building and use the property for residential development or sell the property to a developer instead; and,

**WHEREAS**, the request requires the Purchase Agreement be amended as follows:

1. Delete paragraph 4 of Addendum A to the Purchase Agreement that indicates that the buyers will use the property for commercial and multi-unit residential apartment purposes and replace it with a condition that buyers shall raze the Lakeview Health

Center building, clear the lot and dispose of the building remains at Buyers expense. Further, the Buyers agree to use the property for residential development.

2. Delete paragraph 11 of Addendum A to the Purchase Agreement whereby Buyer agreed not to sell or convey the property to other parties within 10 years of purchase without consent of the County Board of Supervisors.
3. Amend paragraph 1 of Addendum A to the Purchase Agreement to state that at least 75% of the developed property will be subject to general real estate taxes for a period of 25 years instead of 50% of the property.
4. Amend line 67 of the Purchase Agreement and paragraph 6 of Addendum A to the Purchase Agreement to indicate the closing shall occur no later than 90 days after all of the patients have vacated the premises.

**NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby approves the Amendment to the Purchase Agreement between La Crosse County and 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 is hereby authorized to execute any documents to effectuate the purposes of this resolution, after approval by Corporation Counsel. **FISCAL NOTE:** No additional expenses will be incurred by La Crosse County.

**VETERANS, AGING AND LONG TERM CARE COMMITTEE  
EXECUTIVE COMMITTEE**

Motion by P. Jerome/J. Gundersen to approve. Discussion ensued. Corporation Counsel David Lange and Administrator O'Malley responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 23 ayes, 6 excused - S. Doyle, R. Ebert, T. Johnson, L. Pfaff, A. Richmond and K. Rosa.

**FIRST CONSIDERATION OF ORDINANCE**

ORDINANCE NO. 152 TO AMEND CHAPTER 5 ENTITLED "RECORDS MANAGEMENT" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN - **EXECUTIVE COMMITTEE:** Motion by M. Giese to move the first reading. Corporation Counsel David Lange mentioned a few minor amendments will be made at the second reading. 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.

**RESOLUTION NO. 30-7/16 RE: ACKNOWLEDGE "THE BEST OF PUBLIC SERVICE"**  
**WHEREAS,** the following employees have been a faithful part in providing "The Best of Public Service" to La Crosse County:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>YEARS</u>
Rochelle M. Gentry	Human Services	32+
Raymond W. Schulz	Highway	32+
Cindy K. Jensen	Human Services	31+
Frank G. Baures	Finance	30+
Mary L. Speltz	Human Services	28+
Neva I. Sallee	Human Services	20+
Penny E. Anderson	Human Services	18+
Dawn M. Miller	Human Services	14+
Julie A. Haessig	Human Services	12+
Pamela J. Day	Lakeview	10+

**WHEREAS,** it is the wish of the County Board of Supervisors to acknowledge long and faithful service on behalf of the citizens of La Crosse County; **NOW THEREFORE BE IT RESOLVED,** that a resolution extending our congratulations be recorded in La Crosse County Board Proceedings and a certificate of our actions be presented as an expression of our gratitude.

**TARA JOHNSON, COUNTY BOARD CHAIR**

**GINNY DANKMEYER, COUNTY CLERK**

**EXECUTIVE COMMITTEE**

Motion by M. Giese/P. Jerome to approve passed on a unanimous voice vote with 23 ayes, 6 excused - S. Doyle, R. Ebert, T. Johnson, L. Pfaff, A. Richmond and K. Rosa.

**RESOLUTION NO. 31-7/16 RE: DISALLOWANCE OF CLAIM OF WILLIAM ZHAO**

**WHEREAS**, William Zhao has filed a claim alleging negligence by several government agencies, including the La Crosse County District Attorney's office, in failing to investigate certain allegedly false statements given by Rachel Zhao in connection with certain court cases to determine their truth; and, **WHEREAS**, Wisconsin Municipal Mutual Insurance Company has reviewed the information, investigated the facts and determined that La Crosse County has no liability for this claim, and recommends formal disallowance of the claim by the County Board; and, **WHEREAS**, the above stated claim does not appear to be meritorious, partly because none of the individuals complained of were County employees at the time of the alleged negligent activities, and should be disallowed. **NOW, THEREFORE BE IT RESOLVED**, that the claim of William Zhao, against La Crosse County, its officers, officials, employees, and agents is hereby disallowed and further be it required that notice of disallowance of this claim shall be served on the claimant by registered or certified mail and the receipts therefore, signed by the claimant, or the returned registered letter, shall be proof of service. **BE IT FURTHER RESOLVED**, that the claimant shall be notified that no action on the claim against La Crosse County, nor against any of its officers, officials, agents, or employees, may be brought after 6 months from the date of service of this notice of disallowance. **FISCAL NOTE:** The cost to La Crosse County for sending certified mail/restricted delivery to the claimant is approximately \$12.

**EXECUTIVE COMMITTEE**

Motion by M. Giese/D. Holtze to approve passed on a unanimous voice vote with 23 ayes, 6 excused - S. Doyle, R. Ebert, T. Johnson, L. Pfaff, A. Richmond and K. Rosa.

**RESOLUTION NO. 32-7/16 RE: RESPONSE TO THE WISCONSIN LEGISLATIVE AUDIT BUREAU REPORT "WASTEWATER PERMITTING AND ENFORCEMENT, JUNE 2016"**

**WHEREAS**, the Wisconsin Department of Natural Resources (DNR) administers the Wisconsin Pollutant Discharge Elimination System (WPDES) program which regulates discharges of pollutants to surface and groundwater from concentrated animal feeding operations, industrial wastewater treatment facilities and municipal wastewater treatment plants; and, **WHEREAS**, there are 17 facilities with WPDES permits discharging pollutants within La Crosse County:

Metallics, Inc. #0054500  
NSPW French Island Generating Station #0070785  
Stella Jones Corporation – Bangor # 0056880  
United States Geological Survey #0045756  
A1 Advanced Pumping Service Inc #0058891  
Bangor Wastewater Treatment Facility #0031224  
Bills Pumping Service, LLC #0061468  
Bostwick Valley MHP WTF #0028908  
Brookview Mobile Home Court, LLC #0030911  
Holmen Wastewater Treatment Facility #0024261  
La Crosse City #0029581  
Maple Grove Estates Sanitary District #0036552  
Mindoro San Dist 1 WWTF #0029106  
Rockland Water Sewer Utilities WWTF #0028967  
St Joseph Sanitary District #0031186  
West Salem Wastewater Treatment Facility #0020389  
Babcock Genetics #0056529; and,

**WHEREAS**, the nonpartisan State of Wisconsin Legislative Audit Bureau recently reviewed the DNR's performance implementing the WPDES program and found the DNR failed to administer and maintain a WPDES program consistent with the requirements established

under the Clean Water Act and Chapter 283, Wis. Stats.; and, **WHEREAS**, 36 of 1,900 required self-monitoring annual reports submitted by concentrated animal feeding operations were electronically recorded by the DNR and 98% of the required annual reports were not electronically recorded and, therefore, not available to DNR managers responsible for monitoring compliance and enforcing regulations; and, **WHEREAS**, regional DNR staff indicated to the Legislative Audit Bureau they do not have time to thoroughly review each required annual report and at least 5 of 12 concentrated animal feeding operations required to have groundwater monitoring wells exceeded their permit limits, including one in La Crosse County with exceedances beginning in 2005; and, **WHEREAS**, the DNR issued a notice of violation to 33 permittees when 558 should have received notices of violation based on the DNR's enforcement policies; and, **WHEREAS**, from 2005 through 2014, 87 concentrated animal feeding operations were reissued WPDES permits even though the permittees were not in substantial compliance which is contrary to Section 283.53(3), Wis. Stats. **NOW THEREFORE BE IT RESOLVED** that the County Board of Supervisors hereby requests the following actions be taken in response to the Legislative Audit Bureau findings for all WPDES permittees located within La Crosse County: the DNR will ensure the records of all inspections and determinations are electronically recorded and available in a timely fashion to DNR staff responsible for monitoring and enforcing environmental regulations, the DNR will conduct inspections of permittees within 12 months of expiration of their current permits and not reissue permits before inspections are conducted, the DNR will reissue WPDES permits only when the permittee is in substantial compliance as required by Wisconsin Statutes, and the DNR will follow its enforcement policy and issue notices of violations when permittees violate the terms of their WPDES permit. **BE IT FURTHER RESOLVED** that the DNR, within 90 days, will provide the County with an enumerated report of the compliance status of all WPDES permits in La Crosse County. **BE IT FURTHER RESOLVED** that a copy of this resolution shall be sent to Governor Walker, DNR Secretary Stepp, Senator Shilling, and State Representatives Doyle and Billings. **FISCAL NOTE:** No fiscal impact.

#### **HEALTH AND HUMAN SERVICES BOARD**

Motion by M. Kruse/M. Giese to approve. Discussion ensued. Environmental Health Manager, Jim steinhoff responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 23 ayes, 6 excused - S. Doyle, R. Ebert, T. Johnson, L. Pfaff, A. Richmond and K. Rosa.

**SUGGESTIONS FOR FUTURE AGENDA TOPICS** – none offered.

#### **ADJOURN**

Motion by K. Cable/T. Tryggestad to adjourn at 7:27 PM passed on a unanimous voice vote with 23 ayes, 6 excused - S. Doyle, R. Ebert, T. Johnson, L. Pfaff, A. Richmond and K. Rosa.

**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, July 21, 2016 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 25 OF JULY 2016.**