

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING  
PROCEEDINGS; THURSDAY, JUNE 16, 2016**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, June 16, 2016 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 23 supervisors were present when Chair Tara Johnson called the meeting to order at 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 Weidenbach, Doug	Present
4 Freedland, Maureen	Present
5 Rosa, Keyla	Absent
6 Plesha, Roger	Present
7 Hampson, Sharon	Present
8 Jerome, Peg	Present
9 Gundersen, Jerome	Present
10 Cable, Kim	Excused
11 Scheller, Patrick	Present
12 Holtze, Dave	Present
13 Tryggestad, Tina	Present
14 Larson, Margaret	Present
15 Kruse, Monica	Present at 06:03 PM
16 Ferries, Dan	Present
17 Giese, Mike	Present at 06:24 PM
18 Berg, Laurence	Present
19 Cornforth, Rick	Excused
20 Doyle, Steve	Present
21 Burke, Vicki	Present
22 Barlow, Patrick	Present
23 Nikolay, Matt	Present
24 Pfaff, Leon	Present
25 Ebert, Ray	Present
26 Hesse, Dan	Present
27 Wehrs, Tina	Present
28 Tyser, Kathie	Excused
29 Johnson, Tara	Present

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

**County Board Chair Report - Tara Johnson**

- County Board Photo – a recess was taken for the County Board Photo.

**RECESS**

Motion by P. Barlow/S. Hampson to recess at 6:03 PM to take the County Board Picture passed on a unanimous voice vote with 24 ayes, 2 absent - M. Giese and K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

(36-16/17)

## RECONVENE

Chair Johnson called the meeting back to order at 6:22 PM.

- County Board Annual Picnic – Friday, September 16<sup>th</sup> at noon was chosen for the County Board Picnic.
- County Board Apparel - Supervisors have shown interest in getting Board apparel. Please let Chair Johnson know if you have a request or preference.
- Supervisor Conference Reports
  - Chair Johnson noted there will be no Policy Planning meeting in July but there still will be committee meetings.
  - Supervisor Ferries announced that Friday and Saturday will be Onalaska Community Days at the American Legion in Onalaska.
  - Supervisor Kruse attended the inaugural meeting of the Mental Health and Substance Abuse Workgroup that has been established in La Crosse County.
  - Supervisor Barlow announced the Solid Waste Annual meeting on Friday at 9am.

## Administrator Report - Steve O'Malley

- Review of 2016 Financing Plan – Joe Murray, Springsted, Inc.
  - Springsted has been the financial advisor for La Crosse County for many years and Joe Murray has been working with the County for the last 8 years. Mr. Murray reviewed the 2016 financing plan for the Downtown Campus Project, Highways, refund of 2009 LEC Bonds, refund 2010 LEC STFL, and refund of 2006B GO Solid Waste Bonds with STFL Solid Waste Revenue Loan. The County has a credit rating of Aa1.

## Finance Director Report – Sharon Davidson

- CAFR Report – a sign up sheet was passed around for any Supervisor wanting a paper copy of the report.

## CHAIR CHANGE

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

## CHAIR CHANGE

Chair Johnson resumed the chair.

## APPOINTMENTS

Motion by T. Johnson/M. Kruse to appoint Shaundel Spivey to the Criminal Justice Management Council to replace Mike Desmond for the remainder of a term to expire April 30, 2017 and appoint Margaux Carrimon to the Criminal Justice Management Council to replace Rita Zindorf for a three year term to expire April 30, 2019 passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

## CONSENT AGENDA

Motion by R. Plesha/P. Barlow to approve the minutes of the La Crosse County Board of Supervisors Planning meeting held May 9, 2016 and the Monthly meeting held May 19, 2016 and the claims list for \$7,069,756.80 passed on a unanimous voice vote with 24 ayes, 1 absent - K. Rosa, 4 excused - K. Cable, R. Cornforth, R. Ebert and K. Tyser.

## AGENDA ORDER

Chair Johnson asked for unanimous consent to take agenda items #6-24, #6-25, and #6-26 out of order. There were no objections.

**RESOLUTION NO. 10-6/16 RE: INITIAL RESOLUTION AUTHORIZING NOT EXCEEDING \$2,410,000 GENERAL OBLIGATION BONDS OF THE COUNTY OF LA CROSSE**

(37-16/17)

**BE IT RESOLVED** by the County Board of Supervisors of the County of La Crosse, Wisconsin, that there shall be issued the general obligation bonds of said County in an aggregate principal amount not exceeding \$2,410,000 for the public purpose of constructing highways and highway improvements. For the purpose of paying the various installments of principal of and interest on said bonds as they severally mature, prior to the issuance and delivery of said bonds there shall be levied on all taxable property in said County a direct annual irrevocable tax sufficient for that purpose. **FISCAL NOTE:** Debt Service Funding will be provided for in the 2017 budget.

**EXECUTIVE COMMITTEE**

Motion by S. Hampson/L. Pfaff to approve. Discussion ensued. Joe Murray, Administrator O'Malley, and Highway Commission Ron Chamberlain responded to questions from the Board. The motion to approve passed on a roll call vote with 22 ayes, 2 nays - R. Ebert and D. Hesse, 1 abstention - J. Gundersen, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

**RESOLUTION NO. 11-6/16 RE: INITIAL RESOLUTION AUTHORIZING NOT EXCEEDING \$18,900,000 GENERAL OBLIGATION BONDS OF THE COUNTY OF LA CROSSE**

**BE IT RESOLVED** by the County Board of Supervisors of the County of La Crosse, Wisconsin, that, there shall be issued general obligation bonds of said County in an aggregate principal amount not exceeding \$18,900,000 for the public purpose of refunding certain outstanding obligations of said County, including the interest thereon. For the purpose of paying the various installments of principal of and interest on said bonds as they severally mature, prior to the issuance and delivery of said bonds there shall be levied on all taxable property in said County a direct annual irrevocable tax sufficient for that purpose. **FISCAL NOTE:** This bond issue will refinance the 2010 State Trust Fund Loan and 2009A General Obligation Bonds. Debt Service Funding will be provided in the 2017 budget.

**EXECUTIVE COMMITTEE**

Motion by S. Hampson/M. Kruse to approve passed on a unanimous roll call vote with 25 ayes and 0 nays, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

**RESOLUTION NO. 12-6/16 RE: INITIAL RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR PUBLIC SALE AND SALE OF GENERAL OBLIGATION CORPORATE PURPOSE BONDS OF THE COUNTY OF LA CROSSE, WISCONSIN, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$32,365,000 AND RELATED MATTERS**

**WHEREAS**, counties are authorized by Chapter 67 of the *Wisconsin Statutes*, as supplemented and amended, to borrow money and to issue general obligation bonds to finance any project undertaken for a public purpose and to refund municipal obligations, including interest thereon; and, **WHEREAS**, it has previously been determined that it is necessary and desirable to issue general obligation bonds of the County of La Crosse, Wisconsin (the "*County*"), in an aggregate principal amount not to exceed \$32,365,000, for the public purposes of acquiring land, buildings and related improvements and constructing 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 constructing highways and highway improvements, and for the purpose of refunding certain outstanding obligations of the County, including interest thereon, pursuant to Chapter 67 of the *Wisconsin Statutes*, as supplemented and amended; and, **WHEREAS**, it is now necessary and desirable for the County to issue its General Obligation Corporate Purpose Bonds in one or more series in an aggregate principal amount of not to exceed \$32,365,000 for the public purposes of acquiring land, buildings and related improvements and constructing 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 in the County, and constructing highways and highway improvements, and for the purpose of refunding certain

outstanding obligations of the County, including interest thereon (the "Bonds"); and, **WHEREAS**, all or a portion of the expenditures relating to said improvements and to be made from the proceeds of the Bonds (the "Expenditures") (i) have been paid within the sixty (60) days prior to the passage of this Resolution, or (ii) will be paid on or after the passage of this Resolution; and, **WHEREAS**, the County reasonably expects to reimburse itself or pay for the Expenditures with the proceeds of the Bonds. **NOW, THEREFORE, BE IT RESOLVED** by the County Board of Supervisors of the County of La Crosse, Wisconsin, as follows:

*Section 1.* There shall be issued the Bonds of the County in an aggregate principal amount not to exceed \$32,365,000, in one or more series for the purposes aforesaid.

*Section 2.* For the purpose of offering the Bonds for sale, pursuant to Section 67.08(2), *Wisconsin Statutes*, as supplemented and amended, the Auditor/Finance Director of the County is hereby authorized and directed to cause to be circulated the Official Terms of Offering and to publish appropriate notices of the sale of the Bonds in a newspaper to be selected by the Auditor/Finance Director of the County prior to the receipt of bids for the Bonds. The Auditor/Finance Director of the County shall also cause to be prepared and distributed an Official Statement or Official Statements, including the Official Terms of Offering, with respect to the Bonds.

*Section 3.* After receipt of bids for the Bonds and consideration thereof by this County Board of Supervisors, this County Board of Supervisors will consider resolutions awarding each series of the Bonds to the best respective bidders, prescribing the terms thereof and the forms of Bonds, and levying taxes in the specific amount necessary to pay the principal of and interest on the Bonds.

*Section 4.* The County reasonably expects to reimburse or pay the Expenditures with proceeds of the Bonds.

*Section 5.* The maximum principal amount of the obligations expected to be issued for the Expenditures and to be made from the Bonds is \$32,365,000.

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

#### **EXECUTIVE COMMITTEE**

Motion by S. Hampson/M. Nikolay to approve. Discussion ensued. Joe Murray responded to questions from the Board. to approve passed on a roll call vote with 24 ayes, 1 nay - D. Hesse, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

#### **RESOLUTION NO. 13-6/16 RE: APPROVAL OF TOWN OF CAMPBELL ZONING AMENDMENT**

**WHEREAS**, the Town of Campbell has adopted a zoning ordinance, which ordinance was approved by the La Crosse County Board by Resolution #52-1/13 on January 17, 2013; and, **WHEREAS**, Wis. Stat. s. 60.62(3) states that no zoning ordinance or amendment to a zoning ordinance may be adopted by the town unless approved by the county board; and, **WHEREAS**, after a public hearing on May 17, 2016, the Town of Campbell approved certain text amendments referred to as Ordinance No. 17.11(4), 17.17, 17.31(2)(e), 17.31(3)(e) and 17.36(3)(c) – 2016; and, **WHEREAS**, these amendments include the following changes: (1) specifies the Town's compliance with Wis. Stat. sec.60.51(5m) regarding restoration of non-conforming use structures; (2) increases the minimum lot area size and width in Residential District "B" and "C"; (3) allows permitted uses in the Residential "A" District on those lots in the Commercial District which had single-family residences in existence as of January 22, 2013 (listed in Appendix A); and (4) addresses parking provisions for all districts; and, **WHEREAS**, the Planning, Resources and Development Committee, after receiving input from Zoning, Planning and Land Information Department staff, recommend approval of the proposed zoning amendment. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby approves the amendments to the Town of Campbell zoning ordinances referenced in Ordinance No. 17.11(4), 17.17, 17.31(2)(e), 17.31(3)(e) and 17.36(3)(c) as approved by the Town of Campbell on April 28, 2016, in accordance with Wis. Stat. s. 60.62(3). **FISCAL NOTE:** No fiscal impact to La Crosse County.

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

(39-16/17)

Motion by T. Wehrs/D. Holtze to approve passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

**CONDITIONAL USE PERMIT NO. 98-6/16 NO. 979 FILED BY ROBERT L KOTTE AND MARY A MAAS, D/B/A THE WILDLIFE TAXIDERMY TO AMEND CONDITIONAL USE PERMIT NO. 924 THAT AUTHORIZED OPERATION OF A TAXIDERMY BUSINESS, TO INCLUDE CAMO-DIPPING (HYDROGRAPHICS) OF FIREARMS WHICH REQUIRES A FEDERAL FIREARMS LICENSE ON LANDS ZONED RESIDENTIAL DISTRICT "A" IN THE TOWN OF HOLLAND**

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by: Robert L Kotte and Mary A Maas, W8220 Oepka St, Holmen, WI, 54636, d/b/a The Wildlife Taxidermy and having held a public hearing on the 31<sup>st</sup> day of May, 2016 for a Conditional Use Permit to amend Conditional Use Permit No. 924 that authorized operation of a taxidermy business, to include camo-dipping (Hydrographics) of firearms which requires a Federal Firearms License on lands zoned Residential District "A" in the Town of Holland and described as follows: Lot 3 of Certified Survey Map No. 69 in Volume 12. Tax parcel 8-490-4. Property address W8220 Oepka St. Town of Holland. 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 seven (7) in favor, and zero (0) no, the committee recommended approval of Conditional Use Permit No. 979 subject to the following five (5) conditions:

1. All conditions approved under Conditional Use Permit No. 924 shall still apply, including non-transfer of Conditional Use Permit No. 924 and Conditional Use Permit No. 979;
2. A federal firearm license is required for the camo-dipping process and said license shall be maintained in good standing while this process is conducted on site;
3. No sale of firearms is authorized;
4. Customers' firearms shall be secured as described in the applicant's impact statement; and
5. If the camo-dipping business is discontinued, Conditional Use Permit No. 924 does not expire.

**THE COUNTY BOARD** took the following action this 16<sup>th</sup> day of June, 2016. Approved subject to conditions as outlined.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by T. Wehrs/M. Nikolay to approve as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

**ZONING ORDINANCE NO. Z359-6/16 RE: PETITION NO. 1973 FILED BY PAUL E KUNERT TO REZONE APPROXIMATELY 43.45 ACRES FROM THE EXCLUSIVE AGRICULTURE DISTRICT TO THE RESIDENTIAL DISTRICT "A" FOR A PROPOSED 30 LOT SUBDIVISION IDENTIFIED IN CONCEPT PLAN AS STONE HAUS ADDITION IN THE TOWN OF SHELBY**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1973 to amend the La Crosse County Zoning Ordinance filed by: Paul E Kunert, W4525 US HIGHWAY 14/61, La Crosse, WI, 54601 and having held a public hearing on the 31<sup>st</sup> day of May 2016 for a petition to rezone approximately 43.45 acres from the Exclusive Agriculture District to the Residential District "A" for a proposed 30 lot subdivision identified in concept plan as Stone Haus Addition in the Town of Shelby and described as follows: Part of the NE/SE, Part of the NW/SE, and Part of the SE/SE of Section 19, T15N, R6W. Part of tax parcels 11-122-0, 11-124-0, and 11-128-0. Town of Shelby. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did

(40-16/17)

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 seven (7) in favor, and zero (0) no, the committee recommended approval of Zoning Petition No. 1973 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 16<sup>th</sup> day of June, 2016. Approved the petition as submitted, becomes an ordinance.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by T. Wehrs/P. Scheller to approve as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

**ZONING ORDINANCE NO. Z360-6/16 RE: PETITION NO. 1974 FILED BY SCOTT C AND MELISSA J ERDMAN, ACTING O/B/O RAYMOND O LEE, TO REZONE A 0.21 ACRE LOT FROM THE EXCLUSIVE AGRICULTURE DISTRICT TO THE RURAL DISTRICT TO CORRECT A LOT LINE ENCROACHMENT AND FOR CONTINUED RESIDENTIAL USE IN THE TOWN OF ONALASKA**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1974 to amend the La Crosse County Zoning Ordinance filed by: Scott C and Melissa J Erdman, N6957 Knudson Rd, Holmen, WI, 54636, acting o/b/o Raymond O Lee, N6964 Knudson Rd, Holmen, WI, 54636 and having held a public hearing on the 31<sup>st</sup> day of May 2016 for a petition to rezone a 0.21 acre lot from the Exclusive Agriculture District to the Rural District to correct a lot line encroachment and for continued residential use in the Town of Onalaska and described as follows: Part of the SE/SW of Section 4, T17N, R7W. Tax parcel 10-107-5. 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 seven (7) in favor, and zero (0) no, the committee recommended approval of Zoning Petition No. 1974 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 16<sup>th</sup> day of June, 2016. Approved the petition as submitted, becomes an ordinance.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by T. Wehrs/D. Hesse to approve as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

**ZONING ORDINANCE NO. Z361-6/16 RE: PETITION NO. 1951 FILED BY RYAN P WESSEL, O/B/O JOHN C AND MARGARET A SCHUPPEL, MICHAEL AND JOAN MULRINE, AND ERWIN SCHUPPEL TO REZONE A 4.0 ACRE LOT FROM THE RECREATION AND NATURAL RESOURCES DISTRICT TO THE COMMERCIAL DISTRICT FOR COMMERCIAL SELF-STORAGE UNITS IN THE TOWN OF ONALASKA**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1951 to amend the La Crosse County Zoning Ordinance filed by: Ryan P Wessel, 6542 E 16 Frontage Rd, Onalaska, WI, 54650, o/b/o John C and Margaret A Schuppel, N5096

State Rd 35, Onalaska, WI, 54650, Michael and Joan Mulrine, 523 4<sup>TH</sup> Ave N, Onalaska, WI, 54650, and Erwin Schuppel, 436 Court St S, Onalaska, WI, 54650 and having held a public hearing on the 31<sup>st</sup> day of May 2016 for a petition to rezone a 4.0 acre lot from the Recreation And Natural Resources District to the Commercial District for commercial self-storage units in the Town of Onalaska and described as follows: Part of the NE/SW of Section 32, T17N, R7W. Tax parcel 10-1151-0. 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 seven (7) in favor, and zero (0) no, the committee recommended denial of Deferred Zoning Petition No. 1951 until such time the applicant has discussed and reach a consensus with the City of Onalaska regarding improvement and maintenance of the easement, or has consulted with the Town of Onalaska and have devised plans for the development of a town road to serve this parcel. (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 16<sup>th</sup> day of June, 2016. Denied the petition, (no ordinance is adopted)

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

Motion by T. Wehrs/D. Holtze to approve. Discussion ensued. Zoning, Planning, and Land Information Director Nate Sampson responded to questions from the Board. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

#### **ZONING ORDINANCE NO. Z362-6/16 RE: PETITION NO. 1976 FILED BY EUGENE LINSE, TO REZONE APPROXIMATELY 4.01 ACRES FROM THE GENERAL AGRICULTURE DISTRICT TO THE LIGHT INDUSTRIAL DISTRICT FOR A WHOLESALE CONSTRUCTION CONTRACTORS SUPPLY BUSINESS IN THE TOWN OF HAMILTON**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1976 to amend the La Crosse County Zoning Ordinance filed by: Eugene Linse, 712 Cliffwood Ln, La Crosse, WI, 54601 and having held a public hearing on the 31<sup>st</sup> day of May 2016 for a petition to rezone approximately 4.01 acres from the General Agriculture District to the Light Industrial District for a wholesale construction contractors supply business in the Town of Hamilton and described as follows: Part of the SE of the fractional NE lying south of the railroad in Section 2, T16N, R6W. Part of tax parcel 7-31-0. Town of Hamilton. 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 seven (7) in favor, and zero (0) no, the committee recommended approval of Zoning Petition No. 1976 subject to the recording of deed restrictions limiting the authorized use of the parcel as a wholesale lumber/contractor supply business, except upon amendment by the La Crosse County Board of Supervisors. (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 16<sup>th</sup> day of June, 2016. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by T. Wehrs/R. Ebert to approve as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

**ZONING ORDINANCE NO. Z363-6/16 RE: PETITION NO. 1977 FILED BY JOSEPH SKEMP, O/B/O W4102/4104 OBER RD LLC, TO REZONE THE REMAINDER OF 3% OF A BASE FARM TRACT FROM THE GENERAL AGRICULTURE DISTRICT TO THE RURAL DISTRICT FOR CONTINUED RESIDENTIAL USE OF A DUPLEX IN THE TOWN OF GREENFIELD**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1977 to amend the La Crosse County Zoning Ordinance filed by: Joseph Skemp, 201 Main St, Ste 700, La Crosse, WI, 54601, o/b/o W4102/4104 Ober Rd LLC, 328 Front St S, La Crosse, WI, 54601 and having held a public hearing on the 31<sup>st</sup> day of May 2016 for a petition to rezone the remainder of 3% of a Base Farm Tract from the General Agriculture District to the Rural District for continued residential use of a duplex in the Town of Greenfield and described as follows: A 1.49 acre parcel being Part of the NE/NE of Section 32 and Part of the NW/NW of Section 33, T15N, R6W. Part of tax parcel 6-713-0. Property addresses W4102 and W4104 Ober Rd. Town of Greenfield. 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 seven (7) in favor, and zero (0) no, the committee recommended approval of Zoning Petition No. 1977 subject to the recording of deed restrictions on the entire BFT (Base Farm Tract) except that part petitioned for rezone, indicating no further residential development is authorized and only future agricultural uses are allowed except upon amendment to these conditions by the La Crosse County Board of Supervisors. (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 16<sup>th</sup> day of June, 2016. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by T. Wehrs/D. Hesse to approve as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

**ZONING ORDINANCE NO. Z364-6/16 RE: PETITION NO. 1978 FILED BY RICHARD T AND ANNE GARBERS TO REZONE A 1.72 ACRE LOT FROM THE EXCLUSIVE AGRICULTURE DISTRICT TO THE RURAL DISTRICT FOR CONTINUED RESIDENTIAL USE IN THE TOWN OF HAMILTON**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1978 to amend the La Crosse County Zoning Ordinance filed by: Richard T And Anne Garbers, W3416 Pleasant Valley Rd, West Salem, WI, 54669 and having held a public hearing on the 31<sup>st</sup> day of May 2016 for a petition to rezone a 1.72 acre lot from the Exclusive Agriculture District to the Rural District for continued residential use in the Town of Hamilton and described as follows: Lot 1 of Certified Survey Map No. 127 in Volume 11, Ex. Pt. taken for road. Tax parcel 7-346-2. Property address W3416 Pleasant Valley Rd. Town of Hamilton. 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 seven (7) in favor, and zero (0) no, the committee recommended approval of Zoning Petition No. 1978 subject to the recording of deed restrictions indicating only one single family residence is allowed, no further subdividing of the parcel, and that these conditions shall apply until amended by the La Crosse County Board of Supervisors. (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 16<sup>th</sup> day of June, 2016. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

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

Motion by T. Wehrs/R. Ebert to approve as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

#### **RESOLUTION NO. 14-6/16 RE: SUPPORT OF STATE ACTION TO SUSTAINABILITY FUND WISCONSIN'S TRANSPORTATION SYSTEM**

**WHEREAS**, local government in Wisconsin is responsible for about 90% of the road miles in the state; and, **WHEREAS**, Wisconsin's diverse economy is dependent upon county and town roads as well as city and village streets and transit systems across the state; and, **WHEREAS**, according to "Filling Potholes: A New Look at Funding Local Transportation in Wisconsin," commissioned by the Local Government Institute of Wisconsin (LGI) the condition of Wisconsin's highways is now in the bottom third of the country; and, **WHEREAS**, state funding for local roads in Wisconsin has failed to keep up with costs over the past several decades which has adversely affected local transportation finances. According to "Filling Potholes," municipal transportation spending has declined from \$275 per capita in 2000 to \$227 in 2012; and, **WHEREAS**, Mass Transit Operating Aids and County Elderly and Disabled Transportation assistance programs are funded through the state gas tax and vehicle registration user fee system. These programs are critical to ensuring that transportation services are delivered to vulnerable citizens. Proper funding for these programs helps ensure that all citizens have an opportunity to access the workplace as well as the marketplace; and, **WHEREAS**, levy limits do not allow local government to make up for the deterioration of state funding; and, **WHEREAS**, Wisconsin's over-reliance on borrowing eats away at the state's segregated funding sources – the state gas tax and vehicle registration fees – which increasingly pay debt service rather than fund transportation needs; and, **WHEREAS**, safety is a primary concern and responsibility of local governments across Wisconsin. Unfortunately, according to TRIP, a national non-profit transportation research group, Wisconsin had 347 non-interstate, rural road fatalities in 2013; and, **WHEREAS**, the La Crosse County Board recognizes that our state highway and interstate system is the backbone of our surface transportation system and plays a vital role in the economy of Wisconsin. Both local and state roads need to be properly maintained in order for our economy to grow; and, **WHEREAS**, from a competitive standpoint Wisconsin motorists pay significantly less than any of our neighbors when you combine the annual cost of the state gas tax and vehicle registration fees; and, **WHEREAS**, the Transportation Finance and Policy Commission, appointed by the Governor and Legislature, clearly found that if Wisconsin does not adjust its user fees, the condition of both our state and local roads will deteriorate significantly over the next decade. **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby urges the Governor and Legislature to Just Fix It and agree upon a sustainable transportation solution: one that includes a responsible level of bonding and adjusts our user fees to adequately and sustainably fund Wisconsin's transportation system. **BE IT FURTHER RESOLVED** that a copy of this resolution be sent by the County Clerk to Governor Scott Walker, Senator Shilling, Representatives Doyle and Billings, and Senator Darling and Representative Nygren, Co-Chairs of the State Joint Committee on Finance. **FISCAL NOTE:**No cost to the County.

**PUBLIC WORKS AND INFRASTRUCTURE**

Motion by M. Freedland/T. Wehrs to approve. Discussion ensued. Motion by P. Barlow/P. Jerome to amend by adding Department of Transportation Secretary Mark Gottlieb to the final Be It Further Resolved passed on a voice vote with 24 ayes, 1 nay - L. Berg, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser. The motion to approve as amended passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

**RESOLUTION NO. 15-6/16 RE: APPROVAL OF BIDS FOR THE SALE OF PROPERTY TAKEN BY TAX FORECLOSURE**

**WHEREAS**, La Crosse County has advertised for the sale of 3 separate parcels of property which were the subject of a prior tax foreclosure action; and, **WHEREAS**, sealed bids were received for 3 parcels no later than 12:00 PM on May 26, 2016, and opened by the County Treasurer on May 26, 2016 at 3:00 PM, which bid results are attached hereto; and, **WHEREAS**, the sale and appraised value of the real estate was advertised by publication as required by law pursuant to s. 75.69, Wis. Stats.; and, **WHEREAS**, the highest responsive bids were accepted by the Public Works & Infrastructure Committee. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board approves the sale of the parcels for which responsive bids were accepted by the Public Works & Infrastructure Committee. **BE IT FURTHER RESOLVED**, that the County Board Chair and County Clerk are hereby authorized to execute any legal documents necessary to accomplish the sale of said properties, after approval of Corporation Counsel. **FISCAL NOTE:** the revenue from the sale of tax delinquent property will be applied toward satisfying outstanding taxes, interest and penalty. Any surplus funds in excess of taxes, interest and penalty shall be deposited in Org. 1065 Treasurer, Account 56020 Foreclosure Revenue.

**PUBLIC WORKS AND INFRASTRUCTURE**

Motion by M. Freedland/L. Pfaff to approve. Discussion ensued. County Treasurer Shawn Handland and Corporation Counsel David Lange responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

**RESOLUTION NO. 16-6/16 RE: REJECTION OF BIDS FOR THE SALE OF PROPERTY TAKEN BY TAX FORECLOSURE**

**WHEREAS**, La Crosse County has advertised for the sale of 1 parcel of property, specifically Computer Parcel Number 10-1556-2, which was the subject of a prior tax foreclosure action; and, **WHEREAS**, sealed bids were received for Computer Parcel Number 10-1556-2, no later than 12:00 PM on May 26, 2016, and opened by the County Treasurer on May 26, 2016 at 3:00 PM, which bid results are attached hereto; and, **WHEREAS**, the sale and appraised value of the real estate was advertised by publication as required by law pursuant to s. 75.69, Wis. Stats.; and, **WHEREAS**, none of the responsive bids met the appraised value of Computer Parcel Number 10-1556-2 of \$186,000. **WHEREAS**, none of the responsive bids were accepted by the Public Works & Infrastructure Committee. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board rejects the sale of Computer Parcel Number 10-1556-2. **BE IT FURTHER RESOLVED**, that Computer Parcel Number 10-1556-2 remain the property of the County of La Crosse.

**PUBLIC WORKS AND INFRASTRUCTURE**

Motion by M. Freedland/P. Barlow to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

**RESOLUTION NO. 17-6/16 RE: LAND SALE POLICY FOR PROPERTY NOT TAKEN IN TAX FORECLOSURE OR BEING ACTIVELY MARKETED**

**WHEREAS**, The County owns just over 3000 acres of land, including the sites of County buildings and undeveloped properties used for parks and forest land which may have been donated and may have deed restrictions impacting the ability of the County to sell; and,

**WHEREAS**, The County Board periodically chooses to market properties for sale by establishing a value using a professional appraisal or recent sale price from adjacent parcels, including parcels marketed for sale within the Lakeview Business Park in West Salem; and, **WHEREAS**, although the County Board may consider any offer for sale of land that is not being actively marketed, it is recommend that a policy be established for consideration of any offer to purchase County owned land. **NOW THEREFORE BE IT RESOLVED**, that it shall be the policy of La Crosse County to consider sale of undeveloped County owned land for the highest negotiated price based on a professionally determined estimate of fair market value, while considering if the sale will contribute to a higher taxable use, unless the County Board identifies other considerations (i.e. unique factors including sale to another municipality, or to a nonprofit organization for a public or recreational purpose). **BE IT FURTHER RESOLVED**, when approached by a party to purchase County owned land, County staff shall develop a recommendation based on the following considerations to seek guidance from the Public Works and Infrastructure Committee:

1. Investigate how the property was obtained and identify any restrictions on the use or sale.
2. Determine if there is a preferred use for the property recommended by County staff.
3. Evaluate if there is a potential to receive a higher price and higher development value by selling through a competitive bid process, or by using a Realtor.
4. Identify if there has been a professionally developed market value by a certified appraiser, local assessor or sufficient documentation of similar area market sales.
5. Determine if the parcel is clearly established or if a Certified Survey Map (CSM) is needed to clearly define property boundaries and acreage.
6. Consider any potential zoning and land use issues if the proposed land use is not consistent with current zoning of the property.
7. Make a recommendation to the Public Works and Infrastructure Committee on how to proceed in response to the purchase offer.
8. Other considerations or conditions based on the long-term interests of the County and its taxpayers.

**BE IT FURTHER RESOLVED**, the party seeking to buy a property shall be responsible for the cost of obtaining a professionally developed determination of value, usually through selection of an independent certified appraisal acceptable to the County, or incurring the cost of a Certified Survey Map (CSM) if necessary. **BE IT FURTHER RESOLVED**, that the Public Works and Infrastructure Committee shall be the lead committee to provide staff guidance, including consideration of other unique factors for sale of land for a public or recreational purpose. **BE IT FURTHER RESOLVED**, that the County Administrator and Corporation Counsel shall be the lead in negotiations, with any final result also submitted to the Executive Committee for consideration of highest and best taxable value. **BE IT FURTHER RESOLVED**, any land sale recommended by the Public Works and Infrastructure Committee shall be presented to the County Board via resolution for their consideration. **FISCAL NOTE:** No specific cost or benefit can be identified at this time, since the fiscal impact will be identified on a case by case basis.

#### **PUBLIC WORKS AND INFRASTRUCTURE EXECUTIVE COMMITTEE**

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 unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

#### **ORDINANCE NO. 149-6/16 TO CREATE S. 4.12 ENTITLED "PROPERTY ASSESSED CLEAN ENERGY FINANCING" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN**

The County Board of Supervisors of the County of La Crosse does ordain as follows:

**Section 1.** Section 4.12 is created to read:

4.12 PROPERTY ASSESSED CLEAN ENERGY FINANCING.

(1) PURPOSE. The County finds that renovations or additions to premises located

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in the County made to improve energy efficiency, improve water efficiency, and/or use renewable resource applications, increase property values, stimulate local economic activity, provide local and global environmental benefits, and promote the general welfare of County residents. The purpose of this Section is to facilitate loans arranged by property owners or lessees to make such improvements by treating loan principal and interest, fees, and other charges as special charges eligible for inclusion on the tax roll for these properties.

(2) STATUTORY AUTHORITY. This ordinance is enacted pursuant to Wis. Stat. § 66.0627, as amended, which authorizes a County to make a loan or enter into an agreement regarding loan repayments to a 3rd party for owner-arranged or lessee-arranged financing, to an owner or a lessee of a premises located in the County for making or installing an energy efficiency improvement, a water efficiency improvement or a renewable resource application to a premises.

(3) DEFINITIONS. In this section:

(a) "Annual installment" means the portion of the PACE loan that is due and payable for a particular year under the supplemental agreement.

(b) "Borrower" means the property owner or lessee of the subject property that borrows the proceeds of a PACE loan.

(c) "Default loan balance" means the outstanding balance, whether or not due, of a PACE loan at the time that the County receives foreclosure proceeds.

(d) "Foreclosure proceeds" means the proceeds received by the County from the disposition of a subject property through an *in rem* property tax foreclosure.

(e) "Loan amount" means the principal, interest, administrative fees (including the Program Administrator's fees) and other loan charges to be paid by the borrower under the PACE loan.

(f) "PACE" means the acronym for property assessed clean energy.

(g) "PACE default provisions" means:

1. The delinquent annual installment(s) due when the County initiates the *in rem* property tax foreclosure on the subject property;

2. Any additional annual installment(s) that become due between the time that the County initiates *in rem* property tax foreclosure on the subject property and the date the County receives the foreclosure proceeds;

3. Any default interest charges applied to unpaid annual installments referenced in subs. (1.) and (2.) above, as provided in the supplemental agreement; and

4. Any default loan balance.

(h) "PACE lender" means any person that makes a PACE loan, and which may include an affiliate of the borrower.

(i) "PACE loan" means a loan made by a PACE lender to a borrower under this Section for energy efficiency improvements, water efficiency improvements, or renewable resource applications made to or installed on a subject property.

(j) "Person" means any individual, association, firm, corporation, partnership, limited liability company, trust, joint venture or other legal entity, or a political subdivision as defined in Wis. Stat. § 66.0627.

(k) "Program Administrator" means the person retained by the Wisconsin PACE Commission as provided in subsection (5)(b).

(l) "Subject property" means any premises located in the County on which an energy efficiency improvements, water efficiency improvements, or renewable resource applications are being or have been made and financed through an outstanding PACE loan.

(m) "Supplemental agreement" means a written agreement among a borrower, a PACE lender and the County, as provided for in subsection (7).

(n) "Wisconsin PACE Commission" means the Wisconsin PACE Commission formed under Wis. Stat. § 66.0301, as amended, by the County and one or more other political subdivisions as defined in Wis. Stat. § 66.0627, pursuant to a Joint Exercise of Powers Agreement relating to the Wisconsin PACE Commission.

(4) PACE LOANS AS SPECIAL CHARGES; DELINQUENT AMOUNTS AS LIENS. Any PACE loan made and secured pursuant to this Section shall be considered a special charge on the subject property. Any annual installment or portion of a PACE loan made and secured

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pursuant to the Section that becomes delinquent according to the terms of the PACE loan shall be a lien against the subject property and placed on the tax roll, as permitted pursuant to Wis. Stat. §66.0627 as amended.

(5) WISCONSIN PACE COMMISSION.

(a) Any of the powers and duties of the County under this Section, except for those under subsection (9) may (but are not required to) be delegated to the Wisconsin PACE Commission.

(b) The Wisconsin PACE Commission is further authorized to retain a Program Administrator to act as its agent and administer the PACE program, subject to adherence with PACE program requirements set forth in this Section and in Wis. Stat. § 66.0627 as amended.

(6) LOAN APPROVAL.

(a) A prospective borrower applying for a PACE loan shall comply with the loan application process set forth in the program manual approved by the County.

(b) The County shall approve the financing arrangements between a borrower and PACE lender.

(7) SUPPLEMENTAL AGREEMENT.

(a) The County, the borrower and the PACE lender shall execute the supplemental agreement which, without limitation:

1. Shall inform the participants that the PACE loan amount shall be imposed as and considered a special charge, and each year's annual installment may be included on the property tax roll of the subject property as a special charge and an annual installment that is delinquent shall be a lien against the subject property pursuant to Wis. Stat. § 66.0627, as amended;

2. Shall recite the amount and the term of the PACE loan;

3. Shall provide for the amount, or a method for determining the amount, of the annual installment due each year;

4. Shall provide whether default interest may be applied to unpaid annual installments;

5. Shall require the PACE lender and the borrower to comply with all federal, state and local lending and disclosure requirements;

6. Shall provide for any fees payable to the County and/or Program Administrator;

7. Shall recite that the supplemental agreement is a covenant that runs with the land;

8. May provide for prepayments of annual installments by the borrower with a resulting reduction in the special charge for the prepayment, subject to any prepayment premium charged by the PACE lender, if any; and

9. May allow for amendment by the parties.

(b) Prior to executing the supplemental agreement, the owner of the subject property, if different from the borrower, and any existing mortgage holder(s) on the subject property must have executed a separate writing acknowledging the borrower's use of PACE financing for the subject property and the special charge that will be imposed under this Section and its consequences, including the remedies for collecting the special charge.

(c) Each PACE loan shall be amortized over the term of the PACE loan as provided in the supplemental agreement.

(d) The annual payments of a PACE loan may be payable in installments as authorized by Wis. Stat. § 66.0627, as amended.

(8) ANNUAL INSTALLMENTS ADDED TO TAX ROLLS. Upon the request of the Program Administrator the County shall place each year's annual installment on the tax roll for the subject property as permitted pursuant to Wis. Stat. § 66.0627, as amended.

(9) REMITTANCE OF SPECIAL CHARGES. The County shall promptly remit to the Wisconsin PACE Commission any payment(s) for a special charge imposed under this Section, including penalties and charges thereon, it may receive from any taxing district or the County treasurer pursuant to Wis. Stat. Ch. 74, as amended.

(10) PROPERTY TAX FORECLOSURE PROCEDURES.

(a) The County elects to utilize the provisions of Wis. Stat. § 75.521, as

amended, for the purpose of enforcing tax liens if a subject property owner fails to pay any special charges imposed on the subject property under this Section as required.

(b) The County shall begin an in rem property tax foreclosure proceeding on the subject property at the earliest time allowed under Wisconsin Statutes, unless the County determines that subject property is a "brownfield" (as defined in Wis. Stat. § 75.106, as amended) or that in rem property tax foreclosure is not in the best interests of the County due to the condition of the property or for other reasons.

(c) If the County has determined that it will not commence an in rem property tax foreclosure proceeding, then the PACE lender may request that the County, pursuant to Wis. Stat. § 75.106, as amended, assign the County's right to take judgment against the subject property, provided that the PACE lender and the County fully comply with all provisions of Wis. Stat. § 75.106, as amended, concerning the subject property and the PACE lender agrees to pay the amounts required by Wis. Stat. § 75.36(3)(a)1 and 1m, as amended.

(11) SALE OF FORECLOSED PROPERTY. If the County prevails in an in rem property tax foreclosure action against a subject property, the County shall diligently proceed to sell the subject property pursuant to the procedures set forth in Wis. Stat. § 75.69, as amended.

(12) DISTRIBUTION OF FORECLOSURE PROCEEDS. The County treasurer shall follow the procedures set forth in Wis. Stat. § 75.36, as amended, to distribute the proceeds from the sale of a subject property.

**Section 2.** This Ordinance shall take effect the day after passage and publication as required by law.

**Tara Johnson, County Board Chair**

**Ginny Dankmeyer, County Clerk**

#### **EXECUTIVE COMMITTEE**

Motion by S. Hampson/M. Giese to approve passed on a unanimous voice vote with 24 ayes, 1 absent - K. Rosa, 4 excused - T. Tryggestad, K. Cable, R. Cornforth and K. Tyser.

#### **RESOLUTION NO. 18-6/16 RE: APPROVAL OF PACE COMMISSION AGREEMENT AUTHORIZING THE COUNTY BOARD CHAIR TO DESIGNATE A SUPERVISOR AS REPRESENTATIVE DIRECTOR OF THE PACE COMMISSION BOARD OF DIRECTORS**

**WHEREAS**, pursuant to Wis. Stat. § 66.0301, two or more municipalities of the State of Wisconsin, may by contract create a commission for the joint exercise of any power or duty required or authorized by law; and, **WHEREAS**, La Crosse County is a "municipality" as that term is defined in Wis. Stat. § 66.0301 and a political subdivision located in the State; and, **WHEREAS**, La Crosse County is empowered by law to promote economic, cultural and community development, including, without limitation, the promotion of opportunities for the creation or retention of employment, the stimulation of economic activity, the increase of the tax base, and the promotion of opportunities for education, cultural improvement and public health, safety and general welfare, which may be accomplished by various means; and, **WHEREAS**, Wis. Stat. § 66.0627(8) authorizes a city, a village, a town and a county in this State to, among other things, make a loan to or otherwise arrange, participate in or facilitate the financing of an energy improvement, a water efficiency improvement or a renewable resource application to a real property within its jurisdiction and to provide for such financing through the imposition of a special charge against the property benefitted by the energy or water efficiency improvement or renewable resource project; and, **WHEREAS**, such financings are commonly referred to as "Property Assessed Clean Energy" or "PACE" financings; and, **WHEREAS**, La Crosse County has determined that it is in the public interest to provide real property owners, lessees, lenders and other transaction parties in La Crosse County with access to a uniformly-administered program for PACE financing; and, **WHEREAS**, La Crosse County and other counties, with the support and counsel of the Wisconsin Counties Association, League of Wisconsin Municipalities, Green Tier Legacy Communities and other stakeholders, have studied the possibility of creating a commission pursuant to Wis. Stat. § 66.0301 to be known as the Wisconsin PACE Commission ("Commission"); and, **WHEREAS**, the Wisconsin PACE Commission would be formed and operated in accordance with a Joint

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Exercise of Powers Agreement Relating to Wisconsin PACE Commission ("Commission Agreement") of which a substantially final draft is attached to this Resolution; and, **WHEREAS**, it is in La Crosse County's best interests to join the Wisconsin PACE Commission and authorize the execution of the Commission Agreement; and, **WHEREAS**, in accordance with Wis. Stat. § 66.0627 and the provisions of the Commission Agreement, La Crosse County must adopt an Ordinance relating to the administration of PACE financings in La Crosse County and throughout the State ("PACE Ordinance"); and, **WHEREAS**, adoption of the PACE Ordinance is a necessary condition to La Crosse County entering into the Commission Agreement; and, **WHEREAS**, it is the intent of this Resolution to authorize La Crosse County to become a member of the Commission and authorize a duly-appointed representative of La Crosse County to finalize and execute the final Commission Agreement in substantially the form of the draft Commission Agreement attached to this Resolution. **NOW, THEREFORE, BE IT RESOLVED** that the La Crosse County Board hereby approves the draft Commission Agreement, a copy of which is attached to this Resolution, and authorizes and directs the La Crosse County Board Chair to sign such document after receipt of preliminary approval from the other participating municipalities, approval from the La Crosse County official duly-appointed to approve the final form of the Commission Agreement and approval of the Corporation Counsel. **BE IT FURTHER RESOLVED** that the Chair of the La Crosse County Board of Supervisors is hereby directed to appoint a board supervisor to act as La Crosse County's official representative in relation to the final approval of the form of the Commission Agreement and to otherwise take all action necessary to effectuate the intent of this Resolution. **BE IT FURTHER RESOLVED** that the La Crosse official representative is designated as the La Crosse County "Representative Director" of the Board of Directors of the Commission in accordance with the Commission Agreement, he or she to serve at the pleasure of the La Crosse County Board of Supervisors. **FISCAL NOTE:** No cost to join the PACE Commission. Administrative costs for any PACE loans are built into the loan process and not a cost to the County. Some County Treasurer time will be required and Corporation Counsel time if a formal foreclosure action is required for a PACE loan.

#### **EXECUTIVE COMMITTEE**

Motion by S. Hampson/M. Giese to approve passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

#### **RESOLUTION NO. 19-6/16 RE: MODIFICATION OF HILLVIEW AND LAKEVIEW LPN, CNA AND RESIDENT ASSISTANT PAY RATES**

**WHEREAS**, Caregiver vacancy rates have reached crisis levels in Wisconsin for long-term and residential care providers; and **WHEREAS**, Hillview and Lakeview Health Care facilities continue to experience significant recruitment and retention challenges; and, **WHEREAS**, competition for Hillview and Lakeview staff has increased with non-health care employers for unskilled, entry level workers; and, **WHEREAS**, the current starting pay rates are not attracting applicants; and, **WHEREAS**, the Nursing Home Administrators along with the Personnel Director and the County Administrator are recommending the attached modifications to the Hillview (HV) (01,03 & 06) and Lakeview (LV) (00, 02 & 07) pay scales. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board approves the recommended modifications effective August 8, 2016. **BE IT FURTHER RESOLVED**, that the Personnel and Finance Departments are authorized to take the necessary actions to carry out the modifications as approved. **FISCAL NOTE:** The cost of the pay increases to existing employees, for the remainder of 2016, including WRS, FICA and Medicare is \$29,501 for Hillview and \$19,400 for Lakeview. There are approximately 124 employees at Hillview and 78 employees at Lakeview impacted by this action.

#### **EXECUTIVE COMMITTEE**

Motion by S. Hampson/P. Jerome to approve. Discussion ensued. Hillview Administrator Pete Eide and Lakeview Administrator Wanda Plachecki responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

(50-16/17)

**RESOLUTION NO. 20-6/16 RE: DISALLOWANCE OF CLAIM OF WE ENERGIES**  
**WHEREAS**, WE Energies has filed a claim alleging that on or about August 20, 2015, they sustained damage to their underground gas facility and an associated loss of gas service as a result of excavating activity, resulting in damages claimed of \$2,313.45; 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 and should be disallowed. **NOW, THEREFORE BE IT RESOLVED**, that the claim of WE Energies 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 (SHARON HAMPSON)**

Motion by S. Hampson/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 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

**RESOLUTION NO. 21-6/16 RE: DISALLOWANCE OF CLAIM OF SAMUEL J. KOTEK**  
**WHEREAS**, Samuel J. Kotek by John F. Kotek, Power of Attorney, has filed a claim alleging that on or about February 25, 2016, in an attempt to execute an arrest warrant, employees of La Crosse County and/or employees of Village of Holmen entered 224 Neitzel Drive, resulting in damages claimed of \$1880; 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 and should be disallowed. **NOW, THEREFORE BE IT RESOLVED**, that the claim of Samuel J. Kotek by Jon F. Kotek, Power of Attorney, 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 S. Hampson/M. Kruse to approve passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

**RESOLUTION NO. 22-6/16 RE: APPROVAL OF AGREEMENT TO LOAN HISTORIC COURTHOUSE BELL TO WEBER HOLDINGS FOR DISPLAY AT BELLE SQUARE DEVELOPMENT**

**WHEREAS**, the historic courthouse bell which was cast in 1904 and hung in the County Courthouse is an important piece of County history that should be preserved and displayed for the public to view; and, **WHEREAS**, since the bell was removed from the old courthouse in 1965, it was restored and displayed on the County Downtown Campus until the County sold Lot C to Weber Holdings, LLC last year, at which time it was removed and placed in temporary storage; and, **WHEREAS**, Weber Holdings would like to display the bell on its original site, now owned by Weber Holdings, as part of the Belle Square Development; and,



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**WHEREAS**, the County and Weber Holdings have agreed to the terms for displaying of the bell, which shall include the following:

- Term of 30 years, with possible 5 year renewals.
- County shall retain ownership of the Bell.
- Weber Holdings will display the bell properly and maintain the bell.
- Upon termination of the agreement or expiration of the lease, Weber Holdings shall deliver the bell to the County at no expense to the County.

**NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby approves the agreement that allows Weber Holdings to display the bell on its original site as part of the Belle Square Development on the terms outlined in this resolution; **BE IT FURTHER RESOLVED**, that the County Board Chair is authorized to execute the agreement with Weber Holdings, after approved by Corporation Counsel. **FISCAL NOTE:** No cost to La Crosse County.

**EXECUTIVE COMMITTEE**

Motion by S. Hampson/P. Jerome to approve passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth and K. Tyser.

**SUGGESTIONS FOR FUTURE AGENDA ITEMS**

- Supervisor Doyle asked for an update on claims or litigations against the County.
- Supervisor Geary asked for an IT update on security and password changes.

**ADJOURN**

Motion by L. Berg/M. Larson to adjourn at 8:06 PM passed on a unanimous voice vote with 25 ayes, 1 absent - K. Rosa, 3 excused - K. Cable, R. Cornforth, and K. Tyser.

**STATE OF WISCONSIN )**

**COUNTY OF LA CROSSE )**

**I, Ginny Dankmeyer, La Crosse County Clerk, in and for the County of La Crosse, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the La Crosse County Board of Supervisors at the La Crosse County Board of Supervisors Monthly Meeting held Thursday, June 16, 2016 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 JULY 2016.**