



RESOLUTION # 10-6/20

ITEM # 6-15

BOARD ACTION

Adopted:
For: 28
Against: 0
Abstain: 1
Abs/Excd: 0
Vote Req: -
Other Action: -

PUBLIC WORKS & INFRASTRUCTURE COMMITTEE ACTION

Adopted:
For: 7
Against: 0
Abstain: 0
Abs/Excd: 0

TO: HONORABLE MEMBERS OF THE LA CROSSE COUNTY BOARD OF SUPERVISORS

RE: IN SUPPORT OF CHANGES TO CONDEMNATION PROCESS UNDER WISCONSIN STATUTE CHAPTER 32

WHEREAS, local governments such as counties use the process of eminent domain, otherwise known as condemnation, on a very limited basis; and

WHEREAS, the use of condemnation is for the purpose of a local government to provide for the public good; and

WHEREAS, local governments such as counties use the process on a limited basis in an effort to cooperate with land owners and out of respect for property rights; and

WHEREAS, when landowners are unwilling, local government may be forced to use eminent domain in order to provide for the public good and or to complete critical public works projects; and

WHEREAS, pursuant to Wisconsin Statute s. 32.28, state law has established that the condemning authority shall assume responsibility for payment for all legal costs in circumstances where a jury verdict as approved by the court under Wisconsin Statute s. 32.05 (11) exceeds the jurisdictional offer or the highest written offer prior to the jurisdictional offer by at least the amount in the offer and at least 15 percent; and

WHEREAS, the fifteen percent threshold is burdensome for local governments such as counties and a less restrictive threshold may be advised;

County

NOW, THEREFORE, BE IT RESOLVED, that we the La Crosse Board of Supervisors do hereby recommend that Wisconsin Statute s. 32.28 be modified and the aforementioned 15 percent threshold be changed to 30 percent.

BE IT FURTHER RESOLVED that this resolution shall be sent to the Wisconsin Counties Association for consideration at the Annual Business meeting to become a part of the WCA legislative platform.

FISCAL NOTE No cost to County.

Date: June 8, 2020
[Signature]

PUBLIC WORKS & INFRASTRUCTURE COMMITTEE CHAIR

[Signature]
RECORDING CLERK

	Reviewed Only	Recommended	Not Recommended	
Co. Admin.	_____	_____	_____	Requested By: Ralph Geary Date Requested: May 26, 2020 Drafted By: Corporation Counsel
Fin. Director	_____	_____	_____	
Corp. Counsel	_____	_____	_____	
Board Chair	_____	_____	_____	

Adopted by the La Crosse County Board this 18 Day of June, 2020

STATE OF WISCONSIN
COUNTY OF LA CROSSE

I, Ginny Dankmeyer, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original resolution required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 18th day of June 2020.

[Signature]
Ginny Dankmeyer, La Crosse County Clerk