

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING
PROCEEDINGS; THURSDAY, AUGUST 19, 2010**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, August 19, 2010 in the Administrative Center, Room B410. County Clerk Linda Stone took roll call. 31 supervisors were present when Chair Doyle called the meeting to order at 9:01 AM and those otherwise present, excused or absent are noted in the roll call detail:

District	Name	Attendance
1	Richmond, Andrea	Present
2	Geary, Ralph	Present
3	Feehan, Bill	Present
4	Johnson, Jai	Present
5	Konkel, Bradley	Present at 09:04 AM
6	Billings, Jill	Present
7	Plesha, Roger	Present
8	Freedland, Maureen	Present
9	Hampson, Sharon	Present
10	Wood, Margaret	Present
11	Kader, Audrey	Present at 09:05 AM
12	Flood, Bridget	Present at 09:05 AM
13	Brockmiller, Bill	Present
14	Medinger, John	Present
15	Mach, Beverly	Present
16	Sebranek, Gerald	Present; Excused at 12:06 PM
17	Meyer, Donald	Present
18	Johnson, Tara	Present
19	Keil, Robert	Present
20	Bina, Donald	Present
21	Manthei, Dennis	Present
22	Ebert, Ray	Present
23	Gamroth, Tammy	Present
24	Pfaff, Leon	Present
25	Schroeder, Jeffrey	Present
26	Burke, Vicki	Present
27	Pedretti, Marilyn	Present
28	Doyle, Steve	Present
29	Kruse, Monica	Excused
30	Spiker, Charles	Present
31	Ferries, Dan	Present
32	Benrud, Arlene	Present; Excused at 12:06 PM
33	Berns, Jim	Present
34	Wehrs, Tina	Present
35	Bilskemper, Joe	Present; Excused at 12:06 PM

PLEDGE OF ALLEGIANCE

COMMUNICATIONS AND ANNOUNCEMENTS:

A) County Board Chair Report - Steve Doyle

- Final County Board Picnic Details: Supervisor Benrud reported that 55 are coming to the picnic, and they can add a couple more. It will commence at Neshonoc Park in West Salem immediately after the Board meeting adjourns.
- The Wisconsin Taxpayer: Chair Doyle passed around a sheet for renewing or beginning their Wisconsin Taxpayer monthly newsletter. He finds it very helpful but encouraged supervisors to take it only if they actually read it as the cost is about \$30 for three years.
- Supervisor Conference Reports
 - Supervisor Bina announced that the Wisconsin RC&D (Resource, Conservation and Development) State Meeting will be held at the Midway Motor Lodge here in La Crosse September 22-24, 2010. They will discuss bio-mass, woody bio-mass, perennial grass and many other things. He placed the announcement on the bulletin Board for anyone interested.
 - Supervisor Burke reminded everyone that the grand opening of the Grand River Station will be Wednesday, August 25th from 10:00 – 1:00.
- No Closed Session: The closed session noticed later on the agenda regarding Skipperliner Industries won't be necessary. Hearing no objection, that item was taken out of order and Corporation Counsel William Shepherd gave a brief report on the status of the Skipperliner loan situation in open session. Nothing was accomplished at the latest meeting because the principle that has purchased the State Bank loan did not attend. Negotiations between the US Bank and the individual that purchased the State Bank loan are ongoing. Any activity taking place at the site is just finishing up projects already begun. He doesn't expect the situation to get resolved anytime soon; when those outside parties have resolved their issues, the County and the Town of Campbell should hear more.
- Compliments to Supervisor Hampson on having an article featured in the County Employee Newsletter this month.

B) Administrator Report - Steve O'Malley

- Three month meeting schedule: Noted a typo; the October County Board Monthly Meeting date is the 21st, not the 16th. Most upcoming meetings will be dominated by the budget. The Administrator's recommended budget will be ready for the September 13th Policy Planning Meeting to begin budget review. That review will be started intensely in upcoming committee meetings and additional meetings can be set if needed. He responded to questions from the Board.
- 2010 Wisconsin Economic Summit Series: This series is sponsored by the UW system, Wisconsin Technology Council, Higher Education Services, Competitive Wisconsin and Wisconsin Way. The 3rd session in the series, Managing the State Deficit and includes both the public and private sectors will be Aug 26th at the La Crosse Radisson Center. We were able to acquire a number of scholarships so some Board members can attend for no charge. If interested contact the chair's office or let the County Clerk know.
- Tuesday, Aug 31st from 8:00 – 9:30 a.m. in Room B190 of our Administrative Center, Jim Wood will be presenting an overview of the Wisconsin Way Blueprint for Change. The City council, mayors, town officials and the media are all invited.
- LADCO Industry Appreciation breakfast will be Thursday, September 9th at 7:00 a.m. An achievement award for a county initiative is expected to be announced there.

(77-10/11)

CHAIR CHANGE: Vice Chair T. Johnson took the Chair.

APPOINTMENT:

Appoint **Betty Woodruff** to the Commission on Aging to replace Robert Machotka for the remainder of the 3 year term to expire April 30, 2011.

Motion by S. Doyle/J. Schroeder to approve the appointment as presented passed on a unanimous voice vote with 34 ayes and 1 excused - M. Kruse.

CHAIR CHANGE: Chair S. Doyle resumed the Chair.

CONSENT AGENDA

Motion by R. Plesha/G. Sebranek to approve the minutes of the County Board of Supervisors Planning Meeting held July 7th, as corrected, the Monthly Meeting held July 15, 2010 and the Claims List for \$20,874,745.37 passed on a unanimous voice vote with 34 ayes and 1 excused - M. Kruse.

ZONING ORDINANCE NO. Z240-8/10 PETITION NO. 1846 FILED BY MARY SCHEEL, OBO FOUR LOONS LLC TO REZONE FROM COMMERCIAL DISTRICT "B" WITH CONDITIONS FOR RESIDENTIAL CONDOMINIUMS TO COMMERCIAL DISTRICT "B" WITH NO CONDITIONS IN THE TOWN OF MEDARY

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1846 to amend the La Crosse County Zoning Ordinance filed by: Mary Scheel; obo Four Loons LLC, 3549 Lakeshore Dr, La Crosse, WI 54603 and having held a public hearing on the 2nd day of August 2010 to rezone from Commercial District "B" with conditions for residential condominiums pursuant to Zoning Petition No. 1779 to Commercial District "B" with no conditions the following described land in the Town(s) of Medary. Lot 2 of Certified Survey Map No. 90 Volume 14 and all of 16 Pines Condominium. Town of Medary. 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, 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: **Approve as Conditional Commercial District "B"**. By a vote of 5 in favor (2 - excused, Bina/Manthei) the Committee recommended approval of this rezone to Conditional Commercial District "B" to allow for the rental of Condominium Units; subject to the recording of deed restrictions indicating the parcel can be used only for the following:

1. To allow for short and long term residential rentals
2. The home can be used for a full service beauty salon
3. The parcel could have a 2-story office building.

(If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) **The County Board**, under s. 59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. The County Board took the following action this 19th day of August, 2010: Approved the petition with conditions, becomes an ordinance, after recording conditions.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Meyer/D. Manthei to approve as recommended by the Committee, which includes the Town of Medary conditions. Discussion ensued. Zoning, Planning and Land Information Director Jeff Bluske responded to questions from the Board. The petition passed on a unanimous voice vote with 34 ayes and 1 excused - M. Kruse.

(78-10/11)

ZONING ORDINANCE NO. Z241-8/10 RE: PETITION NO. 1845 FILED BY THOMAS A. BAUMGARTNER TO REZONE FROM AGRICULTURE DISTRICT "A" TO RESIDENTIAL DISTRICT "A" IN THE TOWN OF CAMPBELL

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1845 to amend the La Crosse County Zoning Ordinance filed by: Thomas A Baumgartner, 2521 Baumgartner Dr, La Crosse, WI 54603 and having held a public hearing on the 2nd day of August 2010 to rezone from Agriculture District "A" to Residential District "A" the following described land in the Town(s) of Campbell. Part of Gov't Lots 1 & 2 in Section 13, T16N, R8W described as: Commencing at the East ¼ corner of Said Section 13; thence N5°26'33"W 376.06' to the Southeast corner of Certified Survey Map Volume 13, Page 21, said point being on the west line of Lakeshore Drive and the POB; thence S89°19'46"W along the South line of said Certified Survey Map 125' to the Southwest corner of said Certified Survey Map; thence N0°40'17"W along the West line thereof 142.12' to the southerly line of Baumgartner Fourth Addition; thence S89°16'30"W along said southerly line 508.00' to the southwest corner of Lot 21 of Baumgartner Fourth Addition; thence N13°47'0"W along the west line thereof 138.45'; thence S86°21'22"W 67.05' to the Southeast corner of Lot 1, Block 7, Baumgartner Second Addition; thence S77°54'0"W along the South line thereof 153.45' to a point 31', more or less, from French Slough; thence along meander line S9°23'45"E 285.22' to a point 20' more or less, from French Slough; thence S14°15'44"E 516.49' to a point 20', more or less from French Slough and the terminus of said meander line; thence N83°15'07"E 468.5' to the West line of Certified Survey Map, Volume 12, Page 127; thence N0°37'19"W along said West line 116.25' to the Northwest corner of said Certified Survey Map; thence S89°41'32"E along said North line 234.83' to the West line of Lakeshore Drive; thence along the West line thereof N4°52'44"E 169.35'; thence N0°40'17"W 210.95' to the POB. Includes land lying between the meander line and the water's edge. Town of Campbell. 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, 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: **Approve**. By a vote of 5 in favor (2 – excused, Bina/Manthei) the Committee recommended approval of rezoning to the Residential "A" District. (If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) **The County Board**, under s. 59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. The County Board took the following action this 19th day of August, 2010: Approved the petition as submitted, becomes an ordinance.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Meyer/J. Schroeder to approve as recommended by the Committee. Discussion ensued. The petition passed on a unanimous voice vote with 34 ayes and 1 excused - M. Kruse.

ZONING ORDINANCE NO. Z242-8/10 RE: PETITION NO. 1847 FILED BY EDWIN J. AND EILEEN CARNS, OBO SHANA ZACEK, TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO RESIDENTIAL DISTRICT "A" IN THE TOWN OF HAMILTON

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1847 to amend the La Crosse County Zoning Ordinance filed by: Edwin J. & Eileen Carns, N6550 McKinley Valley Rd, West Salem, WI 54669; acting on behalf of Shana Zacek, 375 Vista Roma Way, Unit 320, San Jose, CA 95136-4431 and having held a public

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hearing on the 2nd day of August 2010 to rezone from Exclusive Agriculture District to Residential District "A" the following described land in the Town(s) of Hamilton Lot 1 of Certified Survey Map No. 50 Vol. 7. 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, 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: **Approve.** By a vote of 5 in favor (2 – excused, Bina/Manthei) the Committee recommended approval of rezoning to the Residential "A" District. (If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) The County Board, under s. 59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. **The County Board** took the following action this 19th day of August, 2010: Approved the petition as submitted, becomes an ordinance.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Meyer/D. Manthei to approve as recommended by the Committee passed on a unanimous voice vote with 34 ayes and 1 excused - M. Kruse.

CONDITIONAL USE PERMIT NO. 815 FILED BY SHELDON E. EVERSON TO OPERATE A DUMPSTER ROLL-OFF BUSINESS OPERATING WITH 2 TRUCKS AND UP TO 40 DUMPSTERS, SIGNAGE, 4 EMPLOYEES AND VEHICLES AT HIS RESIDENCE ON 2.76 ACRES IN THE TOWN OF FARMINGTON

The La Crosse County Planning, Resources and Development Committee, having considered the application filed by: Sheldon E. Everson, W2863 County Road T, Mindoro, WI 54644 and having held a public hearing on the 2nd day of August 2010 for a Conditional Use Permit to operate a dumpster roll-off business operating with two (2) trucks and up to forty (40) dumpsters, signage, four (4) employees & vehicles at his residence on 2.76 acres of land that is zoned Agriculture District "A" in the Town(s) of Farmington on land described as follows: Part of the NW-SW of Section 24, T18N, R6W lying southwesterly of County Road T described in tax parcel 5-1080-1. Town of Farmington. 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 and 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: **Approve with 6 conditions.** With two (2) votes, first 3-2 (Mach/Wehrs opposed), (2 – excused, Bina/Manthei) and second vote 5 in favor, (2 – excused, Bina/Manthei) the Committee recommended approval of this Conditional Use Permit to operate a dumpster roll-off business subject to the following 6 conditions:

1. Operate with two (2) hauling trucks.
2. Ten (10) empty (at all times) dumpsters may be stored on site.
3. One (1) unlighted sign with zoning permit.
4. Up to two (2) employees besides owner(s).
5. This permit expires at the end of two (2) years after county board approval.
6. This permit is non-transferable.

Any deviation or alteration of the conditions set forth in this permit shall constitute a violation of the terms of this Conditional Use Permit and shall be subject to prosecution and penalties under the terms of this Ordinance. A new public hearing and permit must be granted to extend or alter any of the conditions set forth herein. **The County Board** took the following action this 19th day of August, 2010: Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Meyer/L. Pfaff to approve as recommended by the Committee. Discussion ensued. Zoning, Planning and Land Information Director Jeff Bluske, Planner Charlie Handy and Committee Chair D. Meyer responded to questions from the Board. The permit passed on a roll call vote with 24 ayes, 10 nays - V. Burke, T. Wehrs, T. Johnson, M. Wood, J. Johnson, J. Billings, B. Mach, B. Konkel, B. Flood and A. Kader and 1 excused - M. Kruse.

RESOLUTION NO. 28-8/10 RE: SUPPORTING THE STATE OF WISCONSIN'S OFFICE OF ENERGY INDEPENDENCE'S 25X25 VISION

WHEREAS, the County of La Crosse recognizes that conservation, energy-efficiency and renewable energy safeguard our environment, strengthen our economy and reduce costs; and, **WHEREAS**, in May, 2005, the County of La Crosse approved Resolution #25-5/05 supporting the Governor's Task Force to have a goal of 10% of the state's energy resources to come from renewable energy by 2015; and, **WHEREAS**, in June, 2007, the County of La Crosse approved Resolution #34-6/07 endorsing the principles of sustainable community development and supporting those principles whenever possible in planning, policy-making and practices; began development of a Strategic Plan for Sustainability and formed an ad-hoc Joint Oversight Committee on Sustainability with the City of La Crosse; and, **WHEREAS**, in February, 2009, the County of La Crosse approved Resolution #82-2/09 adopting the La Crosse City-County Strategic Plan for Sustainability as prepared by the Joint Oversight Committee on Sustainability; and, **WHEREAS**, the Office of Energy Independence was created by Governor Doyle on April 5, 2007 with the mission to advance energy independence in the State of Wisconsin by:

- Generating 25 percent of the state's electricity and transportation fuels from renewable resources by 2025,
- Capturing 10 percent of the emerging bioindustry and renewable energy market by 2030, and
- Leading the nation in groundbreaking research that will make renewable energy more affordable and will create good paying Wisconsin jobs.

WHEREAS, the Office of Energy Independence has established the Wisconsin Energy Independent Community Partnership to gain voluntary cooperation among communities to foster innovation of energy resources and emerging technologies in pursuit of the "25 x 25 Goals"; and, **WHEREAS**, it is in the County of La Crosse's interest to join in the Wisconsin Energy Independent Community Partnership to derive the benefits of (1) additional access to state and federal funding, (2) increased technical assistance from state and federal agencies, and (3) improved energy efficiency creating additional savings and capital availability for budgeting. **NOW THEREFORE, BE IT RESOLVED** that the La Crosse County Board hereby resolves to advance Wisconsin's vision for energy independence by supporting the State of Wisconsin's Office of Energy Independence's vision to generate 25 percent of the County's electricity and 25 percent of our transportation fuels from renewable resources by 2025 and become a community partner with the Wisconsin Office of Energy Independence. **BE IT FURTHER RESOLVED** that the County of La Crosse supports long-range planning and policies that reduce our dependence on fossil fuels while at the same time does not rely on using food-based energy products, but places more emphasis on the use of other renewable and sustainable resources such a wind and solar power and biomass. **BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to the Governor of Wisconsin, the Office of Energy Independence, our state and federal legislators, and our local energy companies and co-ops. **FISCAL NOTE:** the direct fiscal impact on La Crosse County is unknown at this point.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE
SUSTAINABLE LA CROSSE COMMISSION
LEGISLATIVE COMMITTEE**

Motion by M. Pedretti/J. Johnson to approve. Discussion ensued. Sustainability Coordinator

(81-10/11)

Nick Nichols responded to questions from the Board. The resolution passed on a voice vote with 32 ayes, 2 nays - J. Bilskemper and B. Feehan and 1 excused - M. Kruse.

ORDINANCE NO. 82-8/10 TO AMEND THE "FUTURE LAND USE MAP" INCORPORATED AS PART OF S.31.03(4) 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. The "Future Land Use Map" which is included as part of the La Crosse County, Wisconsin Comprehensive Plan 2007-2027 in Section 31.03(4) is amended as follows:

Exhibit A that is attached hereto shall be incorporated into the Comprehensive Plan as the official Future Land Use Map in place of the map currently on page 113 of Chapter 31.

Section 2. This Ordinance shall take effect the day after passage and publication.

STEVE DOYLE, County Board Chair
LINDA STONE, County Clerk

Motion by D. Meyer/V. Burke to approve. Discussion ensued. The resolution passed on a unanimous voice vote with 34 ayes and 1 excused - M. Kruse.

RESOLUTION NO. 29-8/10 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>
Susanne M. Armstrong	Clerk of Courts	24+

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.

STEVE DOYLE, County Board Chair
LINDA STONE, County Clerk

Motion by J. Billings/V. Burke to approve passed on a unanimous voice vote with 34 ayes and 1 excused - M. Kruse.

RESOLUTION NO. 30-8/10 RE: APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH JJR & ASSOCIATES AND TRANSFER OF FUNDS FOR HARBOR PLAN UPDATE

WHEREAS, The City Planning Department acting on behalf of the Joint Board of Harbor Commissioners was authorized to prepare and transmit a Request for Proposals (RFP) to Planning and Design firms for Professional Services to assist the Joint Board in creating a Harbor and Waterfront Plan for the City and County of La Crosse; and **WHEREAS**, the Joint Board received three proposals and a committee made up of the Joint Board of Harbor Commissioners with advice from the previous author of the 1999 Harbor Plan selected JJR as the most qualified consultant team primarily for its extensive national experience with harbor and waterfront planning in such cities as Milwaukee, Detroit, Cleveland, and smaller cities such as Sheboygan and for the responsiveness of their proposal. **NOW THEREFORE BE IT RESOLVED**, by the La Crosse County Board that it hereby approves a Professional Services Agreement with JJR including JJRs proposal dated June 18, 2010, in an amount not to exceed \$100,000 with \$55,000 appropriated from the City Harbor Sinking Fund and \$45,000 from La Crosse County and further authorizes the County Board Chair and encourages City Officials to sign the agreement, after review by Corporation Counsel. **BE IT FURTHER RESOLVED**, that an ad-hoc steering committee consisting of members of the

(82-10/11)

Joint Board of Harbor Commissioners, other City committee members, other county and town officials, state and federal agency representatives, and members of the general public is hereby authorized to be formed to obtain broad community engagement and shall be charged along with staff to continue to work on this project with the consultant. **BE IT FURTHER RESOLVED**, that \$33,000 of La Crosse County's share be transferred from the General Fund Undesignated Fund Balance to Harbor Commission Special Projects Account 1060-79061. This \$33,000 will be added to the \$12,000 included in the 2010 budget to equal \$45,000. **FISCAL NOTE:** The Harbor Commission budget had included \$12,000 in the Special Projects Account for 2007, 2008 & 2009. The intent was to carry forward these unspent monies, however the funds were inadvertently returned to the General Fund at year end.

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

Motion by J. Billings/D. Meyer to approve. Discussion ensued. Finance Director Gary Ingvalson and Corporation Counsel William Shepherd responded to questions from the Board. Motion by J. Johnson/T. Johnson to strike "and City Officials" from the 3rd paragraph. Discussion on the amendment ensued. Finance Director Ingvalson responded to questions from the board. The amendment failed on a voice vote with 27 nays and 7 ayes – T. Wehrs, T. Johnson, R. Keil, R. Geary, J. Johnson, D. Ferries and D. Bina with 1 excused – M. Kruse. Motion by J. Medinger/T. Johnson to insert "encourages" in the 3rd paragraph before "City Officials" passed on a voice vote with 30 ayes and 4 nays – V. Burke, L. Pfaff, D. Meyer and A. Kader with 1 excused – M. Kruse. Discussion on the resolution continued. Economic Development Agent Karl Green responded to questions from the Board. The resolution, as amended, passed on a unanimous voice vote with 33 ayes and 2 excused - M. Kruse and J. Johnson.

RESOLUTION NO. 31-8/10 RE: COMPENSATION PLAN FOR NON-BARGAINING EMPLOYEES FOR 2011

WHEREAS, the Executive Committee met on August 11, 2010, to consider modifications to the Compensation Plan for non-bargaining employees and officials, covered by the Pay Grades designated as AP-04 and above, B, CE, CM, JT, LS, NA, NH, NL, NS, and UW, be revised; and, **WHEREAS**, after considering such factors as the County's major budget challenges described by the County Administrator, internal and external comparable pay settlements, the Consumer Price Index, the state imposed Tax Freeze & Rate Limit and other considerations, the Personnel Director recommends no across the board increase in Non-Bargaining Pay Schedules for 2011. **NOW THEREFORE BE IT RESOLVED**, that those employees and officials covered by the non-bargaining pay schedules referenced above, have pay set for 2011 reflecting an across-the-board increase of 0% effective January 1, 2011, except that UW schedule will be adjusted to maintain the 60/40% funding split with the University system as done in prior years based on UW rate changes. **BE IT FURTHER RESOLVED**, that Non-bargaining employees shall be eligible for pay step increases according to current practice, to maintain the integrity of the pay plans and that the 2011 Budget will provide for the increase in WRS contribution set by the Retirement Fund. **BE IT FURTHER RESOLVED**, in place of the pay step increase for 2011 in the administrator's contract, the County Administrator will be permitted to instead accrue an equivalent amount of vacation to the maximum accrual allowed for non-union County employees (50 days). **BE IT FURTHER RESOLVED**, that the Finance Department and the Personnel Department are authorized to take the necessary action to implement these changes. **FISCAL NOTE:** Although no across-the-board increase is provided by this resolution, the 2011 budget must provide for the mid-year 2010 increase, as well as for the increased cost of WRS contribution determined by the Retirement Fund. The estimated increase of salary and rollup for all non-bargaining employees for 2011 is \$219,331 for a wage, fringe and benefit package cost of 1.2% for which funding will be budgeted in the 2011 budget. There are approximately 450 employees (or approximately 340 FTE's) covered by this resolution.

EXECUTIVE COMMITTEE

Motion by J. Billings/B. Brockmiller to approve. Discussion ensued. Administrator O'Malley and Finance Director Ingvalson spoke to the resolution and responded to questions from the Board. The resolution passed on a voice vote with 32 ayes and 2 nays - J. Schroeder and C. Spiker with 1 excused - M. Kruse.

RESOLUTION NO. 32-8/10 RE: ACCEPTANCE OF CLIFTON GUNDERSON'S AUDIT REPORT ON LA CROSSE COUNTY'S 2009 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

WHEREAS, the audit firm of Clifton Gunderson & Co has recently completed their audit of the Financial Statements of La Crosse County for the year ended December 31, 2009; and, **WHEREAS**, the Financial Audit and Management Letter will be presented to the La Crosse County Board at their regular County Board meeting on August 9, 2010. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby accepts the Financial Audit and Management Letter as presented for the 2009 fiscal year. **FISCAL NOTE:** Clifton Gunderson's fee for 2009 audit services is \$63,750, for which money is budgeted in 2010 and allocated across several departments.

EXECUTIVE COMMITTEE

Motion by J. Billings/M. Wood to approve. Discussion ensued. Finance Director Ingvalson responded to questions from the Board. The resolution passed on a unanimous voice vote with 33 ayes and 2 excused - M. Kruse and M. Freedland.

RESOLUTION NO. 33-8/10 RE: SUPPORT FOR ELIMINATION OF POTENTIAL OF THE ASIAN CARP SPREAD INTO THE MISSISSIPPI RIVER AND SURROUNDING WATERSHEDS

WHEREAS, the spread of the Asian Carp throughout the Great Lakes has received a great deal of attention, with little acknowledgement that the Asian carp has also been caught by commercial fishermen in the Mississippi River over the past two years; and **WHEREAS**, the State Department of Natural Resources (DNR) Biologists believe these Asian Carp have passed through the dams in the pools south of La Crosse during the 2007/2008 floods and these exotic species pose a huge threat to recreational boaters and fisherpersons as well as native aquatic habitats, threatening the multi-billion dollar commercial & recreational fishing industry; and **WHEREAS**, if the Asian carp establishes a significant presence in the Mississippi River Basin, they will negatively affect the entire Great Lakes ecosystem, including inland lake tributary river systems. **NOW, THEREFORE, BE IT RESOLVED** that the La Crosse County Board of Supervisors supports the efforts by the Attorney General to pursue legal remedies to stop Asian carp from entering Lake Michigan and urges the AG to also pursue legal remedies to protect the Mississippi River. **BE IT FURTHER RESOLVED** that the La Crosse County Board of Supervisors urges the Governor of Wisconsin to address the United States Congress to support studies that find ways to biologically separate Asian carp from entering the Mississippi River through dams and tributary river systems. **BE IT FURTHER RESOLVED** that the County Clerk forward a copy of this resolution to President Obama, U.S. Senators Kohl and Feingold, U.S. Representative Kind, Governor Doyle, the Wisconsin Attorney General, La Crosse County State legislative representatives, the Wisconsin Counties Association, and all Wisconsin counties urging adoption of a similar resolution. **FISCAL NOTE:** There is no direct impact to the County Budget.

EXECUTIVE COMMITTEE

Motion by J. Billings/B. Brockmiller to approve. Discussion ensued. Motion by R. Ebert/J. Billings to add President Obama to "forward a copy of this resolution to" passed on a unanimous voice vote with 33 ayes and 2 excused - M. Kruse and A. Richmond. The resolution, as amended, passed on a unanimous voice vote with 33 ayes and 2 excused - M. Kruse and A. Richmond.

RESOLUTION RE: NO. 34-8/10 COUNTY NURSING HOMES AND THE 2011-2013 STATE BIENNIAL BUDGET

WHEREAS, county homes play a unique role in Wisconsin's continuum of care for citizens in need of long-term care services; and **WHEREAS**, the majority of county homes care for residents with high acuity levels and intense behavioral needs; and **WHEREAS**, Wisconsin county homes have a long history of partnering with the state to maximize federal resources available to the state; and **WHEREAS**, under the Supplemental Payment Program, formerly known as the intergovernmental transfer program, federal matching funds are generated based on actual operating losses incurred by governmental nursing homes; and **WHEREAS**, all revenue generated from county nursing home losses is deposited in the state of Wisconsin's Medical Assistance Trust Fund; and **WHEREAS**, through the combined efforts of the state and counties, billions of dollars have been brought in over the past decade, most of which was utilized to offset deficits in the Medical Assistance Trust Fund; and **WHEREAS**, under current state law, the state may not distribute to counties more than \$39,100,000 in each fiscal year; and **WHEREAS**, all revenue received under the supplemental payment program is derived from certified county nursing home losses; and **WHEREAS**, counties depend on revenue received from the supplemental payment program to maintain high-quality services to vulnerable residents; and **WHEREAS**, counties utilize revenue from the Supplemental Payment and Certified Public Expenditure Programs to offset property tax dollars utilized to fund the operation of county homes; and **WHEREAS**, the 2009-2011 state biennial budget allocates only \$38.1 million annually in payments to counties, although the Department of Health Services estimates receiving \$96.2 million in federal matching funds based on county nursing home losses; and **WHEREAS**, the nursing home bed assessment (tax) was created as part of 1991 Wisconsin Act 269 as a methodology to fund the Medical Assistance nursing home rate increases that took effect in FY 92; and **WHEREAS**, since that time, the bed tax has increased from \$32 per month per bed to \$170 per licensed bed; and **WHEREAS**, in the 2009-2011 state biennial budget, a majority of the funds raised through the increased bed tax was utilized to offset the state's Medicaid deficit, in addition to funding the two percent rate increase in each year of the biennium; and **WHEREAS**, in FY 10, 68% of the federal revenue derived from the bed tax was utilized to offset general fund expenditures; 51% of the federal revenue will be utilized for non-nursing home expenditures in FY 11; and **WHEREAS**, a bed tax increase of \$14 in FY 10 and an additional increase of \$33 in FY 11 is all that was needed to fund the two percent rate increase; instead, over \$66 million of revenue derived from the bed tax was utilized over the biennium to replace GPR base funding for MA benefits; and **WHEREAS**, there is no public policy argument to justify increasing taxes paid by nursing homes and their residents to benefit the general fund; and **WHEREAS**, returning the revenue generated from the bed tax will fund a rate increase of approximately 3.25 percent in FY 12 without the need for additional GPR or bed tax dollars; and **WHEREAS**, Institutes for Mental Disease (IMDs) with state-only licenses are required to pay the bed tax, even though they do not qualify for Medicaid payments. **NOW, THEREFORE, BE IT RESOLVED** that the La Crosse County Board of Supervisors requests that the following action be taken by the Governor and State Legislature during 2011-2013 state biennial budget deliberations:

- Support a statutory change to Sec. 49.45 (6u)(am) Wis. Stats. such that it reads ...the department shall distribute to these facilities and to care management organizations at least \$39,100,000 in each fiscal year.
- Support a statutory change requiring the state to share equally the federal match dollars received as a result of county nursing home losses.
- Nursing home bed assessment funds and the federal matching funds generated should be used for nursing home rate increases, not as supplementation to the MA Trust Fund.
- County government-owned IMDs and state-only licensed facilities should be exempt from the provider bed assessment (bed tax).

BE IT FURTHER RESOLVED that copies of this resolution be sent to Department of Health Services Secretary Karen Timberlake, Department of Administration Secretary Dan Schooff, all area legislators, and the Wisconsin Counties Association and Western Wisconsin Cares

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and the Association of Family Care Organizations. **FISCAL NOTE:** This budget change would help the long term financial viability of Lakeview and Hillview Nursing Homes.

AGING AND LONG TERM CARE COMMITTEE LEGISLATIVE COMMITTEE

Motion by R. Plesha/A. Richmond to approve. Discussion ensued. There being no objection to a motion by T. Johnson to add "Western Wisconsin Cares and The Wisconsin Association of Family Care Organizations to the "Be It Further Resolved" clause", the Chair ruled amendment added. Discussion continued. Administrator O'Malley responded to questions from the Board. The resolution, as amended, passed on a voice vote with 32 ayes and 1 nay - B. Feehan with 2 excused - T. Johnson and M. Kruse.

RESOLUTION NO. 35-8/10 RE: AGREEMENT WITH THE NATIONAL ASSOCIATION OF COUNTIES (NACO) DENTAL DISCOUNT CARD PROGRAM

WHEREAS, National Association of Counties (NACo) has contracted with Careington to provide a dental discount card program for member counties to offer to their uninsured and underinsured residents; and, **WHEREAS**, the rising cost of dental services coupled with a growing population of uninsured and underinsured residents has created a crisis in our county; and, **WHEREAS**, NACo has recognized opportunity for their member counties by offering a dental discount card program to help uninsured and underinsured county residents save on their dental services; and, **WHEREAS**, the NACo dental discount card program includes the following benefits:

- Low enrollment fee (\$59/year for individual and \$69/year for family)
- No age requirement
- No income requirement
- Short application form
- Open to all county residents
- 45 day satisfaction guarantee; and,

WHEREAS, 38 counties and over 75,000 dental providers are participating in this program nationwide with the average savings on dental services of 5%-50%. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby authorize the County Board Chair to sign an agreement with the National Association of Counties dental discount card program upon approval of Corporation Counsel. **FISCAL NOTE:** It is estimated that approximately 1 hour of health department staff time per month will be required to administer the program (high end estimate: \$50.29 salary & fringes/hr x 12 months = \$603.48).

HEALTH AND HUMAN SERVICES BOARD

Motion by S. Hampson/T. Johnson to approve. Discussion ensued. Health Director Doug Mormann and Finance Director Gary Ingvalson responded to questions from the Board and Administrator O'Malley spoke to the resolution. The resolution passed on a unanimous voice vote with 34 ayes with 1 excused - M. Kruse.

RESOLUTION NO. 36-8/10 RE: STAFF ADDITION TO CHEMICAL HEALTH AND JUSTICE SANCTIONS (CHJS)

WHEREAS, Chemical Health and Justice Sanction (CHJS) has utilized Mitsubishi Electronic Monitoring System (MEMS) Units as one of five different technologies to monitor alcohol utilization of their clients (see attachment for explanation of these tools); and, **WHEREAS**, CHJS hypothesized that monitoring of alcohol use would be less costly and equally effective if part-time workers were used to monitor client activity in lieu of the MEMS testing equipment; and, **WHEREAS**, CHJS was approved to utilize up to 37.5 hour/week of Limited Term Employees (LTE) for a trial period of April to September to test this hypotheses, using up to two LTE's at 15 hours per week and another employee at 7.5 hours per week during this trial period; and, **WHEREAS**, the cost benefit analysis shows that the annual savings in MEMS Unit expense, due to less Units being utilized (average of 123 Units/month reduced to

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49 Units/month), would equal \$151,972, while the annual increase in salary and fringe expenses for part time permanent County staff would equal \$35,341 per year, results in a net annual savings of \$116,631. **NOW THEREFORE BE IT RESOLVED**, that CHJS is authorized to hire two new regular part time Justice Sanctions Specialist positions each to equal 15 hours per week effective Sept. 20, 2010. **BE IT FURTHER RESOLVED**, that CHJS is authorized to increase one existing Justice Sanction Specialist weekly work hours from 30 to 37.5 effective September 6, 2010. **FISCAL NOTE:** MEMS Unit costs annualized were projected to be \$255,507. By utilizing staff in lieu of a portion of the MEMS Units, annual equipment costs are projected to be \$103,535 per the trial period data. Salary and fringe for staff time of 37.5 hours per week equal \$35,341 per year, resulting in total projected annual costs of \$138,876. Net savings per this initiative equal \$116,631 annually.

HEALTH AND HUMAN SERVICES BOARD EXECUTIVE COMMITTEE

Motion by S. Hampson/B. Brockmiller to approve. Discussion ensued. Justice Sanctions Manager Jane Klekamp responded to questions from the Board. Motion by S. Hampson/D. Meyer to call the question/close debate. Chair ruled the motion out of order as there were still speakers on his list. Discussion continued. Motion by A. Richmond/J. Berns to refer for 30 days. Discussion ensued. Administrator O'Malley spoke to the resolution and responded to comments from the Board. Motion by Konkel/Bilskemper to exhaust the speakers list. The Chair interpreted this as a motion to close debate. The motion to close debate on referral passed on a voice vote with 29 ayes and 5 nays - R. Ebert, M. Freedland, J. Schroeder, J. Berns and A. Richmond with 1 excused - M. Kruse. The motion to refer failed on a roll call vote with 24 nays and 10 ayes - R. Keil, R. Ebert, J. Schroeder, J. Bilskemper, J. Berns, D. Ferries, D. Bina, C. Spiker, B. Feehan and A. Richmond with 1 excused - M. Kruse. Discussion on the resolution continued. Klekamp responded to additional questions from the Board. Motion by T. Johnson to close debate was ruled out of order by the Chair as he still had first time speakers on his list. Klekamp and O'Malley responded to questions from the Board. Motion by T Johnson/D. Meyer to close debate. Point of order by J. Berns was denied by the Chair as the motion to close debate is not debatable. The motion to close debate passed on a voice vote with 28 ayes and 6 nays - T. Wehrs, R. Ebert, M. Freedland, J. Berns, D. Ferries and A. Richmond with 1 excused - M. Kruse. The resolution passed on a roll call vote with 28 ayes and 6 nays - R. Ebert, J. Schroeder, J. Bilskemper, J. Berns, D. Bina and A. Richmond with 1 excused - M. Kruse.

AGENDA ORDER

Motion by J. Medinger/A. Benrud to suspend the rules to take Items #8/23 and 8/24 out of order because some supervisors had to leave passed on a voice vote with 32 ayes and 2 nays - V. Burke and S. Hampson with 1 excused - M. Kruse.

OLD BUSINESS

RECONSIDERATION OF FAILED RESOLUTION RE: PLACING ADVISORY REFERENDUM QUESTION ON NOVEMBER BALLOT

Motion by J. Medinger/B. Konkel to reconsider the resolution that failed last month regarding placing an advisory referendum question on the November ballot passed on a roll call vote with 24 ayes and 9 nays - V. Burke, T. Johnson, S. Hampson, M. Wood, M. Freedland, J. Billings, D. Manthei, B. Mach and B. Flood, 1 abstention - A. Kader with 1 excused - M. Kruse.

RESOLUTION NO. 37-8/10 RE: PLACING ADVISORY REFERENDUM QUESTION ON NOVEMBER BALLOT

WHEREAS, according to the Legislative Fiscal Bureau, over the past decade, the State of Wisconsin has transferred approximately \$1.2 billion from the state's segregated transportation fund to the state's general fund and replaced it with approximately \$800 million in General Obligation (GO) bonds. Thereby, reducing the amount available for transportation purposes by approximately \$400 million; and, **WHEREAS**, Wisconsin's

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practice of transferring money from the segregated transportation fund to the general fund has eroded the public's confidence that the "user fees" they pay through the state gasoline tax and vehicle registration fees will be used for their intended purpose; and, **WHEREAS**, Wisconsin's practice of replacing the dollars transferred from the state's segregated transportation fund with GO bonds puts our state in the precarious position of bonding to fund ongoing operations; and, **WHEREAS**, the Pew Center on the States recently released a report that included Wisconsin as having one of the ten worst budget situations in the country and specifically cited transferring money from the transportation fund to fund ongoing operations as an example of one of the practices that has put Wisconsin in such an untenable position; and, **WHEREAS**, the debt service for these bonds will have to be paid for out of the state's general fund which hinders its ability to fund other programs like Shared Revenue, Youth Aids, Community Aids and courts in the future; and, **WHEREAS**, using the state's general obligation (GO) bonds in this way has hurt the state's bond rating. A report issued by CNN in 2009 listed Wisconsin as having the second worst GO bond rating in the country; and, **WHEREAS**, gas tax and vehicle registration fees comprise over 90% of the state's segregated transportation account. Revenues from these two sources have been declining and are inadequate to meet the existing transportation needs in this state; and, **WHEREAS**, Wisconsin's transportation infrastructure is a fundamental component in its ability to attract and retain business and produce jobs; and, **WHEREAS**, the citizens of La Crosse County deserve the right to have their voices heard on this important issue; and, **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby approve that the following question be put to the voters of La Crosse County in an advisory referendum during the November 2010 election:

"Should the Wisconsin Constitution be amended to prohibit any further transfers or lapses from the segregated transportation fund?"

BE IT FURTHER RESOLVED, that the County Clerk is directed to cause a copy of the Notice of Referendum to be published in the county's official newspaper as required by law.

BE IT FURTHER RESOLVED, that the County Clerk is directed to provide a copy of this resolution and a copy of the results of the advisory referendum to the Wisconsin Counties Association. **FISCAL NOTE:** The County Clerk estimates that the cost of including the above referendum on the November ballot will be \$3,000 to cover the cost of a larger ballot, the publication of the notice and staff time in the County Clerk's office.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by C. Spiker/J. Schroeder had been made at the July 15, 2010 County Board Monthly Meeting. Discussion ensued. Motion by J. Medinger/R. Ebert to delete "Whereas, providing constitutional protection much like our neighbors in Minnesota, Iowa, Michigan and Ohio already have is the only way to ensure that this practice will not continue." passed on a voice vote with 33 ayes and 1 nay - S. Hampson and 1 excused - M. Kruse. Discussion on the resolution continued. Motion by M. Wood/T. Johnson to amend the "Now Therefore Be It Resolved" to add to the question, after "fund", "not to include any monies transferred from the general fund and the petroleum inspection fund and that all federal transportation funds be accepted." Discussion ensued. Motion by B. Konkel/D. Meyer to close debate on the amendment passed on a voice vote with 31 ayes and 3 nays - R. Ebert, M. Wood and M. Freedland with 1 excused - M. Kruse. The motion to amend failed on a voice vote with 29 nays and 5 ayes - V. Burke, T. Johnson, M. Wood, J. Medinger and J. Billings with 1 excused - M. Kruse. Discussion on the resolution continued. S. Hampson moved to close debate but the Chair ruled it out of order as he still had first time supervisors on his speaker's list. Discussion continued. Highway Commissioner Dennis Osgood responded to a question from the Board. The resolution, as amended, required two-thirds of the full Board and passed on a roll call vote with 24 ayes and 10 nays - V. Burke, T. Johnson, S. Hampson, M. Wood, M. Pedretti, M. Freedland, J. Billings, D. Manthei, B. Mach and B. Flood with 1 excused - M. Kruse.

FIRST CONSIDERATION OF AN ORDINANCE

HEALTH AND HUMAN SERVICES BOARD: ORDINANCE NO. 83 TO REPEAL AND RECREATE S. 11.45 ENTITLED "LA CROSSE COUNTY SMOKE FREE AIR ACT," AMEND S. 11.50(1), AND REPEAL S. 11.53 ENTITLED "SMOKE FREE DINING" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

S. Hampson requested a typographical correction in the 1st paragraph of the analysis from "July 5, 20120" to July 5, 2010" and that it be held over as this is the first 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. Upon adoption and publication it will be incorporated into the La Crosse County General Code of Ordinances.

RESOLUTION NO. 38-8/10 RE: FUNDING CHANGES FOR WISCONSIN JUVENILE CORRECTION INSTITUTES (JCIS)

WHEREAS, Wisconsin Juvenile Correction Institutes (JCIs) are considered schools; and, **WHEREAS**, there are three Wisconsin JCIs: Lincoln Hills, Ethan Allen, and Southern Oaks; and, **WHEREAS**, JCIs are not taking advantage of all fiscal resources available to them; and, **WHEREAS**, services at JCIs are costing Wisconsin counties more than is necessary due to the state not availing themselves to all available non-county funding resources; and, **WHEREAS**, a Governor appointed committee recommended seven (7) funding changes that would decrease JCI costs. **NOW THEREFORE BE IT RESOLVED**, that La Crosse County support the following funding changes for Wisconsin JCIs:

- Transfer the costs associated with the education component of JCIs to the state school aids formula
- Transfer some fixed costs (utilities, capital expenditures, facility maintenance, etc.) related to institutions to be paid for out of state general purpose revenue
- Have the state review and assume costs for health care within the general Medicaid BadgerCare Plus program
- Utilize federal revenues from the school-based breakfast and lunch program to help offset a portion of the daily rate
- Remove costs for additional high intensive service from the "blended" daily rate (e.g. mental health services for girls at Southern Oaks and boys at Mendota Juvenile Treatment Center)
- Increase the number of offenses for which the state would assume payment-either wholly or a portion-as is currently the case for youth committed under the Serious Offender program
- Establish a daily rate that represents, for example, the average of the daily rates of other comparable out-of-home placements and simply fund any "gap" from general purpose revenue funds

BE IT FURTHER RESOLVED, that the County Clerk forward a copy of this resolution to Governor Doyle, State Senator Dan Kapanke, State Representatives Huebsch and Shilling, and the Wisconsin Counties Association. **FISCAL NOTE:** Changes as approved would allow La Crosse County to spend less resources at the JCIs. In 2009, expenses for the Human Services Department equaled \$346,182.

**HEALTH AND HUMAN SERVICES BOARD
LEGISLATIVE COMMITTEE**

Motion by S. Hampson/B. Brockmiller to approve passed on a unanimous voice vote with 31 ayes and 4 excused - M. Kruse, J. Bilskemper, A. Benrud and G. Sebranek. Hampson noted that the Committee had requested that a copy of the resolution also be sent to the Department of Juvenile Justice.

RESOLUTION NO. 39-8/10 RE: APPROVAL OF BID FOR SOLAR HOT WATER SYSTEMS IN THE LAW ENFORCEMENT CENTER AND LAKEVIEW HEALTH CENTER

WHEREAS, La Crosse County has advertised for the installation of solar hot water systems in the Law Enforcement Center (LEC) and Lakeview Health Center (Lakeview); and, **WHEREAS**, La Crosse County was the recipient of a Wisconsin Energy Efficiency & Conservation Block Grant (hereinafter referred to as "EECBG") through the American Recovery And Reinvestment Act of 2009 and with the Wisconsin Department of Commerce for the installation of both solar hot water systems and LED lights at the Rotary Lights display in Riverside Park; and, **WHEREAS**, sealed bids were received and opened by the Facilities Director on August 3, 2010 for the LEC and Lakeview solar hot water systems; and, **WHEREAS**, the combined bids for the installation of both solar hot water systems received by the LEC Construction Committee are as follows:

Hooper Corp.	\$315,850.00
Schwickerts, Inc.	\$389,100.00
Badger State, Inc.	\$505,260.00

WHEREAS, the estimated payback from energy savings for the solar hot water system on the LEC is 10 years and the payback for the system on Lakeview is estimated to be 8 years and the combined projects will reduce the release of carbon dioxide gases by 50,000 pounds annually; and, **WHEREAS**, the Hooper Corporation was the lowest responsible bid for the combined installation of solar hot water systems in the LEC and the Lakeview Health Center and they are qualified to do this work. **NOW, THEREFORE, BE IT RESOLVED** that the La Crosse County Board does hereby approve the bid of Hooper Corp. in the amount of \$315,850 to install the solar hot water systems in the LEC and Lakeview. **BE IT FURTHER RESOLVED**, that an amount of \$40,000 is authorized to be expended for the LEC solar hot water system from the previously authorized amount of \$150,000 that was set aside in the LEC Construction Project Account for this system. **BE IT FURTHER RESOLVED**, that the amount of \$40,000 is authorized to be expended from the Lakeview Capital Improvement Account for the solar hot water system installed in Lakeview.

FISCAL NOTE:

	LEC	LAKEVIEW
Solar Hot Water Bid	\$178,300.00	\$137,550.00
Architect & Engineering Fees	5,980.00	20,000.00
Contingency	<u>5,217.50</u>	<u>7,425.00</u>
Total Cost of the Project	\$189,497.50	\$164,975.00
Less: EECBG Grant	\$100,000.00	\$100,000.00
Less: Focus Rebate (estimated)	<u>49,497.50</u>	<u>24,975.00</u>
Net Cost to the County	\$40,000.00	\$40,000.00

**LAW ENFORCEMENT CONSTRUCTION COMMITTEE
AGING AND LONG TERM CARE COMMITTEE**

Motion by V. Burke/B. Konkel to approve. Burke noted that the resolution came from the LEC Committee, not the J & L Committee. Discussion ensued. Administrator O'Malley responded to a question from the Board. The resolution passed on a unanimous voice vote with 31 ayes and 4 excused - M. Kruse, J. Bilskemper, A. Benrud and G. Sebranek.

RESOLUTION NO. 40-8/10 RE: APPROVAL OF AGREEMENT WITH GUNDERSEN LUTHERAN ENVISION, LLC FOR USE OF BIOGAS FOR ENERGY FROM THE LA CROSSE COUNTY LANDFILL

WHEREAS, by Resolution 84-2/10 the La Crosse County Board of Supervisors authorized the negotiation of a contract with Gundersen Lutheran Health Systems for the use of biogas produced at the La Crosse County Sanitary Landfill; and, **WHEREAS**, the terms of the contract have been negotiated, which include the following:

1. Gundersen Lutheran Envision, LLC shall purchase all of the biogas from the County Landfill site that can be utilized.

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2. The term shall be 15 years, with the possibility of three, five-year renewals.
3. La Crosse County will be paid \$3.50/MMBtu of biogas utilized for the first 8 years and 50% of natural gas rates based upon the most recent 3-year rolling average of rates for years 9-15.
4. La Crosse County shall purchase, maintain, and install the gas conditioner and compressor at the County Landfill site and for the pipeline to the generator at the Gundersen Lutheran Onalaska site.
5. Gundersen Lutheran Envision, LLC shall purchase, maintain and install the generator at the Gundersen Lutheran Onalaska site and convert the gas to energy.
6. Gundersen Lutheran will be able to utilize Federal Stimulus Renewable Energy Grant funds for up to 50% of the depreciable asset project; and,

WHEREAS, La Crosse County strives to develop collaborative public/private relationships that can benefit and bring value to the residents of La Crosse County; and, **WHEREAS**, energy production from this project will minimize greenhouse gas emissions that have a detrimental effect on our environment and our citizens; and, **WHEREAS**, Gundersen Lutheran's goal of being 100% supplied by renewable energy by the year 2014 will reduce dependence on fossil fuels and utilize a locally produced fuel, which will benefit La Crosse County citizens; and, **WHEREAS**, this project will satisfy one of the Solid Waste Department's goals in the Strategic Plan for Sustainability; and, **WHEREAS**, it is in the best interest of La Crosse County to enter into this agreement with Gundersen Lutheran Envision, LLC. **NOW, THEREFORE, BE IT RESOLVED** that the La Crosse County Board hereby authorizes La Crosse County to enter into an agreement with Gundersen Lutheran Envision, LLC for the use of biogas from the La Crosse County Sanitary Landfill for energy in accordance with the above terms. **BE IT FURTHER RESOLVED**, that the County Board Chair is hereby authorized to execute such an agreement, after approval of the terms by Corporation Counsel. **FISCAL NOTE:** Funds for the project from Org.# 6515, Acct.# 64056 Consulting for 2010 and 2011, and from Org.#6515, Acct.# 86050 Major Capital Other for 2011 construction. Anticipated revenue estimated to exceed \$3.8M over 15 years and pay back the investment in 5-6 years. Anticipated operational expense of \$35,000-\$53,000/year.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by C. Spiker/L. Pfaff to approve passed on a unanimous voice vote with 31 ayes and 4 excused - M. Kruse, J. Bilskemper, A. Benrud and G. Sebranek.

SUGGESTIONS FOR FUTURE AGENDA ITEMS

Supervisor Geary suggested we look into a better voting system. It was noted that new software often has initial glitches and the County Clerk noted that some of the problem is insufficient time allowed for her to input the results between multiple motions.

ADJOURN

Motion by B. Brockmiller/J. Schroeder to adjourn at 12:17 PM passed on a unanimous voice vote with 31 ayes and 4 excused - M. Kruse, J. Bilskemper, A. Benrud and G. Sebranek.

STATE OF WISCONSIN)
COUNTY OF LA CROSSE)

I, Linda Stone, La Crosse County Clerk, in and for the County of La Crosse, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the La Crosse County Board of Supervisors at the La Crosse County Board of Supervisors Monthly Meeting held Thursday, August 19, 2010 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS 25th DAY OF AUGUST 2010.