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**LA CROSSE COUNTY BOARD OF SUPERVISORS PLANNING MEETING  
PROCEEDINGS; MONDAY, MAY 09, 2011**

The La Crosse County Board of Supervisors Planning Meeting was held on Monday, May 09, 2011 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 29 supervisors were present when Chair Steven Doyle 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 Feehan, Bill	Present
4 Johnson, Jai	Excused
5 Konkel, Bradley	Present
6 Billings, Jill	Present
7 Plesha, Roger	Present
8 Freedland, Maureen	Present
9 Hampson, Sharon	Present
10 Wood, Margaret	Excused
11 Kader, Audrey	Present
12 Flood, Bridget	Present
13 Brockmiller, Bill	Present
14 Medinger, John	Present
15 Mach, Beverly	Present
16 Sebranek, Gerald	Present
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	Excused
25 Schroeder, Jeffrey	Present
26 Burke, Vicki	Present
27 Pedretti, Marilyn	Present
28 Doyle, Steve	Present
29 Kruse, Monica	Present
30 Spiker, Charles	Excused
31 Ferries, Dan	Present
32 Benrud, Arlene	Present
33 Berns, Jim	Present
34 Wehrs, Tina	Absent
35 Bilskemper, Joe	Excused

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## PLEDGE OF ALLEGIANCE

### COMMUNICATIONS AND ANNOUNCEMENTS:

#### County Board Chair Report - Steven Doyle

- Supervisor Conference Reports
  - Supervisor Burke toured the US Fish and Wildlife building located on the Prairie. The owners of the property are cooperating greatly on making this building a great addition to the Prairie. There are over 170 acres devoted to a sand prairie, walking trails, and other things. The building should be finished in February 2012 and a grand opening will be in May. It is a LEED certified building, possibly silver or gold.
  - Supervisor Mach attended a portion of the Solid Waste Annual Meeting. There were two speakers, John Katers, Project Design Leader and Recycling Markets Specialist SEH, and Martin Seamen from Resource Recycling Systems. The topic was "What is the future of Recycling?" Emphasis was given on you have to look what is best for you, not what some other area or county is doing.
  - Supervisor Flood attended the WCA Steering Community meeting for Judiciary and Public Safety on April 29, 2011. The guest speaker was the chair of the Sheriff Association and his main topic was the upcoming law on concealed carry in WI. There was a lot of discussion on it and the Sheriff Association believes in right to bear arms but will not support a straight constitutional concealed carry. They believe there has to be restrictions and asked the WCA to join them on that.
  - Supervisor Bina noted that the funding for the RC&D was taken out of the budget. They plan on being a nonprofit organization and have two new contracts in forestry and invasive species and have three other contracts. They also lost their coordinator because of the cut in funding and putting the person in another position. He also attended the Counties Ag Advisory Committee in Stevens Point and will give the paperwork to Administrator O'Malley regarding the budget.
  - Supervisor Konkol did a ride along with the Sheriff's K9 unit. He noted it was great experience to see what they do on a daily basis and thanks them for their service.

#### Administrator Report - Steve O'Malley

#### PROCLAMATION RE: MAY 2011 - LAW ENFORCEMENT/PUBLIC SAFETY & COURTS MONTH

**WHEREAS**, in a free society, law enforcement is entrusted and expected to protect the civil rights of its residents and visitors to our community; and, **WHEREAS**, La Crosse County employees serve to enhance public safety in the Courts, District Attorney, Sheriff Patrol and Jail, Emergency Management Coordination, Medical Examiner and Public Safety Communications; and **WHEREAS**, thousands of residents and visitors are helped each year by the professionals who respond to emergencies and assist those in need. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby proclaim the month of May as Law Enforcement, Public Safety & Courts Month and urges all residents to join in recognizing the valuable contribution of persons dedicated to ensuring the safety of its county's residents and visitors to our community.

Motion by V. Burke/B. Konkol to approve passed on a unanimous voice vote with 29 ayes, 1 absent - T. Wehrs, 5 excused - J. Bilskemper, J. Johnson, L. Pfaff, C. Spiker and M. Wood.

#### PROCLAMATION RE: MAY 2011 - LA CROSSE SAFE BOATING WEEK

**WHEREAS**, the La Crosse Joint Board of Harbor Commissioners in conjunction with the U.S. Coast Guard Auxiliary are committed to promoting safe boating on the area's waterways in preparation for the 2011 boating season; and **WHEREAS**, knowledge and skills are important in creating awareness of the risks involved with water safety, causing citizens to

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likely take the precautionary measures to protect themselves and their friends and families; and **WHEREAS**, safety awareness campaigns have contributed to a substantial decrease in the number of boating fatalities per year in the U.S. – 2004 having the lowest number of fatalities in the history of the statistics; and **WHEREAS**, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and **WHEREAS**, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets. **NOW, THEREFORE, WE, MATHIAS HARTER, MAYOR, CITY OF LA CROSSE, AND STEVE DOYLE, COUNTY BOARD CHAIR**, do hereby support the La Crosse Joint Board of Harbor Commissioners and the U.S. Coast Guard Auxiliary in their efforts to promote safety on the area's waterways and proclaim May 21-28, 2011 as: **"LA CROSSE SAFE BOATING WEEK"** and urge all those who boat to **"Wear It"** and practice safe boating habits. Dated on this 9<sup>th</sup> day of May in the year Two Thousand Eleven.

Motion by D. Meyer/G. Sebranek to approve passed on a unanimous voice vote with 29 ayes, 1 absent - T. Wehrs, 5 excused - J. Bilskemper, J. Johnson, L. Pfaff, C. Spiker and M. Wood.

- Update on LEC Addition dedication ceremony:
  - Due to scheduling conflicts, the ceremony will be moved to Thursday, May 19, 2011 at 4:30 PM prior to the County Board Meeting. There will not be a complete tour but will have some offices open for viewing. If the weather is nice, it will be outside the building by the flag pole.
- Chairman Doyle announced that Supervisor Konkel will be moving out of the area and resigning as of May 31, 2011. Interviews to replace him will be Thursday, May 12, 2011 at 11:00 PM for any supervisor who wishes to join in on those interviews. The open position was advertised at the University Political Science Department and the University of La Crosse email system.

**RESOLUTION NO. 18-5/11 RE: REPAYMENT OF SKIPPERLINER INDUSTRIES, INC. LOANS**

**WHEREAS**, the La Crosse County Economic Development Fund, Inc. (the "Fund") has participated with the U.S. Department of Commerce – Economic Development Administration ("EDA") and the State of Wisconsin Department of Commerce ("DOC") in making loans to Skipperliner Industries, Inc. ("Skipperliner") in 1995, 2005 and 2009; and, **WHEREAS**, Skipperliner repaid the 1995 loan in full to the Fund; however, the 2005 loan was in the amount of \$750,000 and the balance of \$254,610 remains unpaid; and no payments were made on the 2009 loan resulting in the principal due and owing on that loan in the amount of \$500,000; and, **WHEREAS**, neither La Crosse County nor the Fund have used La Crosse County property tax or sales tax to fund any of the loans to Skipperliner; and, **WHEREAS**, the 1995 loan was made from EDA funds awarded to establish a revolving loan fund in La Crosse County to assist in long term economic recovery from the flooding event of 1993; the 2005 loan was made from DOC funds (\$550,000), Community Block Grant funds (\$150,000) and EDA funds (\$50,000); and the 2009 loan was made by the DOC from state economic development funds (\$325,000) and the Fund from amounts received from repayments on previous economic development loans (\$175,000); and, **WHEREAS**, in April, 2010 Skipperliner defaulted on repayment of the outstanding balance of the 2005 and 2009 loans in the principal amount of \$754,610 and filed a Chapter 128 proceeding under Wisconsin Statutes which resulted in the appointment of a receiver; and, **WHEREAS**, in the fall of 2010 Skipperliner Acquisitions, LLC (a company owned by Jeb Griffith and referred to as "Skipperliner Acquisitions") acquired the real property previously owned by Skipperliner and JBG SL Holding, LLC (another company owned by Mr. Griffith and referred to as "JBG") acquired all of the bank loans that had a higher priority than the DOC/Fund loans that were secured by the real property; and, **WHEREAS**, in a letter dated

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April 21, 2011 by its attorney, Skipperliner Acquisitions agreed to assume the debt owed by Skipperliner to the Fund/DOC under the following terms and conditions:

- A. The current outstanding principal amount of debt would be assumed exclusive of outstanding interest, penalties and late charges.
- B. The outstanding principal would be amortized over 30 years and paid on a monthly basis, but with principal repayment made in ten years.
- C. The Fund will use reasonable efforts to pursue the personal guarantee of Noel C. Jordan and apply any proceeds collected to the cost of collection, then to interest accrued prior to June 1, 2011 and then to principal.
- D. Skipperliner Acquisitions would cause JBG to subordinate its interest in the real property which places the DOC/Fund loans in a first lien position.

**WHEREAS**, all payments on the Skipperliner loans will be made to the Fund and become a part of its revolving loan fund and made available for future economic development assistance loans; and **WHEREAS**, at its meeting held April 29, 2011, the Fund Board recommended that La Crosse County accept the offer of Skipperliner Acquisitions that is outlined above to resolve the debt owed by Skipperliner Industries, Inc. **NOW, THEREFORE, BE IT RESOLVED**, that the La Crosse County Board hereby approves the loan repayment terms set forth by Skipperliner Acquisitions in a letter from its attorney dated April 28, 2011 that is outlined above and authorizes the County Board Chair and President of the Fund to sign any and all documents necessary to accept the offer by Skipperliner Acquisitions and to carry out the terms and/or obligations required by the offer after approval of any documents necessary to complete this transaction by the Corporation Counsel. **FISCAL NOTE:** The outstanding interest on the unpaid loan on balances at the rate of 2% from 2005 to July 15, 2010 is \$7,526.01. Under terms of the agreement, Skipperliner Acquisitions would not be responsible for the outstanding interest on the debt. Costs of closing this transaction and using reasonable efforts to collect the debt from Noel C. Jordan are undetermined at this time, but any such expenses would be paid by the Fund.

**EXECUTIVE COMMITTEE**

Motion by T. Johnson/J. Billings to approve. Supervisor T. Johnson retained the floor and noted that the resolution passed unanimously approved both by the Economic Development Fund and at the Executive Committee earlier today. Discussion ensued. Chairman Doyle, Administrator O'Malley and Finance Director Gary Ingvalson responded to questions from the board. The motion to approve passed on a unanimous voice vote with 29 ayes, 1 absent - T. Wehrs, 5 excused - J. Bilskemper, J. Johnson, L. Pfaff, C. Spiker and M. Wood.

**RESOLUTION NO. 19-5/11 RE: APPROVAL OF BID FOR LANDFILL GAS COMPRESSOR INSTALLATION AND PIPELINE CONSTRUCTION FOR GAS TO ENERGY PROJECT AND TRANSFER OF FUNDS**

**WHEREAS**, the La Crosse County Board approved an agreement with Gundersen Lutheran and Envision, LLC to use biogas for energy from the County Landfill in resolution #40-8/10, which obligates the County to complete installation of a compressor and gas conditioner at the County Landfill Site and to construct pipeline from the compressor to the generator located at the GL Onalaska Site; and, **WHEREAS**, to insure on-time delivery and sales tax savings, the Public Works and Infrastructure committee approved purchase of the compressor and gas conditioner in January 2011 for \$288,154, and staff subsequently advertised for bids for the compressor installation and pipeline construction to fulfill the obligations under the agreement with Gundersen Lutheran and Envision, LLC; and, **WHEREAS**, sealed bids were received and publically opened on March 8, 2011 and these bids have been reviewed for qualification of bidders and costs and the lowest responsive bidder is McHugh Excavating & Plumbing, Inc. for \$1,238,664

SUMMARY OF RESPONSIVE BIDDERS

McHugh Excavating & Plumbing, Inc.	\$ 1,238,664
Belair Builders, Inc.	\$ 1,303,345
SCS Field Services	\$ 1,870,815; and,

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**WHEREAS**, the 2011 County Solid Waste Department Total Budget for the Gas to Energy project was \$1,450,000: \$1,200,000 for major capital & construction, including installation and purchase of the compressor, and \$250,000 for professional consulting; and, **WHEREAS**, the Total Project cost with the lowest responsive bid, plus a 5% contingency of \$57,000, will result in a Total cost of \$1,776,818, or \$326,818 over the 2011 budget for the project as follows:

<u>REVISED 2011 GAS TO ENERGY BUDGET:</u>		<u>\$1,776,818</u>
Consulting		\$ 193,000
Major Capital - Construction		\$ 1,238,664
- Contingency		\$ 57,000
- Compressor & conditioning		\$ 288,154

**WHEREAS**, over 1/2 of the additional costs were final design modifications to reduce labor and maintenance costs, provide increased automated controls, allow remote monitoring, address permitting requirements, accommodate pipeline alignment constraints and enhance revenues, while increasing the project payback by only an additional year (from five to six); and, **WHEREAS**, County staff reviewed all options and recommends that it is in the best interest of La Crosse County to approve the lowest responsive bid of McHugh Excavating and Plumbing, Inc. and to transfer funds from within the 2011 Solid Waste Operations Budget, thereby postponing other major capital expenses instead of: rebidding the project or increasing the budgeted allocation from fund balance, to provide sufficient funds for the project. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby approve the bid of McHugh Excavating and Plumbing, Inc. in the amount of \$1,238,664 for the combined contract "A-11" and "B-11" for the Landfill Gas Compressor Installation and Pipeline Construction as the lowest responsive bid in accordance with the bid specifications, plus a \$57,000 project contingency, to only be expended upon approval of the Public Works and Infrastructure Committee. **BE IT FURTHER RESOLVED**, the County Board Chair is authorized to execute the agreements to accomplish said work, as approved by Corporation Counsel and the Finance Department is authorized to make the necessary account transfers in the 2011 Solid Waste Department Budget. **FISCAL NOTE:** Approval of this resolution will be accomplished with the following transfers: \$57,000 between accounts in the Gas to Energy Project Org. 6515, Acct. 64056 Consulting to Acct. 86050 Major Capital; and \$326,818 from Solid Waste Operations Org. 6500 Acct. 86050 Major Capital, to Gas to Energy Project Org. 6515 Acct. 86050 Major Capital. (The transfers defer the following projects in Solid Waste Operations: \$250,000 construction of the General Processing Area; \$26,818 reduced Road and Roadway Improvements; \$20,000 Gas Monitoring Equipment; and \$30,000 Landfill Vehicle.)

#### **EXECUTIVE COMMITTEE**

Motion by T. Johnson/V. Burke to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 29 ayes, 1 absent - T. Wehrs, 5 excused - J. Bilskemper, J. Johnson, L. Pfaff, C. Spiker and M. Wood.

#### **REVIEW RECOMMEND TENTATIVE PLAN BY REDISTRICTING COMMITTEE IN PREPARATION FOR PUBLIC HEARING ON MAY 16, 2011**

Zoning, Planning and Land Information Director Jeff Bluske explained the redistricting process that happens once every ten years. The committee adopted a plan that is up for discussion tonight. Districts are realigned based on population shifts, have the opportunity change the number of districts and incorporate annexations. All existing districts and ward lines are gone and you start with a blank slate. The ward lines are the second lines that are drawn. The principles adopted by the committee are: equal population, contiguous (share a common boundary), compact, preservation of community interest (traditional neighborhoods, racial or ethnic groups), preservation of political subdivisions, school district boundaries, cores of prior districts, and protection of incumbents. City of La Crosse is required to report election results by ward. The smallest ward they can have is 800 and the largest is 3200. Municipalities under a population of 30,000 do not have to report by wards. The first 60 days of redistricting is the county selecting a plan, the second 60 days is for

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municipalities to draw ward lines and the last 60 days is for county to edit, proof and hold a final public hearing and vote. Things that are not supposed to happen with redistricting is packing, fracturing, and gerrymandering. Other considerations are ward lines, aldermanic districts, unincorporated villages, prisons, and ballot styles. Multiple plans cannot be adopted.

### **REDISTRICTING COMMITTEE**

Motion by T. Johnson/D. Meyer to adopt tentative redistricting plan 29-01 for the public hearing. Discussion ensued. Supervisor Bina asked why the redistricting committee decided on 29. Supervisor Billings spoke to why the plan of 29 supervisors was selected. Supervisor T. Johnson added that several themes came up in the course of conversation. The issue of one person one vote was predominate in discussions and plan 29 is the closest to that. The City of La Crosse and County being coterminous was also discussed and the committee started out hoping that would happen. Other larger municipalities were also asked and involved in discussions during the meetings to make sure the right now number of supervisors were representing their area. Supervisor Benrud asked why do we want to reduce the board. More work and responsibility will be put on board members. By state statute we could have 47 board members according to our population. Supervisor Kader asked for clarification on the City's role during the 60 days and if district lines can be changed. Corporation Counsel William Shepherd clarified that by state statute the City of La Crosse would have to create at least two wards according to the ideal population. Supervisor Feehan commented that projected cost savings by reducing the board would be under \$30,000 plus the cost of health insurance if that supervisor takes that option. The perception of the public may be that this is going to save a great deal of money, which it won't. He asked what the will of public is for reducing the board size and Zoning, Planning & Land Information Director Jeff Bluske said the public hearing would be the first stop for that. Supervisor Medinger stated that he voted against the plan for 29 because we were just causing a lot of turmoil, particularly in the City of La Crosse by not being coterminous and would cost an additional \$60,000 - \$80,000 for elections. Perhaps it would save a lot of hassle and better serve our constituents if we stayed at 35 board members. The committee structure would be looked at after a final plan is set. Supervisor Ferries spoke about his concerns on losing the broad representation of the public that the board has now if we reduce. Supervisor Ebert noted that if we don't do anything, then the citizens will and that can be any given number. The thought in the public is to reduce. Supervisor Geary commented on St. Croix County going from 31 to 19 on a referendum and Wood County went from 38 to 19 from a referendum and is working out well. Supervisor Freedland asked why 31 was not decided on. Supervisor Kader noted that the City of La Crosse is losing 4 seats and the out county is losing 2, so there will be a bigger impact on the City of La Crosse elected officials. Supervisor Billings also voted for 31 and she did so by looking at the confusion to voters and expense. Supervisor Bina has problems with going down too far. If you go down too far, you won't have any farmers on the board. Corporation Counsel William Shepherd reiterated that if you change supervisory district numbers on May 19, a new plan will have to be created and it would be very difficult to meet the deadline of 60 days. Supervisor Hampson addressed the 29 versus the 31 debate. The perception is if you drop to only 31, then the public would say that you are not serious, if we drop to 29, then they will think we are serious about reducing. Supervisor Flood said that the law charges this committee to come do certain things to come up with the number of supervisory districts. They did this to the best of their ability and how the law told them to and we should go with it. Supervisor Berns asked for maps of supervisory districts that include street names for the public hearing. Supervisor Kader has supported 31 in an effort to bring together the goal of the county and the stated goal of the City of La Crosse committee which is they believe they should not be changing. Supervisor Burke noted that currently we have seven county board members on each committee and if we drop to 29, there will be six on each committee. Supervisor T. Johnson is sympathetic to the challenges of the City of La Crosse, the reason they face those challenges is because they lost populations is a smaller portion of the county's population. The city can still be coterminous with the county if they chose to. The committee is drawing boundaries that provide equal

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representation for the public. Supervisor Freedland asked how the public hearing will be run. She has had people say cut the board size, but after explaining why 35 works, then people understand and seem to be ok with 35.

The motion to adopt tentative redistricting plan 29-01 for the public hearing passed on a roll call vote with 19 ayes, 10 nays - A. Benrud, J. Billings, D. Bina, B. Brockmiller, D. Ferries, M. Freedland, A. Kader, R. Keil, J. Medinger and G. Sebranek, 1 absent - T. Wehrs, 5 excused - J. Bilskemper, J. Johnson, L. Pfaff, C. Spiker and M. Wood.

#### **SUGGESTIONS FOR FUTURE AGENDA TOPICS**

Chairman Doyle reminded supervisors of the memorial service for Tom Rauk which will be held this Sunday.

Supervisor Schroeder informed the board that WWII vets will leave La Crosse for Washington DC this Saturday morning and will return that evening. Come join them when they leave or when they return.

Supervisor Feehan noted that we have had some very difficult meetings this year and is hopeful that we get back to a more collegial relationship and in that spirit congratulated Chairman Doyle for his election the Assembly.

#### **ADJOURN**

Motion by G. Sebranek/B. Brockmiller to adjourn at 7:36 PM passed on a unanimous voice vote with 29 ayes, 1 absent - T. Wehrs, 5 excused - J. Bilskemper, J. Johnson, L. Pfaff, C. Spiker and M. Wood.

**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 Planning Meeting held Monday, May 09, 2011 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 16 OF MAY 2011.**