

VERNON COUNTY BOARD OF SUPERVISORS
MINUTES
April 16, 2019

County Board Chairman, Dennis Brault called the April 16, 2019 meeting of the Vernon County Board of Supervisors to order at 9:30 a.m. in the County Boardroom of the Courthouse Annex. Invocation was by Pastor, Pete Beckstrand of Bethany, Bethel and Zion Lutheran Churches. Board members and others present gave the Pledge of Allegiance. County Clerk Hoff affirmed there had been proper public notice of the meeting. Motion by Servais, 2nd by Bringe to excuse Cary Joholski, Loren Goede and Adrian Amelse from today's meeting. Carried all. County Clerk, Ron Hoff, called roll call with 26 supervisors present. Motion by Eggen, 2nd by Leis to approve the minutes of February 5, 2019. Carried all.

Chairman Brault asked if there were any announcements; If you need a new County badge, Serena can take your picture at break and print it by the end of meeting. WCA Annual Conference is at Kalahari Resort, Wisconsin Dells on September 22-24, 2019. If you need a room, let Ron know by May 1, as rooms fill up fast. Proceedings book from 2018 are on your desk. Brault asked if anyone wants June meeting in the evening at 5:00 PM. No objections so June 4, 2019 is a 5:00 pm meeting. Larson stated the Dairy Breakfast is June 15, 2019 at Dale & Brenda Torgerson farm east of Viroqua.

Chairman Brault moved to **Special Order of Business**. Federal Watershed Assistance update with Ben Wojahn, Mark Erickson and Scott Mueller of NRCS. Erickson stated Jersey Valley and Mlsna Dams failed in August 28-29, 2018 flood. Mueller explained the repair process and we need to be patient. They are researching all records on the Dam back to the 1950's. They showed slides of the dam profiles and where breaches occurred. Dams not breached will receive needed repairs soon with help from EWP funds. Could be years for a decision on breached dams future. Redington asked about Hillsboro area watershed. Mueller stated this not in his area. Call asked about clean-up cost and who pays. 75% federal and 25% local, approximately \$50,000 per Dam. Henry asked about any certain zone in each Dam failing. That is still being studied. Ofte asked if concrete spill way in Jersey Valley would have saved the Dam. Yes that is very possible. Yttri asked about rainfall, it is increasing so yes Dam specific designs need to be changed to handle heavier loads. Henry stated Jersey Valley was built in 1969 so it is a newer version but still failed. In 2008 it was repaired to standards but no cement spill way. Erickson stated DNR orders state we need decision by December 31, 2023 on future of breached Dams. Henry concerned about land owners affected by Dams. Beitlich stated land owner can give input at County meetings and is welcomed. Larson stated dams breached in many places of Country that need help, not just Vernon County. So many dams are on a wait list for funding. Brault stated floods started 2007-2008 and have been very frequent since. Vernon County has twenty two Dams.

Incident Command Requirements Refresher, Brandon Larson- All Municipalities and County Officials should receive training to understand all requirements of the program of national incidents management system, this program is tied to FEMA funds. Taylor asked which class is recommended. Taking both classes is best, one class is May 29th here in Viroqua.

Revolving Loan Update, Diane McGinnis- McGinnis stated Revolving Loan started in Vernon County in 1999 for CROP. It started with Federal funds. There have been seventy two loans in County to date. It started 240 jobs in the county. HUD programs have closed all new loans as of January 31, 2019. Now approximately \$500,000 in fund, approximately 2.5 million is out in loans, term of last loan is 2037. Approximately \$11,000.00 a year is cost to oversee Vernon County program. The County can buy out the whole Portfolio and administer as County Program, or turn fund over to HUD. At the June 4, 2019 meeting the County Board will have to vote on a buyout option of the program. Approximately 1.2 million to buy out the program. Olerud stated we recently had three more loan requests, we need to keep this program for the County to help attract and keep business in the County. Taylor and Williams agree this is a logical option. Four loans have defaulted, \$162,000 since program started in 1999. Bringe stated Audit going back 20 years could be problematic, some records twenty years ago are hard to find. 10:55 AM, Easterday excused from meeting. 25 Supervisors present. Next Revolving Loan meeting is May 17, 2019 at 11:00 AM.

Election of 2 board members to the Human Services Committee for a 3-year team, previously held by Adrian Amelse and Dave Strudthoff and one community member for a 3-year term previously held by Diane Radcliff. Motion by Eggen to nominate Amelse. Motion by Nickelatti to nominate Strudthoff. Motion by Leis to nominate Henry. Ballot vote – Amelse – 19, Henry – 11, Strudthoff – 20. Amelse and Strudthoff elected for 3 year term. Citizen member: Eggen nominates Dianne Radcliff, Brault nominates Kathleen Sullivan. Dianne Radcliff – 18 and Kathleen Sullivan – 7. Radcliff elected for the 3 year term.

Election of two members to Vernon Manor Committee for a 3-year term previously held by Eric Evenstad and Ole Yttri. Redington nominate Evenstad, Beitlich nominate Yttri. Motion by Clark, 2nd by Muller to cast unanimous ballot for Yttri and Evenstad. Carried all.

Break 11:09

Reconvene 11:20

Chairman Brault moved to **Regular Order of Business**

1. Petitions – there were none
2. Resolutions

Resolution # 2019 - 3

Title: 2019 Ho Chunk Funds for Flood Recovery

WHEREAS, communities within Vernon County have been significantly impacted by the repetitive and historic flooding that have led to federal disaster declarations in the years of 2004, 2007, 2008, 2010 (twice), 2013, 2016, 2017 and 2018, and;

WHEREAS, due to this repetitive barrage of severe rain and flooding disasters communities are planning and implementing mitigation and recovery project, and;

WHEREAS, communities are researching state and federal grant opportunities to try to implement recovery projects, and;

WHEREAS, state and federal grants are available but require local match but local communities are depleted funds due to meeting immediate and critical needs after each event, and;

WHEREAS, NOW, THEREFORE BE IT RESOLVED, by Vernon County Board of Supervisors that \$40,000 per community below, not to exceed a total of \$360,000, of the 2019 Ho Chunk funds be made available ~~equally~~ to the communities of Genoa, De Soto, Coon Valley, Chaseburg, Hillsboro, Ontario, La Farge, Viola and Readstown to match grants or invest and accelerate recovery for all citizens within Vernon County.

Dated: March 21, 2019

Submitted by the Finance Committee, Ole Yttri, Chair

Motion by Leis, 2nd by Eggen. Yttri explained communities had so much flood damage there is a need for cost share of grant funding. Match funding, McGinnis would monitor funds if this Resolution passes today.

McGinnis stated Mississippi Regional Planning Committee will help with grants. Sue Blanchard – Ontario needs to relocate. Chad Larson – Readstown – 11 houses wiped out, Cheryl Purvis – La Farge – Substation damaged needs to be relocated. They all discussed Village damage. Terri Taylor Ontario, Need land to relocate homes and business. Adam Sonntag, Hillsboro – Need bridge, streets and barrier. Eggen asked about townships getting funding also. Ofte stated Finance Committee studied all scenarios but felt these communities needed fast Financial help to apply for grants.

Motion by Servais, 2nd by Redington to excuse Evenstad. 24 Supervisors present.

Redington feels we should wait on this Resolution and help all communities at one time. Yttri stated on April 25, 2019 is the Towns Association meeting here, this should be brought up there. Motion by Henry, 2nd by Servais to omit equally from resolution in the last Therefore. Carried all. Roll call vote Yes 22 No 2, Eggen and Redington. Resolution adopted by the Vernon County Board of Supervisors on April 16, 2019.

Resolution # 2019 - 4

Title: Economic Development Administration Grant Agreement

WHEREAS, Vernon County submitted a joint application with the City of Viroqua to apply for a \$2.64 million Economic Development Administration (EDA) grant to support the Industrial Park Expansion; and

WHEREAS, EDA announced on April 4, 2019 its approval of the joint application submitted by Vernon County and the City of Viroqua;

WHEREAS, Vernon County approved \$330,000 match funds for this grant on October 16, 2018

BE IT THEREFORE RESOLVED, by the Vernon County Board of Supervisors authorize Dennis Brault, County Board Chairman, to sign and enter into the EDA grant agreement for Vernon County.

Dated: April 16, 2019

Submitted by Kevin Larson, County Board Vice-Chair

Motion by Call, 2nd by Mitchell. Larson and Kurt Muchow of Vierbicher Associates explained we need this agreement with the City of Viroqua for a Grant. On January 18, 2019 we received grant approval of \$2.64 million, 80% of the total cost of project. Vernon County has approved \$330,000.00 of matched funds. Larson stated this will allow the new Highway shop to get sewer and water. For water and sewer in Viroqua we must annex land to the City. Olerud asked what happens if annexing is voted down, no sewer and water. Carried all yes.

Adopted by the Vernon County Board of Supervisors on April 16, 2019.

Resolution # 2019 – 5

Title: Develop an Intergovernmental Agreement with the City of Viroqua for EDA Grant

WHEREAS, Vernon County and the City of Viroqua jointly have been awarded an Economic Development Administration (EDA) grant for \$2.64 million; and

WHEREAS, an intergovernmental agreement must be developed to guide the process of the buildout and expansion of the Industrial Park.

BE IT THEREFORE RESOLVED, that the Vernon County Board of Supervisors authorizes the Economic Development Advisory committee the responsibility to work directly with the City of Viroqua to develop this agreement.

Dated: April 16, 2019

Submitted by Kevin Larson, County Board Vice-Chair

Motion by Redington, 2nd by Servais. Carried Voice all.

Adopted by the Vernon County Board of Supervisors on April 16, 2019.

Resolution # 2019 - 11

Title: Approval of Proposed Annexation by City of Viroqua

WHEREAS, Vernon County and the City of Viroqua jointly applied for and have been jointly awarded an Economic Development Administration (EDA) grant for \$2.64 million; and

WHEREAS, pursuant to the joint application for the awarded grant as submitted by Vernon County and the City of Viroqua, the City of Viroqua proposes to annex the real estate with the following legal descriptions: See Map attached as Appendix A, and Legal Description attached as Appendix B; and

WHEREAS, the above real estate is comprised entirely of real estate owned by Vernon County;

BE IT THEREFORE RESOLVED, that the Vernon County Board of Supervisors approves of the Proposed Annexation, by the City of Viroqua, of the above-described real estate, owned by Vernon County; and,

BE IT FURTHER RESOLVED that the Vernon County Board of Supervisors authorizes the Vernon County Buildings and Facilities Committee to take the necessary action on behalf of the County to approve of and complete said Proposed Annexation.

Dated: April 12, 2019

Submitted by: James Servais, Buildings & Facilities Committee Chair and Kevin Larson, Economic Development Advisory Coordinated Committee Chair

Motion by Eggen, 2nd by Leis. Olerud asked what happens if Vernon Manor Residents vote is no. Would need to look at other option to connect lands, can't be an island. Six of ten residents at Vernon Manor need to vote yes. Yttri asked about interested parties wanting to purchase land. One would like to move forward quickly. County still owns land and could sell and receive funds. Voice vote all yes, carried.

Adopted by the Vernon County Board of Supervisors on April 16, 2019.

Resolution # 2019 – 6

Title: 2019 Budget – Additional Funds to Cover State Mental Health Institution Costs

WHEREAS, the 2019 Department of Human Services budget proposal for state mental health institute costs was prepared using prior years' data and ultimately the County Board authorized \$75,000 levy for that line item, and

WHEREAS, expenditures for costs at state mental health institutions for the month of January 2019 totaled \$75,728.63 (101% of the budgeted line item), and

WHEREAS, these costs are completely unpredictable due to the nature of human behavior along with the fluctuation of facility costs from year to year and local hospital diversion due to staffing or other barriers; and

WHEREAS, the safety of mentally ill persons and the community sometimes necessitates lengthy placements in safe and secure facilities where they receive appropriate treatment, and

WHEREAS, expenses for state mental health institutions are deducted from the Department's monthly payment from the state to provide other services. To meet the needs of individuals and avoid disruption to services, additional funds are needed for this line item; and

WHEREAS, based on expenditures to-date and general projections of costs to be incurred, the line item budget for state mental health institutes for 2019 requires an additional \$180,000.

NOW THEREFORE BE IT RESOLVED that the Vernon County Board of Supervisors authorizes an additional \$180,000 in levy into the Human Services 2019 budget line item for state mental health institution costs.

BE IT FURTHER RESOLVED that any funds that remain in this line item after expenses are paid will be returned to the General Fund.

Fiscal Impact: \$180,000

Dated: April 15, 2019

Submitted by Human Services Committee, Shawn Redington Chair

Motion by Redington, 2nd by Strudthoff. Pam Eitland explained the 2019 State Mental Health cost will exceed the budgeted amount. Cost is \$1,075.00 a day. Emergency detentions is then \$250.00 a day extra for a 72 hours hold. For 2019 we budgeted \$75,000.00, it was all used by end of February. Redington stated State keeps money first, before we receive State funds. This \$180,000 would be from the General fund. Yttri stated Human Services has extra money in other line items. Leis asked should we wait till later in the year to take this from the General Fund. Motion by Leis, 2nd by Olerud to allow Eitland to exceed budget in State Mental Health line item for 2019 and review later in year. Strudthoff concerned about waiting, prefers to pass resolution now to keep budget on line, Redington and Taylor agree. Ofte and Larson support the motion to amend. Clark called question, 2nd by Ofte. Carried voice. No 13 Yes 11. Rae, Ofte, Olerud, Larson, Running, Henry, Call, Leis, Clark, Yttri, Mitchell. Voted yes.

Motion by Brault, 2nd by Redington for resolution with amendment for \$180,000 from General Fund. Yes 23 No 1, Leis. Carried.

Adopted by Vernon County Board of Supervisors on April 16, 2019

Motion by Olerud, 2nd by Eggen to excuse Olerud at 12:50pm.

Resolution # 2019 - 7

Title: Designation of Vernon County Snowmobile Trail Coordinator

WHEREAS, the Department of Natural Resources provides funding for the maintenance and development of snowmobile trails in Vernon County, and

WHEREAS, Vernon County must designate an employee to accept, administer and account for all funds received from the Department of Natural Resources in accordance with NR50, Chapter 23.33 and Chapter 350 of the Wisconsin State Statutes, and

WHEREAS, Parks Administrator is responsible for the snowmobile trails in Vernon County, and

WHEREAS, in the absence of Parks Administrator, the County Conservationist shall be authorized to accept, administer and account for all funds.

NOW THEREFORE BE IT RESOLVED that the Vernon County Board of Supervisors hereby designates Parks Administrator as the official Snowmobile Coordinator of Vernon County.

Increased County Fiscal Impact: \$0

Dated April 11, 2019

Submitted by the Land and Water Conservation Committee, Will Beitlich, Chair

Motion by Redington, 2nd by Servais. Wojahn explained yearly update for grant for snowmobile. Voice Vote. Carried all.

Adopted by the Vernon County Board of Supervisors on the 16th day of April 2019.

Resolution # 2019 - 8

Title: Resolution for Outdoor Recreation Aids

WHEREAS, Vernon County is interested in developing lands for public outdoor recreation purposes as described in the application: and

WHEREAS, financial is required to carry out the project;

THEREFORE BE IT RESOLVED, that Vernon County has budgeted a sum sufficient to complete the project of acquisition and

HEREBY AUTHORIZES Parks Administrator, Vernon County Land & Water Conservation Department to act on behalf of Vernon County to:

1. Submit an application to the State of Wisconsin Department of Natural Resources for any Financial aid that might be available;
2. Submit reimbursement claims along with necessary supporting documentation within six months of project completion date;
3. Submit signed documents; and
4. Take necessary action to undertake, direct, and complete the approved project.

AND BE IT FURTHER RESOLVED that Vernon County will comply with state and federal program rules regarding public recreation opportunities during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin Department of Natural Resources approval in writing before any change is made in the use of the project site.

Dated April 11, 2019

Submitted by Land and Water Conservation Committee Will Beitlich, Chair

Motion by Clark, 2nd by Ofte. Carried all voice.

Adopted by the Vernon County Board of Supervisors on the 16th day of April 2019.

Resolution # 2019 - 9

Title: Repeal of Vernon County, Wisconsin Code of Ordinances ch. 2, art. I, § 2-63 (2016)

WHEREAS, Vernon County, Wisconsin Code of Ordinances ch. 2, art. I, § 2-63 (2016), titled Bids required for purchases exceeding \$25,000.00, requires that any County contract where the estimated cost exceeds \$25,000 must be let by sealed competitive bids; and,

WHEREAS, there is no analogue to Vernon County, Ordinances ch. 2, art. I, § 2-63 within the Wisconsin State Statutes; and,

WHEREAS, there are times that the requirements of Vernon County, Ordinances ch. 2, art. I, § 2-63 present barriers to the effective running of County business; and,

WHEREAS, it is in the County's best interest to repeal Vernon County, Ordinances ch. 2, art. I, § 2-63;

NOW THEREFORE BE IT RESOLVED that the Vernon County Board of Supervisors repeals Vernon County, Ordinances ch. 2, art. I, § 2-63, titled Bids required for purchases exceeding \$25,000.00.

Dated: April 11, 2019

Submitted by Mike Leis, Legal Affairs Committee Chair

Motion by Strudthoff, 2nd by Muller. Leis explained this would be helpful for some departments that have a hard time getting three bids. Swayne stated state law does not require what the County ordinance does, so we should repeal this county ordinance. Swayne will work with department heads to rewrite county ordinance. Carried all voice vote.

Adopted by the Vernon County Board of Supervisors on April 16, 2019.

NOTICE OF DISALLOWANCE OF CLAIM # 2019 -10

TO: Debra A. Volten
450 Losey Blvd. North
La Crosse, WI 54601

TO: James W. Richgels, State Bar # 1046173
Attorneys for Claimants
U. S. Bank Place, Tenth Floor
201 Main Street, Suite 1010
La Crosse, WI 54601

PLEASE TAKE NOTICE: that the Board of Supervisors of Vernon County at its regular meeting on April 16, 2019 disallowed your claim for payment of damages dated December 27, 2018 relating to the death of your father Richard E. Volten

YOU ARE FURTHER NOTIFIED that no action may be brought against Vernon County, in regard to this claim, after six months from the date of service of this notice upon you, pursuant to Sec. 893.80 of the Wis. Stats.

Dated: April 16, 2019

Submitted by: Ron Hoff, Vernon County Clerk and Dennis Brault, County Board Chair

Motion by Strudthoff, 2nd by Leis. Carried all voice.

Adopted by Vernon County Board of Supervisors on April 16, 2019.

Resolution # 2019 - 11

Title: Approval of Proposed Annexation by City of Viroqua

WHEREAS, Vernon County and the City of Viroqua jointly applied for and have been jointly awarded an Economic Development Administration (EDA) grant for \$2.64 million; and

WHEREAS, pursuant to the joint application for the awarded grant as submitted by Vernon County and the City of Viroqua, the City of Viroqua proposes to annex the real estate with the following legal descriptions: See Map attached as Appendix A, and Legal Description attached as Appendix B; and

WHEREAS, the above real estate is comprised entirely of real estate owned by Vernon County;

BE IT THEREFORE RESOLVED, that the Vernon County Board of Supervisors approves of the Proposed Annexation, by the City of Viroqua, of the above-described real estate, owned by Vernon County; and,

BE IT FURTHER RESOLVED that the Vernon County Board of Supervisors authorizes the Vernon County Buildings and Facilities Committee to take the necessary action on behalf of the County to approve of and complete said Proposed Annexation.

Dated: April 12, 2019

Submitted by: James Servais, Buildings & Facilities Committee Chair and Kevin Larson, Economic Development Advisory Coordinated Committee Chair

Motion by Eggen, 2nd by Leis. Olerud asked what happens if Vernon Manor Residents vote is no. Would need to look at other option to connect lands, can't be an island. Six of ten residents at Vernon Manor need to vote yes. Yttri asked about interested parties wanting to purchase land. One would like to move forward quickly. County still owns land and could sell and receive funds. Voice vote all yes, carried.

Adopted by the Vernon County Board of Supervisors on April 16, 2019.

Ofte stated Economic Development Committee meets in different Communities. Forty four applications for Community Grant funds.

The next County Board meeting will be June 4, 2019 at 5:00 pm in the County Board Room at the Courthouse Annex. With the meeting concluded, a motion was made by Strudthoff, 2nd by Leis to adjourn. Motion carried by all. Meeting adjourned at 1:01 p.m.

CERTIFICATION

State of Wisconsin (

(

County of Vernon (

Office of the Vernon County Clerk

I, Ronald C. Hoff, County Clerk of Vernon County, Wisconsin DO HEREBY CERTIFY that the statements above are a correct report of all actions and decisions of the Vernon County Board of Supervisors at the meeting of April 16, 2019, as indicated in transcription taken personally by me.

(Seal)

**/s/ Ron Hoff
Vernon County Clerk**