

**VERNON COUNTY BOARD OF SUPERVISORS
MINUTES**

September 18, 2018

County Board Chairman Brault called the September 18, 2018 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 given by Pastor Eileen Kuehnl of the La Farge & Dell Methodist Church.

Board members and others present gave the Pledge of Allegiance. County Clerk affirmed there had been proper public notice of the meeting.

Motion by Servais, 2nd by Redington to excuse Kay Stanek and Loren Goede from today's meeting. Carried all. County Clerk, Ron Hoff called roll call with 27 Supervisors present.

Motion by Amelse, 2nd by Leis to approve the minutes of the August 16, 2018 meeting. Carried all. Evenstad two corrections on Resolution from August 16, 2018. Carried all.

Chairman Brault asked if there were any announcements, Amended Agenda and two resolutions on your desk. Hoff stated he feels we must start following the County Board rule that Agenda items must be to the Clerk's office 14 days prior to meeting. We are now amending almost every Board meeting, some 2 to 3 times. This meeting I had to mail out 1 day late to get some items in The Board packet which reflects back to my obligations. Then we had to amend again after the packet was mailed. It seems this is very difficult for Board member to vote on some items you have not seen before the meeting. I would like your support to stop so many amended items. Clerk posts agenda to the Broadcaster eight days before meeting. Larson asked if Vernon Manor Resolution came thru committee. No, *stated Brault*. Henry feels packet could also be emailed. Olerud feels committees meetings could be advanced, but that is difficult for Finance vouchers. Evenstad stated Vernon Manor resolution needed to move forward in proper time frame. Brault thanked all county employees for extra work during flood. Redington thanked Vernon County Ag Society for the great work at the fair. Larson stated \$20,000.00 was raised from sales of meat animals at the fair for flood victims. Wisconsin County Association's annual meeting is in La Crosse on September 23-25, 2018. Servais stated, stop at the ITBEC booth.

Chairman Brault moved to **Special Order of Business**.

(Item #1) City of Viroqua EDA Grant with Vernon County Presentation – Kurt Muchow of Vierbicher & Associates, Sara Granger, John Severson. Henry asked about tax base – County will still own land and if any sales develop money would go to County, but land will be annexed to City. Olerud asked about water & sewer to proposed new highway shop. It will be close approximately 300 feet. Beitlich feels drilling our own well would be a good option. Amelse feels this would bring in more economic development. Beitlich asked why housing and business are being combined, and what kind of housing, could be a blend of different styles of affordable housing needed. Christina Dollhausen stated about ninety business and 500 homes may be destroyed from the flood in the County. Market is calling for smaller, economic housing. Redington stated originally county was told ~~now~~ *no cost share*, now will be up front of \$660,000, but will be paid back by TID, County would pay approximately \$330,000.00 or can be negotiated. Henry feels this is a great project. Olerud stated we need to get final figure that County is responsible for. Asking for 80% grant, but grant could be given for smaller %.

(Item #2) Pete Fletcher – Overview of Mississippi River Regional Planning Commission – Update on SMRT Bus Program, Discussion on needs of SMRT bus. Bus travels on a fixed schedule in Vernon County, La Crosse, Monroe and Crawford Counties, at a \$3.00 fare. Bus started in 2012 and is handicap assessable. In 2016 over 21,000 one way riders – will likely be more in 2018. 61% of riders are from Vernon County and approximately \$432,000 is total cost for 2018. Amelse asked what funding are you asking - \$15,000 and what are other Counties donating – Lacrosse \$20,000, Monroe \$7,000 and Crawford \$4,000.00.

Break 10:38AM

Reconvene 10:48AM

(Item #3) Amanda Hoff, Vernon Manor Administrator – Expanding the Continuum of Care, Market demand per Wipfli & Associates is strong and a 5.8 Million proposed for 32 unit assisted living was 5.3 million 2 years ago. Henry asked about memory care unit for combative patience, this was not in plan but could be explored. Bringe asked about care of low income citizens, this a very difficult task with no sure policy, Evenstad stated County has ability to look at other options.

Chairman Brault moved to next item on agenda: **Petitions** - None

Chairman Brault moved to next item on agenda: **Resolutions** –

Resolution # 2018 - 34

Creation of Position: Building Inspector/Housing Project Coordinator

WHEREAS; Vernon County received substantial damages from the storm and resulting flooding in September 2018. Over 350 residential homes and over 70 businesses have reported damages from this event and,

WHEREAS; Vernon County has a contract with the Wisconsin Department of Administration to administer the Community Development Block Grant – Emergency Assistance Program to assist eligible Housing Rehabilitation, Replacement, and Relocation; Public Facilities; and Business Assistance, and

WHEREAS; Vernon County has requested a contract amendment to include the storm events of September 2018 with an additional funding request of \$1,828,500, and

WHEREAS; the Resources and Community Development Department is seeking additional assistance to administer these funds. Additional staff costs will be funded by the grant and have no fiscal impact to the county levy, and

THEREFORE, BE IT RESOLVED that the Vernon County Board of Supervisors duly assembled this 18th day of September 2018 does hereby support the creation of the Building Inspector/Housing Project Coordinator position.

Dated September 11, 2018

Submitted by Personnel Committee Will Beitlich, Chair

Motion Bringe, 2nd by Leis. Diane McGinnis explained this is needed to survey Flood damages and inspections. 5.5 million in Business damage? 12 million in home damages, over 500 homes. So far we have received \$500,000.00 grant, much more is needed. McGinnis setting up meetings in all communities concerning FEMA ~~assistants~~ assistance. Ofte asked for a list of program staff for Board member to call and support for assistance, this position would be 100% grant funded. Carried all voice.

Adopted by the Vernon County Board of Supervisors on the 18th day of September, 2018.

Resolution # 2018 -35

Support of Telecommuting Opportunities and Telecommuter Forward Certification

WHEREAS, Vernon County is empowered by law to promote economic, cultural and community development, including, without limitation, the promotion of opportunities for the creation or retention of employment, the stimulation of economic activity, the increase of the tax base, and the promotion of opportunities for education, cultural improvement and public health, safety and general welfare, which may be accomplished by various means; and

WHEREAS, Vernon County Tourism Promotion and Economic Development Committee supports and commits to promote the availability of telecommuting options;

WHEREAS, Vernon County hereby appoints Christina Dollhausen as the single point of contact for coordinating telecommuting opportunities within Vernon County including the following responsibilities:

1. Coordination and partnership with broadband providers, realtors, economic development professionals, employers, employees, and other telecommuting stakeholders.
2. Collaboration with broadband providers and employers to identify, develop, and market telecommuter-capable broadband packages.
3. Communication and partnership with broadband providers and economic development professionals to develop common goals.
4. Promotion of telecommuter-friendly workspaces, such as business incubators with telecommuting spaces, if such a workspace has been established in the political subdivision at the time the political subdivision adopts the resolution.
5. Familiarity with broadband mapping tools and other state-level resources.
6. Maintaining regular communication with the state broadband office.
7. Making regular reports to Vernon County Tourism Promotion and Economic Development Committee

NOW, THEREFORE, BE IT HEREBY PROCLAIMED that Vernon County Tourism Promotion and Economic Development Committee supports telecommuting opportunities for Vernon County in its application for Telecommuter Forward! Community certification and recommends it to the Vernon County Board of Supervisors for adoption.

Dated: September 10, 2018

Submitted by Rod Ofte – TPED Committee Chair

Motion by Joholski, 2nd by Servais. Ofte explained, this opportunity is promoting communities with high speed internet access, and Vernon County is lucky to be one. There is no cost for the County. Carried all voice.

Adopted by the Vernon County Board of Supervisors on September 18, 2018

Resolution # 2018 - 40

Title: Revision of County Board Rules

WHEREAS, the Vernon County Board of Supervisors has published and follows rules in it document titled *Rules of the Board*; and, **WHEREAS**, the Vernon County Legal Affairs Committee decided at its last regularly scheduled meeting on September 13, 2018 to make the following two recommendations for revisions to the *Rules of the Board*:

1. It is recommended that the following language be inserted into Chapter One:

“The Chair will, when appropriate and pursuant to Wis. Stat. § 323.11 and the Vernon County Emergency Operations Plan (adopted Nov. 3, 2017 and revised Feb. 1, 2018), Annex A. III .A., Proclaim a Local Disaster in Times of emergency, Pursuant to Wis. Stat. §323.14(4), the Chair may so Proclaim without a meeting of the Board of Supervisors, if the emergency is such that the Board is unable to meet promptly. Pursuant to Wis. Stat. §323.14(4)(b), if the Chair does so Proclaim prior to a meeting of the Board of Supervisors, at the next soonest available time to meet, the Board of Supervisors shall review the Proclamation and may ratify, alter, modify or repeal the same. Any subsequent action taken by the Board shall not affect the prior validity of the Proclamation.”

2. It is recommended that the following language be omitted from Chapter One as it conflicts with statutory requirements of a supermajority vote. The following omissions (reflected by strikethrough) and additions (reflected by underlining) are hereby recommended:

~~“The board officers may be removed anytime by a majority vote of board members. Committee chairs and members, whose positions are not subject to a requirement of a supermajority vote by the Board of Supervisors for removal from office, may be removed anytime by the board Chair.”;~~

WHEREAS, The Vernon County Board of Supervisors has determined that the first recommended change to the *Rules of the Board*, regarding Proclamations of Local Disasters, should be made to clarify and confirm the authority, duty and powers of the Board Chair in times of emergency; and,

WHEREAS, the Vernon County Board of Supervisors has determined that the second recommended change to the Rules of the Board, regarding removal of chairs and other Board members, should be made to correctly reflect the legal process for removing County Committee chairs and members from their respective positions;

NOW, THEREFORE, BE IT RESOLVED, that the Vernon County Board of Supervisors does hereby adopt the changes to the *Rules of the Board* in the form as recommended by the Legal Affairs Committee.

Dated: September 13, 2018

Recommend for Consideration by Legal Affairs Committee, Mike Leis, Chair

Resolution Postponed

Resolution # 2018 -36

Title: Local Disaster Declaration

WHEREAS, Vernon County has suffered from a flash flooding event that occurred ~~on from on or about Tuesday, August 28, 2018,~~ Monday, August 27, 2018.

WHEREAS, extensive damage was caused to public and private property, disruption of utility service, and endangerment of health and safety of the residents of Vernon County within the disaster area.

WHEREAS, all locally available public and private resources available to mitigate and alleviate the effects of this disaster have been insufficient to meet the needs of the situation,

THEREFORE, the Chair of the Vernon County Board of supervisors has declared a state of emergency on behalf of Vernon County, and will execute for and on behalf of Vernon County, the expenditure of emergency funds from all available sources, the invoking of mutual aid agreements, and the requesting of State and Federal aid.

Dated August 28, 2018

Submitted by Vernon County Board of Supervisors Chair, Dennis Brault

Submitted by Vernon County Board of Supervisors Vice Chair, Kevin Larson

Motion by Clark, 2nd by Beitlich. Nikki Swayne explained process in a disaster is needed for State and Federal. Motion by Redington, 2nd by Williams to add from on or about August 27, 2018. State is considering from 8-17-18 to 9-9-18. Carried all. Resolution carried all.

Adopted by the Vernon County Board of Supervisors on the 18th day of September, 2018.

Ratification of Proclamation of Local Disaster #2018-36

WHEREAS, Vernon County has suffered from a flooding event that occurred starting on or about August 27, 2018;

WHEREAS, extensive damage was caused to public and private property, disruption of utility service, and endangerment of health and safety of the residents of Vernon County within the disaster area;

WHEREAS, all locally available public and private resources available to mitigate and alleviate the effects of this disaster are insufficient to meet the needs of the situation;
WHEREAS, pursuant to Wis. Stat. § 323.11, Declaration by local government, the governing body of any local unit of government may declare, by ordinance or resolution, an emergency existing within the local unit of government whenever conditions arise by reason of a riot or civil commotion, a disaster, or an imminent threat of a disaster, that impairs transportation, food or fuel supplies, medical care, fire, health or police protection, or other critical systems of the local unit of government. The period of the emergency shall be limited by the ordinance or resolution to the time during which the emergency conditions exist or are likely to exist;
WHEREAS, pursuant to Wis. Stat. § 323.14(4) (a), the emergency power of the governing body conferred under s. 323.11 includes the general authority to order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within the local unit of government in the emergency and includes the power to bar, restrict, or remove all unnecessary traffic, both vehicular and pedestrian, from the highways, notwithstanding any provision of chs. 341 to 349;
WHEREAS, pursuant to Wis. Stat. § 323.14(4) (b), if, because of the emergency conditions, the governing body of the local unit of government is unable to meet promptly, the chief executive officer or acting chief executive officer of any local unit of government shall exercise by proclamation all of the powers conferred upon the governing body under par. (a) or s. 323.11 that appear necessary and expedient. The proclamation shall be subject to ratification, alteration, modification, or repeal by the governing body as soon as the body can meet, but the subsequent action taken by the governing body shall not affect the prior validity of the proclamation;
WHEREAS, consistent with Wis. Stat. Ch. 323, the Vernon County Chair is responsible pursuant to Vernon County Emergency Operations Plan (adopted Nov. 3, 2017 and revised Feb. 1, 2018), Annex A, III .A. for issuing a county “Declaration of Emergency” Proclamation and for requesting state assistance when appropriate;
WHEREAS, the Vernon County Board Chair and Vice Chair, on August 28, 2018 and pursuant to the authority granted to them as expressed herein above, declared a local disaster, the Declaration attached hereto;
NOW, THEREFORE, the Vernon County Board of Supervisors does HEREBY Ratify by a minimum two-thirds vote the proclamation of local disaster as declared in the Local Disaster Declaration dated August 28, 2018. Carried all.
Adopted by the Vernon County Board of Supervisors on the 18th day of September, 2018.

Resolution # 2018 -37

Title: Vernon Manor RCAC Construction Drawings and Pre-Bidding Plan

WHEREAS, Vernon Manor’s mission is to enhance the quality of life for our residents of Vernon County; and,
WHEREAS, Vernon Manor’s vision is to be the most respected provider of quality healthcare services in the community. Using our rural values of honesty, integrity, compassion and commitment we will create service excellence for another 100 years; and,
WHEREAS, Vernon Manor’s dedicated staff is committed to providing the highest level of professional care to all residents; and,
WHEREAS, stand-alone nursing homes are becoming financially unviable without complementary lines of service or increased tax levy funding; and,
WHEREAS, Vernon Manor Board of Trustees and Vernon Manor management have been continuing to discuss the addition of a Residential Care Apartment Complex (RCAC) to Vernon Manor campus; and,
WHEREAS, the RCAC would expand services available to Vernon County residents; and,
WHEREAS, the RCAC would assist in meeting the needs of the aging population of Vernon County; and,
WHEREAS, today’s aging population is looking to age in place and having a RCAC connected to our nursing home would allow residents to do so; and,
WHEREAS, the RCAC would allow staff to easily move from one building to the next; and,
WHEREAS, residents would have the choice of continuum of care; and,
WHEREAS, the demand for RCAC units was a major concern of some Vernon County Board Members when previously discussed, Creamer Creek’s rapid occupancy reinforces the 2016 Market Study estimation for unit demand; and,
WHEREAS, the 2016 Market Study from Wipfli is still valid and the need for more RCAC units in Vernon County exists; and,
WHEREAS, a construction process timetable for construction to begin in the spring of 2019 with completion /occupancy for spring of 2020 has been reviewed; and,
WHEREAS, Hoffman Planning, Design and Construction, Inc. has previously been selected as our Architecture Firm.
NOW THEREFORE BE IT RESOLVED that Vernon Manor is directed to obtain Construction drawings and pre-bidding plans for construction of a 32 unit Residential Care Apartment Complex (RCAC); and,
BE IT FURTHER RESOLVED, Vernon Manor will work with the Vernon County Finance Committee to Finance these plans for the RCAC building project.

Fiscal Impact: Estimated \$250,000 to \$300,000

Recommended for consideration by the full County Board

Dated September 16, 2018

Respectfully Submitted by: Eric J. Evenstad, Vernon County Board Supervisor, District #12 & Vice-Chair - Vernon Manor Board of Trustees.

Motion by Evenstad, 2nd by Yttri. Larson asked is this updating plan and bid from 2 years ago, Yes. Strudthoff stated we have two building projects being planned, Finance committee needs to bring up options and total costs as both are funded by county citizens. Evenstad stated after approximately two years the plan at Vernon Manor should be self-sustaining. Beitlich feels we should vote on this at next meeting. Amelse stated Vernon Manor projected to lose approximately \$500,000 in ~~2018~~ 2019 and we must look at all projects. Finance Committee will discuss and see if a consultant could come and speak to the Board on these projects. Motion by Beitlich, 2nd by Bringe to postpone till next meeting. Carried all.

Resolution # 2018 -39

Title: Determination of Best Public Interest, Regarding: The Solid Waste Flow Control Ordinance

WHEREAS, the Vernon County Solid Waste Committee has considered the positive impact of this proposed Ordinance to implement Solid Waste Flow Control: and,
WHEREAS, the Vernon County Solid Waste Committee has held a public hearing on September 12, 2018 regarding the proposed Ordinance: and,
WHEREAS, the Vernon County Board of Supervisors has held a public hearing on September 18, 2018 regarding the proposed Ordinance; and,
WHEREAS, the Legal Affairs committee has determined that an adoption by the County of an ordinance to implement solid waste flow control is advisable; and,
WHEREAS, the Vernon County Board of Supervisors has made a determination, in accord with Wis. Stat § 287.13, following the two aforementioned public hearings and after careful consideration of each relevant factor contained in Wis. Stat § 28713(8), that to implement a solid waste flow control ordinance is in the best public interest;
NOW, THEREFORE, BE IT RESOLVED that Vernon County Board of Supervisors does hereby determine that the Solid Waste Flow Control Ordinance is in the best public interest.

Motion by Rae, 2nd by Taylor. Henry is concerned we are not recycling enough, and concerned that one company is being 70% of Land fill business. Swayne stated this gives County more control of how garbage comes to county land fill and the use order could lead to fines if needed to haulers. Monroe County is raising tipping fee to \$55.00 a ton. Dave Abt explained landfill is for Vernon County citizens and two haulers are licensed in Vernon County but seven are participating. The county needs this to preserve landfill for county citizens and without this ordinance landfill may need to close. Sanborn stated we are now taking some out of County waste. Running stated this revenue is needed to sustain department. Redington feels we could postpone till next meeting. Olerud feels we need to vote today. Resolution carried, all voice.

Adopted by the Vernon County Board of Supervisors on the 18th day of September, 2018.

Chairman Brault moved to next item on agenda: **Ordinances**

Ordinance # 2018 - 4

Solid Waste Flow Control

WHEREAS, the Vernon County Solid Waste Committee has considered the positive impact of this proposed Ordinance to implement Solid Waste Flow Control: and,
WHEREAS, the Vernon County Board of Supervisors, on August 16, 2018, an initial intent resolution in accord with Wis. Stat. § 287.13, a copy of which is attached hereto: and,
WHEREAS, the Vernon County Solid Waste Department has caused to be created and submitted to the Department of Natural Resources a comprehensive facility project description report in accord with Wis. Stat § 287.13; and,
WHEREAS, the Vernon County Solid Waste Committee has held a public hearing on September 12, 2018 regarding the proposed Ordinance: and,
WHEREAS, the Vernon County Board of Supervisors has held a public hearing on September 18, 2018 regarding the proposed Ordinance; and,
WHEREAS, the Legal Affairs committee has determined that an adoption by the County of an ordinance to implement solid waste flow control is advisable; and,
WHEREAS, the Vernon County Board of Supervisors has made a determination, in accord with Wis. Stat § 287.13 and following the two aforementioned public hearings, that to implement a solid waste flow control ordinance is in the best public interest;
NOW, THEREFORE, the Vernon County Board of Supervisors does hereby ordain as follows:

Motion by Olerud, 2nd by Running. Swayne stated this gives Vernon County Board the ability to enforce the rule of which garbage is to come to the landfill and if all county garbage must come to county. Henry made a motion to postpone, no 2nd on motion.

Ordinance carried. 24 Yes 3 No, Brault, Redington, Henry.

This ordinance shall be effective upon publication of notice.

Dated September 13, 2018

Submitted by Legal Affairs Committee, Mike Leis, Chair

