

**PROCEEDINGS OF THE GREEN COUNTY BOARD OF SUPERVISORS  
January 11, 2024**

**County Boardroom, Green County Courthouse, 1016 16<sup>th</sup> Ave, Monroe, WI**

Chair Jerry Guth called the meeting to order at 7:01 p.m.

The Board recited the Pledge of Allegiance.

The Clerk read the roll call with 24 present, 5 excused absences being Gundlach, Hoesly, Sass, Schwartz and Sheaffer, 1 absent being Bristow and 1 tardy being Hartwig.

Motion by Roemer, seconded by Rufenacht to approve the minutes of the December 12, 2023, meeting. Motion carried by a unanimous voice vote.

Employees with 20 plus years of service with Green County were recognized.

Motion by Nelson, seconded by Snow to approve the Anti-trafficking Proclamation. Motion carried by a unanimous voice vote.

**ORDINANCE 24-0104**

***Ordinance Creating Section 9 of Chapter 11 of the Green County Code Titled  
“Property Assessed Clean Energy (PACE) Financing”***

**WHEREAS**, The County finds that renovations or additions to premises located in the County made to improve energy efficiency, improve water efficiency, and/or use renewable resource applications, increase property values, stimulate local economic activity, provide local and global environmental benefits, and promote the general welfare of County residents; and

**WHEREAS**, adoption of a PACE Ordinance will allow the facilitation of loans arranged by property owners or lessees to make such improvements by treating loan principal and interest, fees, and other charges as special charges eligible for inclusion on the tax roll for these properties.

**NOW, THEREFORE, BE IT ORDAINED** by the Green County Board of Supervisors, in legal session assembled, that Title 1, Section 11 of the Green County Code be modified as follows:

**1-11-9: PROPERTY ASSESSED CLEAN ENERGY FINANCING (PACE)**

**1-11-9-1: PURPOSE**

The County finds that renovations or additions to premises located in the County made to improve energy efficiency, improve water efficiency, and/or use renewable resource applications, increase property values, stimulate local economic activity, provide local and global environmental benefits, and promote the general welfare of County residents. The purpose of this Section is to facilitate loans arranged by property owners or lessees to make such improvements by treating loan principal and interest, fees, and other charges as special charges eligible for inclusion on the tax roll for these properties.

**1-11-9-2: STATUTORY AUTHORITY**

This ordinance is enacted pursuant to Wis. Stat. §66.0627, as amended, which authorizes a County to make a loan or enter into an agreement regarding loan repayments to a 3rd party for owner-arranged or lessee-arranged financing, to an owner or a lessee of a premises located in the County for making or installing an energy efficiency improvement, a water efficiency improvement or a renewable resource application to a premises.

**1-11-9-3: DEFINITIONS**

**ANNUAL INSTALLMENT:** The portion of the PACE loan that is due and payable for a particular year under the supplemental agreement.

**BORROWER:** The property owner or lessee of the subject property that borrows the proceeds of a PACE loan.

**DEFAULT LOAN BALANCE:** The outstanding balance, whether or not due, of a PACE loan at the time that the County receives foreclosure proceeds.

**FORECLOSURE PROCEEDS:** The proceeds received by the County from the disposition of a subject property through an *in rem* property tax foreclosure.

**LOAN AMOUNT:** The principal, interest, administrative fees (including the Program Administrator’s fees) and other loan charges to be paid by the borrower under the PACE loan.

**PACE:** Property Assessed Clean Energy.

**PACE DEFAULT PROVISIONS:**

- (1) The delinquent annual installment(s) due when the County initiates the *in rem* property tax foreclosure on the subject property;

- (2) Any additional annual installment(s) that become due between the time that the County initiates *in rem* property tax foreclosure on the subject property and the date the County receives the foreclosure proceeds;
- (3) Any default interest charges applied to unpaid annual installments referenced in subs. (1) and (2) above, as provided in the supplemental agreement; and
- (4) Any default loan balance.

**PACE LENDER:** Any person that makes a PACE loan, and which may include an affiliate of the borrower.

**PACE LOAN:** A loan made by a PACE lender to a borrower under this Section for energy efficiency improvements, water efficiency improvements, or renewable resource applications made to or installed on a subject property.

**PERSON:** Any individual, association, firm, corporation, partnership, limited liability company, trust, joint venture or other legal entity, or a political subdivision as defined in Wis. Stat. §66.0627.

**PROGRAM ADMINISTRATOR:** The person retained by the Wisconsin PACE Commission as provided in Section 1-11-9-5.

**SUBJECT PROPERTY:** Any premises located in the County on which an energy-efficiency improvement, water efficiency improvement, or renewable resource application are being or have been made and financed through an outstanding PACE loan.

**SUPPLEMENTAL AGREEMENT:** A written agreement among a borrower, a PACE lender and the County, as provided for in Section 1-11-9-6.

**WISCONSIN PACE COMMISSION:** The Wisconsin PACE Commission formed under Wis. Stat. §66.0301, as amended, by the County and one or more other political subdivisions as defined in Wis. Stat. §66.0627, pursuant to a Joint Exercise of Powers Agreement relating to the Wisconsin PACE Commission.

**1-11-9-4: PACE LOANS AS SPECIAL CHARGES; DELINQUENT AMOUNTS AS LIENS**

Any PACE loan made and secured pursuant to this Section shall be considered a special charge on the subject property. Any annual installment or portion of a PACE loan made and secured pursuant to the Section that becomes delinquent according to the terms of the PACE loan shall be a lien against the subject property and placed on the tax roll, as permitted pursuant to Wis. Stat. §66.0627 as amended.

**1-11-9-5: WISCONSIN PACE COMMISSION**

- A. Any of the powers and duties of the County under this Section, except for those under Section 1-11-9-8 may (but are not required to) be delegated to the Wisconsin PACE Commission.
- B. The Wisconsin PACE Commission is further authorized to retain a Program Administrator to act as its agent and administer the PACE program, subject to adherence with PACE program requirements set forth in this Section and in Wis. Stat. §66.0627 as amended.

**1-11-9-6: LOAN APPROVAL**

- A. A prospective borrower applying for a PACE loan shall comply with the loan application process set forth in the program manual approved by the County.
- B. The County shall approve the financing arrangements between a borrower and PACE lender.

**1-11-9-7: SUPPLEMENTAL AGREEMENT**

- A. The County, the borrower and the PACE lender shall execute the supplemental agreement which, without limitation:
  1. Shall inform the participants that the PACE loan amount shall be imposed as and considered a special charge, and each year's annual installment may be included on the property tax roll of the subject property as a special charge and an annual installment that is delinquent shall be a lien against the subject property pursuant to Wis. Stat. §66.0627, as amended;
  2. Shall recite the amount and the term of the PACE loan;
  3. Shall provide for the amount, or a method for determining the amount, of the annual installment due each year;
  4. Shall provide whether default interest may be applied to unpaid annual installments;
  5. Shall require the PACE lender and the borrower to comply with all federal, state and

- local lending and disclosure requirements;
  - 6. Shall provide for any fees payable to the County and/or Program Administrator;
  - 7. Shall recite that the supplemental agreement is a covenant that runs with the land;
  - 8. May provide for prepayments of annual installments by the borrower with a resulting reduction in the special charge for the prepayment, subject to any prepayment premium charged by the PACE lender, if any; and
  - 9. May allow for amendment by the parties.
- B. Prior to executing the supplemental agreement, the owner of the subject property, if different from the borrower, and any existing mortgage holder(s) on the subject property must have executed a separate writing acknowledging the borrower's use of PACE financing for the subject property and the special charge that will be imposed under this Section and its consequences, including the remedies for collecting the special charge.
  - C. Each PACE loan shall be amortized over the term of the PACE loan as provided in the supplemental agreement.
  - D. The annual payments of a PACE loan may be payable in installments as authorized by Wis. Stat. §66.0627, as amended.

**1-11-9-8: ANNUAL INSTALLMENTS ADDED TO TAX ROLLS**

Upon the request of the Program Administrator the County shall place each year's annual installment on the tax roll for the subject property as permitted pursuant to Wis. Stat. §66.0627, as amended.

**1-11-9-9: REMITTANCE OF SPECIAL CHARGES**

The County shall promptly remit to the Wisconsin PACE Commission any payment(s) for a special charge imposed under this Section, including penalties and charges thereon, it may receive from any taxing district or the County Treasurer pursuant to Wis. Stat. Ch. 74, as amended.

**1-11-9-10: PROPERTY TAX FORECLOSURE PROCEDURES**

- A. The County elects to utilize the provisions of Wis. Stat. §75.521, as amended, for the purpose of enforcing tax liens if a subject property owner fails to pay any special charges imposed on the subject property under this Chapter as required.
- B. The County shall begin an *in rem* property tax foreclosure proceeding on the subject property at the earliest time allowed under Wisconsin Statutes, unless the County determines that subject property is a "brownfield" (as defined in Wis. Stat. §75.106, as amended) or that *in rem* property tax foreclosure is not in the best interests of the County due to the condition of the property or for other reasons.
- C. If the County has determined that it will not commence an *in rem* property tax foreclosure proceeding, then the PACE lender may request that the County, pursuant to Wis. Stat. §75.106, as amended, assign the County's right to take judgment against the subject property, provided that the PACE lender and the County fully comply with all provisions of Wis. Stat. §75.106, as amended, concerning the subject property and the PACE lender agrees to pay the amounts required by Wis. Stat. §75.36(3)(a)1. and 1m., as amended.

**1-11-9-11: SALE OF FORECLOSED PROPERTY**

If the County prevails in an *in rem* property tax foreclosure action against a subject property, the County shall diligently proceed to sell the subject property pursuant to the procedures set forth in Wis. Stat. §75.69, as amended.

**1-11-9-12: DISTRIBUTION OF FORECLOSURE PROCEEDS**

The County Treasurer shall follow the procedures set forth in Wis. Stat. §75.36, as amended, to distribute the proceeds from the sale of a subject property.

**SIGNED: FINANCE AND ACCOUNTING COMMITTEE:**

Kristi Leonard, Chair	Jody Hoesly, Vice-Chair
Brenda Carus	Jerry Guth
Dawn Sass	

Motion by Carus, seconded by Roemer to approve Ordinance 24-0104. Motion carried by a unanimous voice vote.

**RESOLUTION 1-1-24**  
***Resolution Approving Draft PACE Commission Agreement  
and Designating County “Representative Director”***

**WHEREAS**, pursuant to Wis. Stats. §66.0301, two or more municipalities of the State of Wisconsin, may by contract create a commission for the joint exercise of any power or duty required or authorized by law; and

**WHEREAS**, Green County is a “municipality” as that term is defined in Wis. Stats. §66.0301 and a political subdivision located in the State; and

**WHEREAS**, Green 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**, Wis. Stats. §66.0627(8) authorizes a city, a village, a town and a county in this State to, among other things, make a loan to or otherwise arrange, participate in or facilitate the financing of an energy improvement, a water efficiency improvement or a renewable resource application to a real property within its jurisdiction and to provide for such financing through the imposition of a special charge against the property benefitted by the energy or water efficiency improvement or renewable resource project; and

**WHEREAS**, such financings are commonly referred to as “Property Assessed Clean Energy” or “PACE” financings; and

**WHEREAS**, Green County has determined that it is in the public interest to provide real property owners, lessees, lenders and other transaction parties in Green County with access to a uniformly-administered program for PACE financing; and

**WHEREAS**, Green County and other counties, with the support and counsel of the Wisconsin Counties Association, League of Wisconsin Municipalities, Green Tier Legacy Communities and other stakeholders, have studied the possibility of creating a commission pursuant to Wis. Stats. §66.0301 to be known as the Wisconsin PACE Commission (“Commission”); and

**WHEREAS**, the Wisconsin PACE Commission would be formed and operated in accordance with a Joint Exercise of Powers Agreement Relating to Wisconsin PACE Commission (“Commission Agreement”) of which a substantially final draft is attached to this Resolution; and

**WHEREAS**, it is in Green County’s best interests to join the Wisconsin PACE Commission and authorize the execution of the Commission Agreement; and

**WHEREAS**, in accordance with Wis. Stats. §66.0627 and the provisions of the Commission Agreement, Green County must adopt an Ordinance relating to the administration of PACE financings in Green County and throughout the State (“PACE Ordinance”); and

**WHEREAS**, attached to this Resolution is proposed Ordinance, which will be considered at the same meeting at which this Resolution is being considered (“PACE Ordinance”); and

**WHEREAS**, adoption of the PACE Ordinance is a necessary condition to Green County entering into the Commission Agreement; and

**WHEREAS**, it is the intent of this Resolution to authorize Green County to become a member of the Commission and authorize a duly-appointed representative of Green County to finalize and execute the final Commission Agreement in substantially the form of the draft Commission Agreement attached to this Resolution;

**NOW, THEREFORE, BE IT RESOLVED**, that the Green County Board of Supervisors hereby approves the draft Commission Agreement, a copy of which is attached to this Resolution, and authorizes and directs the Green County Board Chair to sign such document after receipt of preliminary approval from the other participating municipalities, approval from the Green County official duly-appointed to approve the final form of the Commission Agreement and approval of the Green County Corporation Counsel; and

**BE IT FURTHER RESOLVED**, that the Chair of the Green County Board of Supervisors is by directed to appoint a local public official at the county level to act as Green County’s official representative in relation to the final approval of the form of the Commission Agreement and to otherwise take all action necessary to effectuate the intent of this Resolution; and

**AND BE IT FURTHER RESOLVED**, that the Green County Administrative Coordinator is designated as the Green County “Representative Director” of the Board of Directors of the Commission in accordance with the Commission Agreement, he or she to serve at the pleasure of the Green County Board of Supervisors.

**SIGNED: GREEN COUNTY FINANCE AND ACCOUNTING COMMITTEE:**

Kristi Leonard, Chair                    Jody Hoesly, Vice-Chair  
Brenda Carus                            Jerry Guth  
Dawn Sass

Motion by Wilke, seconded by Carlson to approve Resolution 1-1-24. Motion carried by a unanimous voice vote.

**ORDINANCE 24-0101**

***Ordinance Rezoning Parcel in Town of Monroe***

**WHEREAS**, the Green County Board of Supervisors has adopted the Green County Land Use and Zoning Ordinance; and

**WHEREAS**, the Green County Land Use and Zoning Committee has been petitioned to rezone a certain parcel of land from agricultural to commercial; and

**WHEREAS**, the Green County Land Use and Zoning Committee held a public hearing on the Petition on November 13, 2023, and has taken into consideration all of the testimony heard at such public hearing; and

**WHEREAS**, it is the recommendation of the Green County Land Use and Zoning Committee that the land area described below be rezoned from agricultural to commercial.

**NOW, THEREFORE, BE IT ORDAINED** by the Green County Board of Supervisors in legal session assembled, that the following described parcel of land be rezoned agricultural to commercial, to-wit:

*Part of the Southwest Quarter of the Southwest Quarter of Section 36, Town Two North, Range Seven East, Town of Monroe, Green County, Wisconsin described as follows: Commencing at the Southwest corner of Section 36, thence East 49 feet to road right of way, thence N0°11' West along road right of way a distance of 288.75 feet to iron stake and point of beginning, thence East along fence line a distance of 487.6 feet to iron stake, thence N0°11' West a distance of 134.0 feet to iron stake, thence W 487.6 feet to iron stake on road right of way, thence S0°11' East along right of way a distance of 134.0 feet to point of beginning.*

and,

**BE IT FURTHER ORDAINED** that this amendment shall not take effect until more than 40 days after the adoption of the Ordinance by the County Board unless the Town affected files a Resolution with the County Clerk approving the Ordinance, then said Ordinance shall become effective upon the filing of the Resolution of the Town approving the same with the County Clerk; and

**BE IT FURTHER ORDAINED** that this Ordinance shall be published in the official newspaper of the County.

**SIGNED: LAND USE AND ZONING COMMITTEE:**

Dennis Schwartz, Chair                Barb Krattiger, Vice-Chair  
Nick Hartwig                            Sue Nelson  
Kathy Pennington

Motion by Hartwig, seconded by Pennington to approve Ordinance 24-0101. Motion carried by a unanimous voice vote.

**ORDINANCE 24-0102**

***Amendments to Title 4 of the Green County Code***

**WHEREAS**, the Green County Land Use and Zoning Committee has general supervision over administration of the County Zoning Code Regulations; and

**WHEREAS**, after review of the Green County Code, the Green County Land Use and Zoning Committee has indicated that the Green County Code is in need of updating to address current land uses; and

**NOW, THEREFORE, BE IT ORDAINED** by the Green County Board of Supervisors, in legal session assembled, that Title 4 of the Green County Code be amended as is attached to this Ordinance.

**SIGNED: LAND USE AND ZONING COMMITTEE:**

Dennis Schwartz, Chair                      Barbara Krattiger, Vice-Chair  
Nick Hartwig                                      Sue Nelson  
Kathy Pennington

Motion by Nelson, seconded by Mandel to approve Ordinance 24-0102. Motion carried by a voice vote with 1 no being Carlson.

**A complete copy of Ordinance 24-0102 can be found either at the Green County Clerk's office or on the Green County Website at [www.greencountywi.org](http://www.greencountywi.org) under "Government" and "County Code, Title 4 Zoning Regulations, Sanitary Code, and Subdivision Regulations."**

**ORDINANCE 24-0103**

**Modification to Title 1, Section 11 of the Green County Code  
titled "County Purchases and Contracts"**

**WHEREAS**, the Green County Finance and Accounting Committee has general supervision over County purchases and contracts; and

**WHEREAS**, after review of the Green County Code, the Green County Finance and Accounting Committee has indicated that the Green County Code is in need of updating; and

**NOW, THEREFORE, BE IT ORDAINED** by the Green County Board of Supervisors, in legal session assembled, that Title 1, Section 11 of the Green County Code be modified as follows:

**1-11-2: COUNTY PURCHASES AND CONTRACTS**

- A. All contracts and purchases necessary to carry out approved budgetary operations, such as repairs, supplies, purchased services, personal property outlay items, etc., shall be reviewed, approved and executed as follows:
1. Cost or price of under ten thousand dollars (\$10,000.00) review, approval and execution of documents by the appropriate department head or anyone specifically appointed by the department head to do so. Exceptions to the dollar limit may be formally granted by the Supervisory Committee for specific, repetitive and/or high-volume purchases.
  2. Cost or price of over ten thousand dollars (\$10,000.00) and less than ~~seventy-five~~ one hundred fifty thousand dollars (~~\$75~~150,000.00), except those of a repetitive, high volume nature, which were exempted under subsection A1 above, approval by the appropriate department head and Supervisory Committee before purchase is made.
  3. Cost or price in excess of ~~seventy-five~~ one hundred fifty thousand dollars (~~\$75~~150,000.00), recommendation by the appropriate department head and the Supervisory Committee to the full County Board and approval by the full Board before the purchase is made. Execution of the contract documents shall be by the Green County Board Chairperson and the appropriate Committee Chairperson, after the document has been reviewed by the Green County Corporation Counsel.
  4. The above dollar amounts shall apply to payments in one calendar year or total contract cost or price, whichever is larger.
  5. Debarment or Suspension. The County will not select any contractor or business that is suspended or debarred from doing business with any Federal agency. The Department Head will search the System of Award website (SAM), or any other federally endorsed website to ensure that the contractor or business is not debarred or suspended prior to the award of the contract. (Ord. 23-1101, 11/9/2023)

**SIGNED: FINANCE AND ACCOUNTING COMMITTEE:**

Kristi Leonard, Chair                      Jody Hoesly, Vice-Chair  
Brenda Carus                                      Jerry Guth  
Dawn Sass

Motion by Leonard, seconded by Tschudy to approve Ordinance 24-0103. Motion carried by a unanimous voice vote.

**RESOLUTION 1-2-24**

***Resolution Approving Human Services Fee Schedule***

**WHEREAS**, Wis. Stats. §51.42 requires that the county board approve the Department of Human Services fee schedule annually; and

**WHEREAS**, the Green County Human Services Board has reviewed and approved the proposed 2024 fee schedule; and

**NOW, THEREFORE, BE IT RESOLVED** by the Green County Board of Supervisors, in legal session assembled, that the 2024 Human Services fee schedule, a copy of which is attached hereto and made a part hereof by reference, be established effective January 1, 2024.

**SIGNED: HUMAN SERVICES BOARD:**

Michael Furgal, Chair	Russ Torkelson, Vice-chair
Linda Boll	David Bristow
Todd Larson	Will Oemichen
Sarah Endicott	Anita Huffman

Motion by Boll, seconded by Krattiger to approve Resolution 1-2-24. Motion carried by a unanimous voice vote.

***A complete copy of the Human Services Fee Schedule can be found either at the Human Services Department, Green County Clerk’s office or on the Green County Website at [www.greencountywi.org](http://www.greencountywi.org) under “Agendas & Minutes,” County Board of Supervisors January 11 County Board agenda.***

**RESOLUTION 1-3-24**

***Resolution Creating Human Services Positions***

**WHEREAS**, County Code 1-7-4 directs and charges the Personnel and Labor Relations Committee with the responsibility for considering and recommending requests for employee reclassification, creation and description of new positions and associated grades.

**NOW, THEREFORE, BE IT RESOLVED**, by the Green County Board of Supervisors, in legal session assembled, that the Board consider the recommendation of the Personnel and Labor Relations Committee for the creation of the following position at Human Services:

**Create 1.0 FTE Mental Health Therapist II (Certified)**

<b>Proposed:</b>	<b>Unit:</b>	Children, Youth & Families/Child Advocacy Center
	<b>Title:</b>	Mental Health Therapist – Certified
	<b>Grade:</b>	Payroll Group 4, Grade M
	<b>Status:</b>	Full-time 40 hrs per week, non-exempt
		<b>Minimum/Maximum</b>
	<b>Hourly Rate:</b>	\$30.06/\$37.79
	<b>Benefits:</b>	All county fringe benefits
	<b>Effective Date:</b>	January 15, 2024
	<b>Tax Levy:</b>	\$0

**SIGNED: PERSONNEL AND LABOR RELATIONS COMMITTEE:**

Jerry Guth, Chair	Harvey Mandel, Vice-Chair
Kristi Leonard	Richard Thoman
Linda Boll	Michael Furgal
Dave Tschudy	

Motion by Furgal, seconded by Wilke to approve Resolution 1-3-24. Motion carried by a unanimous voice vote.

**RESOLUTION 1-4-24**

***Resolution Approving Grant Applications for Human Services Department***

**WHEREAS**, the Finance and Accounting Committee adopted a Grant Application and Acceptance procedure at its August 2, 2005 meeting, which states that grants over ten thousand dollars (\$10,000.00) shall be subject to County Board consideration before acceptance, after approval by the oversight committee and Finance Committee; and

**WHEREAS**, County Code Section 2-12-1, entitled COUNTY BOARD APPROVAL, provides for County Board approval of programs or services within Green County which are funded by other than County funds and revenues.

