

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

General Services Committee
INITIATED BY



Randy Terronez, Assistant to the
County Administrator
DRAFTED BY

General Services Committee
SUBMITTED BY

August 15, 2019
DATE DRAFTED

**Authorizing Additional Funds for Purchase, Removing Ground Lease and
Amending 2019 Facilities Management Capital Budget for a New Public Works
Garage in Town of Turtle**

1 **WHEREAS**, Resolution #19-6B-267 authorized the purchase of property at 3503 E. Shopiere Lane
2 (Parcel #6-19-97A) to establish a Rock County Public Works Garage in southern Rock County; and
3

4 **WHEREAS**, the \$250,000 purchase price and authorizing resolution would have allowed the seller
5 to continue to own a pedestal sign on the property for advertising off-premise activity; and
6

7 **WHEREAS**, the County agreed to assist the seller in obtaining local approval for a change in the
8 sign usage; and
9

10 **WHEREAS**, the seller was subsequently informed by the State's Department of Transportation
11 that the pedestal sign could not be used for off-premise advertising; and
12

13 **WHEREAS**, the seller is requesting additional compensation in the amount of \$25,000 due to the
14 state's decision.
15

16 **NOW, THEREFORE, BE IT RESOLVED** by the Rock County Board of Supervisors duly
17 assembled this 12th day of September, 2019, to authorize an additional
18 ~~\$25,000~~ \$12,000 for the acquisition of 3.98 acres of property at 3503 E. Shopiere Lane (Parcel #6-
19 19-97A) in the Town of Turtle be approved which will bring the total amount of the property
20 purchase at ~~\$275,000~~ \$262,000.
21

22 **BE IT FURTHER RESOLVED** that a Ground Lease, that was also included in the prior
23 resolution, be rescinded and removed.
24

25 **BE IT FURTHER RESOLVED** that County Board Chair and the County Clerk be authorized
26 to execute required property acquisition documents.
27

28 **BE IT FURTHER RESOLVED**, the Facilities Management 2019 capital budget be amended as
29 follows:
30

<u>ACCOUNT/DESCRIPTION</u>	<u>BUDGET</u> <u>2/01/19</u>	<u>INCREASE/</u> <u>(DECREASE)</u>	<u>AMENDED</u> <u>BUDGET</u>
<u>Source of Funds</u>			
18-1824-0000-68109	\$4,945,164	(\$25,000)	\$ 4,920,164
Allocated Capital Improvements		(\$12,000)	\$ 4,933,164
<u>Use of Funds:</u>			
18-1824-0000-67200	\$4,050,000	\$25,000	\$4,075,000
HYW Building and Grounds		\$12,000	\$4,062,000
Capital Improvements			

19-9A-302

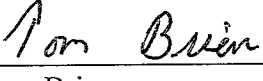
Authorizing Additional Funds for Property Purchase, Removing Ground Lease and Amending 2019 Facilities Management Capital Budget for a New Public Works Garage in Town of Turtle
Page 2

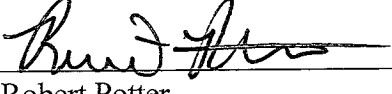
Respectfully submitted,

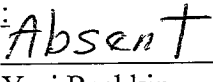
GENERAL SERVICES COMMITTEE


Henry Brill, Chair


Jeremy Zajac, Vice Chair


Tom Brien


Robert Potter


Yuri Rashkin

FINANCE COMMITTEE ENDORSEMENT

Reviewed and approved on a vote of _____

Mary Mawhinney, Chair

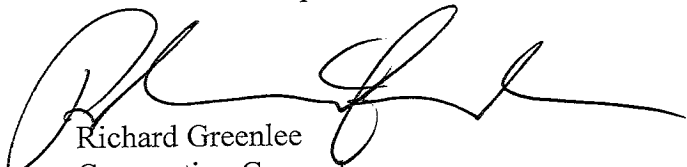
FISCAL NOTE:

This resolution asks for an additional \$25,000 for the purchase of the property to be used for the new salt shed and amends the budget. The cost will be billed back to the Public Works Department.


Sherry Oja
Finance Director


LEGAL NOTE:

The County Board is authorized to take this action pursuant to secs. 59.01, 59.51, and 59.52(6), Wis. Stats. As an amendment to the adopted 2019 County Budget, this Resolution requires a 2/3 vote of the entire membership of the County Board pursuant to sec. 65.90(5)(a), Wis. Stats.


Richard Greenlee
Corporation Counsel

ADMINISTRATIVE NOTE:

I believe the County Board would be justified in choosing either to remain with the current, signed agreement between the parties consistent with the prior resolution it approved, or to provide additional funds to the seller in order to expedite acquisition of the property and provide certainty for County planning purposes. If the County Board chooses to turn down this resolution and the seller does not agree, the County would need to be prepared to negotiate on another property under consideration or enforce the agreement.


Josh Smith
County Administrator

Executive Summary

Authorizing Additional Funds for Property Purchase, Removing Ground Lease and Amending the 2019 Facilities Management Capital Budget for a New Public Works Garage in Town of Turtle

Since the County Board approved Resolution #19-6A-267, the Seller was informed by the State DOT that the pedestal sign could not be used for off-premise advertising. The Seller is requesting the County for an additional \$25,000.

The County has made good-faith efforts to assist the seller in obtaining local approval to allow off-premise advertising but the Seller was subsequently informed by the State DOT that it would not grant the request.

The earlier resolution also included approval of a 20-year ground lease pertaining to the pedestal sign. The resolution before you would remove the ground lease from the purchase.

Upon transfer of ownership of the approximately 4 acre parcel, follow-up activity with the Town of Turtle will be necessary including rezoning from Commercial Highway Interchange (CHI) to Light Industrial (M-1) that will allow the County to legally operate a public works facility; and to request a consolidation of the various parcels into one parcel. Preliminary discussions with the Town have been positive. A jurisdictional transfer of frontage road will also need to be executed with the State DOT and the Town of Turtle.

It will necessary to amend the project budget to include the additional funds for the property purchase with funds to come from the DPW fund balance.

The County is under no legal obligation to approve the Seller's request.

Should the County Board deny the request for additional funds and the Seller is unwilling to voluntary abide by the Offer of Purchase, legal counsel would start condemnation proceedings which may take several months.