

3. Municipal / Local Governments

Co-Chairs: John Stibal & Sam Tobias

State Buddies: Dan Kolberg and Jenna Soyer

Issues

See notes on “F” from issue document:

- f. Municipal Incentives:
 1. Modify Negotiated Sale In Lieu Of Bidding For Tax Delinquent Brownfields Properties: Create a statutory amendment to s.75.69(2), Wis. Stats., that would allow a county or city of the first class to transfer tax delinquent property it owns, without using the competitive bidding process, if environmental pollution is present and the property meets the definition of a brownfield under s.292.75(1)(a), Wis. Stats.
 2. Assign Judgment Of A Tax Deed Without Taking Title: allow a county to execute a tax deed under s.75.14(1), Wis. Stats., to an individual under the same conditions as prescribed under s.75.106, Wis. Stats.; -allow the individual who has elected to accept a tax deed under the above conditions to commence an action to bar former owners under s.75.39, Wis. Stats.
 3. Clear authority of county to cancel all or portion of taxes prior to transfer to other local government – outside of ss. 75.105 & 75.106
 4. Structural/salvaging Model Ordinance
 5. Vapor intrusion
 - model ordinance
 - Vapor intrusion partnership initiative with DNR
 6. Access to contaminated properties authority
 7. BF Best Management Practices Guide
 8. Area wide Cleanups - <http://www.nj.gov/dep/srp/brownfields/bda/index.html>

Adam Gallagher’s comments

Below are the comments received from other county treasurers on the draft 2015 Brownfields Study Group topic 1-F.

“I find them interesting ideas...3 may be redundant as we can use 75.17 to transfer to a muni for no consideration....it’s taken by tax deed so it clears the taxes and we are allowed to “give” it to them. I would be very wary of the first one if its intent is to transfer to a private party and not a taxing entity. I would want agreements in hand and many of the requirements of 75.105 with the addition of a letter of credit to be held until such a time as the remediation is complete or they have spent more than the value of the property/taxes for the remediation to make sure it is not being misused. We haven’t seen a need for 1) as we generally work with the municipality and use 75.17. I’ve often wanted an option like 2) so that one I would be very interested. I would also add the potential to change municipality in most of these statute to taxing entity as we have had some cases where the school district was interested in cleaning up and retaining contaminated property near a school.”

“Regarding the highlighted areas under Municipal Incentives –

f.1. I think they’re asking 75.69(2) to be modified so counties are able to transfer brownfields without a bidding process? I believe any pricing exceptions for brownfields properties are adequately addressed in 75.105 and 75.106.

f.2. Something to do with tax deed process? Not sure what's being proposed.

f.3. Clear authority to cancel all or portion of taxes in order to transfer property to another local government, outside of 75.105 and 75.106. It appears this would allow transfer of any property (non-brownfield included?) to municipalities for any price. Transfer of brownfield land to munis is also covered under 75.17, which gives a lot of leeway on price. What is trying to be achieved in this that's not already allowed under 75.105, 75.106 and 75.17?

Sounds like they're trying to loosen up the statutes. Examples of situations that are causing issue would be helpful to determine whether these changes are really needed."

\$ coordinated with Finance subcommittee

Separate 3rd party for LGU

Utilities & Infrastructure

BMPs for Vapor

Definition of LGU – asbestos?

Model Ordinances – demolition & salvage

PACE program as model for brownfields funding?

Outreach and NR 714

Exemption criteria / methods of acquisition s. 292.11(9)(e)

Common to all Subcommittees: IT needs, Business needs, Fed / State Interface

Post-It Notes

Karen Dettmer – City of Milwaukee

Dan Kolberg

Art Harrington

John Stibal

Sam Tobias

Subsequent to the 2/27/14 BFGS meeting, the following individual also expressed interest in participating in the MUNC/LGU Sub-group:

Jenna Soyer, DNR

Adam Gallagher, Dane Co.

Bill Scott

Lanette Altenbach

Caitlin Frederick, DOA

Ken Lassa

Kendra Bonderud, Legislature