

ENROLLED ORDINANCE 166-118

AUTHORIZATION TO USE CDBG-EAP 2008 FLOOD GRANT FUNDS TO PURCHASE
AND DEMOLISH SINGLE FAMILY HOUSE AT 557 W. VALLEY ROAD,
OCONOMOWOC, WI 53066

WHEREAS, Waukesha County received funds under CDBG-EAP Contract # 08-25 to be used for the rehabilitation of dwelling units in Waukesha County damaged as a result of flooding during the Federally Declared Disaster Period of June 5, 2008 through July 25, 2008, provided that the occupants of the housing unit meet Department of Housing and Urban Development income limits, and;

WHEREAS, Tom and Sue Halverson applied for and were determined eligible for grant assistance under this CDBG-EAP contract for rehabilitation assistance as owner-occupants of the dwelling at 557 W. Valley Road, Oconomowoc, WI 53066, and;

WHEREAS, after careful inspection and assessment by Yaggy Colby & Associate and the Manager of the Land Resource Division of the Waukesha County Department of Parks and Land Use, it has been determined that the cost to rehabilitate said dwelling would exceed 88% of its fair-market value, and;

WHEREAS, subsection VIII.D.1.a.[Acquisition and Relocation Requirements] of the CDBG-EAP Implementation Handbook states: "A general rule of thumb is if a dwelling requires more than 50% of its after rehab value to repair, then the unit is not suitable for rehabilitation, and;

WHEREAS, CDBG-EAP funds may be used to acquire and demolish structures not suitable for rehabilitation and to relocate displaced occupants in conformity with state and federal requirements regarding displacement and relocation, and;

WHEREAS, in conformance with the Waukesha County code, an environmental reconnaissance was conducted in which no significant environmental concerns were discovered, and;

WHEREAS, an appraisal prepared on behalf of Waukesha County in accordance with the CDBG-EAP Implementation Handbook determined the dwelling, not including the land, to have a pre-disaster value of \$136,400 (one hundred thirty-six thousand, four hundred dollars), and that the owners would be eligible for a replacement housing grant in the amount of \$5,600, and;

WHEREAS, other eligible EAP-related costs for this project includes demolition, inspection, moving and closing costs currently estimated at \$38,000, and;

WHEREAS, engineering and appraisal costs already paid out total nearly \$16,800, and

WHEREAS, the Parks and Land Use CDBG-EAP funds needed for this ordinance are already appropriated as part of enrolled ordinance 166-100 titled "Transfer Carryover Funds From 2011 Unexpended Appropriations to 2012 Budgeted Appropriations" into the CDBG-EAP 2012 modified budget, and;

WHEREAS, CDBG-EAP rules require any new or repaired structure be protected from future flooding, which in this case would include recording a permanent deed restriction on the property to restrict the elevation of any future basement construction, and;

WHEREAS, the current owners are aware of the deed restrictions related to future basement depth and plans to use CDBG-EAP grant funding that they receive from the sale of the home to rebuild a replacement house.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the Director of Parks and Land Use is authorized to purchase the dwelling only, not including the land and other property, at 557 W. Valley Road, Oconomowoc, WI 53066, with a legal description of Lot 1 Certified Survey 6306 Volume 52/89, 1.645 Acres, Part of the SE ¼, Section 8, Township 7 North, Range 17 East (Summit), using \$136,400 (one hundred thirty-six thousand, four hundred dollars) of CDBG-EAP grant funds, and replacement housing costs of \$5,600.

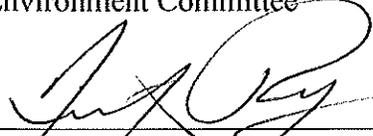
BE IT FURTHER ORDAINED that should Waukesha County be successful in the purchase of the property at 557 W. Valley Road, Oconomowoc, WI 53066, the Director of Parks and Land Use is authorized to take the necessary steps to demolish the dwelling on the property and to further effectuate a permanent land use restriction to be recorded on the property stating that any future basement constructed on the property be built no lower than elevation 866.6 feet above mean sea level NGVD-29, or 1 foot above the highest documented groundwater elevation.

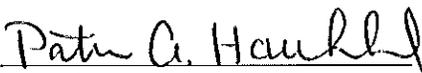
BE IT FURTHER ORDAINED that the County Executive is hereby authorized to execute an amendment to CDBG-EAP Contract #08-25 to reallocate funding within said contract in accordance with State requirements to ensure full county reimbursement of residential acquisition, demolition and relocation costs through the CDBG-EAP program.

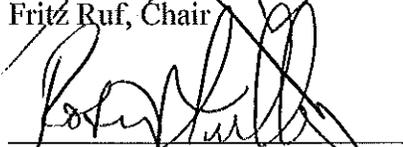
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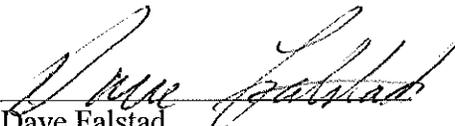
Presented by:
Land Use, Parks and
Environment Committee

Approved by:
Finance Committee

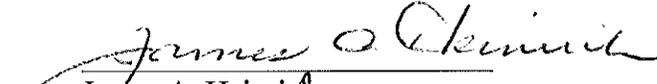

Fritz Ruf, Chair

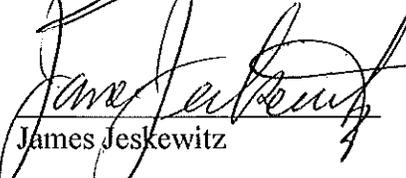

Patricia A. Haukohl, Chair

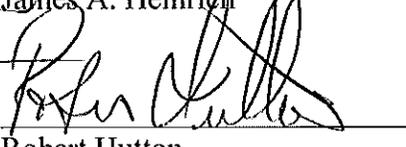

Robert Hutton

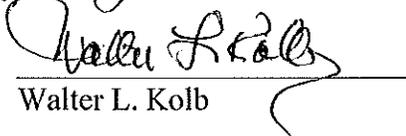

Dave Falstad


Michael J. Inda


James A. Heinrich


James Jeskewitz

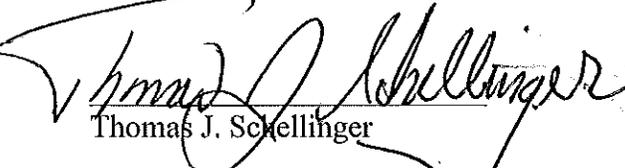

Robert Hutton

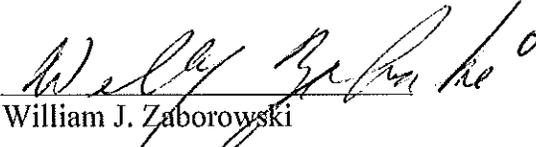

Walter L. Kolb


Pamela Meyer

absent
Ted Rolfs

absent
Ted Rolfs


Thomas J. Schellinger

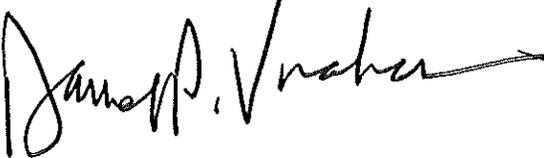

William J. Zaborowski

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,
Wisconsin, was presented to the County Executive on:

Date: 4-13-12, 
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,
Wisconsin, is hereby:

Approved: x
Vetoed: _____



Date: 4-18-12,
Daniel P. Vrakas, County Executive

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-04/10/12

(ORD) NUMBER-1660118

- 1 D. FALSTAD.....AYE
- 3 R. HUTTON.....AYE
- 5 J. JESKEWITZ.....AYE
- 7 P. HAUKOHL.....AYE
- 9 J. HEINRICH.....AYE
- 11 F. RUF.....AYE
- 13 P. DECKER.....AYE
- 15 P. MEYERS.....AYE
- 17 J. TORTOMASI.....AYE
- 19 S. WIMMER.....AYE
- 21 W. ZABOROWSKI.....AYE
- 23 D. DRAEGER.....AYE
- 25 G. YERKE.....AYE

- 2 T. ROLFS.....
- 4 J. DWYER.....AYE
- 6 J. BRANDTJEN.....AYE
- 8 T. SCHELLINGER....AYE
- 10 D. SWAN.....AYE
- 12 P. WOLFF.....AYE
- 14 M. INDA.....AYE
- 16 D. PAULSON.....
- 18 K. CUMMINGS.....AYE
- 20 P. JASKE.....AYE
- 22 P. GUNDRUM.....
- 24 W. KOLB.....AYE

TOTAL AYES-22

TOTAL NAYS-00

CARRIED X

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-22