

**RESPONSE TO CITY OF LA CROSSE REPORT
OPPOSING THE PROPOSED INCORPORATION OF THE
TOWN OF CAMPBELL, LA CROSSE COUNTY, WISCONSIN
AS THE VILLAGE OF FRENCH ISLAND**

The Town of Campbell provides this response to the La Crosse “Report” submitted in opposition to this Petition. As stated at the hearing, it appears that the City either does not understand, chooses to ignore, or worse, misrepresent the standards to be applied by the Board in analyzing whether a proposed incorporation meets the requirements under Wis. Stat. §66.0207.

Section 66.0207(1)(a) *Characteristics of territory.* The entire territory of the proposed village or city shall be reasonably homogeneous and compact, taking into consideration natural boundaries, natural drainage basin, soil conditions, present and potential transportation facilities, previous political boundaries, boundaries of school districts, shopping and social customs.

The City’s primary arguments related to this standard can be distilled to:

The proposed village is not physically or geographically compact or homogeneous, as 68% of its 8,282.6 acres are covered by water and much of the remaining land lies within regulated floodplains. Of the land area, most floodplain acreage is subject to high flood risk and significant development constraints, leaving only limited dry land suitable for urban use. In total, readily developable land amounts to less than 14.8% of the proposed village (about 1.9 square miles), concentrated primarily on French Island and Hiawatha Island.

-and-

Land use patterns are interrupted by water, wetlands, floodplains, and floodways.

-and-

Limited areas of the Village have irregularities based upon prior annexations (primarily Hiawatha Island).

-and-

The population density of its entire population is concentrated in the 1.9 square miles of land on dry land or in the 500-year floodplain (including commercial and industrial areas).

-and-

The roads in the proposed village do not promote compactness or demonstrate homogeneity within the proposed village but rather demonstrate the proposed village is integrally connected with and dependent on the City of La Crosse.

-and-

The territory proposed for incorporation is not compact and homogeneous with regard to shopping but rather is connected to the City of La Crosse metropolitan area.

-and-

The territory proposed for incorporation is not compact and homogeneous with regard to school boundaries or social customs but rather is connected to the City of La Crosse metropolitan area.

The Petition and the tremendous public input at the public hearing completely refute all City contentions.

Physical Characteristics and Land Use Patterns

It would be difficult, or impossible in this day and age, to create a planned Village that is more homogenous and compact than this fully urbanized and developed *island*. The City's complaint that because the Town is surrounded by water, and obviously has floodplain associated therewith leaves "only limited dry land (to be available and) suitable for urban use." This observation and associated contention is laughable in the face of the standard. The standard, by its plain language, provides that the territory must be reasonably homogeneous and compact, *taking into consideration natural boundaries, natural drainage basin (and) soil conditions*. An island situated in the middle of two rivers is surrounded by natural drainage basins that create natural boundaries and contribute to soil conditions that quite appropriately should not be filled to allow urban development. These areas are defined as "Undevelopable." This means they are incapable of being developed. The entirety of the area outside of the core is under the jurisdiction and management of the United States Fish and Wildlife Service as part of Upper Mississippi River National Wildlife and Fish Refuge which extends 261 miles from Wabasha Minnesota to Rock Island Illinois, protecting more than 240,000 acres of Mississippi River floodplain. This area, due to its designation, is not available for development any time, now or in the future. All the Islands in the Mississippi that are in the Town of Campbell, except for the developed portions of the Town are part of the Refuge.

The Town's land use patterns are typical of any urban city or village, with residential, commercial industrial and institutional uses located in logical and separated zoning districts. The City observation that the population density of its entire population and the commercial and industrial areas are concentrated in the 1.9 square miles of land on dry land or in the 500-year floodplain (rather than scattered at the bottom of a river) is, apparently, an unwitting acknowledgment that the land use patterns are homogenous and compact.

Irregularities

Typical of virtually all incorporations of Wisconsin Towns located within a metropolitan community, effects of decades of annexations have created irregular borders, some more pronounced than others. The Board has recognized these in past approved incorporations and recognized that the term “reasonable” applies to the effect on compactness. This situation is less pronounced than many others. Any fragmentation of existing boundaries is the direct result of the City’s gerrymandering of the boundaries to effectuate annexations from the Town of Campbell. And, as was abundantly clear from the public hearing, the Hiawatha Islands checkerboard area (Nakomis and Cherokee) has been a success story of two municipalities working together to provide services to all residents regardless of which municipality they live in. There have been few, if any complaints related to provision of services. The situation has worked well for 22 years and there is no impediment related to this standard. And soon, the sole reason residents sought annexation - water service, will be eliminated, and residents will enjoy PFAS free Village municipal water service.

Transportation

Contrary to the City’s assertion, the road and transportation systems and amenities in the Town are well designed and effectively provide easy access throughout the entire island. As undoubtedly recognized by the Board members that drove the Town area, one can easily access any part of the Town north to south and east to west in literally minutes. The City argues that the Interstate Highway 90 (I-90) cuts the Town in half, therefore it is not homogeneous, nor compact. To the contrary, I-90 is located conveniently to provide a connection between Wisconsin and Minnesota (as well as points beyond) that has the least environmental and ecological impacts. In other words, the highway must go somewhere, and it happens to cross at French Island. The petitioners argue that the benefits of the I-90 corridor support incorporation because of accessibility to and from French Island, as well as support for future economic and redevelopment benefits. All Campbell areas are fully accessible by County roads and Town roads including Clinton Street bridge, County Hwy B, Bainbridge, Lakeshore, Dawson and Fanta Reed.

Shopping, Social Customs and Schools

As was made abundantly clear at the public hearing, the “islanders” have access to their daily needs internally on the island. In 2025, the notion of driving any distance for daily shopping

requirements have been eradicated by the internet. The initial Town submission listed those residents at the public hearing touted innumerable Town civic events including:

Celebrations on the River hosted our IRB event 500 attendees. They annually average 300 events and 170 - 400 attendees per event

50 business events including: Kwik Trip, DairyLand Power, Mathy Construction, Altra Federal Credit Union, Hy-Vee grocer, Ashley Furniture, Market and Johnson building Contractors, Marine Federal Credit Union, and Northwestern Mutual bank.

40 non-profit events including: River Fest Inauguration of Commodores, Coulee Cap Shelter and Housing, La Crosse Community Foundation, Boys and Girls Clubs of La Crosse, BGC of Onalaska, End Alz(heimers), New Horizons Shelter Dare to Care, and Humane Society Cause for Pause.

School events - Luther High School Prom, Luther HS charity fundraiser, Viterbo Basketball banquet and Viterbo athletic awards (300+ attendees).

Catering, holiday parties, and Mother's Day banquets.

Faith events - Celebrations of Life, Confirmation services, Faith Family and Children's Center fundraisers.

Dugout 47 - host Muskie club, sailboat yacht club, Brewer's opening day with jersey give-away, NFL Sunday ticket game days, Christmas parties, and charity fundraisers.

Hillbilly's - host local BASS club, Muskie Club, summer bicycle group, holiday parties, and St. Patrick's Day celebration with band.

River Rats - hosts musical opportunities and social gatherings.

Robin's Nest - hosts bands, sports events, charity fundraisers.

Tom Sawyers and Castaways - host men's/women's card groups including Euchre tournaments, Onalaska Motorcycle club, Sea Cadets for Army/Navy game, Viking Electric and Brennan Marine holiday events and a monthly breakfast event for a large extended family.

Town of Campbell Library hosts social activities including Movie nights, live presentations, art exhibitions, and book clubs. Our Library system continues to serve all La Crosse County residents and increased our library staff to meet area needs.

Town of Campbell Community Center routinely hosts renters from City of La Crosse, City of La Crescent and City of Onalaska. The Community Center is also used for Campbell Police Department training including regional K-9 events.

Recreational Opportunities - The Town is hugged by the Black and Mississippi rivers providing year' round water associated activities. Town of Campbell's 15-year history hosting City of La Crosse Boys and Girls Clubs baseball/softball practices and tournaments, and (3+ year history) hosting City of La Crosse River Rats Rugby team. Events take place in Plainview, Sky Harbour and Eagle's Nest Parks.

Island Outdoors supports anglers, boaters, paddlers and outdoors sport enthusiasts with equipment and clothing sales and rentals.

5 Campbell restaurants are accessible by water (River Rats, Robin's Nest, Castaways, Tom Sawyers, and Huck Finns).

Campbell residents and visitors enjoy_- year 'round recreational opportunities like hiking, biking, boating, fishing, canoe/kayak/SUP Board, ice fishing, snow shoeing, ice skating on the river/lake/backwaters, and snowmobiling.

The elementary school serving the islanders is located on the island. The fabric of socialization for these young students is formed in the elementary school years. Rather than creating a divide between Town students and parents, the island's school community is solidified around this school. And after elementary school, the public schools serving the island serve all students on the island.

In sum, irrefutably, the Town of Campbell satisfies the characteristics of the territory standard.

Section 66.0207(1)(b) Territory beyond the core. The territory beyond the most densely populated square mile as specified in s. 66.0205 (3) shall have the potential for residential or other urban land use development on a substantial scale within the next 3 years.

Incredulously, the City has laid out the following two premises in contending that this standard is not met by this Petition:

First:

It is undeniable that the territory in the proposed incorporation beyond the most densely populated square mile does not have the potential for substantial residential or urban development within the next three years. As discussed in the prior section of this report, the amount of readily developed or developable land in the proposed village only totals 1,224.8 acres (1,032.4 acres of developable dry land and 192.4 acres within the 500-year floodplain). This comprises less than 14.8%— or 1.9 square miles— of the proposed village. 85.2% of the territory in the proposed village is undevelopable and unsuited for any type of urban development since the area is either under water, marshland, floodway, floodplain, owned by the federal government or inaccessible.

-and-

Second:

The proposed village does not have the potential for substantial new development in the next three years within the small amount of vacant developable area it does have.

In other words, the Petition fails because it is both impossible and illegal to fill a river for any development, and since the Town is completely developed with residential and other urban development, there is no other land available for residential and other urban development. This torturous interpretation of Wis. Stat. §66.0207(1)(b) is the polar opposite of the plain meaning of the statute which examines whether large areas of vacant *developable* land will be included in the incorporated area and is either disingenuous or outright inane. The territory of the Village of French Island meets this standard without question.

Section 66.0207(2)(a) Tax revenue. The present and potential sources of tax revenue appear sufficient to defray the anticipated cost of governmental services at a local tax rate which compares favorably with the tax rate in a similar area for the same level of services.

The City again has two primary assertions relating to their argument that this criterion is not met. First, it states that construction of the proposed water system will greatly increase costs to Town residents, water utility rates will be high, sewer rates will increase as debt is issued for old sewer mains to be replaced and tax rates will increase to pay for road reconstruction. Second, other services provided by the new Village – like fire protection, parks and recreational programs, redevelopment planning and assistance – would not be upgraded. The Town takes issue with the factual claims made here - these will be addressed in the *Level of services* section. However, regardless of these inaccuracies, the proposed Village meets this standard.

Whether Town remains a Town or becomes a Village, there will be no difference regarding the provision of utility services and general municipal services. The Town has completed all design and planning for the new water system that it has been forced to construct due to actions of the City in allowing PFAS to infiltrate the shallow aquifer of the Town. The creation and implementation of the water system is a *fait accompli*. It was evident at the public hearing that the islanders are more than willing to pay higher than median rates to have safe PFAS-free municipal water from the Town than connect to City water (and be forced to annex to do so). Campbell residents expressed confidence that the Town has and will lead the effort to fix the PFAS contaminated water issue in a fiscally responsible way.

As further stated at the public hearing, Town Supervisor Lee Donahue is a member of the DNR PFAS Cost Group Committee for the state of Wisconsin. She has been invited to speak at statewide

Annual PFAS conferences, UWL conference, and UW-Madison school extension system conference on the importance of collaboration involving environmental issues. Due to the success of the PFAS coalition between Campbell, USGS, Wisconsin Geological and Natural History Survey additional DNR and/or Sea Grants have been approved for UWL professors Brian Pompeii and Tisha King-Heiden. Regarding sewer, the Town has responsibly maintained the system and there will be no increased capital expenses other than continued routine annual maintenance and planned capital expenditures for periodic segmental replacements.

As for general municipal services, since there will be no increase in demand for these services in the future, by virtue of the completely developed and land-locked nature of the island, the only force impacting these services will be cost of living, regardless of whether Campbell remains a Town or incorporates. The Town has a decades-long track record of managing these costs while ramping up all services to urban levels, all while incurring extremely low debt. The Town meets this standard.

Section 66.0207(2)(b) Level of services. The level of governmental services desired or needed by the residents of the territory compared to the level of services offered by the proposed village or city and the level available from a contiguous municipality which files a certified copy of a resolution as provided in s. 66.0203 (6)

The seminal phrase embedded in this standard pertinent to application here is ***“level of governmental services desired or needed by the residents of the territory”***. Island resident after resident, business owner after business owner speaking at the public hearing unanimously espoused their satisfaction of the Town services and genuine admiration and gratitude of and for each department and Town employees; whether Town Hall staff, DPW, fire, police and elected officials - something quite remarkable. Of the 350-400 people at the IRB hearing not one resident or business owner made a negative statement regarding Campbell services or the Campbell governing board. There can be no doubt that the islanders prefer the continuation of these services at like level compared to those offered by the City.

Much of the City’s focus was on provision of municipal utility services - The Town Engineer has prepared the following as rebuttal. The text specifically references the topics and page numbers from the City’s Submission.

Town Engineer Rebuttal

Page 6-7, Political Boundaries.

Hiawatha Islands was created by filling lowlands along the river and those properties do not have the underlying sand/gravel to access for water. Their supply is high in iron and manganese and very difficult to treat. Accessing better quality water has driven annexation. La Crosse had interest in more effectively delivering water from their Airport well field to south La Crosse. Constructing the main that traversed Hiawatha Islands was done primarily for that purpose. That water main provided the opportunity to serve Hiawatha Islands at a low cost as the utility paid for the main and did not assess the cost to those on the island who were benefitted. Both Campbell and La Crosse have shared providing services on Hiawatha Islands for nearly 30 years. Street maintenance is shared and all the properties, including those in the City, are served by Campbell's sewer mains and lift stations. Campbell is willing to incorporate the La Crosse watermain in their water system and serve all the properties on Hiawatha Islands, including those in the City, at the same rates as all Campbell customers. Now that La Crosse has abandoned the Airport well field, the loop back into the City does not have the same value.

Campbell has made recent investments to upgrade their sanitary sewer system on Hiawatha Islands that serves both the Town and City properties. Lift Station #5 (\$210,000) and Lift Station #6 (\$235,000) were replaced, a new Kiowa grinder pump station (\$105,000) constructed to replace a failed inverted siphon and sewer rehab completed on Cherokee (\$143,000) and Nakomis (\$115,500).

The Figure 3 depiction of the boundary between the City and the Town is somewhat misleading as the properties along the Black River have riparian rights to the thread of the river (center). The Town of Campbell properties retain those rights.

Page 36-37, Construction of the Proposed Water System Will Increase Property Taxes and Result in High Utility Rates. Water Rates.

Construction and operation of the expanded Water Utility will not directly increase property taxes as the Town has requested that no PILOT be included in their water rates, The Town General Fund will not receive any of the water revenue.

The Town was already granted PSC Construction Authorization (CA) for the Final Well and has filed for the CA for the balance of the project. That application is being processed and the additional information requested by PSC is being collected. This review will not set the Water

Rates for Campbell. The rate process will follow later as the project proceeds. The Town and PSC recognize that PSC's standard rate-setting methodology does not fit well for a utility where almost all the infrastructure is new. PSC also acknowledges that they are rarely involved with new water utilities, especially one as large as Campbell, and they are open to discussion about ways to tailor the rates to more closely follow the amounts necessary to cash-flow costs with rates approaching the estimated, average residential cost of \$81.00 per month.

The cost estimates in the 2024 engineering report were lowered in the June 2025 update. USDA Rural Development requested reductions as their estimates for the project were less than those in the original report. Costs will change as the project is designed, bid and constructed over the next 2-3 years.

A Financing Plan has been developed for the Water project, and the funding partners have all acknowledged their commitment, subject to compliance with their requirements and timelines.

Page 38, Sewer Rates

Over the past 5 years, Campbell has completed an internal inspection of the sanitary sewer system. That was accompanied by a series of detailed engineering evaluations and investments in over \$2,500,000 in sewer replacements, linings and spot repairs. Future projects are planned for an additional \$4,500,000 in lift station replacement and sewer rehabs. The current Sewer rates are generating funds for those future costs. The sewer collection system is well maintained and there are no urgent needs for replacements that need to be addressed as part of the Water project.

Page 104, Stormwater and Stormwater Utility

Campbell has not created a separate stormwater utility to generate revenue for storm water maintenance. Those costs are covered by the General Fund. Most of the Town streets are a rural section with narrower pavement than used in more densely developed, urban areas. The Town streets are typically lined with ditches, providing storm water management that enhances infiltration and removes sediment at a much lower cost than a piped storm water conveyance system.

Page 105, Sanitary Sewer Service

The City and Town have cooperated on Sanitary Sewer Service for over 60 years. Campbell paid for construction of their entire sewer system. That system serves Campbell users plus all

the City users on French Island. The City's Airport Industrial Park, for example, utilizes 4.5 miles of Campbell's sewer mains and 3 Campbell lift stations to convey City wastewater to the La Crosse system. La Crosse provides wastewater treatment services for the Town and recently completed a major upgrade to meet current standards and provide the capacity for the estimated future growth of the region. Campbell's payments for treatment service have nearly doubled over the past 5 years, from an estimated \$230,000 per year to \$500,000 per year. That increase supports the treatment plant and provides extra revenue to the City for non-sewer costs. Campbell, like parts of La Crosse, particularly the Northside, has issues with flood-related Inflow into the sewer system. The Town has studied this extensively and focused rehab efforts on the flood-prone areas. While much work has been completed, those efforts deal with the public portions of the system. Flood waters entering via flooded private buildings are difficult to manage. The Sewer Utility currently has access to Revenue Bonds to finance Sewer projects and that will continue with a Village.

The Campbell system is in good condition and there are very few Sewer Utilities that have invested more per mile of sewer main in the past 5 years.

Page 108, Water Utility Service

The referenced *Gallagher Testimony and Exhibits* could not be located.

The La Crosse Water Utility is professionally managed and operated. While there is detailed engineering and cost information provided on the proposed Cambell system, there is no comparable data on La Crosse's ability to serve the proposed Village. Removing the 3 French Island wells from service reduced La Crosse's available supply by an estimated 6,000 GPM. No data is provided to show how the La Crosse water supply can add a very large user, 1,500 GPM, with the recent loss of capacity.

There is no information provided on the cost of La Crosse providing water to Cambell. La Crosse invested in an engineering study and a rate study of the Campbell water project but did not do a comparable evaluation of their own project.

Page 110-115, Water Utility Service-Town

Davy Engineering Co. appreciates the engineering evaluation of the Campbell water project provided by La Crosse and will reference the Donohue report to make improvements to the

Campbell project. Progress has been made since the preliminary engineering report and many of the comments are no longer relevant.

Concerns about Sandstone Aquifer and Location of Wells

- Final Well #1 has been completed and tested. The well produces over 1,500 GPM and provides an adequate supply for the Village. Drawdown is approximately 117-ft at 1,500 GPM, resulting in a specific capacity of 12.8 GPM/ft drawdown, very good for this formation. The yield meets the goal. Development was limited to water and air, reserving the ability to restore or gain yield by blasting. The final well was constructed to isolate the contact with the granite and developed to improve the contribution from the parts of the formation estimated to have better water quality
- The results demonstrate that Firm Supply can be met with 2 wells, not 3.
- During testing of Well #1, the drawdown was monitored in the nearby test well. The UW-Madison Geoscience Group assisted with a review of the test data and the interference calculations. Those measurements and calculations show that a nearby Well #2 would have a drawdown of 25' during operation of Well #1. Normal operation involves alternating the use of the wells, with no interference. The test pumping demonstrates that the wells can be pumped at the same time by setting the pumps to the proper depth. Having the necessary backup well on the same site, Wardwell Park, saves the time and cost for property acquisition and results in substantial savings in cost.
- The modeling recently completed by the UW-Madison Geoscience Group shows the presence of the Eau Claire formation (confining layer) across the majority of French Island. The Mt. Simon aquifer is under artesian pressure with a static water level well above the groundwater in the contaminated sand/gravel aquifer.
- The water was sampled during and following the test pumping. The results are favorable with only Iron, Manganese and Radium 226+228 needing consideration for treatment. Those are all naturally occurring and typically found in the wells in this area using the Mt. Simon aquifer. The Total Iron is 0.504 mg/L, just above the 0.30 mg/L maximum contaminant limit (MCL). Manganese is 0.0428 mg/L, just below the 0.05 mg/L MCL. Although below, Manganese may increase with use. The Radium 226+228 is 6.36 pCi/L, above the 5.0 pCi/L MCL but lower than the 9.02 pCi/L in the Test Well. Radon is 197 pCi/L. There is no MCL for Radon, but some agencies have proposed using 300 pCi/L. While Well #1 is below that potential Radon MCL, the forced draft aerator planned for oxidation will reduce Radon. That air is vented through the roof stack, similar to the radon control systems installed in the basements of homes and businesses. The Iron, Manganese and Radium can all be readily reduced using common, conventional treatment techniques.

Radium in the Town's Proposed Source Water

The backwash wastewater will contain higher concentrations of Iron, Manganese and Radium than raw water, of course, and the intent is to discharge that to the sanitary sewer system. That is the normal practice for other water treatment facilities treating similar water. The City of La Crescent water supply also has high Radium 226+228, utilizes the same treatment techniques and has discharged comparable wastewater to La Crosse for many years. La Crescent reports that they have not been notified of any limits on their discharge and that there has been no sampling/testing done. The La Crosse WPDES Permit does not include any radiological limits on the effluent or sludge. From the perspective of La Crosse's sludge processing and disposal, there will be a significant benefit to eliminating the discharge of PFAS-contaminated wastewater on French Island.

Water Tower Too Small

The capacity of the proposed Elevated Tank is 750,000 gals. USDA Rural Development requested that the tank be reduced to lower costs but eventually accepted the recommended size. The storage size considers both firefighting capabilities, avoiding "stale" water and winter operations.

Cost Estimates Too Low

The Pumphouse/Treatment building has been designed and is sized to house all the necessary equipment. The building and equipment are fully compliant with NR 811. All the cost estimates will change as the project is designed and developed. During their spring 2025 review, Rural Development advised that the estimates were higher than necessary and required reductions.

The allocation of Street restoration costs on Water projects is controversial for the funding agencies involved. Their goal is to target their funds to water and insist on other sources for Streets. The Funding Plan accommodates the various funding agencies' approaches.

The O&M cost estimates were developed based on the Town's experience with maintaining sewers and streets. Their operations have been cost-effective and efficient. The La Crosse Water Utility turned over maintenance of the existing Campbell water distribution system to the Town at the start of 2025. The Town has a certified Water Operator and reports that little time has been necessary for their system O&M.

High Water Rates

Construction of a complete Water System to provide service to French Island is expensive and will result in high water rates. Campbell has applied to all known sources of funding and developed a Financing Plan to help moderate local costs. On a cash basis, the construction and operation of the public water system can be accomplished with average residential costs estimated to be \$500 and water rates of \$81.00 per month. The Town and PSC recognize that PSC's standard rate-setting methodology does not fit well for a utility where almost all the infrastructure is new. PSC also acknowledges that they are rarely involved with new water utilities, especially one as large as Campbell, and they are open to discussion about ways to tailor the rates to more closely follow the amounts necessary to cash-flow costs.

The Financing Plan has been confirmed to the extent possible at this stage of the project. Grant funding is done by reimbursement as construction costs are incurred, not banked in advance.

Additional Costs

The reports and estimates include well abandonment and private services. There are no plans to "upgrade" roads with curb and gutter. Rural section streets are common in small communities, cost less to construct and maintain and provide storm water management advantages.

Operational Requirements Demanding

The Campbell Water Utility has filed the required Annual Reports with PSC every year since inception 25 years ago. The Pierce Avenue project did not require PSC Construction Authorization.

Comparison of Services

- No information is provided on the cost for La Crosse to provide water service to Campbell.
- No explanation is provided on how La Crosse can provide water after losing their entire French Island Airport Well Field to PFAS contamination.
- The La Crosse water supply is obtained from shallow sand/gravel wells that are vulnerable to contamination.
- It is doubtful (and would perhaps be irresponsible) that La Crosse would share the estimated \$50,000,000 cost for a Campbell distribution system over their City resident "much larger customer base" as opposed to assessing those costs to the new customers.
- The referenced *Matty Testimony and Exhibits* could not be located.

- In 2021, the La Crosse Mayor originally offered to continue supplying water to the Town of Campbell. Campbell was asked to develop the proposal for City review. Campbell retained that option for nearly all of 2021 and 2022 with no progress. During the development of the USDA-Rural Development funding in 2025, that agency attempted to contact the City directly to determine if that option was viable. When no one from La Crosse replied, Rural Development concluded that the independent system was the best option for Campbell.

Page 124, SECTION 2(b) CONCLUSION

The City acknowledges that the proposed village is an urban community but incorrectly concludes that “However, the proposed village will continue to operate with services more appropriate to a rural town ...” This statement is wholly inaccurate - the services provided equal or exceed most villages and cities in this state. Finally, with the urban section streets and sewer replacement recommended by La Crosse added to the water distribution system, capital costs exceeding \$150,000,000 would result from the Town of Campbell joining the City of La Crosse. Not only are these amenities required or desired by islanders, but the City has also provided no information is provided on how those costs would be financed and who would pay the bill.

-----***End of Town Engineer Rebuttal***-----

Another City focus was on provision of fire and EMS services - The Town Fire Chief has prepared the following as rebuttal. The text specifically references the topics and page numbers from the City’s Submission.

Town Fire Chief Rebuttal

Responding to Slide 19 of City Presentation which asserts, concerning the Omaha Track Fires:

- Have occurred regularly: 2003, 2015, and 2024
- 2024 fire burned for over 22 hours
- Fire response relied on City water and specialized City equipment

RESPONSE: It is not unusual for fire departments to utilize mutual aid for a fire of this magnitude. In fact, the La Crosse, Onalaska, and Holmen Fire Departments utilize mutual aid on every structure fire, even residential fires.

- Used over 1,000,000 gallons of City water

RESPONSE: The hydrants are Campbell's hydrants and were installed as a part of the water agreement between La Crosse and Campbell, which allows them to be used for firefighting purposes. Technically, because there is an agreement, it's Campbell's water. See the contract.

- Required City to turn on additional wells to supply necessary water.

RESPONSE: The La Crosse Fire Chief requested additional wells to be turned on, but at the scene of the Tie Yard Fire told Campbell's Fire Chief that they did not have additional wells available to use anymore and that the current flow was all that was available.

- The proposed village cannot provide this level of fire protection.

RESPONSE: The proposed village can provide a level of fire protection appropriate for the type of municipality it will be. This is evidenced by the ISO rating, which is given using an audit from an independent third party organization and is above virtually all similarly situated villages in the state, let alone the country.

- The proposed village's proposed water system will be insufficient to fight this type of fire.

RESPONSE: With over 880,000 gallons in the Town cistern, the flow capability should be far greater than needed if we planned to flow 1 million gallons in a 22.5 hour period ($1 \text{ million} / 22.5 \text{ hours} = 44,444 \text{ gallons per hour}$).

Responding to Slide 21 of City Presentation which asserts that the Town did not participate in La Crosse County-funded study on shared fire protection.

RESPONSE: The study was clearly commissioned by the City of La Crosse, and this influence was clearly attempting to steer the results of the survey. Even when the consultants came to meet with the other regional agencies, they held a meeting immediately prior with the La Crosse FD leadership and then met with everyone else. Campbell did participate in the initial discussion and then did not participate further when it was clear that this study was biased toward La Crosse's desired future.

Items included in report opposing incorporation of the Town of Campbell from City of La Crosse referenced numerous exhibits and testimony are referenced but not included in the report. Thus it is not possible to respond to the alleged facts.

Page 69- The City states that the department's website lists no certified paramedics and indicates

that only some of its firefighters are certified EMTs.⁸ The proposed village will retain the existing all volunteer fire department.

RESPONSE: Campbell FD provides EMS under a state-issued EMR license, but the training levels of the personnel greatly exceed this license. There are only a few EMRs, and the rest of the personnel are EMT or higher, including an EMS Captain that is a Critical Care Paramedic, a level of training that exceeds those of the La Crosse Fire Department Paramedics.

Page 69- The City continues: The department is part of the La Crosse County Fire Department Mutual Aid Agreement (see Schott Exhibit 18) ⁹, has a separate mutual aid agreement the City of La Crescent, has a limited mutual aid agreement with the Wisconsin DNR¹⁰, and is part of two regional mutual aid groups. While the Town's Insurance Services Office (ISO) rating is currently a class 3, having increased from a 7 to a 3 in December of 2016, this increase was shortly after the mutual aid agreement with the County was signed in September of 2015. Without a water system and a reliable system of fire hydrants in a suburban demographic, it is likely that the Town leveraged the mutual aid response from the City and other municipalities to bolster its scores. See Schott Testimony, pp. 22-23.

RESPONSE: While we have not seen the testimony to understand the allegation here, but every fire department has consideration for mutual aid on some level in the ISO rating. Mutual aid is considered a good thing... and is often measured by the capability of the local department and mutual aid departments to sustain a critical fire flow with a tender operation, hauling water with trucks to provide a water supply. Also, the rating was reaffirmed in 2023, again by an independent third party audit.

Page 70 - Combined with Schott Exhibits 3 and 4, what the table does show is that the City of La Crosse has the types of equipment that are necessary to provide adequate fire protection for an urban area like the proposed village that has industry with a high risk for, and a history of, conflagrations.

RESPONSE: A conflagration is an extensive fire which destroys a great deal of property. It is inaccurate and inflammatory to claim that Campbell has a history of conflagrations. Although the Tie Yard fires were large fires, Campbell has not had a large downtown fire in history, unlike the India Curry House Fire in Downtown La Crosse that damaged multiple buildings: *La Crosse downtown restaurant building collapses after fire Thursday morning | La Crosse | news8000.com*

Or the Optical Fashions fire that destroyed multiple buildings: *Jay Street fire cause undetermined* | *Local News* | *news8000.com*

Page 71- Most recently, on October 1, 2024, at 1:30 a.m. the City of La Crosse Fire Department responded to a large industrial fire at 505 Bainbridge Street, resulting in an over 20-hour incident when thousands of tons of railroad tires were engulfed in flames. The City's Fire Department and the Town's volunteers were dispatched at the same time as La Crosse County did not know the specific location of the fire at the time of dispatch. The City dispatched two engines and eight other vehicles to the fire. Fighting the fire depended on the City's staff, the City's water, and the City's specialized equipment that the proposed village does not and cannot provide (see photographs below).

RESPONSE: It is correct that the La Crosse Fire Department was dispatched to the scene at the same time as the Campbell Fire Department. However, it is important to note that mutual aid is typically requested by the department responsible for the incident (Campbell in this situation), and in this case, both departments agreed on scene to work together due to the fire's size. A formal request for mutual aid from La Crosse was not made to dispatch. At the time, it was thought that La Crosse FD was being a good neighbor, not setting up a case for misrepresenting the facts, or fueling an argument about one-sided aid.

Page 71- Water from the City of La Crosse Water Utility had to be used to fight and extinguish the fire via a City fire hydrant located on Bainbridge Street. As discussed in more detail in the Water Utility section, the proposed water system for the proposed village would not have been sufficient to fight this fire, and, once disconnected from the City, the proposed village will lose access to the City's water system. Notably, despite there having been two prior fires within the last 20 years, the Town has apparently done nothing to address either the risk of these repeated fires or the preparedness of the Town to fight the fires without relying on the City.

RESPONSE: See the comments from the response to La Crosse's presentation regarding hydrants. The hydrants are Campbell's, and the water is supplied to them via the water agreement contract, which allows for use for firefighting. These hydrants have been added, and the water agreement made, as improvements to help the Town's preparedness.

Page 72- The City responded to at least 13 other calls for service to the Town of Campbell over the last 10 years. See Schott Exhibit 20. Conversely, to the best of the La Crosse Fire Chief's knowledge and his review of mutual aid, the City has never requested assistance from the Town of Campbell Volunteer Fire Department.

RESPONSE: While the numbers need to be validated and supporting exhibits have not been included in the paper, the Town does not believe the statement to be accurate. When an EF-2 tornado touched down in the City of La Crosse on May 22, 2011, the Town of Campbell Fire Department responded with several pieces of equipment to multiple sites in the City of La Crosse. La Crosse later stopped requesting mutual aid from Campbell during Chief Ken Gilliam's public campaign to discredit regional mutual aid: [La Crosse Area Officials Consider Consolidating Regional Emergency Services - WPR](#)
[Wisconsin area considers consolidating emergency services](#)

In review of the list of incidents, there are multiple incidents where dual-dispatching of both La Crosse FD and Campbell FD occurred due to the addresses being part of a prior version of the water agreement, where La Crosse included fire response as a part of the contract. from the agreement. The Campbell FD has always and continues to stand ready, willing and more than able to provide mutual aid whenever called upon by the City.

-----*End of Town Fire Chief Rebuttal*-----

The Town has provided and will continue to provide all urban services at a level desired and needed by the residents - the City has no additional services that the islanders desire or need. Thus, this standard is met.

Section 66.0207(2)(d) Impact on the Metropolitan Community.

The effect upon the future rendering of governmental services both inside the territory proposed for incorporation and elsewhere within the metropolitan community. There shall be an express finding that the proposed incorporation will not substantially hinder the solution of governmental problems affecting the metropolitan community.

Tellingly, not a single member of the Metropolitan Community save one - the City of La Crosse, has raised any concern with this incorporation. This is so because the community, the neighboring towns, cities and villages, recognize that the Town has over decades judiciously planned for and implemented measures to convert itself to its current state - a municipality that provides the full panoply of urban services paid for exclusively by town residents, and available for intermunicipal sharing of services. The Town has cultivated these sharing relationships through formal and informal intermunicipal agreements, including multiple agreements with the City. Yet the City still opposes.

Indeed, the ONLY alleged "governmental problem(s) affecting the metropolitan community" is singular: the potential loss of a very limited area of land that the City desires to annex. That alleged

problem has ceased to exist. The sole motive for reluctant annexation petitions over the past 20 years was certain inlanders need for a municipal water source. Soon, the Town/Village will be providing this service, eliminating this purported “governmental problem”.

The City complains: “Another incorporated governmental body should not be created which would lock in place existing boundary issues, service discrepancies, development limitations, and inequities for payment for regional services and therefore hinder the solution of these metropolitan problems.”

Certainly incorporation will lock boundaries in place. But, there is absolutely no indication of any service discrepancies. Nor are there ANY development limitations - every square inch of land the City desires is developed. The City simply wants the tax revenue for providing no additional service to already developed single family homes. There have been no inequities for payment for regional services - rather the Town has stepped up and provided all services needed or desired by its citizens. Finally, the “solution of these (alleged) metropolitan problems” are solely in the mind of the City and, as expressed above, simply do not exist. Thus, this standard is met.

CONCLUSION

The proposed incorporation should be approved and allowed to proceed to referendum of the people of the Town. For the reasons set forth in this rebuttal, the area proposed for incorporation overwhelmingly meets the statutory standards set forth in § 66.0207.

STANDARD 1 (a) Characteristics of territory - met

STANDARD 1 (b) Territory beyond the core - met

STANDARD 2 (a) Tax revenue - met

STANDARD 2 (b) Level of services - met

STANDARD 2 (d) Impact on the metropolitan community - met.