

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING  
PROCEEDINGS; THURSDAY, JUNE 16, 2011**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, June 16, 2011 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 32 supervisors were present when Chair Steven Doyle called the meeting to order at 6:00 P.M. and those otherwise present, excused or absent are noted in the roll call detail:

<b>District Name</b>	<b>Attendance</b>
1 Richmond, Andrea	Present
2 Geary, Ralph	Present
3 Feehan, Bill	Excused
4 Johnson, Jai	Excused
5 Johnson, Karin	Present
6 Billings, Jill	Present
7 Plesha, Roger	Present
8 Freedland, Maureen	Present
9 Hampson, Sharon	Present
10 Wood, Margaret	Present
11 Kader, Audrey	Excused
12 Flood, Bridget	Excused
13 Brockmiller, Bill	Present
14 Medinger, John	Present
15 Mach, Beverly	Present
16 Sebranek, Gerald	Present
17 Meyer, Donald	Present
18 Johnson, Tara	Present
19 Keil, Robert	Present
20 Bina, Donald	Present
21 Manthei, Dennis	Present
22 Ebert, Ray	Present
23 Gamroth, Tammy	Present
24 Pfaff, Leon	Present
25 Schroeder, Jeffrey	Present
26 Burke, Vicki	Present
27 Pedretti, Marilyn	Present
28 Doyle, Steve	Present
29 Kruse, Monica	Present at 06:02 PM, Excused at 06:40 PM
30 Spiker, Charles	Present
31 Ferries, Dan	Present
32 Benrud, Arlene	Present
33 Berns, Jim	Present
34 Wehrs, Tina	Present
35 Bilskemper, Joe	Present

## PLEDGE OF ALLEGIANCE

### COMMUNICATIONS AND ANNOUNCEMENTS:

#### County Board Chair Report - Steven Doyle

- July 15<sup>th</sup> is the deadline for signing up for the WCA Conference in September. After the deadline the cost goes up and the difference is paid by the supervisor. Let Margaret in the chairs office know if you will be attending. The conference is in the Dells on September 25<sup>th</sup>, 26<sup>th</sup> and 27<sup>th</sup>.
- County Board Leadership Change- Chair Doyle announced his resignation from chair effective July due to recent election to the assembly. The election for a new chair will be at the next County Board meeting and take effect on the following Monday due to payroll. Supervisor Ebert asked to hold a forum by the candidates for County Board Chair prior to the next Board meeting. A notice will be sent out.
- State Budget Update and what it means to La Crosse County. Family Care the cap is still in the budget. The compromise of Income Maintenance that was worked out with the County was adopted by the assembly, which is good news for La Crosse County. There will be a regional approach. La Crosse County is very influential in government statewide. The proposal, regarding the Highway Department that came out of the Joint Finance Committee was that counties would not be able to work for towns or the state in excess of \$100,000. However, Administrator O'Malley, Ron Chamberlain, Supervisor Johnson, Supervisor Billings, and Chair Doyle met to get the word out regarding this proposal. There was a compromise with the help of La Crosse County. Youth aids were cut \$150,000 for La Crosse County. We are losing in shared revenue \$1,000,000. In Child Support we are losing \$70,000 of state funding. However, that is a 2 to 1 federal match, and it leads to a loss of \$210,000. This is a huge cut for La Crosse County and has a significant impact. The proposal that came out of the Joint Finance Committee was to not allow the University to participate and would have caused the WISNAP program to collapse. The compromise, with the help of La Crosse County, was to continue for the next 2 years and do a study to determine how it is complying with the law and what changes need to be made. If the proposal would have gone through as it was, it would have cost local school districts 4 times as much. The final changes added to the budget as part of the final were to put in provisions for the local government civil service program. Administrator O'Malley has talked about this in the past. The changes in contribution to retirement and healthcare go into effect on August 1<sup>st</sup>, 2011 and are not retroactive.
- Highway Commissioner Ron Chamberlain spoke in regards to Motion 352. It appears we are going to have a cut to GTA (General Transportation Aids) and going to see a 0% increase in the discretionary portion of the local road improvement program as it pertains to local highways (County Highway Improvement Program). The aids for the towns maintained hold and the towns endorsed Motion 352. Motion 352 did delete a provision, so now we will be able to use county highway improvement program dollars on our system with our forces. We will now be able to bid out the materials for those projects and perform with our own forces and equipment, which is critical to our operations. Item 37 ends counties working together on improvement projects without exterior of the county's borders. Therefore, La Crosse County cannot work with Vernon County, Monroe County, or any other surrounding counties on improvement projects. Improvement projects are reconstruction projects, overlay projects, or any kind of project that will give a 10 year life to a road. They did increase the rehabilitation program for state roads. They reduced the proposed increase in state trunk highway maintenance and that means a cut in funding for us. Motion 352 originally proposed would have had an adverse impact of \$500,000 to \$600,000 and possibly higher depending on the year on La Crosse County. The other hit was not being able to do work on our own system with our own forces. The 2 main items are: (1) the state is underfunding maintenance on the state system; and, lack of the maintenance and it puts the County at risk for

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liability; and (2) they are starting to gut what's in the statue termed intergovernmental cooperation; it makes sense to reduce costs to units of government by working together. However, they are prohibiting that. Highway Commissioner Ron Chamberlain responded to questions from the Board.

- Administrator O'Malley commented on the State Budget. It was confirmed that WRS contributions for employees under the new requirement will be pre-taxed. This affects every state and county public employee and does not make them pay an additional tax. Chair Doyle responded to questions from the Board.
- A cheese tray was provided by the La Crosse Dairy Promotions. The dairy industry contributes \$20.6 billion dollars in revenue annually in Wisconsin. Dairy provides 40% of all agricultural related jobs in the state of Wisconsin. Wisconsin accounts for more than 1/5<sup>th</sup> of the nation's total dairy exports, or \$224 million dollars annually.
- Supervisor Sebranek and Supervisor Benrud provided an update on the picnic. The picnic is at Lake Neshonoc on August 18<sup>th</sup>, between 12:00 and 12:30. Starting in July, they will start the sign-up and collection of money.
- Conference Reports
  - Supervisor Pedretti attended the Habitat Women's Build on Saturday and was joined by 17 other women of the County government (supervisors, department heads, labor union workers). The amount raised was \$2,035.
  - Supervisor Freedland attended the quarterly lunch and learn session for the Greater La Crosse Area Diversity Council. The presenter was Bill Brockmiller and it was a chance to learn what the 2010 Census means. Bill pointed out that you need to really know the numbers before you can talk issues of diversity.
  - Supervisor Burke stated the County Board Dairy Breakfast is Saturday morning in Mindoro at the Lash Farm. It starts at 6:00 a.m. Supervisor Burke also mentioned that on Tuesday, June 21<sup>st</sup>, at 5:30 p.m. at the Cargo Room in Riverside Center South a presentation about the beginning plans of the La Crosse Community Theater will be given. This is one of the projects related to arts in the community. Some of the store fronts downtown displayed artwork. This also was a project to establish an arts district in the City. This is just another aspect of economic development and improves the quality of life. Also, Supervisor Burke spoke in regards to the transitioning from jail to community. We have been in this project for 2 years and this is the final visit from the people of the Urban Institute/National Institute for Corrections. The 2 years have gone by quickly and the members of the core team have worked hard on this. There will be 2 sessions on Wednesday, June 29<sup>th</sup> at 9:30 a.m. to noon, Communicating La Crosse's TJC Strategy and the Sustainability Wrap-up and Next Steps On How We Will Continue This Project. Supervisor Burke also provided a copy of the annual report for the Mississippi River Region Planning Commission.
  - Supervisor Benrud attended the Highway Conference at the Kalahari and it was the 100 year anniversary. Also, the Legion had a ceremony on Memorial Day and the guest speaker was Lieutenant Commander Ray Ebert of the United States Coast Guard. He gave the meaning of the words in the Pledge of Allegiance and did a great job.
  - Supervisor Bina reminded everyone that the County Fair is coming up on July 13 through July 17. There will be 11,600 entries for people to exhibit at the fair.

### Administrator Report - Steve O'Malley

- Administrator O'Malley stated that the Public Works Committee needs to schedule a special meeting regarding a design issue. The meeting will be on Tuesday, June 21<sup>st</sup> at 4:00 p.m. and agenda will be mailed out.
- This is the 5<sup>th</sup> annual that our Finance Department has received the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association. We don't always recognize it's not just about the quality of data

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and information that goes into these reports, as well as the independent recognition for the 5<sup>th</sup> year in a row from the highest respected group. This is just one part of what our finance provides our entire organization. These people work with all our departments and take control of our budget to make sure we are controlling costs and living within budget that is set. Our general fund is stronger this year than years in the past. We don't hurry up and use leftover money at the end of year. The Finance Department led by Gary Ingvalson, Sharon Davidson, Jonathan Edwards, Shawn Handland, and many others that are being recognized from GFOA.

- Update on Park Plaza:
  - Administrator O'Malley was at a productive meeting with Charlie Handy and Waterplace One and their staff and representatives and Steve Doyle was able to attend. We revisited issues on joint marketing agreement. Our adjacent landowners are still interested on working with the county on getting development on that site. City of La Crosse has been very cooperative working on the idea of relocating water and sewer lines on the current site. The building on site will no longer need to be there. We keep working on it and getting things in place. It was a successful meeting. Chair Doyle commented. Administrator O'Malley responded to questions from the Board.

#### **CHAIR CHANGE**

Vice Chair T. Johnson took the chair

#### **APPOINTMENTS**

Re-Appoint Noreen Kuroski to the Transportation Committee for a three year term to expire June 30, 2014; Re-Appoint Keith Carlson to the Transportation Committee for a three year term to expire June 30, 2014; Re-Appoint Steve Johnson to the Transportation Committee for a three year term to expire June 30, 2014; Re-Appoint Peter Fletcher to the Transportation Committee for a three year term to expire June 30, 2014; Appoint Wayne Oliver to Harbor Commission for a three year term to expire July 31, 2014; and Appoint Mark Solyst to the Ethics Board for a three year term to expire April 30, 2014

Motion by S. Doyle/B. Brockmiller to approve. Discussion ensued. The motion to approve passed on a unanimous voice vote with 30 ayes, 5 excused – B. Feehan, B. Flood, J. Johnson, A. Kader and M. Kruse.

#### **CHAIR CHANGE**

Chair S. Doyle resumed the chair.

#### **CONSENT AGENDA**

Motion by R. Plesha/G. Sebranek to approve the minutes of the County Board of Supervisors Planning meeting held May 9, 2011 and the Monthly Meeting held May 19, 2011 and approval of the claims list for \$7,510,504.74 passed on a unanimous voice vote with 30 ayes, 5 excused – B. Feehan, B. Flood, J. Johnson, A. Kader and M. Kruse.

#### **FIRST CONSIDERATION OF ORDINANCE**

ORDINANCE NO. 91 TO CREATE S 1.565 ENTITLED "MENTAL HEALTH RECOVERY SERVICES (MHRS) ADVISORY COUNCIL" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN  
The ordinance will be held over for 30 days and is on file and open for public inspection in the office of the County Clerk and on the La Crosse County web site at: [www.co.la-crosse.wi.us](http://www.co.la-crosse.wi.us). Upon adoption and publication it will be incorporated into the La Crosse County General Code of Ordinances.

#### **RESOLUTION NO. 30-6/11 RE: ADJUSTING STAFFING LEVELS AND PROGRAMMING AT THE JUVENILE DETENTION FACILITY**

**WHEREAS**, the La Crosse County Human Services Department operates a secure Juvenile Detention Facility (JDF), which has a physical plant design and current staffing level to

support a capacity of 26 youth, which serves both La Crosse County juveniles and youth from other counties, and which has a calendar year (CY) 2011 budget of \$1,131,760 with 92 percent of the budget devoted to staffing costs (to support 16.36 FTE<sup>1</sup> – which include 12 full time positions, 4 part time positions and 1 standby position); and **WHEREAS**, over the past decade the JDF's average daily population (ADP) has been far short of capacity, with ADP for the JDF being at a decade high of 1r in calendar year (CY) 2000 and then steadily declining to 5 in calendar year 2010, consistent with a statewide trend in falling juvenile detention and juvenile correctional populations, which is not expected to change, and with approximately one half of the ADP over the past decade being non La Crosse-County youth; and, **WHEREAS**, as the ADP has declined and staffing levels have remained constant, the average daily cost (ADC) for each JDF placement has steadily risen, with the ADC per juvenile reaching \$656/day for CY 2010, which is more than double the cost of placing youth in a much more resource and clinically intensive residential placement and comparable to even the extremely high costs of placing an adult in one of the state mental health institutes; and, **WHEREAS**, revenue recouped by the JDF for serving non-La Crosse juveniles (\$175/day per youth) comes nowhere close to capturing the JDF'S true daily costs (\$656/day per youth); and, **WHEREAS**, with anticipated shared revenue reductions and other anticipated State categorical funding reductions, it is as important as ever that all County Departments examine ways to reduce costs while maintaining necessary, high-priority and cost-effective local services; and, **WHEREAS**, significant annual cost savings (\$235,257) could be achieved by decreasing staffing levels in the JDF by a net 3.72 FTEs<sup>1</sup> (by reducing the number of full time positions by 5, eliminating the standby position and increasing the number of part-time positions by 2), thereby more closely aligning staffing levels with the decreased level of need for JDF services and bringing down the average daily cost of services (from \$656/day to an estimated \$335/day) while still keeping local, quality JDF services for La Crosse County youth and maintaining a safe working environment for staff; and, **WHEREAS**, additional annual cost savings (\$190,590) could be achieved, in conjunction with the recommended staffing reductions, by implementing enhanced programming in the JDF to allow higher need youth to be served by the facility who are currently sent out of county for services at a significant cost; and, **WHEREAS**, staffing reductions beyond the net -3.72 FTEs would be incompatible with what is needed to assure mixed gender staffing on all shifts (which is required under State regulations) and appropriate staff supervision; and, **WHEREAS**, in order to best assure an effective transition to the new enhanced service structure by January 1, 2012, thereby creating an estimated \$425,847 of full annual savings in calendar year 2012 for the Human Services Department's budget, it would be beneficial to complete the transition to the new staffing structure by October 1, 2011; and, **WHEREAS**, some JDF physical plant changes, anticipated to be less than \$50,000 would be beneficial to compliment the staffing and programming adjustments. **NOW THEREFORE BE IT RESOLVED**, it is neither necessary nor cost effective to operate JDF at current staffing levels and that the La Crosse County Board of Supervisors authorize the Human Services Department to reduce staff levels in JDF by a net of 3.72 FTEs<sup>1</sup> by October 1, 2011, and proceed with preparations to implement as of January 1, 2012 enhanced services at the JDF for purposes of serving higher need youth currently sent out of county, and authorize the Finance Department to make any appropriate account transfers necessary to purchase related physical plant changes to the JDF in CY 2011 not to exceed \$50,000. **FISCAL NOTE:** The reduction in staffing as of October 1, 2011 is estimated to create \$58,814 of savings in CY 2011 within the Human Services Budget. Expenditures for any JDF physical plant capital changes under \$50,000 would occur within the current 2011 Human Services Budget tax levy allocation.

#### **EXECUTIVE COMMITTEE**

#### **HEALTH AND HUMAN SERVICES BOARD**

Motion by S. Hampson/J. Billings to approve. Discussion ensued. Human Services Director Jason Witt responded to questions from the board. Motion by S. Hampson/M. Wood to amend the 1<sup>st</sup> Whereas to read: **WHEREAS**, the La Crosse County Human Services Department operates a secure Juvenile Detention Facility (JDF), which has a physical plant design and current staffing level to support a capacity of 26 youth, which serves both La

Crosse County juveniles and youth from other counties, and which has a calendar year (CY) 2011 budget of \$1,131,760, with 92 percent of the budget devoted to staffing costs (to support 17.36 FTE<sup>1</sup> – which include 14 full time positions, 4 part time positions and 1 standby position). Discussion ensued. The motion to amend passed on a unanimous voice vote with 30 ayes, 5 excused – B. Feehan, B. Flood, J. Johnson, A. Kader and M. Kruse. The motion to approve as amended passed on a unanimous voice vote with 30 ayes, 5 excused – B. Feehan, B. Flood, J. Johnson, A. Kader and M. Kruse.

**ZONING ORDINANCE NO. Z260-6/11 RE: PETITION NO. 1866 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY PAUL A HOSCH, ACTING ON BEHALF OF BIG EVENT CO, AND PRETASKY LAND LLC, TO REZONE FROM COMMERCIAL DISTRICT "B" WITH CONDITIONS FOR MARINE SALES TO COMMERCIAL DISTRICT "B" IN THE TOWN OF CAMPBELL**

The La Crosse County Planning, Resources and Development Committee, having considered the continuation of Petition No. 1866 to amend the La Crosse County Zoning Ordinance filed by: Paul A Hosch, acting on behalf of Big Event Co, W6742 Strawberry Rd, Onalaska, WI 54650, and Pretasky Land LLC, 4915 Silver Morning Ln, La Crosse, WI 54601 and having held a public hearing on the 31<sup>st</sup> day of MAY, 2011 to rezone from Commercial District "B" with conditions for marine sales to Commercial District "B" in order to operate an indoor amusement/entertainment facility to be known as Shenanigan on the following described land in the Town(s) of Campbell. Lot 1 of Certified Survey Map No. 29 in Volume 11 EXCEPT part in Certified Survey Map No. 101 in Volume 14. Town of Campbell. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By unanimous vote, the Committee recommended approval of this rezone to Commercial District "B" subject to the recording of deed restrictions requested by the Town of Campbell that all amusement and entertainment activities be limited to inside the building with the exception of the rear courtyard and deck when private parties are held in those areas. (If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) **The County Board**, under s.59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. The County Board took the following action this 16<sup>th</sup> day of JUNE, 2011. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by D. Meyer/T. Wehrs to approve passed on a unanimous voice vote with 30 ayes, 5 excused – B. Feehan, B. Flood, J. Johnson, A. Kader and M. Kruse.

**TERMINATION OF CONDITIONAL USE PERMIT NO. 710 - TERMINATION NO. 77 FILED BY LA CROSSE COUNTY ZONING, PLANNING AND LAND INFORMATION DEPARTMENT TO TERMINATE CONDITIONAL USE PERMIT NO. 710 ISSUED TO TIM BOYD FOR AIRBORNE DATALINK, CURRENT OWNER DAVID SPENCER, FOR AIRBORNE WIRELESS, AND PASSED BY THE COUNTY BOARD FEBRUARY 16, 2006 TO OPERATE A 100-FT TELECOMMUNICATIONS TOWER AND FACILITY ON LAND OWNED BY THOMAS KENDHAMMER, ON LAND ZONED AGRICULTURE DISTRICT "A" IN THE TOWN OF MEDARY**

The La Crosse County Planning, Resources and Development Committee, having considered the application filed by: La Crosse County Zoning, Planning and Land Information Department 400 4<sup>th</sup> St N – Room 3170 La Crosse WI 54601 and having held a public hearing on the 31<sup>st</sup> day of May, 2011 on a petition to terminate Conditional Use Permit No. 710 issued to Tim Boyd for Airborne Datalink, 709 Gillette St, La Crosse, WI; current owner

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David Spencer, for Airborne Wireless, 3148 Edgewater Dr, La Crosse, WI 54603, and passed by the County Board February 16, 2006 to operate a 100-ft telecommunications tower and facility on land owned by Thomas Kendhammer, N3510 Peters Rd, La Crosse, WI 54601 on land zoned Agriculture District "A" in the Town of Medary. **Reason for terminating** – the facility is not in compliance with the Conditional Use Permit provisions and Requirements of La Crosse County Code of Ordinances Chapter 28. **LAND DESCRIBED AS:** Lot 1 of Certified Survey Map No. 159, Volume 12 in Section 22, T16N, R7W. Town of Medary. And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 91.48(1), Wis. Stats., along with the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to: By unanimous vote, the Committee recommended approval to Terminate Conditional Use Permit No. 710 for failure to meet the conditions of his permit by failing to supply a letter of credit or bond and failure to prepare an annual report along with annual fee. **The County Board** took the following action this 16<sup>th</sup> day of June, 2011. Approved termination.

#### **PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by D. Meyer/D. Manthei to approve. Discussion ensued. Zoning, Planning & Land Information Director Jeff Bluske and Chairman Doyle responded to questions from the board. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 30 ayes, 5 excused – B. Feehan, B. Flood, J. Johnson, A. Kader and M. Kruse.

#### **ZONING ORDINANCE NO. Z261-6/11 RE: PETITION NO. 1867 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY RAVENELLE R GRANGER, TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO AGRICULTURE DISTRICT "A", IN THE TOWN OF FARMINGTON**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1867 to amend the La Crosse County Zoning Ordinance filed by: Ravenelle R Granger, W5728 County Road D, Holmen, WI 54636 and having held a public hearing on the 31<sup>st</sup> day of MAY, 2011 to rezone from EXCLUSIVE AGRICULTURE DISTRICT to AGRICULTURE DISTRICT "A", a 2.32 acre parcel for continued single family residential use at W5728 County Road D, the following described land in the Town(s) of Farmington. Lot 1 of Certified Survey Map No. 203, Volume 1 and that part of the NE-NE in Section 27, T18N, R7W described in tax parcel 5-1640-1. Town of Farmington. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By unanimous vote, the Committee recommended approval of this petition to Agriculture District "A". (If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) **The County Board**, under s.59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. The County Board took the following action this 16<sup>th</sup> day of JUNE, 2011. Approved the petition as submitted, becomes an ordinance.

#### **PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by D. Meyer/L. Pfaff to approve as recommended by the Committee passed on a unanimous voice vote with 30 ayes, 5 excused – B. Feehan, B. Flood, J. Johnson, A. Kader and M. Kruse.

**ZONING ORDINANCE NO. Z262-6/11 RE: PETITION NO. 1868 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY DAVID A & MAUREEN K MILLER, TO REZONE FROM AGRICULTURE DISTRICT "A" WITH CONDITIONS FOR ONE SINGLE FAMILY RESIDENCE TO AGRICULTURE DISTRICT "A", FOR A TOTAL OF THREE (3) SINGLE FAMILY RESIDENCES IN THE TOWN OF HAMILTON**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1868 to amend the La Crosse County Zoning Ordinance filed by: David A & Maureen K Miller, W4469 Gills Coulee Rd, West Salem, WI 54669 and having held a public hearing on the 31<sup>st</sup> day of MAY, 2011 to rezone from AGRICULTURE DISTRICT "A" with conditions for one single family residence to Agriculture District "A", for a total of three (3) single family residences; a 13.8 acre parcel at W4469 Gills Coulee Rd, the following described land in the Town(s) of Hamilton. Lot 6 of Certified Survey Map No. 68, Volume 7 and the North 383-ft of the West 569-ft of the NW-NW in Section 32, T17N, R6W. Town of Hamilton. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By unanimous vote, the Committee recommended approval of this petition to Agriculture District "A". (Lot sizes must conform to zoning code for building setbacks, total number of buildings and total square footage of existing buildings.) (If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) **The County Board**, under s.59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. The County Board took the following action this 16<sup>th</sup> day of JUNE, 2011. Approved the petition with conditions, becomes an ordinance, after recording conditions.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by D. Meyer/D. Manthei to approve as recommended by the Committee passed on a unanimous voice vote with 30 ayes, 5 excused – B. Feehan, B. Flood, J. Johnson, A. Kader and M. Kruse.

**CONDITIONAL USE PERMIT NO. 833 FILED BY WILLIAM W & PEGGY LAMPRICH A/K/A ACME EXCAVATING & PLUMBING INC, ACTING ON BEHALF OF GERALD J JR & CAROLYN KNOBLOCH, TO OPERATE AN EXCAVATING AND PLUMBING BUSINESS ON LAND ZONED AGRICULTURE DISTRICT "A" IN THE TOWN OF ONALASKA**

The La Crosse County Planning, Resources and Development Committee, having considered to application filed by: William W & Peggy Lamprich A/K/A ACME Excavating & Plumbing Inc, N6163 Eric Ave, Onalaska, WI 54650; acting on behalf of Gerald J Jr & Carolyn Knobloch, W7058 Paulson Rd, Holmen, WI 54636 and having held a public hearing on the 31<sup>st</sup> day of May, 2011 for a Conditional Use Permit to operate an excavating and plumbing business and to store related equipment such as one (1) skid steer, trailers, one (1) excavator, one (1) semi truck and trailer, one (1) dozer and two (2) loaders in a shed on an approx. one half acre of land to the rear of the property at W8200 County Road Z on land zoned Agriculture District "A" in the Town(s) of Onalaska and described as follows: Part of the SW-NE of Section 15, T17N, R8W described in tax parcel number 10-1547-2. Town of Onalaska. And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 91.48(1), Wis. Stats., along with the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to: By unanimous vote, the Committee recommended approval of this permit subject to eight (8) conditions:



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1. This permit is granted specifically to allow the operation of an excavating and plumbing business known as ACME Excavating & Plumbing Inc. at the rear of W8200 County Road Z;
2. The storage of related equipment including one (1) skid steer, one (1) excavator and trailer, one (1) dozer, two (2) loaders and related trailers and future dump truck;
3. Hand tools and supplies will be stored inside;
4. Site will handle three (3) employees with off street parking;
5. Hours of operation: 7 am – 7 pm; Monday thru Saturday and no Sundays, other times in an emergency;
6. All oils and fluids shall be kept in marked containers with no spillage or polluting of the grounds;
7. All equipment shall be reported yearly to the local assessor; and
8. This permit is non-transferable.

**The County Board** took the following action this 16<sup>th</sup> of JUNE, 2011. Approved subject to conditions as outlined.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by D. Meyer/T. Wehrs to approve as recommended by the Committee passed on a unanimous voice vote with 29 ayes, 6 excused – B. Feehan, A. Benrud, B. Flood, J. Johnson, A. Kader and M. Kruse.

**ZONING ORDINANCE NO. Z263-6/11 RE: PETITION NO. 1869 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY MATTHEW C & KIMBERLY K BERG, ACTING ON BEHALF OF COLLEEN B WINJUM, PERSONAL REPRESENTATIVE FOR TODD M COLLINS AND NANCY M COLLINS TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT to AGRICULTURE DISTRICT "A" IN THE TOWN(S) OF BURNS**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1869 to amend the La Crosse County Zoning Ordinance filed by: Matthew C & Kimberly K Berg, N6989 State Road 162, Bangor, WI 54614; acting on behalf of Colleen B Winjum, Personal Representative for Todd M Collins and Nancy M Collins and having held a public hearing on the 31<sup>st</sup> day of MAY, 2011 to rezone from Exclusive Agriculture District to Agriculture District "A", 6.77 acres in order to sell the existing single family residence and detached accessory building, the following described land in the Town(s) of Burns. Lot 1 of Certified Survey Map No. 128 in Volume 5, EXCEPT Part for road. Town of Burns. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By unanimous vote, the Committee recommended approval of this petition to Agriculture District "A". (If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) **The County Board**, under s.59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. The County Board took the following action this 16<sup>th</sup> day of JUNE, 2011. Approved the petition as submitted, becomes an ordinance.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by D. Meyer/R. Keil to approve as recommended by the Committee passed on a unanimous voice vote with 29 ayes, 6 excused – B. Feehan, A. Benrud, B. Flood, J. Johnson, A. Kader and M. Kruse.

**ZONING ORDINANCE NO. Z264-6/11 RE: PETITION NO. 1870 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY SEAN O'FLAHERTY, ATTORNEY, ACTING ON BEHALF OF ST. JOSEPH EQUIPMENT INC, FOR AN AFTER-THE-FACT**

**PETITION TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO COMMERCIAL DISTRICT "B", IN THE TOWN OF GREENFIELD**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1870 to amend the La Crosse County Zoning Ordinance filed by: Sean O'Flaherty, Attorney, 201 Main St, 10<sup>th</sup> Floor, La Crosse, WI 54601; acting on behalf of St. Joseph Equipment Inc, N1626 Wuensch Rd, La Crosse, WI 54601 and having held a public hearing on the 31<sup>st</sup> day of MAY, 2011 for an After-the-fact petition to rezone from Exclusive Agriculture District to Commercial District "B", 4.22 acres to enlarge the sales and service of the construction equipment business at N1626 Wuensch Rd, the following described land in the Town(s) of Greenfield. Part of the E½-NW of Section 14, T15N, R6W described in tax parcels 6-372-1 and 6-372-2, EXCEPT that part previously zoned to Commercial District "B" and approved by the La Crosse County Board of Supervisors as Zoning Petition No. 351. Town of Greenfield. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By unanimous vote, the Committee recommended approval of this after-the-fact petition to rezone to Commercial District "B". (If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) **The County Board**, under s.59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. The County Board took the following action this 16<sup>th</sup> day of JUNE, 2011. Approved the petition as submitted, becomes an ordinance.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by D. Meyer/D. Bina to approve. Discussion ensued. Zoning, Planning & Land Information Director Jeff Bluske responded to questions from the board. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 29 ayes, 6 excused – B. Feehan, J. Berns, B. Flood, J. Johnson, A. Kader and M. Kruse.

**RESOLUTION NO. 31-6/11 RE: APPROVAL OF LA CROSSE COUNTY LANDFILL MASTER LAND USE PLAN**

**WHEREAS**, County staff and Foth and Environment, LLG, the County's consultant, have prepared the attached master land use plan for the La Crosse County landfill after significant input from affected stakeholders; and, **WHEREAS**, the plan includes input and information from adjacent municipalities, the Wisconsin Department of Natural Resources, and other applicable plans and documents regarding the La Crosse County Landfill; and **WHEREAS**, the plan provides a guide to the County for future land use planning at the County Landfill site; and, **WHEREAS**, the La Crosse County Solid Waste Policy Board and the County Public Works and Infrastructure Committee recommend approval of La Crosse County Landfill Master Land Use Plan. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby approves and adopts the "La Crosse County Landfill Master Land Use Plan" attached hereto and incorporated by reference. **BE IT FURTHER RESOLVED**, that any future actions pursuant to the Master Land Use Plan requiring the expenditures of funds shall be brought back before the Public Works and Infrastructure Committee and the County Board, where appropriate, for approval. **FISCAL NOTE**: No fiscal impact to La Crosse County.

**PUBLIC WORKS AND INFRASTRUCTURE (CHARLES SPIKER)**

Motion by C. Spiker/L. Pfaff to approve. Discussion ensued. Solid Waste Director Hank Koch responded to questions from the board. Motion by D. Ferries/J. Schroeder to amend Chapter 6 by deleting purchase additional right of way. Motion to amend was withdrawn with 1 objection – J. Schroeder. Motion by D. Ferries/J. Berns to amend Chapter 6 and table 9.1 in Chapter 9 to add investigate the purchase of a right of way passed on a unanimous voice vote with 30 ayes, 5 excused – B. Feehan, B. Flood, J. Johnson,

A. Kader and M. Kruse. The motion to approve as amended passed on a unanimous voice vote with 30 ayes, 5 excused – B. Feehan, B. Flood, J. Johnson, A. Kader and M. Kruse.

**RESOLUTION NO. 32-6/11 RE: ACKNOWLEDGE “THE BEST OF PUBLIC SERVICE”**

**WHEREAS**, the following employees have been a faithful part in providing “The Best of Public Service” to La Crosse County:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>YEARS</u>
Mary E. Humm	La Crosse County Library	26+
Rita A. Loring	Lakeview Health Center	23+
Jane M. O’Neil	Hillview Health Care Center	21+
Kathryn A. Krajewski	Hillview Health Care Center	36+

**WHEREAS**, it is the wish of the County Board of Supervisors to acknowledge long and faithful service on behalf of the citizens of La Crosse County; **NOW THEREFORE BE IT RESOLVED**, that a resolution extending our congratulations be recorded in La Crosse County Board Proceedings and a certificate of our actions be presented as an expression of our gratitude.

**STEVEN P. DOYLE**  
**GINNY DANKMEYER**

**EXECUTIVE COMMITTEE**

Motion by T. Johnson/B. Brockmiller to approve passed on a unanimous voice vote with 29 ayes, 6 excused – B. Feehan, B. Flood, J. Johnson, A. Kader, M. Kruse and J. Medinger.

**RESOLUTION NO. 33-6/11 RE: AUTHORIZING CERTAIN COUNTY OFFICERS TO EXPRESS OFFICIAL INTENT REGARDING CAPITAL EXPENDITURES TO BE REIMBURSED FROM THE PROCEEDS OF OBLIGATIONS**

**WHEREAS**, the County of La Crosse, Wisconsin (the “*Issuer*”) wishes from time to time to advance moneys from available funds to the Issuer to pay the costs of capital projects to be undertaken by the Issuer and approved by the County Board of Supervisors of the Issuer, including without limitation the highway projects in the amount of \$1,600,000 approved by the County Board of Supervisors of the Issuer in the 2011 budget of the Issuer (the “*Projects*”); and **WHEREAS**, all or a portion of the expenditures relating to the Projects may be made from available funds of the Issuer (the “*Expenditures*”); and **WHEREAS**, the Issuer reasonably expects to reimburse itself or pay the Expenditures with the proceeds of general obligation bonds or notes or revenue bonds of the Issuer (the “*Obligations*”); and **WHEREAS**, under federal tax law, in order for the Issuer to reimburse itself for such Expenditures from the proceeds of tax-exempt obligations of the Issuer and some taxable obligations of the Issuer, a declaration of official intent must be made by the Issuer (i) on or before the date of such Expenditures, or (ii) within sixty (60) days after the date of such Expenditure. **NOW THEREFORE BE IT RESOLVED** by the County Board of Supervisors of the County of La Crosse, Wisconsin, as follows:

Section 1. The Issuer reasonably expects to reimburse or pay the Expenditures with proceeds of the Obligations.

Section 2. The Obligations will be issued to finance, and the Expenditures will be made to pay for the cost of Projects approved by the County Board of Supervisors of the Issuer.

Section 3. The County Administrator and the Auditor/Finance Director of the County are, and each of them is, hereby authorized to execute from time to time declarations of official intent on behalf of the Issuer, expressing the intent of the Issuer to reimburse the Expenditures for the Projects with the proceeds of the Obligations, in substantially the same form as *Exhibit A* attached to and made a part of this Resolution.

Section 4. The Obligations will be issued within eighteen (18) months after the later of (i) the date on which the Expenditures is made, or (ii) the date on which the property

relating to the Expenditures is placed-in-service or abandoned, but in no event more than three (3) years after the Expenditures is made.

Section 5. All actions of the officers, agents and employees of the Issuer that are in conformity with the purposes and intent of this Resolution, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 6. This Resolution shall be in full force and effect immediately upon its adoption.

**FISCAL NOTE:** The 2011 County Budget authorized \$1.6 million of borrowing for 2011 Highway Capital Improvements. This resolution insures compliance with federal law to permit reimbursement with bond proceeds, to be sold later in 2011 and authorizes the County Administrator and Auditor/Finance Director to express official intent for capital expenditures to be reimbursed from bond proceeds in the future.

#### **EXECUTIVE COMMITTEE**

Motion by T. Johnson/M. Wood to approve. Discussion ensued. Finance Director Gary Ingvalson responded to questions from the board. Administrator O'Malley responded to questions. The motion to approve passed on a unanimous voice vote with 29 ayes, 6 excused – B. Feehan, B. Flood, J. Johnson, A. Kader, M. Kruse and T. Wehrs.

#### **SECOND CONSIDERATION OF ORDINANCE NO. 86-6/11 AN ORDINANCE TO CREATE S. 30.79 ENTITLED "WATERWAY MARKERS AND REGULATORY SIGNAGE REGULATIONS" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN**

The County Board of Supervisors of the County of La Crosse does hereby ordain as follows:

**Section 1.** Section 30.79 entitled "Waterway Markers and Regulatory Signage Regulations" is created to read:

##### **30.79 WATERWAY MARKERS AND REGULATORY SIGNAGE REGULATIONS.**

(1) Purpose. The County Board of Supervisors finds that regulating the placement and maintenance of regulatory waterway markers and signage problematic and resource consuming and the improper placement and maintenance of regulatory waterway markers and signage endangers the health, welfare, and public safety. The City and County of La Crosse find it necessary to regulate the administration of waterway markers and signage pursuant to s. 30.77(3)(a), Wis. Stats.

(2) Area Defined. The placement and maintenance of regulatory waterway markers (buoys) and signage in pool 7 and pool 8 of the Mississippi and Black Rivers within La Crosse County in conformance with Wisconsin Statutes.

(3) Delegation of Authority. The County Board of Supervisors hereby delegates the authority to administer this ordinance to the Joint Board of Harbor Commissioners.

(4) Annual Inspection and Local Permit Required. The placement of regulatory waterway markers and signage shall first be approved by the Joint Board of Harbor Commissioners and the Wisconsin DNR through a Waterway Marker Permit pursuant to NR 5.09. By March 31 of each calendar year the riparian property owner(s) shall obtain an annual permit locally from the Joint Board of Harbor Commissioners prior to installation of waterway markers which have been approved in accordance with NR 5.09. The Joint Board of Harbor Commissioners shall no less than annually inspect the property placement of all waterway markers and signs for conformance with the applicable waterway marker permits. The Joint Board of Harbor Commissioners shall cause to be removed any and all waterway markers and signs that are not permitted, properly maintained or do not conform with NR 5.09.

(5) Fees. The annual fee for a local waterway marker permit issued by the Joint Board of Harbor Commissioners shall be set by the Joint Board of Harbor Commissioners and approved by the County Board of Supervisors from time to time. Waterway markers and signage owned and placed by the City or County of La Crosse are exempt from this annual fee but an annual permit shall still be required. The fees collected in any calendar year shall accrue to either the City or County corresponding to the staffing and administration of the Joint Board of Harbor Commissioners for that calendar year. If accrued to the County, the County Clerk shall collect the fees.

**Section 2.** This Ordinance shall take effect the day after passage and publication as required by law.

**STEVE DOYLE, County Board Chair**  
**GINNY DANKMEYER, County Clerk**

**EXECUTIVE COMMITTEE**

Motion by T. Johnson/A. Richmond to approve. Discussion ensued. Corporation Counsel William Shepherd and Finance Director Gary Ingvalson responded to questions. The motion to approve passed on a voice vote with 29 ayes, 1 nay - R. Ebert, 5 excused – B. Feehan, B. Flood, J. Johnson, A. Kader and M. Kruse.

**RESOLUTION NO. 34-6/11 RE: COUNTY ADMINISTRATOR CONTRACT RENEWAL 2012-2015**

**WHEREAS**, the County Administrator's contract commenced on January 1, 2008 and the contract terms; are in need of revision if the County Board desires to retain the services of the County Administrator for a new term; and, **WHEREAS**, it is necessary and desirable to approve changes in the contract for the terms and conditions of employment of the County Administrator from January 1, 2012, and the Executive Committee has met and considered the modification of provisions to provide for continuity of leadership for the next four years. **NOW THEREFORE BE IT RESOLVED**, that the contract terms, a copy of which is hereto attached, be approved as the terms and conditions of employment between La Crosse County and County Administrator, Steve O'Malley, for renewal contract. **BE IT FURTHER RESOLVED**, that the County Board Chair and County Clerk are authorized and directed to sign the renewal contract for the period beginning January 1, 2012. **Fiscal Note:** In 2012, the County Administrator's salary will be \$162,344 and any increase granted by the County Board for non union employees. The estimated total compensation of the County Administrator in 2012 will be a reduction in WRS of at least <\$9,880>. Rollup cost to the County is reduced from 20.35% to 14.55%.

**EXECUTIVE COMMITTEE**

Motion by T. Johnson/J. Billings to approve. Discussion ensued. Supervisor Spiker noted the vote at committee was 6 for, 1 against and 2 absent/excused. Supervisor Pfaff asked why Supervisor Spiker voted no at committee. Personnel Director Robert Taunt, Chairman Doyle, and Corporation Counsel William Shepherd responded to questions. Motion by J. Berns/G. Sebranek to amend the fiscal note to include total compensation and to then read: Fiscal Note: In 2012, the County Administrator's salary will be \$162,344 and any increase granted by the County Board for non union employees. The estimated total compensation of the County Administrator in 2012 will be \$185,965, wage and fringe after a deduction of (\$9416) for WRS per the Budget Repair Act, which reduces rollup costs from 20.35% to 14.55%. Retention award is an additional \$8000. Cost of remaining years of the contract will vary with action of the County Board in setting salaries, passed on a unanimous voice vote with 30 ayes, 5 excused – B. Feehan, B. Flood, J. Johnson, A. Kader and M. Kruse. Motion by R. Geary/J. Schroeder to refer the contract back to the Executive Committee failed on a voice vote with 21 nays, 9 ayes - J. Berns, D. Bina, R. Ebert, D. Ferries, R. Geary, D. Manthei, J. Schroeder, C. Spiker and T. Wehrs, 5 excused – B. Feehan, B. Flood, J. Johnson, A. Kader and M. Kruse. The motion to approve as amended passed on a roll call vote with 23 ayes, 7 nays - J. Berns, R. Ebert, D. Ferries, R. Geary, D. Manthei, J. Schroeder and C. Spiker, 5 excused – B. Feehan, B. Flood, J. Johnson, A. Kader and M. Kruse.

**SUGGESTIONS FOR FUTURE AGENDA TOPICS**

Supervisor Burke asked what came from the Assessment Reform Committee. Administrator O'Malley indicated that the results were distributed to board. This could be added to the next July Policy and Planning Meeting.

**(63-11/12)**

Administrator O'Malley thanked the Board and said he was honored to be the County Administrator and he will continue to work hard to get through the challenges ahead. Thank you for the vote of confidence and continue to do the best for people of our community.

**ADJOURN**

Motion by G. Sebranek/B. Brockmiller to adjourn at 8:31 passed on a unanimous voice vote with 30 ayes, 5 excused – B. Feehan, B. Flood, J. Johnson, A. Kader, and M. Kruse.

**STATE OF WISCONSIN )**

**COUNTY OF LA CROSSE )**

**I, Ginny Dankmeyer , La Crosse County Clerk, in and for the County of La Crosse, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the La Crosse County Board of Supervisors at the La Crosse County Board of Supervisors Monthly Meeting held Thursday, June 16, 2011 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 30 OF JUNE 2011.**