

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING  
PROCEEDINGS; THURSDAY, SEPTEMBER 15, 2011**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, September 15, 2011 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 31 supervisors were present when Chair Tara Johnson 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	Present
4 Johnson, Jai	Present
5 Johnson, Karin	Present
6 Billings, Jill	Present
7 Plesha, Roger	Present
8 Freedland, Maureen	Present, Excused at 07:43 PM
9 Hampson, Sharon	Present
10 Wood, Margaret	Excused
11 Kader, Audrey	Present at 06:06 PM
12 Flood, Bridget	Present
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	Excused
21 Manthei, Dennis	Present
22 Ebert, Ray	Present
23 Gamroth, Tammy	Present
24 Pfaff, Leon	Present, Excused at 06:18 PM
25 Schroeder, Jeffrey	Present
26 Burke, Vicki	Present
27 Pedretti, Marilyn	Present
28 Doyle, Steve	Present
29 Kruse, Monica	Present
30 Spiker, Charles	Present
31 Ferries, Dan	Present
32 Benrud, Arlene	Present
33 Berns, Jim	Present
34 Wehrs, Tina	Excused
35 Bilskemper, Joe	Present

## PLEDGE OF ALLEGIANCE

### COMMUNICATIONS AND ANNOUNCEMENTS:

County Board Chair Report - Tara Johnson

- Special presentation: State Senator Jennifer Shilling and State Representative Steve Doyle recognized John and Judy Parsneau for their great service of being foster and adoptive parents.
- Committee Meeting Protocol for Public Hearings and Public Comment
  - A handout will be provided regarding the protocol for meetings and when the public may or may not speak. Chair Tara Johnson reminded everyone of the intent of those meetings and the format. Public Hearings are forums for citizens to share their opinions with us and be heard by supervisors, and it is directed at a particular piece of legislation or an item the County Board is considering. Public comment portion of each committee meeting is the same notion - a one way communication. The public comes in and tells us what is on their mind. It could be anything related to that committee. The format should be consistent across the board. We want to have some basic ground rules for public hearings and public comments. There should be a mutual respect as the foundation of that exchange or event. It is not an opportunity to make any personal attacks or direct comments at individuals, but directed to the body as a whole. Interruptions of the speakers or disruption of the meetings should not be allowed. Standard time should be set for each speaker. County board supervisors are not members of the public and are able to speak at the County Board Meetings. A copy in writing will be handed out.
- Review of September & October meeting calendar
  - Please take a moment to look at the meeting calendars handed out and notice the public hearings on these calendars which have a lot more meetings than normal. This calendar is to make sure everyone is aware of the meetings coming up. Administrator O'Malley pointed out that on Monday, October 24th at 4:00 p.m. in Room 3220 is the Executive Committee work session on the entire budget, and there may be additional meetings called if necessary. The regular Executive Committee meeting will be on the department budgets that report to the Executive Committee.
- County Board Chair appointment procedures
  - Administrative Assistant to the Board Chair, Margaret Norden, has done a great job in collecting the information and keeping track of all the appointments. A couple of the supervisors asked to be informed of appointments. A handout was provided which is a list of the committees and the vacancies. Please contact Margaret or the Board Chair if you have any questions.
- Supervisor Conference Reports
  - Supervisor Hampson and Supervisor Wood went to Coeur d' Alene, Idaho, to the National Public Health meeting. Supervisor Hampson received a \$1,000 scholarship to go from the EPA to tour a superfund site.
  - Supervisor Sebranek thanked the people who came to the County Board Picnic.

### CONSENT AGENDA

Motion by G. Sebranek/R. Plesha to approve the minutes of the County Board of Supervisors Planning Meeting held August 8, 2011 and the Monthly Meeting held August 18, 2011 and approval of the claims list for \$19,235,869.97 passed on a unanimous voice vote with 31 ayes, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood.

(111-11/12)

**RESOLUTION NO. 48-9/11 RE: AUTHORIZATION TO REPLACE FACILITIES DEPARTMENT TRUCK**

**WHEREAS**, the Facilities Department needs to replace a 1998 Toyota Tacoma truck which was recalled and bought back by Toyota last month for \$11,865.00; and **WHEREAS**, the vehicle is utilized extensively by Facilities Department and various times by other departments for travel to outlying County sites, to vendors for supply purchases and plowing of the County parking lots; and, **WHEREAS**, the recall was not anticipated and monies to replace the vehicle were not budgeted; and, **WHEREAS**, the County Board directed staff on August 18, 2011 to seek new bids to consider flex fuel options, and staff has since learned that there may be no flex fuel options for a compact truck and a larger truck is incompatible with the need for this vehicle; and, **WHEREAS**, The Facilities Department has received \$6,478 from the sale of used kitchen equipment and is available for transfer; and, **WHEREAS**, The Facilities Department has funds remaining and available after purchase of budgeted capital equipment purchases in the amount of \$2,600; and, **WHEREAS**, The Facilities Department has advertised and received new sealed bids for the replacement of the Toyota Tacoma truck; and, **WHEREAS**, the responsive bids accepted by the Public Works and Infrastructure Committee are as follows:

**BID/QUOTE SUMMARY**

Vendor	Location	Make/Model	Fuel type	Cost
Ewald Automotive	Oconomowoc	2012 Chevy Colorado Regular Cab	Regular gas	\$18,016.00
Ewald Automotive	Oconomowoc	2012 Chevy Colorado Extended Cab	Regular gas	\$19,222.00
Brenengen Chevrolet	West Salem	2012 Chevy Colorado Regular Cab	Regular gas	\$18,056.00
Bob Fish GMC Truck	West Bend	2012 GMC Canyon Regular Cab	Regular gas	\$18,326.16
Bob Fish GMC Truck	West Bend	2012 GMC Canyon Extended Cab	Regular gas	\$19,532.66
Dahl Automotive	Onalaska	2011 Ford Ranger Supercab	Regular gas	\$20,584.00

**WHEREAS**, the Facilities Department will need an existing plow mounted on the new vehicle and purchase a new topper. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby authorize the Facilities Department to purchase a compact pickup truck from Ewald Automotive in the amount of \$18,016.00. **BE IT FURTHER RESOLVED**, that the Facilities Department Director is authorized to purchase a new topper to be put on the compact pickup truck. **BE IT FURTHER RESOLVED** that \$11,865.00 be transferred from the Sale of County Property Account in the Non-Departmental org and that \$6,471.00 be transferred from the Major Capital Equipment Account in the Courthouse & Law Enforcement Center org to complete funding for the purchase of the Facilities Department truck. **BE IT FURTHER RESOLVED** that the Finance Department is authorized to make the necessary budget adjustments, transferring funds to the Major Capital Equipment Other account within the Property Management org. **FISCAL NOTE:** Total funding being transferred is \$20,943.00 as follows: \$11,865 being transferred from 1131-56015 to 1131-86050; \$6,478.00 being transferred from 1064-56015 to 1131-86050; \$2,600.00 being transferred from 1142-86050 to 1131-86050.

**EXECUTIVE COMMITTEE**

**PUBLIC WORKS & INFRASTRUCTURE:**

Motion by C. Spiker/J. Berns to approve. Motion by J. Johnson/R. Ebert to amend based on the potential faster delivery time, the County Board hereby suspends the bidding rule and approves the second lowest bid of Brenengen Chevrolet in the amount of \$18,056 passed on a voice vote with 28 ayes, 3 nays - R. Geary, J. Schroeder and C. Spiker, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood. Discussion ensued. Facilities Director Jim Speropulos explained the delivery date and responded to questions from the Board. Corporation Counsel William Shepherd responded to questions from the Board. The motion to approve as amended passed on a voice vote with 26 ayes, 5 nays - J. Berns, B. Flood, R. Geary, J. Schroeder and C. Spiker, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood.

**SECOND CONSIDERATION OF ORDINANCE NO. 93-9/11 AN ORDINANCE TO AMEND SS. 8.04(1) AND (4)(a) OF CHAPTER 8 OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN REGARDING DRIVEWAY ACCESS TO COUNTY TRUNK HIGHWAYS**

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

**Section 1.** Section 8.04(1) is amended to read:

8.04(1) APPLICABILITY. In accordance with ss. 86.07 (2) , Wis. Stats., This section applies to all design, layout and construction of private driveways which will be adjacent to a County Trunk Highway, or on a Roadway which is within 200 feet of an intersection of a County Trunk Highway.

**Section 2.** Section 8.04(4)(a) is amended to read:

8.04(4)(a) No owner of real estate, owner of an easement of ingress and egress or tenant of real estate which abuts a County Trunk Highway or within 200 feet of an intersection to County Trunk Highways on another roadway, shall open, construct, reconstruct or change the principal use of a driveway or roadway onto that County Trunk Highway or roadway, without obtaining a permit under this section.

**Section 3.** This Ordinance shall take effect the day after passage and publication as required by law.

**TARA JOHNSON, County Board Chair**

**GINNY DANKMEYER, County Clerk**

**PUBLIC WORKS AND INFRASTRUCTURE**

Motion by C. Spiker/A. Kader to approve. Discussion ensued. Highway Commissioner Ron Chamberlain responded to questions from the Board. The motion passed on a unanimous voice vote with 31 ayes, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood.

**RESOLUTION NO. 49-9/11 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>
Alan L. Blencoe	Emergency Services	27+

**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.

**TARA JOHNSON, County Board Chair**

**GINNY DANKMEYER, County Clerk**

**EXECUTIVE COMMITTEE**

Motion by V. Burke/B. Flood to approve passed on a unanimous voice vote with 31 ayes, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood

(113-11/12)

**RESOLUTION NO. 50-9/11 RE: URGE CONGRESS TO PASS THE COMPLETE STREETS ACT**

**WHEREAS**, many miles of streets are unsafe for people walking, riding bicycles, or taking public transit because these streets lack sidewalks, crosswalks, space for bicycles, and make no room for people taking public transportation and provide no accommodation for people with disabilities; and **WHEREAS**, between 1996 and 2006, approximately 54,000 pedestrians and more than 8,000 bicyclists were killed in road accidents; and **WHEREAS**, The Complete Streets Act of 2009 would direct state and metropolitan transportation authorities to adopt and implement complete streets policies for federally-funded transportation projects to provide a full menu of transportation options to meet the needs of everyone using roads; and **WHEREAS**, the National Complete Streets Coalition estimates that the conversion to complete streets will reduce the almost 5,000 annual fatalities and 70,000 injuries among pedestrians and bicyclists and will encourage healthy and active lifestyles by making it safer and easier for people to walk; and **WHEREAS**, complete streets that provide for the needs of all street users, including pedestrians, bicyclists, and those using public transit, are cost-effective because they reduce congestion, improve conditions for new and future businesses, and could help to reduce dependence on foreign oil and automobile emissions by making it easier for people to leave their cars at home. **WHEREAS**, La Crosse County is the first County in the United States to adopt a Complete Streets Policy; and **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby urges the passage of The Complete Streets Act of 2009, which would direct state and metropolitan transportation authorities to adopt and implement complete streets policies for federally-funded transportation projects to provide a full menu of transportation options to meet the needs of everyone using roads. **BE IT FURTHER RESOLVED**, that this resolution be sent to Congressman Kind and Senators Kohl and Johnson. **FISCAL NOTE:** There is no direct impact on the County's budget.

**EXECUTIVE COMMITTEE**

Motion by V. Burke/B. Brockmiller to approve. Discussion ensued. The motion passed on a voice vote with 29 ayes, 2 nays - J. Bilskemper and B. Feehan, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood.

**RESOLUTION NO. 51-9/11 RE: RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR PUBLIC SALE AND THE SALE OF GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2011-A OF THE COUNTY OF LA CROSSE, WISCONSIN IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,640,000, AND RELATED MATTERS**

**WHEREAS**, counties are authorized by Chapter 67 of the *Wisconsin Statutes*, as supplemented and amended, to borrow money and to issue general obligation promissory notes to finance any project undertaken for a public purpose and to refund municipal obligations, including interest thereon; and, **WHEREAS**, it is hereby determined that it is necessary and desirable to issue general obligation promissory notes of the County of La Crosse, Wisconsin (the "*County*") in an aggregate principal amount not to exceed \$1,640,000 for the public purpose of constructing highways and highway improvements, pursuant to Chapter 67 of the *Wisconsin Statutes*, as supplemented and amended; and, **WHEREAS**, it is now necessary and desirable for the County to issue its General Obligation Promissory Notes, Series 2011-A in an aggregate principal amount not to exceed \$1,640,000 (the "*Notes*") for the public purpose of constructing highways and highway improvements; **NOW THEREFORE BE IT RESOLVED**, by the County Board of Supervisors of the County of La Crosse, Wisconsin, as follows:

*Section 1.* There shall be issued the Notes of the County in an aggregate principal amount not to exceed \$1,640,000, for the public purpose aforesaid.

*Section 2.* For the purpose of offering the Notes for sale, the Auditor/Finance Director of the County is hereby authorized and directed to cause to be circulated the

Official Terms of Offering and to publish appropriate notices of the sale of the Notes in a newspaper to be selected by the Auditor/Finance Director of the County prior to the receipt of bids therefor and to receive bids for the Obligations on October 20, 2011. The Auditor/Finance Director of the County shall also cause to be prepared and distributed an Official Statement or Official Statements, including Official Terms of Offering, with respect to the Notes.

*Section 3.* After receipt of bids for the Notes and consideration thereof by this County Board of Supervisors, this County Board of Supervisors will consider a resolution awarding the Notes to the best bidders, prescribing the terms thereof and the form of Note, and levying taxes in the specific amount necessary to pay the principal of and interest on the Notes.

**FISCAL NOTE:** Debt Service Funding will be provided for in the 2012 County Budget.

#### **EXECUTIVE COMMITTEE**

Motion by V. Burke/C. Spiker to approve. Discussion ensued. Finance Director Gary Ingvalson responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 31 ayes, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood.

#### **RESOLUTION NO. 52-9/11 RE: APPROVAL OF POLICY AND CONTRACT FOR NON-EXCLUSIVE RECOVERY OF HUMAN TISSUE FROM DECEASED REMAINS AT THE LA CROSSE COUNTY MORGUE**

**WHEREAS**, an interest has been expressed by certain tissue donor agencies in using the La Crosse County morgue to recover tissue from deceased person for innovative tissue transplantation to qualifying persons; and **WHEREAS**, allowing such use of the La Crosse County morgue will provide a public benefit to those citizens of the La Crosse County area whose quality of life is improved by access to the donated tissue and will result in a cost savings to the County by reducing the number of autopsies; and, **WHEREAS**, the County will need to make improvements to the County morgue by providing water, an appropriate table, and other capital improvement to meet the needs of the tissue donor agencies; and, **WHEREAS**, La Crosse County will charge a fee of \$750.00 for each tissue collection event to help defray the capital improvement costs; and, **WHEREAS**, each tissue donor agency that wishes to utilize the County morgue shall be required to execute an agreement regarding the terms of the use, indemnification of La Crosse County and other appropriate provisions; and, **WHEREAS**, the promotion of the tissue donor practice is in the best interest of La Crosse County. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby approve capital improvements to the La Crosse County morgue to allow utilization by tissue donor services. **BE IT FURTHER RESOLVED**, that the County Board Chair is authorized to execute any non-exclusive agreements with tissue donor entities to accomplish the purposes of this resolution, after approval by Corporation Counsel. **BE IT FURTHER RESOLVED**, that the La Crosse County Board does hereby approve a fee of \$750.00 per tissue donation event, commencing on January 1, 2012, and incorporate said fee as part of the Comprehensive Master List of fees charged by the County Departments. **FISCAL NOTE:** the total cost of capital improvements to the County Morgue for tissue donation purposes is estimated to be \$8,530. The annual revenue resulting from charging the \$750.00 fee is estimated to be \$9,000, with an additional estimated savings of \$3,000 from reduced autopsy costs.

#### **EXECUTIVE COMMITTEE**

##### **JUDICIARY & LAW COMMITTEE**

Motion by V. Burke/B. Flood to approve. Discussion ensued. Medical Examiner John Steers responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 31 ayes, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood.

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

ORDINANCE NO. 97 TO CREATE SS. 3.08(1)(r), 3.085, AND 19.035 AND AMEND 19.03 OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN RELATING TO THE CONCEALED OR OPEN CARRY OF WEAPONS OR FIREARMS 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.

Motion by B. Feehan/J. Schroeder to request a public hearing. The motion passed on a roll call vote with 20 ayes, 11 nays - A. Benrud, J. Bilskemper, B. Flood, S. Hampson, T. Johnson, J. Johnson, M. Kruse, D. Manthei, D. Meyer, M. Pedretti and R. Plesha, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood. Motion by J. Medinger/B. Feehan to hold a public hearing on October 10, 2011 at 5:00 P.M. Discussion ensued. Motion by R. Geary/J. Schroeder to amend the public hearing to October 20, 2011 at 5:00 P.M. The motion passed on a unanimous voice vote with 31 ayes, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood. The motion as amended passed on a unanimous voice vote with 31 ayes, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood.

**ORDINANCE NO. 96-9/11 TO AMEND S. 2.01(2) ENTITLED "SUPERVISORY DISTRICTS" 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 2.01(2) is amended to read:

2.01(2) Supervisory Districts. The County Board adopts the "La Crosse County Final Supervisory District Plan" that creates 29 supervisory districts and is illustrated by a certified map of the same title that shall be permanently on file with the County Clerk. The Supervisory Districts of La Crosse County shall be numbered and bound as follows:

1. FIRST SUPERVISORY DISTRICT  
City of La Crosse – Wards 1 and 2.
2. SECOND SUPERVISORY DISTRICT  
City of La Crosse – Wards 3 and 5.
3. THIRD SUPERVISORY DISTRICT  
City of La Crosse - Wards 4 and 6.
4. FOURTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 9 and 12.
5. FIFTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 8 and 11.
6. SIXTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 7 and 10.
7. SEVENTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 19 and 21.
8. EIGHTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 13, 15, 17, and 18.
9. NINTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 14 and 16.
10. TENTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 20, 23, and 24.
11. ELEVENTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 22 and 27.
12. TWELFTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 25 and 26.
13. THIRTEENTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 28 and 29.
14. FOURTEENTH SUPERVISORY DISTRICT  
Town of Campbell – Wards 2, 3, 4, 5, and 6.
15. FIFTEENTH SUPERVISORY DISTRICT  
Town of Campbell – Ward 1; Town of Onalaska – Ward 8; and  
City of Onalaska – Wards 1 and 5.
16. SIXTEENTH SUPERVISORY DISTRICT  
City of Onalaska – Wards 4, 6, and 7.
17. SEVENTEENTH SUPERVISORY DISTRICT  
City of Onalaska – Wards 8, 9, and 10.

(116-11/12)

18. EIGHTEENTH SUPERVISORY DISTRICT  
City of Onalaska – Wards 11 and 12; Town of Medary – Ward 1; and Town of Onalaska – Ward 4.
19. NINETEENTH SUPERVISORY DISTRICT  
City of Onalaska – Wards 2 and 3; and Town of Onalaska – Ward 3.
20. TWENTIETH SUPERVISORY DISTRICT  
Village of Holmen – Wards 6, 7, 8, and 10; and Town of Onalaska – Ward 2.
21. TWENTY-FIRST SUPERVISORY DISTRICT  
Village of Holmen – Wards 9 and 11; and Town of Onalaska – Wards 5, 6, and 7.
22. TWENTY-SECOND SUPERVISORY DISTRICT  
Village of Holmen – Wards 2, 3, 4, and 5; and Town of Holland – Ward 1.
23. TWENTY-THIRD SUPERVISORY DISTRICT  
Village of Holmen – Ward 1; and Town of Holland – Wards 2, 3, 4 and 5.
24. TWENTY-FOURTH SUPERVISORY DISTRICT  
Town of Onalaska – Wards 1; Town of Holland – Ward 6; Town of Hamilton – Ward 1; and Town of Farmington – Wards 1 and 2.
25. TWENTY-FIFTH SUPERVISORY DISTRICT  
Village of West Salem – Wards 1, 2, 4, and 5; and Town of Hamilton – Ward 3.
26. TWENTY-SIXTH SUPERVISORY DISTRICT  
Town of Hamilton – Ward 2; Town of Burns – Ward 1; Town of Bangor – Ward 1; Village of Bangor – Wards 1 and 2; and Village of Rockland – Ward 1.
27. TWENTY-SEVENTH SUPERVISORY DISTRICT  
Town of Barre – Ward 1; Town of Hamilton- Ward 5; Town of Greenfield – Wards 1 and 2; and Town of Washington – Ward 1.
28. TWENTY-EIGHTH SUPERVISORY DISTRICT  
Village of West Salem – Wards 3 and 6; Town of Barre – Ward 2; Town of Hamilton – Ward 4; Town of Medary – Ward 2; and Town of Shelby – Ward 4.
29. TWENTY-NINTH SUPERVISORY DISTRICT  
Town of Shelby – Wards 1, 2, 3, 5, and 6.

**Section 3.** Initial applicability: This ordinance shall be first applied to the election to be held on the first Tuesday in April, 2012, any spring primary required for such election, and each subsequent election.

**TARA JOHNSON, County Board Chair**  
**GINNY DANKMEYER, County Clerk**

**EXECUTIVE COMMITTEE**

Motion by V. Burke/S. Hampson to waive the rules to act on an ordinance at its' first consideration passed on a roll call vote with 29 ayes, 1 nay - J. Schroeder, 1 abstention - A. Kader, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood. Discussion ensued. Corporation Counsel William Shepherd responded to questions from the Board and explained the consequences if this plan does not pass. Motion by V. Burke/S. Hampson to approve passed on a roll call vote with 30 ayes, 1 abstention - A. Kader, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood.

**RESOLUTION NO. 53-9/11 RE: APPROVAL OF AMENDMENTS TO LA CROSSE INTERNATIONAL BUSINESS PARK DECLARATION OF PROTECTIVE COVENANTS**

**WHEREAS**, the Declaration of Protective Covenants for the La Crosse International Business Park provides the covenants may be terminated, extended, modified or amended with a



written affirmative vote of fifty-one percent (51%) of the total number of property owners in the Park, and no such termination, extension, modification or amendment shall be effective without the consent of the City of La Crosse and County of La Crosse; and, **WHEREAS**, Martin Warehousing, LLC, owner of Lot 10 of the International Business Park, has requested an amendment to the Permitted Uses section of the Protective Covenants for the La Crosse International Business Park, as shown in Exhibit A, to exempt lot 10 in order to allow vehicle and equipment sales, and vehicle repair or service; and, **WHEREAS**, the Common Council of the City of La Crosse approved the requested amendment on Thursday, September 8, 2011; and, **WHEREAS**, if the Property Owners in the Park, the City Council, or the County Board reject the proposed amendment to the protective covenants the proposed amendment will not be allowed; and, **WHEREAS**, the requested amendment is consistent with the stated purpose of the Covenants to provide for the orderly and attractive grouping of service, manufacturing and other industrial buildings and operations and are not adverse to the interests of La Crosse County. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby approve the attached amendment to the use restrictions contained in the covenants for the International Business Park with respect to Lot 10, also known as 3090 Berlin Drive, La Crosse, Wisconsin. **BE IT FURTHER RESOLVED**, that the amendment to the use restrictions shall apply only to the parties requesting the amendment, specifically, Martin Warehousing, LLKC and CSM, Inc., d/b/a Kenworth of Wisconsin. **BE IT FURTHER RESOLVED**, that the County of La Crosse hereby grants its consent to the amendment of the use restrictions as required under Section 14(b) of the Declaration of Protective Covenants for the La Crosse International Business Park. **FISCAL NOTE:** No cost to La Crosse County.

#### **EXECUTIVE COMMITTEE**

Motion by V. Burke/A. Richmond to approve. Discussion ensued. The motion to approve passed on a roll call vote with 28 ayes, 3 nays - S. Hampson, J. Johnson and A. Kader, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood.

#### **CONDITIONAL USE PERMIT NO. 840 FILED BY F. DAVID & DIANE WOLF TO EXPAND A NON-METALLIC MINING OPERATION TO EXTRACT SAND AS BORROW MATERIAL ORIGINALLY APPROVED BY THE LA CROSSE COUNTY BOARD OF SUPERVISORS ON SEPTEMBER 22, 2005, TO INCLUDE A NEW 7.37 ACRE PARCEL OF LAND ZONED EXCLUSIVE AGRICULTURE DISTRICT IN THE TOWNS OF BANGOR AND BURNS**

The La Crosse County Planning, Resources and Development Committee, having considered to application filed by: F. David & Diane Wolf, W2105 County Road B, West Salem, WI 54669 and having held a public hearing on the 29<sup>th</sup> day of August, 2011 for a Conditional Use Permit to expand a non-metallic mining operation to extract sand as borrow material originally approved by the La Crosse County Board of Supervisors on September 22, 2005, to include a new 7.37 acre parcel of land zoned Exclusive Agriculture District in the Town(s) of Bangor and Burns on land described as follows: Part of the Fractional NW-NE, Section 6, T16N, R5W, and part of Government Lot 7, Section 31, T17N, R5W, La Crosse County, Wisconsin described as follows: Commencing at the northeast corner of Section 6, S70°31'13"W 1825.75' to the southwest corner of Conditional Use Permit #693 and the POB, N42°25'31"W 116.89', N65°06'57"W 599.90', N78°19'36"W 305.96' to the west line of said Fractional NW-NE, along said West line N00°32'47"E 190.41' to the northwest corner of said Fractional NW-NE and the southwest corner of Government Lot 7, along the West line of said Government 7 northerly 77.46', N75°57'30"E 240.37', southeasterly 761.37', more or less, to the northwest corner of said Conditional Use Permit #693, south 400.00' to the POB. T/W an expanded haul road. Town of Bangor/Town of Burns. 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 a vote of 6 in favor, 1 excused – (Manthei), the Committee recommended approval of this permit subject to the following ten (10) conditions:

1. Approval is granted for the extraction and sale of fill sand and bedding borrow materials only from this 7.37 acre site including the use of the existing 1.47 acre haul road;
2. A list of all haulers authorized to use this site shall be supplied to the Zoning, Planning & Land Information Department;
3. Hours of operation: 7am-6pm, Monday thru Friday;
4. The owner shall comply with all Non-Metallic Mining regulations for reclamation of site in conjunction with adjacent site;
5. An approved Erosion Control Permit is required;
6. There shall be no tracking on County Road B. If there is any spillage, it shall be cleaned up by the end of each work day;
7. All loads shall be covered before leaving the site;
8. Max of fifteen (15) truck loads per day;
9. No blasting allowed; and
10. This permit is non-transferable

**THE COUNTY BOARD** took the following action this 15<sup>th</sup> of September, 2011: Approved subject to conditions as outlined.

#### **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 31 ayes, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood.

#### **ZONING PETITION NO. Z268-9/11 RE: PETITION NO. 1874 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY DAN & JO BALDRIDGE WITH CINDY GERKE & ASSOCIATES, ACTING ON BEHALF OF GREEN RIVER CAPITAL LLC, NOVA STAR MORTGAGE FUNDING TRUST SERIES 2005-1 AND THE BANK OF NEW YORK MELLON, TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO AGRICULTURE DISTRICT "A" FOR CONTINUED RESIDENTIAL USE AND TO ACCOMMODATE A FORECLOSURE SALE AT W4217 COUNTY ROAD T IN THE TOWN OF FARMINGTON**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1874 to amend the La Crosse County Zoning Ordinance filed by: Dan & Jo Baldrige with Cindy Gerke & Associates, 1283 County Road PH, Onalaska, WI 54650; acting on behalf of Green River Capital LLC, Nova Star Mortgage Funding Trust Series 2005-1 And The Bank Of New York Mellon, 4708 Mercantile Dr N, Fort Worth, TX 76137 and having held a public hearing on the 29<sup>th</sup> day of August, 2011 for a petition to rezone from Exclusive Agriculture District to Agriculture District "A" for continued residential use and to accommodate a foreclosure sale at W4217 County Road T the following described land in the Town(s) of Farmington. The North 17 acres of NW-NE of Section 20, T18N, R6W. 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 a vote of 6 in favor, 1 excused – (Manthei) the Committee recommended approval of this rezone to Agriculture District "A" subject to the recording of deed restrictions indicating the following:

1. There can be no further subdividing of this parcel; and
2. Only one (1) single family residence is allowed.

(119-11/12)

(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 15<sup>th</sup> day of September, 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 31 ayes, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood.

**ZONING PETITION NO. Z269-9/11 RE: PETITION NO. 1875 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY DONALD M MOLITOR FOR A PETITION TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO AGRICULTURE DISTRICT "A" FOR CONTINUED SINGLE FAMILY RESIDENTIAL USE AT W1663 COUNTY ROAD A THE FOLLOWING DESCRIBED LAND IN THE TOWN OF FARMINGTON**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1875 to amend the La Crosse County Zoning Ordinance filed by: Donald M Molitor, W1663 County Road A, Mindoro, WI 54644 and having held a public hearing on the 29<sup>th</sup> day of August, 2011 for a petition to rezone from Exclusive Agriculture District to Agriculture District "A" for continued single family residential use at W1663 County Road A the following described land in the Town(s) of Farmington. Lot 1 of Certified Survey Map No. 131 in Volume 7. 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 a vote of 6 in favor, 1 excused – (Manthei) the Committee recommended approval of this rezone 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 15<sup>th</sup> day of September, 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 31 ayes, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood.

**CONDITIONAL USE PERMIT NO. 842 FILED BY MARK S RUSSELL, D/B/A DESIGN CONCRETE FOR A CONDITIONAL USE PERMIT TO STORE CONSTRUCTION EQUIPMENT AND TOOLS IN CONJUNCTION WITH A CONCRETE CONTRACTOR'S BUSINESS ON 3.76 ACRES OF LAND ZONED AGRICULTURE DISTRICT "A" IN THE TOWN OF FARMINGTON**

The La Crosse County Planning, Resources and Development Committee, having considered to application filed by: Mark S Russell, 2912 Ice Cap Rd, Sparta, WI 54656; d/b/a Design Concrete and having held a public hearing on the 29<sup>th</sup> day of August, 2011 for a Conditional Use Permit to store construction equipment and tools in conjunction with a concrete contractor's business on 3.76 acres of land zoned Agriculture District "A" in the Town(s) of Farmington on land described as follows: Lot 2 of Certified Survey Map No. 54 in Volume 14. Town of Farmington. 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

(120-11/12)

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 a vote of 6 in favor, 1 excused – (Manthei) the Committee recommended approval of this permit subject to the following eight (8) conditions:

1. Recommend approval for concrete contractor business;
2. Absolutely no outside storage of any kind;
3. No signage;
4. One (1) employee, the owner;
5. No storage of aggregate or sand;
6. All equipment must be reported to the local Assessor annually;
7. This permit is non-transferable; and
8. Income shall be reported through State Income Tax with a tax id number.

**THE COUNTY BOARD** took the following action this 15<sup>th</sup> of September, 2011: Approved subject to conditions as outlined.

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

Motion by D. Meyer/B. Mach. Discussion ensued. Zoning, Planning & Land Information Director Jeff Bluske responded to questions. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 31 ayes, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood.

#### **ZONING PETITION NO. Z270-9/11 RE: PETITION NO. 1876 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY JOHN HULBERG TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO AGRICULTURE DISTRICT "A" A 14.59 ACRE PARCEL IN ORDER TO SPLIT THE FARM HOUSE AND OUTBUILDINGS FROM THE PRODUCTIVE FARMLAND AT N5557 COUNTY ROAD M IN THE TOWN OF HAMILTON**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1876 to amend the La Crosse County Zoning Ordinance filed by: John Hulberg, N5557 County Road M, West Salem, WI 54669 and having held a public hearing on the 29<sup>th</sup> day of August, 2011 for a petition to rezone from Exclusive Agriculture District to Agriculture District "A" a 14.59 acre parcel in order to split the farm house and outbuildings from the productive farmland at N5557 County Road M the following described land in the Town(s) of HAMILTON. Part of the NE-NE Section 29, and part of the W½-NW Section 28, T17N, R6W described as follows: Commencing at the W¼ corner of said Section 28, along west line of said SW-NW N00°32'25"W 544.64', N89°37'35"E 222.82' to the POB, N57°40'53"E 340.88', N44°18'53"E 199.44', N24°14'06"E 135.21', N03°36'32"E 294.50', N47°04'53"W 40.21', N67°23'36"W 90.33', N86°23'45"W 37.26', N54°57'25"W 411.69', N12°39'54"W 50.30', N01°48'54"W 125.34', N46°03'45"W 271.73', N89°40'45"W 138.14', N40°33'31"W 179.14', N27°24'31"W 143.10', N33°04'54"W 94.29', N51°59'26"W 32.65', S58°48'27"E 645.38', S43°38'17"E 684.81', S70°45'21"E 190.66' to the north line of Lot 1 of Certified Survey Map No. 109 in Volume 6, along westerly prolongation of the north line said Lot 1, N87°36'56"W 22', more or less, to the centerline of Larson Coulee Creek, southeasterly along said centerline 812', more or less, to the west right-of-way line of County Road M, along said west right-of-way line S00°44'26"E 246.20', more or less, to a 1.25 inch iron pipe, N80°49'59"W 162.16', S09°10'01"W 87.36', S89°37'35"W 889.91' to the POB. 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 a vote of 6 in favor, 1 excused – (Manthei) the Committee recommended approval of this rezoning to Agriculture District "A" subject to receiving a variance to retain the previously

(121-11/12)

constructed detached buildings; or by removing a sufficient number of previously constructed detached buildings to meet the total area (square footage of remaining buildings) requirements of Zoning Code Section 17.12(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 15<sup>th</sup> day of September, 2011: Approved the petition with conditions, becomes an ordinance, after conditions are met.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by D. Meyer/R. Ebert to approve as recommended by the Committee passed on a unanimous voice vote with 31 ayes, 4 excused - D. Bina, L. Pfaff, T. Wehrs and M. Wood.

**SUGGESTIONS FOR FUTURE AGENDA TOPICS**

- Supervisor Geary asked Corporation Counsel William Shepherd to provide an answer in regards to if bids on bonds come in, do we have to take the lowest interest rate? Would it be advantageous to La Crosse County to accept from a local lending institution or an outside lender?
- Supervisor Burke announced that there is a tour of the new Fish and Wildlife Visitor Center located at the intersection of County Road Z and ZB on Brice Prairie on Sunday, September 18<sup>th</sup> at 1:00 p.m.
- Supervisor Schroeder reminded that the 8<sup>th</sup> freedom flight will be leaving Saturday morning from the airport. If you are interested, be there by 6:30 a.m. for their departure. They should return around 10:30 p.m.
- Supervisor Sebranek reminded that there is an open house at the landfill tomorrow from 11:00 a.m. to 1:00 p.m.

**ADJOURN**

Motion by G. Sebranek/R. Keil to adjourn passed on a unanimous voice vote with 30 ayes, 5 excused - D. Bina, M. Freedland, L. Pfaff, T. Wehrs and M. Wood.

**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, September 15, 2011 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 16 OF SEPTEMBER 2011.**