

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING
PROCEEDINGS; THURSDAY, FEBRUARY 16, 2012**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, February 16, 2012 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 26 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:

District Name	Attendance
1 Richmond, Andrea	Present
2 Geary, Ralph	Present
3 Feehan, Bill	Present
4 Johnson, Jai	Present
5 Johnson, Karin	Present
6 Billings, Jill	Excused
7 Plesha, Roger	Present
8 Freedland, Maureen	Present
9 Hampson, Sharon	Present
10 Wood, Margaret	Present, Excused at 06:49 PM
11 Kader, Audrey	Present
12 Flood, Bridget	Present
13 Brockmiller, Bill	Present
14 Medinger, John	Present
15 Mach, Beverly	Present
16 Sebranek, Gerald	Excused
17 Meyer, Donald	Present
18 Johnson, Tara	Present
19 Keil, Robert	Excused
20 Bina, Donald	Present
21 Manthei, Dennis	Present, Excused at 06:55 PM
22 Ebert, Ray	Present
23 Gamroth, Tammy	Present
24 Pfaff, Leon	Excused
25 Schroeder, Jeffrey	Excused
26 Burke, Vicki	Present
27 Pedretti, Marilyn	Present
28 Doyle, Steve	Excused
29 Kruse, Monica	Present at 06:09 PM
30 Spiker, Charles	Present
31 Ferries, Dan	Present
32 Benrud, Arlene	Present
33 Berns, Jim	Present
34 Wehrs, Tina	Excused
35 Bilskemper, Joe	Excused

PLEDGE OF ALLEGIANCE

COMMUNICATIONS AND ANNOUNCEMENTS:

County Board Chair Report - Tara Johnson

- 2012 County Board Work Plan – A draft was included in the Supervisor’s packet. If any members have suggested additions or topics for the County Board Planning meeting, please notify the Chair so those can be added.
- Supervisor Conference Reports and Announcements
 - Supervisor Benrud and Wood attended the WCA Legislative Exchange in Madison.
 - Supervisor Pedretti noted at the end of the sign ordinance in the packet, there is a Sustainable La Crosse Commission Policy Paper. These will be seen more often as they start to issue policy paper on different topics.
 - Supervisor Burke noted that Medical Examiner’s annual report was included in the packets. A transition from jail to community initiative was placed on the Supervisor’s desks. A site visit was done last Thursday and Friday. A La Crosse County Sheriff’s Deputy John Williams, was honored with a heroism award from the Wisconsin Sheriff’s and Deputy Sheriff’s Association.
 - Chair Johnson announced Supervisor Hampson is a candidate for WCA Board of Directors to fill a vacancy for the NACO Director from WCA.

Administrator Report - Steve O'Malley

PROCLAMATION FEBRUARY 2012 - PUBLIC HEALTH MONTH

WHEREAS, the Mission of the La Crosse County Health Department is to “Protect, Promote and Improve the Health of all People in the County”; and, **WHEREAS**, the Health Department is made up of about 80 full and part time staff representing 17 different professions that have been successful in meeting this Mission as measured by the increase in length of life of County residents and other indicators; and, **WHEREAS**, the staff of the La Crosse County Health Department assists County residents through the delivery of over 30 public health programs in 7 different service areas including:

- Environmental Health
- Health Education
- Home Health Nursing
- Laboratory
- Nutrition
- Public Health Nursing
- Vector Control.

NOW THEREFORE BE IT RESOLVED, that the La Crosse County Board does hereby proclaim the month of February as Public Health Month and urges all residents to join in recognizing the valuable contribution of Health Department staff dedicated to helping everyone in the County of La Crosse live longer and more productive lives.

Motion by S. Hampson/B. Brockmiller to approve passed on a unanimous voice vote with 27 ayes, 8 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, L. Pfaff, J. Schroeder, G. Sebranek and T. Wehrs.

CONSENT AGENDA

Motion by R. Plesha/M. Wood to approve the minutes of the County Board of Supervisors Planning Meeting held January 9, 2012 and the Monthly Meeting held January 19, 2012 and the claims list for \$6,646,604.77 passed on a unanimous voice vote with 27 ayes, 8 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, L. Pfaff, J. Schroeder, G. Sebranek and T. Wehrs.

SECOND CONSIDERATION OF ORDINANCE NO. 94-2/12 TO CREATE CHAPTER 33 ENTITLED “REGULATION OF OUTDOOR ADVERTISING” OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

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

Section 1. Chapter 33 entitled "Regulation of Outdoor Advertising" is created to read:

33.01 Purpose, Findings and Applicability.

(1) Purpose. The purpose of this section is to:

(a) Establish minimum standards to safeguard life and property and to promote public welfare and community aesthetics by regulating the appearance, construction, location and maintenance of all signs, awnings, canopies and billboards. The provisions herein contained shall be binding upon every owner of a building, every lessee and every person in charge or responsible for or who causes the construction, repair, relocation or alteration of any outdoor sign and other advertising structures in La Crosse County.

(b) Further the responsibility of the County of La Crosse as an Eco-Municipality to lead in accordance with the principles of sustainability that meet the needs of the present while minimizing negative impact on future generations.

(2) Findings.

(a) Signs can create safety hazards that threaten the public health, safety or welfare. Such a safety threat is particularly great for signs that are structurally inadequate, or that may confuse or distract drivers or pedestrians, or that may interfere with official directional or warning signs.

(b) Signs can also threaten the public welfare by creating aesthetic concerns and detriments to property values. Such aesthetic concerns and detriments to property values are particularly great when an accumulation of signs results in visual clutter, or when one or more signs spoil vistas or views, or when one or more signs add or increase commercialism in noncommercial areas.

(c) With respect to electronic changeable copy, electronic graphic display and video display signs these signs are highly visible from long distances and at very wide viewing angles both day and night and are designed to catch the eye of persons in their vicinity for extended periods of time. If left uncontrolled these electronic signs constitute a serious traffic safety threat. Studies conducted by the Federal Highway Administration (FHWA), Research Review of Potential Effects of Electronic Billboards on Driver Attention and Distraction, Sept. 11, 2001; the University of North Carolina Highway Safety Research Center, Distractions in Everyday Driving, May 2003; the Wisconsin Department of Transportation, Synthesis Report of Electronic Billboards and Highway Safety, June 10, 2003; the Municipal Research and Services Center of Washington, Sign Control Provisions, Jan. 2006; and the Veridan Group, Video Signs in Seattle, Gerald Wachtel, May 2001 reveal that electronics signs are highly distracting to drivers and the driver distraction continues to be a significant underlying cause of traffic accidents.

(d) Signs are an invaluable marketing tool for businesses and organizations as well as a vital component of way-finding for residents and visitors alike.

(3) Authorized and Applicability. This chapter is created pursuant to s. 59.70(22), Wis. Stats. This chapter shall not apply within cities, villages and towns which have enacted ordinances regulating the same subject matter. The provisions of s. 84.30, Wis. Stats., and Wisconsin Administrative Code, Trans 201 are adopted and incorporated herein as part of this chapter for regulating signs along and adjacent to any system of interstate, defense, federal primary or federal secondary highways in unincorporated areas of La Crosse County. The regulations in this section shall also apply to the aforementioned highways.

33.02 Definitions.

(1) Administrator. The County Zoning Supervisor, or designee of the County Zoning Supervisor, empowered to enforce the rules and provisions of this chapter.

(2) Agricultural Sign. A sign advertising the sale of farm or forest products, including edible farm products, plant nursery or products, forest products, livestock produced or raised on the premises. Agricultural Signs shall also include those signs indicating a landowner's membership in agricultural associations or cooperatives or specialization in a particular breed of animal or type or strain of plant.

(3) Canopy Sign. Any shelter combined with a sign which is attached to or associated with a structure.

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(4) Class 1 Highway. Improved or unimproved Town Roads or other public roads not identified as Class 2 or 3 Highway.

(5) Class 2 Highway. Improved or unimproved County Roads.

(6) Class 3 Highway. Improved or unimproved State or Federal Roads, except class 4 highways.

(7) Class 4 Highway. Controlled access highway, freeway or interstate roads.

(8) Committee. The committee charged with carrying out the policy-making processes for the La Crosse County Zoning, Planning and Land Information Department as defined in Chapter 1 of this Code.

(9) Department. The La Crosse County Zoning, Planning and Land Information Department.

(10) Directional Sign. An off-premises sign displayed for the sole purpose of assisting way finding through disclosure of no more than the name of a business or activity and the distance or directions to such business or activity.

(11) Digital Billboard. An off-premises sign capable of displaying multiple static images controlled by electronic communications.

(12) Electronic Message Unit. Any on-premise sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

(13) Flashing Sign. Any directly or indirectly illuminated sign on which artificial light is not maintained stationary and constant in intensity and color at all times when in use.

(14) Frame Effects. Any visual effect on an electronic message unit applied to a single frame to transition from 1 message to the next. Such effects may include but will not be limited to scrolling, fading, dissolving, etc.

(15) Freestanding Sign. Any ground, monument, pole or other sign which is supported by structures or supports in or upon the ground and independent of support from any building.

(16) Frontage. That portion of a parcel abutting a highway or other approved access.

(17) Fronting on a Class 4 Highway. Any parcel which is adjacent to a class 4 highway.

(18) Illuminated Sign. Any sign that has characters, letters, figures, designs or outlines illuminated by electric lights, luminous tubes, or any other artificial means as part of the sign.

(19) Informational Sign. Any sign for a public, charitable, government, non-profit or religious organization. Such signs included, but are not limited to, bulletin boards and kiosks.

(20) Interactive Sign. An electronic message unit that is capable of being programmed or manipulated by anyone other than the sign owner or an authorized agent of the sign owner.

(21) Intersection. The point upon which 2 highway centerlines or a highway centerline and the center of a railway right-of-way converge.

(22) Lot Lines. The lines bounding a parcel.

(23) Manual Message Unit. Any sign whose message may be changed by manual process. Manual Message Units typically have slots or grooves with hooks or brackets, or magnets for the individual letters and symbols to be attached to the sign face to create a message.

(24) Monument Sign. A free standing sign where the base of the sign structure is on the ground, rather than attached to a pole or pylon that is attached to the ground.

(25) Moving Sign. A sign or any portion of a sign that physically moves, such as rotating or spinning, rocking, going up or down, etc. or that uses lights or other elements to simulate movement including scrolling (up and down), twinkling, fading, bouncing, rotating, pulsing, or in any other manner create the effect of movement.

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(26) Non-Conforming Sign. Any sign which existed prior to the effective date of this chapter and does not conform to the regulations within.

(27) Off-Premise Sign. Any sign that is not appurtenant to the use of the property, a product sold, or the sale or lease of the property on which it is displayed.

(28) Off-Premise Static Sign. An off-premise sign that is not capable of displaying multiple static images controlled by electronic communications and not including directional signs.

(29) On-Premise Sign. Any sign that is appurtenant to the use of the property, a product sold, or the sale or lease of the property on which it is displayed.

(30) Parcel. One piece of land owned by a single entity which may or may not coincide with a lot of record.

(31) Political Sign. Any sign displaying a candidate for an election or a current election's subject matter.

(32) Professional Sign. Any sign that directs the public to a professional business.

(33) Projecting Sign. Any sign extending more than 18 inches but less than 4 feet from the face of a wall or building.

(34) RPA District Line. A line delineating certain zoning districts pursuant to Chapter 17 of the Code of Ordinances, which include any districts zoned Residential A, B, C, Rural, Manufactured Home Community, or other designated residential districts, Exclusive Agricultural, General Agricultural, or other designated agricultural district, and Public Facilities and Institutional.

(35) Real Estate Sign. Any sign which is used to offer for sale, lease, or rent land or property with or without improvements.

(36) Right-of-Way. Land over which an existing or planned public highway or railroad is intended and the boundary of which is shown on a legal map, plat, survey or plan or described in a recorded document. Where a legal map, plat, survey, plan or other recorded document does not exist and a highway has been constructed, 33 feet on either side of the traveled centerline shall be considered the right-of-way of said highway.

(37) Roof Sign. Any sign erected upon or over the roof or parapet of any building.

(38) Sensitive Area. An area defined and delineated as floodway on the "Official Floodplain Zoning Map", adopted and made part of the La Crosse County Floodplain Zoning Ordinance and as approved by the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA).

(39) Sign. A sign shall include anything that promotes, calls attention to or invites patronage to a business, location or product.

(40) Sign, Area Of. The area is the dimension of the face of the sign, but excluding the necessary supports or uprights on which the sign may be placed unless they are designed as part of the sign. If the sign consists of more than 1 side, all areas will be totaled unless stated otherwise.

(41) Sign Tracking Technology. Any electronic or other automatic device used to track or otherwise monitor the behavior, demographics or other features of motor vehicles, drivers, passengers, or other passersby.

(42) Temporary Portable Sign. Any sign not permanently attached to the ground which is intended to be displayed for no longer than 30 days per year, including real estate signs, construction site signs, banners, commander boards, decorative-type displays, signs which are designed to be easily moved from 1 location to another, or anything similar to the aforementioned.

(43) Vision Clearance. The area providing unobstructed vision at traffic intersections within which no structures, temporary structures, crops or landscape features shall encroach in order to provide for the safe and efficient flow of traffic [see s. 17.06(4) of the General Code of Ordinances].

(44) Wall Sign. Any sign attached to, erected on or painted on a wall of a building or structure and projecting 18 inches or less from such wall.

(45) Window Sign. Any sign located completely within an enclosed building and visible from a public way.

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(46) Wi-Fi Sign. A sign that is capable of communicating with personal portable wireless devices, such as cell phones, electronic navigation devices or portable computers, sending an advertising or other message to those devices.

33.03 Permits Required. Except as otherwise specified in this section, no sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, concerted or structurally altered, including converted to electronic message, without the issuance of a sign permit and without being in conformity with the provisions of this chapter. The sign shall also meet all other structural requirements of other applicable state, federal and local rules and ordinances. Signs shall not be erected or altered until a sign permit has been issued by the Department.

33.04 General Provisions.

(1) Setback and Dimensional Requirements. The following setbacks and heights shall apply to all signs including all features of said signs, unless otherwise stated.

(a) For signs 0 to 64 square feet per side, there shall be a 5 foot setback from all lot lines from any feature of the sign.

(b) For signs greater than 64 square feet per side, there shall be a 10 foot setback from all lot lines from any feature of the sign.

(c) Freestanding sign(s) shall be separated from other structures by a minimum of 10 feet, measured from edge of roof overhang to the closest part of the sign.

(d) The maximum height of any on-premises freestanding sign shall be 20 feet above ground level at the site of the sign but in no event shall the maximum height exceed 50 feet above the adjacent road centerline.

(e) The maximum height of any sign that fronts on a class 4 highway shall be 50 feet above the average elevation at the site of the sign, or above the elevation of the adjacent road center line, whichever is higher.

(f) Sign area or size shall be measured as the entire area within a single continuous perimeter enclosing an individual sign or group of signs, including the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. An electronic message unit sign cannot exceed the maximum allowable square footage, but can be included within a larger sign of another type if it does not exceed 50% of said sign area. The sign area will not include the base, apron, supports, structural members, framework, poles, roof, embellishments or decorative base when such area meets the other regulations of this ordinance.

(g) Distance Between Freestanding Signs. The distance between freestanding signs requiring a sign permit on the same parcel of land shall be a minimum of 200 feet throughout the street frontage, unless the street frontage is under 200 feet, where 1 freestanding sign shall be allowed.

(2) Number of Signs Allowed. No more than 2 signs of any type that require a permit shall be allowed per street frontage on any parcel.

(3) Signs on Public Rights-of-Way. Signs shall not be allowed on public rights-of-way, except for the following signs installed by a municipality: traffic control signs, parking signs, directional signs, address or fire number signs, and signs which identify a subdivision, neighborhood or community.

(4) Dangerous and Abandoned Signs. All signs shall be removed by the owner or lessee of the premises upon which the sign is located when a business which it advertises has not been conducted for a period of 6 months or when, in the judgment of the Department, such sign is dilapidated, in disrepair, dangerous, or unsafe. If the owner or lessee fails to remove it, the Department may take appropriate enforcement action following adequate written notice. The owner may appeal the Department's administrative decision pursuant to s. 33.09.

(5) Prohibited Signs. The following signs are prohibited unless they comply with 33.04(8) of this chapter.

(a) Signs facing a Residential District. Any sign greater than 32 square feet per side shall not be allowed to face a RPA District, within 100 feet of such

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district boundary for non-illuminated signs and within 300 feet of such district boundary if the sign is an illuminated sign.

(b) Traffic Interference. Signs shall not resemble, imitate or approximate railroad or traffic signs, signals or devices by their shape, size, form or color. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals or devices or the safe flow of traffic. No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape.

(c) Moving or Flashing Signs.

(d) Temporary Portable Manual Message Units, whether mounted on a trailer or on legs.

(e) Signs that cast light onto any public right-of-way or on adjoining properties such that the effect creates a safety hazard or a private nuisance.

(f) No sign shall be placed within the Vision Clearance except for official traffic control and highway signs.

(g) Roof Signs

(6) Construction and Maintenance Regulations.

(a) All signs shall be properly secured, supported and braced and shall be kept in reasonable structural condition and shall be kept clean and well painted at all times. Signs shall be constructed and maintained in a safe structural manner in accordance with the National Building Code, the National Electrical Code, the Wisconsin Administrative Code and Wisconsin State Statutes.

(b) Normal maintenance and repair includes preparing surfaces for painting repair or replacement of fasteners such as nails, screws or bolts, replacement of lighting components and associated fixtures, fastening broken pieces of a sign back together with glues or fasteners or in general bringing an existing sign back up to its original condition. Normal maintenance does not include the use of different materials for any replacement or addition of any structural elements such as posts, poles, braces or guy wires, frames, crossbeams, or sign faces.

(7) Legal Non-Conforming Signs.

(a) Any existing sign on the effective date of this chapter which does not conform with the provisions of this chapter is considered a legal nonconforming sign, provided that it meets the following requirements:

1. The sign was allowed by a sign permit prior to the effective date of this chapter.

2. If no sign permit was required under the applicable law for the sign in question and the sign was in compliance with the applicable county ordinances, state and federal laws on the effective date of this chapter.

(b) Nothing in this chapter shall relieve the owner or user of a legal non conforming sign or the owner of the property on which the sign is located from the provisions of this chapter regarding safety, maintenance and repair of signs.

(c) All legal non-conforming signs shall be kept clean and well painted at all times and normal maintenance and repair is permitted, however it must remain substantially the same as it was on the effective date of this ordinance and it shall not be moved, enlarged, raised, improved, or altered.

(d) Legal non-conforming signs are permitted normal maintenance and repair of the sign, including a change of advertising message. A change of advertising message shall not include the replacement of the existing sign face with any new materials or structures, such as the replacement with a vinyl face, or an Electronic Message Unit.

(e) Loss of legal non-conforming status. A sign will lose legal nonconforming status if 1 or more of the following occurs:

1. If said sign is damaged or structurally altered, except for normal maintenance and repair, the sign shall be reconstructed and used as before the damage or alteration, if it is reconstructed within 3 months after such damage or alteration, provided that the cost to reconstruct the sign is 50% or less of its fair market value per event; if the sign fails to conform to the County requirements regarding maintenance and repair, abandonment or dangerously defective signs.

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2. The sign is relocated so as to comply with all appropriate regulations.

(f) On the date of occurrence of any of the above, the sign shall be immediately brought into compliance with this chapter and a sign permit shall be issued or the sign shall be removed.

(8) All signs that are exterior illuminated require shielded light fixtures that will direct light at the sign, so as not to cast light onto any public right-of-way or on adjoining properties.

(9) Illuminated Signs and Electronic Message Units.

(a) All illuminated signs or electronic message units shall be required to obtain a permit.

(b) On-premise electronic message units shall be allowed subject to the following:

1. Number of electronic message units per site. One electronic message units is allowed per site street frontage. Two sides of such sign are considered 1 electronic message unit. This unit shall count as one of the total number of signs allowed per parcel as referenced in s. 33.04(2).

2. On premises fronting class 4 highways, the electronic portion of the sign fronting class 4 highways shall not exceed 100 square feet per side and a total of 200 square feet on both sides.

3. May not be located within 300 feet of a Residential or Public District Line.

4. Distance Between Electronic Message Unit Signs. The distance between electronic message signs requiring a Sign Permit shall be a minimum of 200 feet throughout the street frontage, unless the street frontage is under 200 feet, where 1 electronic message unit sign shall be allowed.

5. Types of messages permitted. On-premise illuminated and electronic message units may be used only to advertise activities conducted on the premises or to present public service information; no off-premises advertising is allowed.

6. Hours of operations. The electronic message unit shall only be illuminated between the hours of 6:00 am to 12:00 midnight, except during the hours of operation of the business or entity if the hours of operation exceed such times.

7. Length of Messages. Each message change shall be accomplished in 1 second or less, and each message shall remain in a fixed position for a minimum of 8 seconds. Only frame effects of fading and dissolving shall be allowed.

(c) Design standards.

1. An illuminated sign or electronic message unit design plan shall be submitted as part of the permit application. The illuminated sign or electronic message unit design must be architecturally compatible with the building design, utilizing similar materials and established style as found in the principal structure.

2. A landscape plan shall be submitted as part of the permit application for all freestanding signs. The landscaping shall address the area within 6 feet of the sign, utilizing plantings that are complimentary to the sign base, appearance, and location of the sign.

3. No electronic message unit shall be illuminated to a degree of brightness greater than necessary for adequate visibility or a maximum of 500 nits (candelas per square meter) between dusk and dawn, 5,000 nits during daylight hours, or the minimum standards set by the Federal Highway Administration, whichever is more restrictive. All electronic message units shall come equipped with automatic dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient light conditions. Signs found to be too bright will be adjusted to meet these standards after notification by the County.

4. Prior to issuance of a permit the applicant shall submit a signed letter from the manufacturer certifying that the sign has the ability to be programmed to comply with the above requirements to the satisfaction of the Department.

(d) Compliance with ordinance upon ordinance adoption.

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1. All electronic message units that are in operation on the date of the adoption of this ordinance that are capable of being re-programmed by an owner or other operator shall comply with the programming and lighting standards of this ordinance within 90 days.

2. Requirement of periodic review. Rapidly evolving sign technology will necessitate periodic review of this ordinance, and shall be undertaken by the County Department on a schedule to be established from time to time. New technology that can be adapted to minimize harmful effects of illuminated signs may be required and otherwise regulated during the life of the sign.

3. The County shall as part of the permit process provide the sign holder with a current copy of existing state, federal and county ordinances regarding electronic signs including current regulations pertaining to degree of illumination, and also definitions and restrictions on flashing lights, moving lights, traveling lights, etc.

33.05 Residential District A, B, and C, Rural, and Manufactured Home Community District.

(1) Signs Not Requiring a Sign Permit. The following signs shall not require a sign permit, provided that they are on-premises signs or directional signs, and shall comply with the regulations of this chapter.

(a) Informational signs not exceeding 8 square feet.
(b) Political signs not exceeding 32 square feet.
(c) Professional signs not exceeding 4 square feet and shall not be illuminated.

(d) Real estate signs not exceeding 4 square feet.
(e) Any sign for the purpose of designating a new building, a new development, for promotion of a subdivision, or for similar special informational purposes shall not exceed 2 years and shall not exceed 40 square feet.

(f) Signs bearing only property numbers, post box numbers or names of occupants of the parcel shall not exceed 1 square foot.

(g) Rummage sale signs shall not exceed 8 square feet and are limited to 72 hours per sale.

(h) Flags and insignia of any government except when displayed in connection with commercial promotion.

(i) Official signs such as traffic control signs and highway signs.

(j) Signs designating entrances, exits, service areas, parking areas, restrooms and others relating to functional operation of the building or parcel and bear no advertising matter.

(k) Temporary portable signs shall not exceed 8 square feet and shall not be Electronic or Manual Message Units.

(l) Directional signs shall not exceed 16 square feet and shall not be illuminated.

(2) Signs Requiring a Sign Permit. The following signs shall be allowed after issuance of a sign permit by the Department and shall comply with the regulations of this chapter.

(a) Informational signs greater than 8 square feet but not to exceed 16 square feet.

(b) Professional signs greater than 4 square feet but not to exceed 8 square feet.

(c) Real estate signs greater than 4 square feet but not to exceed 16 square feet.

(d) A sign which identifies a subdivision, neighborhood or community shall not exceed 40 square feet.

(e) Temporary portable signs greater than 8 square feet but not to exceed 16 square feet. Such signs shall not be Electronic or Manual Message Units.

(f) Directional signs greater than 16 square feet and less than 32 square feet, and shall not be illuminated.

33.06 Exclusive Agricultural, General Agricultural, Recreational & Natural Resource, and Public Facilities and Institutional Districts.

(261-11/12)

(1) Signs Not Requiring a Sign Permit. The following signs shall not require a sign permit, provided that they are on-premises signs or directional signs, and shall comply with the regulations of this chapter.

(a) Informational signs not exceeding 16 square feet.
(b) Political signs not exceeding 32 square feet.
(c) Professional signs not exceeding 8 square feet.
(d) Real estate signs not exceeding 16 square feet.
(e) Any sign for the purpose of designating a new building, a new development, for a promotion of a subdivision, or for similar special informational purposes shall not exceed 2 years and shall not exceed 40 square feet.

(f) Signs bearing only property numbers, post box numbers or names of occupants of the parcel shall not exceed 1 square foot.

(g) Rummage sale signs shall not exceed 8 square feet and are limited to 72 hours per sale.

(h) Flags and insignia of any government except when displayed in connection with commercial promotion.

(i) Official signs such as traffic control signs and highway signs.

(j) Signs designating entrances, exits, service areas, parking areas, restrooms and others relating to functional operation of the building or parcel and bear no advertising matter.

(k) Window signs shall be placed only on the inside of commercial buildings and shall not exceed 75% of the glass area of the pane upon which the sign is displayed.

(l) Temporary portable signs. Such sign shall not be Electronic or Manual Message Units.

(m) Agricultural signs not exceeding 32 square feet.

(n) Directional signs not exceeding 32 square feet.

(2) Signs Requiring a Sign Permit. The following signs shall be allowed after issuance of a sign permit by the Department and shall comply with the regulations of this chapter.

(a) Informational signs greater than 16 square feet but not to exceed 32 square feet.

(b) Professional signs greater than 8 square feet but not to exceed 32 square feet.

(c) Real estate signs greater than 16 square feet but not to exceed 32 square feet.

(d) A sign which identifies a subdivision, neighborhood or community shall not exceed 40 square feet.

(e) Directional signs or agricultural signs greater than 32 square feet, but not to exceed 64 square feet.

(f) On-Premise Electronic Message Unit Signs adjacent to a class 1 or class 2 highway shall not exceed 16 square feet, or adjacent to a class 3 highway shall not exceed 32 square feet.

33.07 Commercial, Light Industrial and Industrial Districts.

(1) Signs Not Requiring a Sign Permit. The following signs shall not require a sign permit, provided that they are on-premises signs, directional signs, and shall comply with the regulations of this chapter.

(a) Informational signs not exceeding 16 square feet.

(b) Political signs not exceeding 32 square feet.

(c) Professional signs not exceeding 16 square feet.

(d) Real estate signs not exceeding 16 square feet.

(e) Any sign for the purpose of designating a new building, a new development, for a promotion of a subdivision, or for similar special informational purposes shall not exceed 2 years and shall not exceed 40 square feet.

(f) Signs bearing only property numbers, post box numbers or names of occupants of the parcel shall not exceed 1 square foot.

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(g) Rummage sale signs shall not exceed 8 square feet and are limited to 72 hours per sale.

(h) Flags and insignia of any government except when displayed in connection with commercial promotion.

(i) Official signs such as traffic control signs and highway signs.

(j) Signs designating entrances, exits, service areas, parking areas, restrooms and others relating to functional operation of the building or parcel and bear no advertising matter.

(k) Window signs shall be placed only on the inside of commercial buildings and shall not exceed 75% of the glass area of the pane upon which the sign is displayed.

(l) Temporary portable signs. Such sign shall not be Electronic or Manual Message Units.

(m) Directional signs not exceeding 32 square feet.

(2) Signs Requiring a Sign Permit. The following signs shall be allowed after issuance of a sign permit by the Department and shall comply with the regulations of this chapter.

(a) On Premise Freestanding signs shall not exceed 20 feet in height above the centerline street grade from which access to the parcel is obtained. Freestanding signs shall not exceed 200 square feet on 1 side or 400 square feet on all sides for any 1 parcel.

(b) Projecting signs fastened to, suspended from or supported by structures shall not exceed 100 square feet in area for any 1 parcel, shall not exceed a height of 20 feet above the centerline street grade, shall not be more than 20 feet and not be less than 15 feet above a driveway. If the sign is only above a sidewalk, it shall not be more than 15 feet and not less than 10 feet from the ground. Projecting signs shall not extend above the roof line.

(c) Wall signs placed against the exterior walls of buildings shall not exceed 200 square feet in area or 40% of the wall surface, whichever is less, per wall for any 1 parcel, shall not exceed the height of the wall for which it is displayed and shall not extend above the roof line.

(d) Canopy signs shall not exceed 100 square feet per street frontage or 20% of the fascia of the canopy, whichever is greater.

(e) Manual Message Units shall not exceed 64 square feet and 20 feet in height.

(f) Directional signs greater than 32 square feet, but shall not exceed 64 square feet.

(g) On-Premise Electronic Message Unit Signs adjacent to a class 1 or class 2 highway shall not exceed 24 square feet, or adjacent to a class 3 highway shall not exceed 40 square feet.

(h) Off-premise static signs, subject to the following:

1. Shall be a minimum of 300 feet for non-illuminated signs and 900 feet for illuminated signs from a zoned RPA District line and from sensitive areas.

2. Shall be a minimum of 300 feet from an intersection.

3. Any off-premise static sign constructed after the effective date of this chapter shall be a minimum of 600 feet from another off-premise sign.

4. Shall be erected in a freestanding design. No back bracing or guy wires are allowed.

5. Shall meet all federal, state and local requirements prior to issuance of permit.

6. Shall not exceed 300 square feet per side of the sign structure, except shall not exceed 672 square feet per side of the sign structure along class 4 highways.

7. Shall not exceed the height of 30 feet above ground level at the site of the sign, except the maximum height shall be 50 feet above ground level

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at the sign site if located along class 4 highways, but in no event shall the maximum height exceed 50 feet above the adjacent road centerline.

(i) Off-premise Digital Billboard Signs shall be allowed subject to the following:

1. Only off-premises signs existing as of the date of passage of this ordinance may be converted to digital billboards so long as such signs comply with all applicable provisions of this Chapter and subject to the following:

a. Before a sign permit for any conversion of an existing off premises sign to a digital billboard is granted, a public hearing shall be held before the Planning, Resources and Development Committee subject to the following:

i. Notice of the hearing shall be provided to all County Board Supervisors, the media, the town where the sign is located, and residents within 1,000 feet of the sign.

ii. Prior to the hearing, the applicant for the permit shall complete a site specific review, which will include a traffic safety study and the impact of the conversion on the environment, including neighborhoods, planned future development in the area and existing conditions.

iii. The Committee shall only have authority to determine if a permit should be denied even if the applicant meets all of the requirements for a digital billboard pursuant to this ordinance. The Committee shall consider the factors addressed in the site specific review and any other factors deemed relevant by the Committee to the public health, safety and welfare of the County.

2. Digital billboards shall display static images for a period of at least 7.5 seconds before instantaneously transitioning to another static image.

3. Animation, frame effects, flashing and the appearance of movement whatsoever, interactive signs, video display signs, sign tracking technology, Wi-Fi signs and signs that emit any visible matter other than light shall be explicitly prohibited.

4. All digital billboards shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with natural ambient light conditions.

5. No digital billboard shall exceed a brightness level of 5,000 nits (candelas per square meter) during daylight hours and 500 nits between dusk and dawn, or the minimum standards set by the Federal Highway Administration, whichever is more restrictive. Signs found to be too bright shall be adjusted to meet these standards after notification by the County.

6. Prior to issuance of a permit the applicant shall submit a signed letter from the manufacturer certifying that the billboard has the ability to be programmed to comply with the above requirements to the satisfaction of the Department, subsections (2.) through (5.) above.

7. A digital billboard shall be only located on a Federal-aid primary highway system (FAP) with traffic counts greater than 20,000 vehicles per day.

8. Shall be located a minimum of 1,320 feet from a zoned Residential and Public Facilities and Institutional District Line or sensitive area adjacent to a class 4 highway and 1500 feet from an RPA District Line and sensitive area adjacent to all other highways.

9. A digital billboard shall be separated from another digital billboard by a minimum distance of 2,500 feet.

10. Shall not exceed the height of 30 feet above ground level at the site of the sign, except the maximum height shall be 50 feet above ground level at the sign site if located along class 4 highways, but in no event shall the maximum height exceed 50 feet above the adjacent road centerline.

11. Each conversion shall require the applicant to take down or eliminate the equivalent of 2 square feet of off-premise static signs for every 1 square foot of area converted to a digital billboard.

33.08 Administration. This chapter shall be enforced by the Administrator. The Administrator shall have the following duties in connection with the enforcement of this chapter:

- (1) Keep records of all violations to the terms of this chapter and report such violations to the respective sign owner for resolution.
- (2) Issue citations for forfeitures for violations of this chapter when necessary.
- (3) Post stop work orders for any activity that has commenced prior to the issuance of a required permit.
- (4) Issue Permits. The Administrator shall issue a permit prior to the construction or erection of any new sign and any alteration or addition to any existing sign.
 - (a) If the Administrator finds that the permit application will not be in violation of this or any other ordinance, the Administrator shall issue a permit. The Administrator shall retain 1 copy of the permit and any pertinent application materials and return any other documents and an approved permit to the applicant.
 - (b) If the Administrator finds that the proposed permit application is not in compliance with the provisions of this chapter, the Administrator will deny such application and inform the applicant of the reasons for denial.
 - (c) Complete permit applications shall be issued or the application shall be denied within 10 days after receipt of the application.
 - (d) If activity has commenced prior to the issuance of a permit, any permit issued for said activity will be considered an after-the-fact permit.

33.09 Appeals. Any person or entity aggrieved by a decision of the Department shall have the right to appeal pursuant to Chapter 68 of the Wisconsin Statutes. The impartial decision maker under s. 68.11, Wis. Stats., shall be the Planning, Resource and Development Committee. The Committee shall either affirm, reverse or modify the decision.

33.10 Severability. If any portion of this Code is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Code shall not be affected.

33.11 Enforcement and Penalties.

(1) Any person, firm, company or corporation who violates, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this chapter shall be subject to a forfeiture of not less than \$100 and not more than \$500 for a first offense and a forfeiture of not less than \$200 and not more than \$1000 for a second or greater offense. Each day of violation shall constitute a separate offense.

(2) Violations. All signs constructed or maintained in violation of any of the provisions of this chapter are hereby declared public nuisances within the meaning of this chapter. In addition to any penalty provisions for violation of this chapter, the Administrator may bring an action to abate the nuisance and seek injunctive relief in a court of competent jurisdiction.

33.12 Fees. The fees under this chapter shall be determined by the County Board.

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

TARA JOHNSON, County Board Chair

GINNY DANKMEYER, County Clerk

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Meyer/M. Pedretti to approve. Discussion ensued. Motion by M. Pedretti/D. Manthei to amend 33.07(2)(b) to read: Projecting signs fastened to, suspended from or supported by structures shall not exceed 100 square feet in area for any 1 parcel, shall not exceed a height of 20 feet above the centerline street grade, shall not be more than 20 feet and not be less than 15 feet above a driveway. If the sign is only above a sidewalk, it shall not be more than 15 feet and not less than 10 feet from the ground. Projecting signs shall not extend above the roof line. Discussion ensued. The motion to amend passed on a unanimous voice vote with 27 ayes, 8 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, L. Pfaff, J. Schroeder, G. Sebranek and T. Wehrs. Planner Charlie Handy and Corporation Counsel Dave Lange responded to questions from the Board. The motion to approve as

amended passed on a roll call vote with 23 ayes, 4 nays - J. Berns, R. Ebert, B. Feehan and D. Ferries, 8 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, L. Pfaff, J. Schroeder, G. Sebranek and T. Wehrs.

RESOLUTION RE: APPROVE A SECOND EXTENSION TO THE TEMPORARY MORATORIUM ON CERTAIN TYPES OF OUTDOOR ADVERTISING

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE: Motion by J. Medinger/B. Feehan to withdraw from the agenda passed on a unanimous voice vote with 25 ayes, 10 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, D. Manthei, L. Pfaff, J. Schroeder, G. Sebranek, T. Wehrs and M. Wood.

CONDITIONAL USE PERMIT NO. 848 FILED BY JOHN DIETRICH AND KIRBY PABST FOR PABST ENGINEERING & MANUFACTURING INC, ACTING ON BEHALF OF FRANK A. & JANICE M. FOGEL AND FRANKS REPAIR, FOR A CONDITIONAL USE PERMIT TO OPERATE A TEST SITE FOR A FULL FEATURED MODULAR ANAEROBIC DIGESTER MACHINE ON 0.69 ACRE PARCEL SOUTH OF N6281 COUNTY ROAD ZB ON LAND ZONED AGRICULTURE DISTRICT "A" IN THE TOWN OF ONALASKA

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by John Dietrich and Kirby Pabst for Pabst Engineering & Manufacturing Inc, 1215 Well St, Onalaska, WI 54650; acting on behalf of Frank A & Janice M Fogel and Franks Repair, W7891 County Road Z, Onalaska, WI 54650 and having held a public hearing on the 30th day of January, 2012 for a Conditional Use Permit to operate a test site for a full featured modular anaerobic digester machine which will consist of 1-6 tanks in the 2,000-32,000 gallon range. Refuse, food waste, manure and paunch manure will be added to this pilot thermophillic anaerobic digester. Residual solids and liquids from the digester will be land spread to the John Schaller farm on Brices Prairie to incorporate into any nutrient management plan he may have. This project is proposed on a 0.69 acre parcel south of N6281 County Road ZB on land zoned Agriculture District "A" in the Town of Onalaska and described as follows: Lot 3 of Certified Survey Map No. 35 in Volume 9. 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 a vote of 5 in favor, 2 excused – Keil & Pedretti, the Committee recommended approval of this permit subject to nineteen (19) conditions listed on page 2 of this document:

1. This Conditional Use Permit (CUP) is issued to John Dietrich and Kirby Pabst to locate and operate one pilot thermophillic anaerobic digester on a 0.69 acre parcel described as Lot 3 of CSM No. 35, Volume 9, in the Town of Onalaska owned by Frank and Janice Fogel.
2. This approval is for four (4) 1,000 gallon influent and effluent storage and processing tanks and one (1) 2,000 gallon digester only.
3. Incoming waste stream is limited to liquid food waste from the Monroe County Landfill, paunch manure from VPP Group of Norwalk, WI and manure from the John Schaller farm in accordance with WI DNR WPDES General Permit No. WI-0055867-05. No other solid or demolition waste material or liquid waste shall be used.
4. Waste introduced, stored and processed at this site shall be limited to no more than 400 gallons per day and no more than 2,000 gallons per week.
5. A letter of approval from the Holmen Fire Department obtained by the applicant shall be provided to the Zoning Department and made part of this file if a flare is used to burn excess gas.
6. No vehicles transporting waste to the site or waste material from the site are allowed outside the hours of 7 a.m. to 8 p.m., Monday through Saturday.

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7. All waste material to be landspread shall be applied only in accordance with an approved nutrient management plan.
8. No outside storage of influent or effluent waste material is allowed at the site. Clean up of any waste material shall be in accordance with an Emergency Action Plan that is part of an approved Animal Waste Impoundment Permit issued by the La Crosse County Conservation Department.
9. A Zoning/Occupancy Permit and 911# shall be required for this facility.
10. Correspondence from the La Crosse County Environmental Health Department outlining sanitation requirements for employees at this facility shall be provided to the Zoning Department by the applicant.
11. This facility shall be removed from this location and moved to an approved site within 90 days of discontinuance of operation.
12. A bond in the amount of \$5,000 shall be provided by the applicant to La Crosse County in the event compliance with the preceding condition must be accomplished by the county.
13. This permit expires 5 years from the date of approval by the La Crosse County Board of Supervisors.
14. Any proposed change to tank capacity, numbers of tanks, or extension of the expiration date of this permit requires re-application and amendment to this CUP.
15. Any findings of non-compliance with WI DNR Clean Air Standards shall result in rehearing and possible termination of CUP #848.
16. Adequate liability and property damage insurance is the responsibility of the applicant.
17. Regular reports to the La Crosse County Solid Waste Department are required.
18. A security fence around the facility or approved security plan is required.
19. This permit is non-transferable.

THE COUNTY BOARD took the following action this 16th of February 2012. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Meyer/D. Bina to approve. Discussion ensued. Planner Charlie Handy responded to questions from the Board. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 26 ayes, 9 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, L. Pfaff, J. Schroeder, G. Sebranek, T. Wehrs and M. Wood.

ZONING ORDINANCE NO. Z276-2/12 RE: PETITION NO. 1882 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY HARLAN G. AND INGRID RURODEN FOR A PETITION TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO AGRICULTURE DISTRICT "A" THE FOLLOWING DESCRIBED LAND FOR CONTINUED RESIDENTIAL USE IN THE TOWN OF FARMINGTON

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1882 to amend the La Crosse County Zoning Ordinance filed by Harlan G. and Ingrid Ruroden, W1818 Davis Creek Road, Mindoro, WI 54644 and having held a public hearing on the 30th day of January, 2012 for a petition to rezone from Exclusive Agriculture District to Agriculture District "A" the following described land for continued residential use in the Town(s) of Farmington. Part of the W ½ - NE ¼, Sec. 8, T18N-R5W, commencing at the NW corner of NW ¼ - NE ¼, thence S 89°25'38" E 1313.38 ft. to NE corner, thence S 0°20'50" W along East line 659.70 ft. to POB, thence S 0°20'50" W 983.71 ft., thence N 62°30'21" W 100.00 ft., thence S 14°41'20" W 182.49 ft., to the northerly right of way of Davis Creek Road, thence, along said right of way, N 62°30'21" W 92.64 ft., thence N 63°48'35" W 238.36 ft., thence N 0°20'50" E 969.70 ft.; thence S 89°31'45" E 431.06 ft. to POB. 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

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modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of 5 of favor, 2 excused – Keil & Pedretti, Committee recommended approval of this rezoning to Agriculture District "A" subject to the recording of deed restrictions indicating the following:

1. Only one single family residence is allowed; and
2. No further subdividing of this parcel until these restrictions are amended by the County Board.

(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 16th day of February, 2012. 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 26 ayes, 9 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, L. Pfaff, J. Schroeder, G. Sebranek, T. Wehrs and M. Wood.

ZONING ORDINANCE NO. Z277-2/12 RE: PETITION NO. 1883 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY TERRY A. AND SUSAN L. ARENTZ FOR A PETITION TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO AGRICULTURE DISTRICT "A" THE FOLLOWING DESCRIBED LAND TO SPLIT THE FARM HOUSE AND OUTBUILDINGS FROM THE PRODUCTIVE FARMLAND IN THE TOWN OF WASHINGTON

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1883 to amend the La Crosse County Zoning Ordinance filed by Terry A. And Susan L. Arentz, 5271 Magnolia Avenue, Rockland, WI 54653 and having held a public hearing on the 30th day of January, 2012 for a petition to rezone from Exclusive Agriculture District to Agriculture District "A" the following described land to split the farm house and outbuildings from the productive farmland in the Town(s) of Washington: The N 400 ft. of the SE ¼ - NW ¼, Sec. 3, T15N-R5W, Town of Washington. 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 5 of favor, 2 excused – Keil & Pedretti, Committee recommended approval of this rezoning to Agriculture District "A" subject to the recording of deed restrictions indicating the following:

1. Only one single family residence is allowed; and
2. No further subdividing of this parcel until these restrictions are amended by the County Board.

(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 16th day of February, 2012. Approved the petition with conditions, becomes an ordinance, after recording conditions.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Meyer/D. Bina to approve as recommended by the Committee passed on a unanimous voice vote with 26 ayes, 9 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, L. Pfaff, J. Schroeder, G. Sebranek, T. Wehrs and M. Wood.

Motion by D. Meyer to take Termination No. 79, 80, and 81 as a consolidated item. There were no objections.

TERMINATION NO. 79 FILED BY LA CROSSE COUNTY ZONING, PLANNING AND LAND INFORMATION DEPARTMENT TO TERMINATE CONDITIONAL USE PERMIT NO. 531 ISSUED TO DENNIS REECK AND PASSED BY THE COUNTY BOARD ON MARCH 15, 2001, TO PARK A 16-FT ENCLOSED TRAILER WITH PRESSURE WASHER AND SUPPLIES ON HIS DRIVEWAY ASSOCIATED WITH A MOBILE AUTO DETAILING BUSINESS ON LAND ZONED RESIDENTIAL DISTRICT "A" IN THE TOWN OF GREENFIELD. REASON FOR TERMINATING – THE BUSINESS HAS NOT OPERATED FROM THIS SITE FOR MORE THAN 12 CONSECUTIVE MONTHS AND HAS MOVED TO A NEW LOCATION

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 4th St N – Room 3170 La Crosse WI 54601 and having held a public hearing on the 30th day of January, 2012 on a petition to terminate Conditional Use

Permit No. 531 issued to Dennis Reeck at W2753 Birch Lane, La Crosse, WI 54601 and passed by the County Board on March 15, 2001, to park a 16-ft enclosed trailer with pressure washer and supplies on his driveway associated with a mobile auto detailing business on land zoned Residential District "A" in the Town of Greenfield. Reason for terminating – The business has not operated from this site for more than 12 consecutive months and has moved to a new location. Land described as: Lot 9 Block 1 Birchwood Heights and in part of the N1/2-SW of Section 12, T15N, R6W across the street from said Lot 9. Town of Greenfield. 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 5 in favor, 2 excused – Keil & Pedretti, Committee recommended approval of the Termination of Conditional Use Permit No. 531 because the business has moved to a new location and has not operated from this site for more than 12 consecutive months.

TERMINATION NO. 80 FILED BY LA CROSSE COUNTY ZONING, PLANNING AND LAND INFORMATION DEPARTMENT ON A PETITION TO TERMINATE CONDITIONAL USE PERMIT NO. 87 ISSUED TO CENTURY TELEVIEW OF WI, INC., NOW OPERATING AS CC VIII OPERATING, LLC/CHARTER COMMUNICATIONS, AND PASSED BY THE COUNTY BOARD ON JULY 2, 1984 TO CONSTRUCT AND OPERATE A 230-FT COMMUNICATIONS TOWER ON LAND ZONED RESIDENTIAL DISTRICT "A" IN THE TOWN OF MEDARY. REASON FOR TERMINATING – THE TOWER WAS DECOMMISSIONED AND REMOVED IN THE SPRING OF 2010

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 4th St N – Room 3170 La Crosse WI 54601 and having held a public hearing on the 30th day of January, 2012 on a petition to terminate Conditional Use

Permit No. 87 issued to Century Teleview of WI, Inc., at Box 1583, La Crosse, WI 54602-1583, now operating as CC VIII Operating, LLC/Charter Communications, 12405 Powerscourt Drive, St. Louis, MO; current property owners are Judith A Muetzel and James J. and George J. Kohlmeier, N2614 County Road FA, La Crosse, WI 54601 and passed by the County Board on July 2, 1984 to construct and operate a 230-ft communications tower on land zoned Residential District "A" in the Town of Medary. Reason for terminating – The tower was decommissioned and removed in the spring of 2010. Land described as: Part of the NW-SW of Section 35, 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),

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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 5 in favor, 2 excused – Keil & Pedretti, Committee recommended approval of the Termination of Conditional Use Permit No. 87 because the tower has been decommissioned and removed from the property.

TERMINATION NO. 81 FILED BY LA CROSSE COUNTY ZONING, PLANNING AND LAND INFORMATION DEPARTMENT ON A PETITION TO TERMINATE CONDITIONAL USE PERMIT NO. 669 ISSUED TO PAUL & DEBRA HOSCH, AND PASSED BY THE COUNTY BOARD ON DECEMBER 16, 2004 TO OPERATE A BUSINESS CALLED THE BIG EVENT COMPANY WHICH INCLUDES THE STORAGE OF EIGHT (8) INFLATABLE PLAYSPACES, A TRACKLESS TRAIN, CASINO TABLES AND DÉCOR ALONG WITH AN INVENTORY OF CHILDREN'S ACTIVITIES AND TRAILERS TO HAUL THEM ON LAND ZONED RESIDENTIAL DISTRICT "A" IN THE TOWN OF ONALASKA. REASON FOR TERMINATING – THE BUSINESS HAS MOVED TO A NEW LOCATION ZONED COMMERCIAL DISTRICT "B".

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 4th St N – Room 3170 La Crosse WI 54601 and having held a public hearing on the 30th day of January, 2012 on a petition to terminate Conditional Use Permit No. 669 issued to Paul & Debra Hosch, W6742 Strawberry Rd, Onalaska, WI 54650 and passed by the County Board on December 16, 2004 to operate a business called The Big Event Company which includes the storage of eight (8) inflatable playspaces, a trackless train, casino tables and décor along with an inventory of children's activities and trailers to haul them on land zoned Residential District "A" in the Town of Onalaska. Reason for terminating – The business has moved to a new location zoned Commercial District "B".

Land described as: Lot 14, Block 5 of Strawberry Commons, 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 a vote of 5 in favor, 2 excused – Keil & Pedretti, Committee recommended approval of the Termination of Conditional Use Permit No. 669 because the business has moved to a new location.

The County Board took the following action this 16th day of February, 2012. Approved terminations.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Meyer/B. Mach to approve as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 10 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, D. Manthei, L. Pfaff, J. Schroeder, G. Sebranek, T. Wehrs and M. Wood.

RESOLUTION NO. 88-2/12 RE: APPROVAL OF LEASE WITH WATER PLACE ONE, LLC
WHEREAS, since the mid 1980's, the South Bay Marina which is located on the waterfront adjacent to the Park Plaza Property has been popular with many local boat owners and tourists who require a dock slip for their boats; and, **WHEREAS**, Water Place One, LLC (Water Place One) is planning on operating the South Bay Marina in 2012 with the boat operations running from June 1, 2012 through November 30, 2014 and they have asked to enter into a 3 year lease with La Crosse County to enable them to lease boat slips for the boat season for these 3 years; and, **WHEREAS**, La Crosse County is interested in marketing the Park Plaza Property for sale during this time period; and, **WHEREAS**, if Water Place One agrees to pay rent in the amount of \$75 per occupied boat slip per year for the 2012–2014 seasons, mow the grass, pick up the trash, provide water and electricity to the premises

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and pay any costs associated with such utilities, and if they also agree to other terms in the lease that the County determines are necessary to allow it to prepare, market and sell the property, then a lease for 3 years commencing February 1, 2012 and terminating December 31, 2014, where either party has the right to terminate the lease upon 60 days advance written notice, is in the public interest by allowing the existing boat marina business to operate while the County continues to seek a developer for the property. **NOW, THEREFORE BE IT RESOLVED**, that the County Board Chair is authorized to sign a lease agreement with Water Place One, LLC upon approval of Corporation Counsel for a 3 year term to expire December 31, 2014. **FISCAL NOTE:** No cost to La Crosse County. The rent payment shall be deposited in Park Plaza Property Land Rent Account #1146-55090.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by J. Berns/A. Benrud to approved. Discussion ensued. Administrator O'Malley and Planner Charlie Handy responded to questions from the Board. Facilities Director Jim Speropulos responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 25 ayes, 10 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, D. Manthei, L. Pfaff, J. Schroeder, G. Sebranek, T. Wehrs and M. Wood.

RESOLUTION NO. 89-2/12 RE: REAUTHORIZATION OF SELF-INSURANCE

WHEREAS, La Crosse County is a qualified political subdivision of the State of Wisconsin; and, **WHEREAS**, the Wisconsin Worker's Compensation Act (Act) provided that employers covered by the Act either insure their liability with worker's compensation insurance carriers authorized to do business in Wisconsin, or to be exempted (self-insured) from insuring liabilities with a carrier and thereby assuming the responsibility for its own worker's compensation risk and payment; and, **WHEREAS**, the State and its political subdivisions may self-insure worker's compensation without a special order from the Department of Workforce Development (Department) if they agree to report faithfully all compensable injuries and agree to comply with the Act and rules of the Department; and, **WHEREAS**, the Executive Committee at its February 8th meeting approved the continuation of the self-insured worker's compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3). **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does ordain as follows:

- (1) To provide for the continuation of a self-insured worker's compensation program that is currently in effect, and;
- (2) Authorizes the County Clerk to forward certified copies of this resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.

FISCAL NOTE: This is a periodic reauthorization of that program as required by the State. There is no fiscal impact to this resolution. The self-insured Worker's Compensation program has an estimated annual savings for La Crosse County of \$544,597 per year since its inception in 1996.

EXECUTIVE COMMITTEE

Motion by V. Burke/B. Flood to approve passed on a unanimous voice vote with 24 ayes, 11 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, D. Manthei, J. Medinger, L. Pfaff, J. Schroeder, G. Sebranek, T. Wehrs and M. Wood.

RESOLUTION NO. 90-2/12 RE: INCREASE HOURS OF A HEALTH EDUCATOR BY 0.2 FTE – 7.5 HR/WEEK

WHEREAS, the US Center for Disease Control and Prevention, through the State of Wisconsin has authorized La Crosse County Health Department to receive \$18,800 to cover a portion of the cost associated with assisting the La Crosse and Monroe County Health Departments to become nationally accredited local health departments; and, **WHEREAS**, putting in place the policies and practices necessary to receive national accreditation helps assure La Crosse County Health Department is efficient and effective; and, **WHEREAS**, an existing part time Health Educator hours are needed to be increased to fulfill the requirements of this contract; and, **NOW THEREFORE BE IT RESOLVED**, that the La

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Crosse County Board does hereby authorize the Health Department to increase the hours of one existing Health Educator from 0.8 FTE to 1.0 FTE effective February 20, 2012 until December 31, 2012. **FISCAL NOTE:** The total contract is \$18,800 of which \$10,073 is for salary and fringes with the remaining balance to be used to meet contract objectives including indirect expenses-\$1,344, travel, training, etc. This staff change and contract work will not require County tax levy funding.

EXECUTIVE COMMITTEE

Motion by V. Burke/B. Brockmiller to approve passed on a unanimous voice vote with 25 ayes, 10 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, D. Manthei, L. Pfaff, J. Schroeder, G. Sebranek, T. Wehrs and M. Wood.

FIRST CONSIDERATION OF ORDINANCE

ORDINANCE NO. 103 TO AMEND SS. 1.01(1)(f) AND (2)(a), 1.02, 1.16(2)(f) AND (3), 1.21(4)(b)5., 1.28, 1.30, 1.31, 1.41(3), 1.47(1), 1.48, AND TO REPEAL SS. 1.37 AND 1.42(2)(h), OF CHAPTER 1 ENTITLED "GENERAL GOVERNMENT" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

Motion by C. Spiker/D. Meyer to move the first reading. Discussion ensued. Administrator O'Malley responded to questions from the Board. Motion by V. Burke/B. Feehan to amend 1.41(7) to read: Chairs of Standing Committees. The chairs of Standing Committees shall be elected by the members of those committees, except where an alternate procedure is specified by State Statutes or this Code. The elected chairs must be County Board Supervisors. Discussion ensued. Chair Johnson yielded the Chair to Supervisor Hampson so she could speak on the Ordinance. Lengthy discussion continued. Motion by J. Medinger/D. Meyer to call the question/close debate passed on a voice vote with 18 ayes, 7 nays - J. Berns, V. Burke, R. Ebert, D. Ferries, B. Flood, M. Freedland and R. Geary, 10 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, D. Manthei, L. Pfaff, J. Schroeder, G. Sebranek, T. Wehrs and M. Wood. Motion by B. Feehan/M. Freedland to reconsider the close of debate passed on a roll call vote with 16 ayes, 8 nays - A. Benrud, B. Brockmiller, K. Johnson, J. Medinger, D. Meyer, M. Pedretti, R. Plesha and C. Spiker, 1 abstention - A. Kader, 10 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, D. Manthei, L. Pfaff, J. Schroeder, G. Sebranek, T. Wehrs and M. Wood. Discussion continued. The motion to amend failed on a roll call vote with 14 nays, 11 ayes - J. Berns, D. Bina, V. Burke, R. Ebert, B. Feehan, D. Ferries, B. Flood, T. Gamroth, R. Geary, J. Johnson and A. Kader, 10 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, D. Manthei, L. Pfaff, J. Schroeder, G. Sebranek, T. Wehrs and M. Wood.

RESOLUTION NO. 91-2/12 RE: APPROVAL OF EPCRA COMPUTER & HAZMAT RESPONSE EQUIPMENT GRANT FOR 2012

WHEREAS, the State of Wisconsin/Department of Military Affairs/Wisconsin Emergency Management has provided grant awards to La Crosse County for a number of years that are used to defray county expense in providing emergency management services; and, **WHEREAS**, the grant applications to Wisconsin Emergency Management require the applicant to certify that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body agreeing to comply with the grant requirements and use of the emergency planning grant funds and that an official representative of the applicant is identified to act in connection with the grant and provide such additional information as may be required; and, **WHEREAS**, in 2012 Wisconsin Emergency Management Grants in the amount of \$6,544.41 are available to La Crosse County for computer equipment and Hazmat response equipment; and, **WHEREAS**, the EPCRA Computer and Hazmat & Response Equipment Grant is available for purchasing computer equipment and hazardous material response equipment to be used for local Level B hazmat teams; and, **WHEREAS**, acceptance of the above grants does not require hiring new County staff or the expenditure of any non-budgeted funds. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby approve application and acceptance of the above grant awards for 2012 from Wisconsin Emergency Management. **BE IT FURTHER RESOLVED**, that the County Board Chair or County Administrator is

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designated as the official representative of La Crosse County to act in connection with such grants and that either the County Board Chair or County Administrator are authorized to sign any documents required by the State relating to the application and acceptance of such grant funds, including the assurances that the County will comply with the grant requirements. **FISCAL NOTE:** The matching funds required for the above grants are included in the 2012 budget. The EPCRA Computer and Hazmat & Response Equipment Grant is \$6,544.41 for 2012.

JUDICIARY AND LAW COMMITTEE

Motion by M. Freedland/A. Richmond to approve passed on a unanimous voice vote with 25 ayes, 10 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, D. Manthei, L. Pfaff, J. Schroeder, G. Sebranek, T. Wehrs and M. Wood.

SUGGESTIONS FOR FUTURE AGENDA TOPICS

Supervisor Ebert, on behalf of Supervisor Sebranek, suggested a workgroup to look at allowable expenses for conferences and travel.

ADJOURN

Motion by A. Benrud/B. Brockmiller to adjourn at 8:38 PM passed on a unanimous voice vote with 25 ayes, 10 excused - J. Billings, J. Bilskemper, S. Doyle, R. Keil, D. Manthei, L. Pfaff, J. Schroeder, G. Sebranek, 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, February 16, 2012 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 28 OF FEBRUARY 2012.