

(1-14/15)

LA CROSSE COUNTY BOARD OF SUPERVISORS ORGANIZATIONAL MEETING PROCEEDINGS; TUESDAY, APRIL 15, 2014

The La Crosse County Board of Supervisors Organizational Meeting was held on Tuesday, April 15, 2014 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 26 supervisors were present when Clerk Dankmeyer 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	Excused at 7:00 PM
2 Geary, Ralph	Present
3 Veenstra, Joe	Present
4 Freedland, Maureen	Present
5 Rosa, Keyla	Excused
6 Plesha, Roger	Present
7 Hampson, Sharon	Present
8 Jerome, Peg	Present
9 Vacant	
10 Cable, Kim	Present
11 Scheller, Patrick	Present
12 Holtze, Dave	Present
13 Logue, Brian	Present
14 Schroeder, Jeffrey	Present
15 Kruse, Monica	Present
16 Ferries, Dan	Present
17 Giese, Mike	Present
18 Berg, Laurence	Present
19 Vacant	
20 Doyle, Steve	Present
21 Burke, Vicki	Present
22 Barlow, Patrick	Present
23 Nikolay, Matt	Present
24 Pfaff, Leon	Present
25 Ebert, Ray	Present
26 Hesse, Dan	Present
27 Wehrs, Tina	Present
28 Keil, Robert	Excused at 06:31 PM
29 Johnson, Tara	Present

PLEDGE OF ALLEGIANCE

OATH OF OFFICE: All Supervisors present, being duly elected to office at the April 1, 2014 Spring Election, were sworn in by the Honorable Judge Scott Horne.

ELECTIONS/ORGANIZATION

- County Clerk Dankmeyer opened nominations for Chair of the County Board of Supervisors for the current term. M. Kruse nominated Supervisor Tara Johnson for

(2-14/15)

Chair. A request was made for a secret ballot vote. By a secret ballot, Supervisor Johnson was elected Chair on a vote of 24-1, with 1 abstention, 1 excused – K. Rosa, and 2 vacant – District 9 and 19.

- County Clerk Dankmeyer opened nominations for First Vice-Chair of the County Board of Supervisors for the current term. S. Doyle nominated Supervisor Hampson for First Vice-Chair. D. Ferries nominated Supervisor Ebert for First Vice-Chair. By a secret ballot, Supervisor Hampson was elected First Vice-Chair on a vote of 16–10, with 1 excused – K. Rosa, and 2 vacant – District 9 and 19.
- County Clerk Dankmeyer opened nominations for Second Vice-Chair of the County Board of Supervisors for the current term. D. Holtze nominated Supervisor Veenstra for Second Vice-Chair. J. Schroeder nominated Supervisor Ebert for Second Vice-Chair. Supervisor Ebert declined the nomination and made a motion to pass a unanimous ballot for Supervisor Veenstra for Second Vice-Chair. Motion passed on a unanimous voice vote with 1 excused – K. Rosa, and 2 vacant – District 9 and 19.

CHAIR TARA JOHNSON TOOK THE CHAIR.

COMMUNICATIONS AND ANNOUNCEMENTS:

Corporation Counsel Report – David Lange

- Code of Ethics / Conflict of Interest
 - Corporation Counsel David Lange gave a presentation on the Code of Ethics and the Conflict of Interest that all supervisors must be aware of and follow. The Wisconsin Ethics Code for Local Public Officials was reviewed and supervisors were informed of what is prohibited under s. 19.59. Items that Local Public Officials may accept and retain and items they should not accept were also discussed. Supervisors were also informed of conduct prohibited under s. 946.13 as it relates to conflict of interest. The La Crosse County Code of Ethics was also reviewed by Corporation Counsel. If Supervisors have any questions or need advice, they should contact Corporation Counsel.
- Open Meetings / Public Records Law & E-Mail
 - Corporation Counsel David Lange continued with a presentation on the Open Meetings Law and the Public Records Law. He informed the supervisors of what to be cautious of, the requirements for open meetings, walking quorum issues, and closed session. He highly encouraged the supervisors to use the County e-mail address for County business to insure record retention. Procedures were discussed that can be done to reduce the risk of violating the law.
- Role of Corporation Counsel
 - Corporation Counsel provides legal opinion to the County Board and its Committees; interpret powers and duties of the Board; provide legal advice to all County departments; represent the County in all civil matters in which the County is interested in; works with Human Services on court hearings; with the Child Support Department; and provides all the resolutions and ordinances. The main role of Corporation Counsel is to represent La Crosse County.

County Clerk Report – Ginny Dankmeyer

- County Clerk Ginny Dankmeyer distributed the Supervisors Oath Card, and asked the County Board Supervisors to complete, sign and return the following forms - Ethics Statement, Conflict of Interest, Public Directory Information Release, and Board Profile Information form for the new supervisors.
- Supervisors were reminded to call the County Clerk's Office if you will be missing any County Board or committee meetings. Supervisors were also reminded to log in and out of the voting program if they need to step out of the Board meeting.
- Vehicle Insurance Requirements for Mileage Reimbursement – The County travel policy was distributed to Supervisors along with a checklist. Supervisors were asked

(3-14/15)

to review the policy and make sure they are providing the necessary documentation when turning in their mileage reimbursement.

- Supervisor Business Cards / Letterhead - Please contact the printing department regarding business cards or letterhead that you may need.

County Board Chair Report – Tara Johnson Monthly Meeting Time

- Motion by J. Veenstra/D. Ferries to start the monthly board meetings at 6 P.M. on the third Thursday of each month passed on a unanimous voice vote with 24 ayes, with 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.
- Supervisor Conference Reports and Announcements
 - Supervisor Burke distributed a brochure on ARTSPIRE which celebrates La Crosse's rich history and growing reputation as a creative community. The Mississippi River Regional Planning Commission 2014 Annual Update was also distributed to Supervisors. Please go to www.mrrpc.com for the full report.
 - Supervisor Hampson noted the Wisconsin County Officials Workshop information that was placed on Supervisors desk before the meeting. They are very informative and she encourages attendance.
 - Supervisor Jerome and Supervisor Freedland attended a lecture by John Norquist who is the former mayor of Milwaukee. He spoke about the need for balance and integration between residential areas and businesses.
- County Board Advance Reminder – The Board Advance is schedule for Friday, May 2, 2014 from 8:00 am - noon. A place is still being determined and Supervisors will be notified as soon as that is done.
- County Board Photo – The full County Board Photo and photos of new Supervisors will be taken at the June Monthly Meeting, June 19, 2014

Administrator Report – Steve O'Malley

- The WCA District meeting is schedule on Thursday, May 1, 2014 in La Crosse.
- 2014 Calendar – A calendar was distributed to Supervisors which listed the agenda topics planned for 2014. If Supervisors have any suggestions, please notify Administrator O'Malley.

CHAIR CHANGE

1st Vice Chair Hampson took the chair.

APPOINTMENTS

Reappoint **Steve Mader** to the La Crosse County Ethics Board as 1st Alternate for a three year term to expire April 30, 2017; reappoint **Mark Solyst** to the La Crosse County Ethics Board for a three year term to expire April 30, 2017; reappoint **David Eddy, Teresa Walter** and **Patrick Barlow** to the Solid Waste Policy Board for a three year term to expire April 30, 2017; appoint **Kathy Lucey** to the Commission on Aging to replace Audrey Kader, **Donna J. Kately** to replace Patricia Boge, **Ramona Van Riper** to replace Ann Fisher and **James D. Hanesworth** to replace Betty Woodruff for a three year term to expire April 30, 2017; reappoint **Kyara Tollan** and **Amy Atchison** to the Integrated Support and Recovery Services Advisory Council as a Consumer Advocate Representative for a two year term to expire April 15, 2016; reappoint **Pam Bendel** to the Integrated Support and Recovery Services Advisory Council as a Mental Health Advisory Council Representative for a two year term to expire April 15, 2016; reappoint **Chris Neumeister** to the Integrated Support and Recovery Services Advisory Council as a Provider of Mental Health Services for a two year term to expire April 15, 2016; reappoint **Donna Christianson** and **Wade Welper** to the Integrated Support and Recovery Services Advisory Council as a Representative from the Integrated Support Recovery Services Section for a two year term to expire April 15, 2016; appoint **Jennifer French** to the Integrated Support and Recovery Services Advisory Council as a Provider of Mental Health Services to replace Nicole Mooney for a two year term to expire April 15, 2016; reappoint **Mike Weibel** to the Farmland Preservation Committee for

(4-14/15)

a three year term to expire April 30, 2017; appoint **Timothy Goodenough** to the Farmland Preservation Committee to replace Ilona Hansen for a three year term to expire April 30, 2017; reappoint **Vicky Gunderson** to the Criminal Justice Management Council as a Citizen Member for a three year term to expire April 30, 2017.

Motion by T. Johnson/D. Holtze to approve. Discussion ensued. The motion to approve passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

CHAIR CHANGE

Chair T. Johnson resumed the chair.

CONSENT AGENDA

Motion by R. Plesha/L. Berg to approve the minutes of the La Crosse County Board of Supervisors Planning meeting held March 10, 2014 and the Monthly meeting held March 20, 2014 and the claims list for \$5,816,718.83 passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

RESOLUTION NO. 1-4/14 RE: AUTHORIZE APPLICATION FOR FUNDING FOR THE COUNTY-WIDE SAFE ROUTES TO SCHOOL PROGRAM FROM JULY 2016-JUNE 2018

WHEREAS, 30.7% of Wisconsin children are overweight or obese, and this contributes to increased development of chronic disease and lowered life expectancy; and, **WHEREAS**, the La Crosse County Safe Routes to School Program increases physical activity among K-8th grade children by encouraging active commuting to and from school; and, **WHEREAS**, the La Crosse County Safe Routes to School Program and partnering organizations (public and private school districts including La Crosse, Onalaska, Holmen, West Salem and Bangor, Gundersen Health System and Safe Kids Coulee Region-La Crosse, Mayo Health System and the Bicycle Federation of Wisconsin) work to provide services to twenty-two schools reaching approximately 6000 children and youth; and, **WHEREAS**, funding for Safe Routes to School Program has been folded into the Transportation Alternatives Program and current La Crosse County funding will sustain the Program through June 2016: and, **WHEREAS**, the federal Transportation Alternative Program Safe Routes to School activities requires applicants to provide 20% of the total award in matching funds. **NOW THEREFORE BE IT RESOLVED**, that the County Board of Supervisors hereby support the Transportation Alternatives Program application for state funding of \$332,563, including a La Crosse County levy match totaling \$66,513 for the 3 year period 2016-2018, to continue providing this service to schools, children and families in La Crosse County. **FISCAL NOTE:** Details of the required match are not yet final. The granting agency encourages local governments to plan for the potential local levy match now with the final determinations to be made later in 2014.

HEALTH AND HUMAN SERVICES BOARD

Motion by M. Kruse/J. Schroeder to approve. Discussion ensued. Health Director Doug Mormann responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

Zoning & Planning Administrator Nathan Sampson and Planner Charlie Handy gave a brief and general overview of what the Zoning Department and Planning, Resources and Development does.

ORDINANCE NO. 126-4/14 TO REPEAL CHAPTER 28 ENTITLED "TELECOMMUNICATIONS FACILITIES" AND RECREATE CHAPTER 28 ENTITLED "MOBILE TOWER, TELEVISION OR RADIO BROADCAST SERVICE FACILITY SITING" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

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

Section 1. Chapter 28 entitled "Telecommunications Facilities is repealed and is recreated as Chapter 28 entitled "Mobile Tower, Television or Radio Broadcast Service Facility Siting" to read:

28.01 PURPOSE.

(1) The purpose of this ordinance is to regulate by Conditional Use Permit and Zoning/Occupancy Permit the siting and construction of any new mobile service or television/radio broadcast support structure; with regard to a class 1 collocation, the substantial modification of an existing support structure and mobile service facilities; and with regard to a class 2 collocation, collocation on an existing support structure which does not require a substantial modification of an existing support structure and mobile service facilities.

It is intended that La Crosse County apply these regulations to accomplish to the greatest degree possible the following:

- (a) Minimize adverse effects of mobile service facilities and mobile support structures.
- (b) Maintain and ensure that a non-discriminatory, competitive and broad range of mobile services and high quality mobile service infrastructure consistent with the Federal Telecommunications Act of 1996 and provided to serve the community, as well as serve as an important and effective part of La Crosse County's police, fire and emergency response network.
- (c) Provide a process of obtaining necessary permits for these facilities and support structures while at the same time protecting the legitimate interest of La Crosse County citizens.
- (d) Encourage the use of alternative support structures, collocation of new antennas on existing support structures, camouflaged support structures, and construction of support structures with the ability to collocate three or more providers.

(2) This section is not intended to regulate residential satellite dishes or residential television antennas that are used privately. It is not intended to regulate satellite dishes/antennas where regulation is prohibited by Sec. 59.69(4d), or its successor sections of the Wisconsin Statutes or as permitted by Federal Law.

28.02 INTERPRETATION, PURPOSE, APPLICABILITY, AND SEVERABILITY

(1) The provision of this Chapter shall be held to be minimum requirements adopted to promote the public health, safety and general welfare as authorized by s.66.0404 Wis. Stats.

(2) It is not intended by this chapter to repeal, abrogate, annul, impair or interfere with any existing easement, covenant of agreement between parties or with any rules, regulations or permits previously adopted or issued pursuant to laws.

(3) The powers granted by the provisions of this chapter shall be liberally construed in favor of the County exercising such powers. Whenever there is a reference to a state statute, state administrative code section, or any other state or local rule or ordinance, such reference shall include any future amendments to the statute, code section, rule, or ordinance.

(4) This chapter is effective in all unincorporated towns located within La Crosse County that do not regulate the same subject matter under town zoning.

(5) If a court of competent jurisdiction adjudges any section, clause, provision or portion of this chapter unconstitutional or invalid, the remainder of this chapter shall not be affected thereby.

28.03 DEFINITIONS. All definitions contained in s.66.0404(1) and 66.0406(1), Wisconsin Statutes are hereby incorporated by reference. For the purposes of this chapter, mobile service support structure also includes any existing or new structure that supports television or radio broadcast service facilities.

(1) Camouflaged Mobile Service Support Structure. Any mobile service support structure that due to design or appearance hides, obscures, or conceals the presence of the mobile service support structure.

(6-14/15)

(2) Satellite dish. A device incorporating a reflect surface that is a solid, open mesh, or bar configured that is shallow dish, cone, horn or cornucopia shaped and is used to transmit and/or receive electromagnetic signals. This definition is meant to include, but is not limited to, what are commonly referred to as satellite earth stations, TVROs and satellite microwave antennas.

28.04 EXEMPT FROM PERMITTING. The following shall be exempt from the permitting requirements of this chapter, unless otherwise noted:

(1) The use of all receive-only television antennas and satellite dishes.

(2) Amateur radio and/or receive-only antennas. This chapter shall not regulate the installation of any antenna that is owner or operated by a federally licensed amateur radio operator and is used for amateur radio purposes or is used for receive-only purposes.

(3) Mobile service facilities providing public information coverage of news events of a temporary or emergency nature.

28.05 SITING AND CONSTRUCTION OF NEW MOBILE SERVICE SUPPORT STRUCTURES AND CLASS 1 COLLOCATIONS.

(1) A Conditional Use Permit is required for the siting and construction of any new mobile service support structure and facilities, and for class 1 collocations.

(2) An application for a Conditional Use Permit must be completed by the applicant and submitted to the La Crosse County Zoning, Planning and Land Information department. The application must contain the following information:

(a) The name and business address of, and contact individual for, the applicant.

(b) The location of the proposed or existing support structure.

(c) The location of the proposed mobile service facility.

(d) If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling and related equipment associated with the proposed modifications.

(e) If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.

(f) If the application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.

(3) A permit application will be provided by the La Crosse County Zoning, Planning and Zoning Department upon request by an applicant.

(4) If an applicant submits to the Zoning & Planning Department an application for a permit to engage in an activity described in this section which contains all of the information required under this section, the Zoning & Planning Department shall consider the application complete. If the Zoning & Planning Department finds the application is incomplete, the department shall notify the applicant in writing within 10 days of the receipt of the application that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as is necessary until it is complete.

(5) County Responsibilities. Within 90 days of its receipt of a complete application, the Planning, Resources & Development Committee and La Crosse County Board shall complete all of the following or the applicant may consider the Conditional Use

(7-14/15)

application approved, except that the applicant and the County and/or Department may agree in writing to extending this 90 day period:

(a) Review the application to determine whether it complies with all applicable aspects of the County's Zoning Ordinances, subject to the limitations in this section.

(b) Make a final decision whether to approve or disapprove the application.

(c) Notify the applicant of its decision in writing.

(d) If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.

(e) If the Conditional Use Permit is approved, a Zoning/Occupancy Permit as required for class 2 collocation under s.28.06 shall be applied for and issued prior to commencing construction of any new support structure.

(6) Disapproval. The La Crosse County Board may disapproval an application for a Conditional Use Permit under this section if an applicant refuses to evaluate the feasibility of collocation within the applicant's search ring and provide the sworn statement described in sub(2)(f).

(7) Setback/Fall Zone. If an applicant provides the Zoning & Planning Department with an engineering certification showing that a mobile service support structure, or an existing structure, is designed to collapse within a smaller area than the setback or fall zone area required in Chapter 17, that setback or fall zone does not apply to such a structure unless the Zoning & Planning Department provides the applicant with substantial evidence that the engineering certification is flawed.

(8) Fees. The fees are established by the La Crosse County Board of Supervisors, not to exceed \$3,000 for a Conditional Use Permit under this chapter.

(9) Limitations. Conditional Use Permits for siting and construction of any new mobile service support structure and facilities or class 1 collocation shall be granted provided the following conditions exist:

(a) If the location of a proposed mobile service support structure or mobile service facility is on leased land, the lease agreement does not preclude the lessee from entering into leases on the site with other providers and there is no other lease provision operating as a prohibition to collocation of other providers.

(b) The application has obtained Federal Communications Commission (FCC) license and registration numbers if applicable.

(c) Where applicable, the applicant and/or agent must have copies of Findings of No Significant Impacts (FONI) statement from the FCC or Environmental Assessment or Environmental Impact Study (EIS) if applicable.

(d) The applicant and/or agent have copies of determination of no hazard from the Federal Aviation Administration (FAA) including any aeronautical study or other findings, if applicable.

(e) The applicants and/or agent have plans indicating security measures (i.e. fencing, access, lighting, etc...)

(f) For a new mobile service support structure, the applicant has obtained a report prepared by an engineer licensed by the State of Wisconsin certifying the structural design of the tower and its ability to accommodate addition antennas.

(g) The applicant and/or agent have proof of liability coverage.

(h) The applicant and/or agent have copies of an Affidavit of Notification indicating all operators and owners of airports located within five (5) miles of the proposed site have been notified by certified mail.

(i) The new facility is designed to promote site sharing, such that space is reasonably available to collocators and such that telecommunication towers and necessary appurtenances, including, but not limited to parking areas, access roads and utilities are shared by site users whenever possible.

28.06 CLASS 2 COLLOCATION.

(1) A Zoning/Occupancy Permit for a Commercial Structure is required for a class 2 collocation. A class 2 collocation is considered an allowed (permitted) use.

(8-14/15)

(2) Application process. A written permit application for a Zoning/Occupancy Permit must be completed by any applicant and submitted to the La Crosse County Zoning & Planning Department. The application must include the following information:

(a) The name and business address of, and the contact individual for, the applicant.

(b) The location of the affected mobile service support structure.

(c) The location of the proposed mobile service facility.

(3) Requirements. A class 2 collocation is subject to the same requirements for the issuance of a Zoning/Occupancy Permit as any other commercial structure or building.

(4) Completed applications. If an applicant submits to the Zoning & Planning Department an application to engage in an activity described in this section which contains all of the information required under this section, the Zoning & Planning Department shall consider the application complete. If any of the required information is not in the application, The Zoning & Planning Department shall notify the applicant in writing within five (5) days of receiving the application that the application is not complete. An applicant may resubmit an application as often as necessary until it is complete.

(5) County requirements. Within forty-five (45) days of its receipt of a complete application, the Zoning & Planning Department shall complete all of the following or the applicant may consider the application under this section approved, except that the applicant and the Department may agree in writing to an extension of the 45 day period:

(a) Make a final decision whether to approve or disapprove the application.

(b) Notify the applicant of its decision in writing.

(c) If the application is approved, issue a Zoning/Occupancy Permit.

(d) If the decision is to disapprove the application, include with the written notification substantial evidence to support the decision.

(6) Fees. The fee for a Zoning/Occupancy Permit is established by the La Crosse County Board of Supervisors and the maximum fee under this section cannot exceed \$500.00.

28.07 INFORMATION REPORT.

(1) Purpose. The purpose of this report under this section is to provide La Crosse County with accurate and current information regarding the mobile service facility owners and providers who offer or provide mobile services within the County, or that own or operate mobile service facilities within the County, to assist the County in enforcement of this section and to assist the County in monitoring compliance with local, state, and federal laws.

(2) Report. All mobile service support structure owners of any new mobile service support structure shall submit to the La Crosse County Zoning & Planning a "Telecommunications Facility Information Report" within 45 days:

(a) Following issuance of a Conditional Use or Zoning/Occupancy Permit

(b) Of receipt of a written request from the Zoning & Planning Department.

(c) Of any change in occupancy of the mobile service facility.

(3) Report contents. The report shall include the mobile service support structure owner's name(s), address(es), phone number(s), contact person(s), and proof of bond as security for removal. The support structure owner shall supply the mobile service support structure height or current occupancy if applicable, the number of collocation positions designated, occupied, and/or vacant. The information shall be submitted on a form provided by the La Crosse County Zoning & Planning Department, and shall become evidence of compliance.

28.08 REMOVAL AND SECURITY FOR REMOVAL.

(1) It is the express policy of La Crosse County and this ordinance that mobile service support structures be removed once they are no longer in use and not a functioning part of providing mobile service. It is the mobile service support structure owner's responsibility to remove such mobile service support structures and restore the site to its original condition or as condition approved by the La Crosse County Zoning & Planning Department. This restoration shall include removal of any subsurface structure or foundation, including concrete, used to support the mobile service support structure down to five (5) feet below the ground surface. After a mobile service support structure is no longer being used for mobile service that is in operation, the mobile service support structure owner shall have one hundred eighty (180) days to effect removal and restoration, unless weather prohibits such efforts. The permittee shall record a document with the La Crosse County Register of Deeds showing the existence of any subsurface structure remaining below the ground surface. Such recording shall accurately set forth the location and described the remaining structure.

(2) Security. The owner of any mobile service support structure other than a municipality or other unit of government shall provide to La Crosse County a bond, prior to the issuance of a Zoning/Occupancy Permit, based upon a written estimate of a qualified remover of said types of structures, or twenty thousand dollars (\$20,000), whichever is less, to guarantee that the mobile service support structure will be removed when no longer in operation. La Crosse County will be named as obligee in the bond and must approve the bonding company. The County may require an increase in the bond amount after five (5) year intervals to reflect increases in the Consumer Price Index, but at no time shall the bond amount exceed twenty thousand dollars (\$20,000). The provider shall supply any increased bond within a reasonable time, not to exceed sixty (60) days after the County's request. A permittee may submit a letter of credit in the amount set forth above, or as an alternative, a permittee with several sites within La Crosse County may submit a master bond to cover all of said sites. A master bond or letter of credit may, at the discretion of the Planning, Resources and Development Committee's discretion, be in an amount sufficient to secure removal from the site if the master bond or letter of credit provides for replenishing any amount used as the master bond or letter of credit covers any other site in the County.

28.09 STRUCTURAL, DESIGN, AND ENVIRONMENTAL STANDARDS.

(1) Mobile service support structure, antenna, and facility requirements. All mobile service facilities and mobile service support structures, except exempt facilities as described in s. 28.04, shall be designed to reduce the negative impact on the surrounding environment by implementing the following measures:

(a) Mobile service support structures shall be constructed of metal or other nonflammable material, unless specifically permitted by the County to be otherwise.

(b) Satellite dish and parabolic antennas shall be situated as near to the ground as possible to reduce visual impact without compromising their functions.

(c) Equipment compounds shall be constructed of non-reflective materials (visible exterior surfaces only). Equipment compounds shall be designed to blend with existing architecture in the area or shall be screened from sight by mature landscaping, and shall be located or designed to minimize their visibility.

(d) Mobile service facilities, support structures, and antennas shall be designed and constructed in accordance with the State of Wisconsin Uniform Building Code, National Electrical Code, Uniform Plumbing Code, Uniform Mechanical Code, Uniform Fire Code, La Crosse county Subdivision Ordinance, La Crosse County Sanitary Ordinance, Electronic Industries Association (EIA), American National Steel Institute Standards (ANSI), and ANSI standards in effect at the time of manufacture.

(e) Mobile service facilities and support structures shall not interfere with or obstruct existing or proposed public safety, fire protection, or Supervisory Controlled Automated Data Acquisition (SCADA) operation telecommunication facilities. Any actual interference and/or obstruction shall be corrected by the applicant at no cost to the County.

(2) Site development. A leased parcel intended for the location of new mobile service facilities, mobile service support structures, and equipment compounds shall be located so as to permit expansion for mobile service facilities to serve all potential collocators.

(3) Vegetation protection and facility screening. Except exempt facilities defined in s.28.04, all mobile service facility shall be installed in a manner as to minimize disturbance to existing vegetation and shall include suitable mature landscaping to screen the facility, where necessary. For purposes of this section, "mature landscaping" shall mean trees, shrubs, or other vegetation of a minimal height of five (5) feet that will provide the appropriate level of visual screening immediately upon installation. Upon completion, the owner/operator of the facility shall be responsible for maintaining and replacing all required landscaping as long as the facility is maintained on the site.

(4) Fire prevention. All mobile service facilities shall be designed and operated with all applicable codes regarding fire prevention.

(5) Noise and traffic. All mobile service facilities shall be constructed and operated in such a manner as to minimize the amount of disruption caused to nearby properties. To accomplish this, the following measures shall be implemented for all mobile service facilities, except exempt facilities as described under s.28.04:

(a) Noise producing construction activities shall take place only on weekdays (Monday through Saturday, non-holidays) between the hours of 6:00 a.m. to 6:00 p.m., except in times of emergency repair, and

(b) Backup generators, if present, shall be operated only during power outages and for maintenance and testing purposes.

(6) Separation requirements. Mobile service support structures shall be separated by a minimum of 2,640 feet, except that:

(a) Two (2) mobile service support structures may be permitted to be located within 100 feet of each other subject to approval by the La Crosse County Planning, Resources and Development Committee.

(b) Camouflaged mobile service support structures are exempt from the separation between mobile service support structures requirement listed above.

28.10 COMPLIANCE & PENALTIES, EFFECTIVE DATE.

(1) Abandonment. Any antenna, mobile service facility, or mobile service support structure that is not operated for a period of twelve (12) months shall be considered abandoned. Upon application, the Planning, Resources & Development Committee may extend the time limit for abandonment for an additional twelve-month period. Such extension shall be based on the finding that the owner or permit holder is actively seeking tenants for the site. After expiration of the established time period, the following shall apply:

(a) The owner of such antenna, mobile service facility or mobile service support structure shall remove said antenna, mobile service facility or mobile service support structure, including all supporting equipment, buildings, and foundations to the depth required in this chapter within ninety (90) days of receipt of notice from the Zoning & Planning Department that abandonment is required. If removal to the satisfaction of the Zoning & Planning Department does not occur within said ninety (90) days, the La Crosse County Zoning, Planning & Land Information Director may order removal utilizing the established bond as provided under s. 28.08(2). And salvage said antenna, mobile service facility or mobile service support structure, including all supporting equipment and building(s). If there are two or more users of a single mobile support structure, then this provision shall not become effective until all operations of the mobile service support structure cease.

(b) The recipient of a permit allowing a mobile service support structure and facility under this chapter, or the current owner or operator, shall notify the La Crosse County Zoning & Planning Department within 45 days of the date when the mobile service facility is no longer in operation.

(2) Penalties. Any person, partnership, corporation, or other legal entity that fails to comply with this ordinance shall be subject to the penalties set forth in s.17.11 of Chapter 17 Zoning Code of the La Crosse County Code of Ordinances and upon

(11-14/15)

conviction, may pay a forfeiture of not less than \$100, nor more than \$500, plus applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this chapter. In addition, the Zoning & Planning Department may seek injunctive relief from a court of record to enjoin further violations.

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 T. Wehrs/D. Holtze to approve. Discussion ensued. The motion to approve passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

ZONING ORDINANCE NO. Z322-4/14 RE: PETITION NO. 1933 FILED BY NATHAN SCHNICK, ATTORNEY O/B/O LEE K HUNDT, AND TERRY C & DAWN A MEYERS TO REZONE FROM THE EXCLUSIVE AGRICULTURE DISTRICT TO THE RURAL DISTRICT FOR CONTINUED RESIDENTIAL USE IN THE TOWN OF WASHINGTON

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1933 to amend the La Crosse County Zoning Ordinance filed by Nathan Schnick, 318 Main St, Ste 300, La Crosse, WI 54601, Attorney o/b/o Lee K Hundt, W1831 State Rd 33, Coon Valley, WI 54623 and Terry C & Dawn A Meyers, W1750 State Rd 33, Coon Valley, WI 54623 and having held a public hearing on the 31st day of March, 2014 for a petition to rezone from the Exclusive Agriculture District to the Rural District for continued residential use in the Town of Washington and described as follows: Lot 1 of CSM No. 4 in Vol. 12 further described in tax parcel 12-194-1 and Part of the SW/SE of Section 8, T15N, R5W further described as tax parcel 12-194-4 and as depicted in a proposed Certified Survey Map. Property addresses: W1807 State Rd 33 and W1831 State Rd 33. 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 unanimous vote, the committee recommended approval to the Rural District with no conditions for tax parcel 12-194-4. Recommended conditional approval for Lot 1 of CSM No. 4 in Volume 12, subject to deed restrictions indicating:

1. No further subdivision of the lot and not more than one single family residence; and
2. These conditions can only be lifted through rehearing and approval by the La Crosse County Board of Supervisors.

(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 15th day of April, 2014. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/P. Jerome to approve as recommended by the Committee passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

ZONING ORDINANCE NO. Z323-4/14 RE: PETITION NO. 1934 FILED BY KENNETH MANKE, CHAIRMAN FOR THE TOWN OF BANGOR, ACTING O/B/O THE TOWN OF BANGOR TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT OR GENERAL

AGRICULTURE DISTRICT AND RURAL DISTRICT TO THE RURAL DISTRICT AND TO REZONE FROM EXCLUSIVE OR GENERAL AGRICULTURE DISTRICT TO PUBLIC FACILITIES AND INSTITUTIONAL DISTRICT FOR CONTINUED EXISTING USES IN THE TOWN OF BANGOR

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1934 to amend the La Crosse County Zoning Ordinance filed by Kenneth Manke, Chairman for the Town of Bangor, acting o/b/o the Town of Bangor, N4400 State Rd 162, Bangor, WI 54614 and having held a public hearing on the 31st day of March, 2014 for a petition to rezone from Exclusive Agriculture District or General Agriculture District and Rural District to the Rural District, for single family residential use with a deed restriction indicating only one single family residence (either existing or proposed) per lot, on the following tax parcels in the Town of Bangor: 1-23-1, 1-73-0, 1-398-3, 1-663-0, 1-143-1, 1-474-1, 1-497-1, 1-63-1, 1-403-1, 1-76-2, 1-118-1, 1-248-0, 1-171-0, 1-197-0, 1-3-1, 1-32-2, 1-112-0, 1-94-0, 1-276-0, 1-595-1, 1-349-1, 1-314-3, 1-398-0, 1-531-0, 1-531-1, 1-572-1, 1-560-1, 1-575-1, 1-117-1, 1-216-2, 1-216-1, 1-689-0, 1-689-2, 1-691-0, 1-614-1, 1-112-4 AND to rezone from the Exclusive or General Agriculture District to the Public Facilities and Institutional District for continued existing uses, the following tax parcels in the town of Bangor: 1-6-0, 1-65-0, 1-39-0, 1-102-0 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 unanimous vote the committee recommended approval, except that approval for rezones to the Residential A or Rural District for any lot(s) exceeding 40,000 square feet in area for continued residential use are conditional subject to the recording of deed restrictions indicating:

1. No further subdividing and only one single family residence per lot, or per all adjacent lots in common ownership at the time of the rezoning; and
2. These conditions can only be lifted through rehearing and approval by the La Crosse County Board of Supervisors.

(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 15th day of April, 2014. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/D. Holtze to approve. Discussion ensued. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

ZONING ORDINANCE NO. Z324-4/14 RE: PETITION NO. 1935 FILED BY MIKE HESSE, CHAIRMAN FOR THE TOWN OF FARMINGTON, ACTING O/B/O THE TOWN OF FARMINGTON TO REZONE FROM EXCLUSIVE OR GENERAL AGRICULTURE DISTRICT AND RURAL DISTRICT TO RURAL DISTRICT AND TO REZONE FROM RECREATIONAL AND NATURAL RESOURCES DISTRICT TO RURAL DISTRICT AND TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO INDUSTRIAL DISTRICT AND TO REZONE FROM COMMERCIAL AND EXCLUSIVE AGRICULTURE DISTRICTS TO COMMERCIAL DISTRICT AND TO REZONE FROM EXCLUSIVE AGRICULTURE & RESIDENTIAL "A" DISTRICTS TO RESIDENTIAL "A" DISTRICT IN THE TOWN OF FARMINGTON

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1935 to amend the La Crosse County Zoning Ordinance filed by Mike Hesse, Chairman for the Town of Farmington, acting o/b/o the Town of Farmington, W4112 County

Rd T, Mindoro, WI 54644 and having held a public hearing on the 31st day of March, 2014 for a petition to rezone from Exclusive or General Agriculture District and Rural District to the Rural District, with a deed restriction indicating only one single family residence (existing or proposed) per lot, on the following tax parcels in the Town of Farmington:

5-520-5, 5-426-1, 5-532-2, 5-552-1, 5-1044-1, 5-846-2, 5-851-3, 5-844-2, 5-1053-3, 5-1052-4, 5-96-1, 5-99-1, 5-827-0, 5-1472-1, 5-1197-2, 5-1082-0, 5-664-0, 5-1114-0, 5-1538-3, 5-1509-2, 5-1486-2, 5-1464-0, 5-1555-0, 5-1556-2, 5-1556-3, 5-1549-1, 5-1548-2, 5-1390-1, 5-1360-2, 5-1359-0, 5-1366-0, 5-1367-3, 5-1372-4, 5-1372-1, 5-1585-0, 5-1138-3, 5-1137-0, 5-171-0, 5-150-0, 5-1488-0, 5-1481-0, 5-1483-0, 5-1479-0, 5-1489-0, 5-144-0, 5-11-1, 5-859-1, 5-812-2, 5-623-1, 5-1273-1, 5-921-1, 5-1040-0, 5-619-1, 5-622-0, 5-790-6, 5-1033-0, 5-789-1, 5-672-0, 5-1154-2, 5-1154-4, 5-687-0, 5-1164-4, 5-1174-2, 5-1468-1, 5-542-1, 5-98-1, 5-1626-3, 5-331-1, 5-342-1, 5-360-0, 5-1326-1, 5-534-1, 5-1391-2, 5-116-1, 5-1522-3, 5-250-1, 5-1546-1, 5-1134-0, 5-849-1, 5-119-3, 5-250-2, 5-1509-1, 5-1521-1, 5-1522-5, 5-1565-1, 5-1392-0, 5-1158-2, 5-13-0, 5-144-1, 5-1327-1, 5-618-1, 5-768-1, 5-397-0, 5-121-1, 5-97-1, 5-635-2, 5-680-1, 5-710-1, 5-133-2, 5-836-2, 5-289-0, 5-1185-1, 5-1225-2, 5-1062-0, 5-1605-1, 5-371-1, 5-1297-1, 5-1274-1, 5-352-2, 5-138-1, 5-1519-2, 5-1068-0, 5-1296-1, 5-179-1 AND to rezone from Recreational and Natural Resources District to the Rural District with a deed restriction indicating only one single family residence (existing or proposed) per lot, on the following tax parcels in the town of Farmington: 5-11-0, 5-12-0, 5-16-2, 5-9-1, 5-8-2, 5-8-1, 5-8-3, 5-8-0, 5-3-1, 5-11-4, 5-16-1, 5-3-2 AND to rezone from Exclusive Agriculture District to the Industrial District the following tax parcel in the Town of Farmington: 5-906-0 AND to rezone from Commercial and Exclusive Agriculture Districts to Commercial District the following tax parcel in the Town of Farmington: 5-1459-1 AND to rezone from Exclusive Agriculture & Residential "A" Districts to Residential "A" District the following tax parcels in the Town of Farmington: 5-881-3, 5-1154-3, and 5-1157-1 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 unanimous vote the committee recommended approval, except that approval for rezones to the Residential A or Rural District for any lot(s) exceeding 40,000 square feet in area for continued residential use are conditional subject to the recording of deed restrictions indicating:

1. No further subdividing and only one single family residence per lot, or per all adjacent lots in common ownership at the time of the rezoning; and
2. These conditions can only be lifted through rehearing and approval by the La Crosse County Board of Supervisors.

(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 15th day of April, 2014. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/P. Jerome to approve as recommended by the Committee passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

ZONING ORDINANCE NO. Z325-4/14 RE: PETITION NO. 1936 FILED BY STEVE MADER, CHAIRMAN FOR THE TOWN OF GREENFIELD, ACTING O/B/O THE TOWN OF GREENFIELD TO REZONE FROM EXCLUSIVE OR GENERAL AGRICULTURE AND RURAL DISTRICT TO THE RURAL DISTRICT IN THE TOWN OF GREENFIELD
The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1936 to amend the La Crosse County Zoning Ordinance filed by Steve Mader,

Chairman for the Town of Greenfield, acting o/b/o the Town of Greenfield, N1800 Town Hall Rd, La Crosse, WI 54601 and having held a public hearing on the 31st day of March, 2014 for a petition to rezone from the Exclusive or General Agriculture and Rural District to the Rural District, for single family residential use with a deed restriction indicating only one single family residence (existing or proposed) per lot, on the following tax parcels in the Town of Greenfield: 6-679-1, 6-189-2, 6-222-0, 6-229-1, 6-221-1, 6-568-1, 6-216-1, 6-12-1, 6-223-2, 6-245-2, 6-245-3, 6-489-1, 6-202-2, 6-36-0, 6-179-1, 6-171-0, 6-175-5, 6-635-1, 6-568-2, 6-162-1, 6-151-0, 6-562-1, 6-742-7, 6-804-2, 6-804-1, 6-402-1, 6-24-1, 6-660-1, 6-599-1, 6-159-1, 6-537-4, 6-554-0, 6-742-1, 6-734-2, 6-514-0, 6-237-1, 6-24-2, 6-367-0, 6-379-2, 6-599-4, 6-96-1, 6-553-1, 6-556-2, 6-559-1, 6-559-4, 6-636-0, 6-123-1, 6-167-1, 6-368-1, 6-376-0, 6-235-1, 6-429-2, 6-728-5, 6-728-1, 6-175-0, 6-95-1, 6-420-1, 6-399-0, 6-662-0, 6-1-0, 6-783-1, 6-643-0, 6-8-3, 6-180-2 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 unanimous vote the committee recommended approval, except that approval for rezones to the Residential A or Rural District for any lot(s) exceeding 40,000 square feet in area for continued residential use are conditional subject to the recording of deed restrictions indicating:

1. No further subdividing and only one single family residence per lot, or per all adjacent lots in common ownership at the time of the rezoning; and
2. These conditions can only be lifted through rehearing and approval by the La Crosse County Board of Supervisors.

(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 15th day of April, 2014. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/D. Holtze to approve as recommended by the Committee passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

ZONING ORDINANCE NO. Z326-4/14 RE: PETITION NO. 1937 FILED BY RAY EBERT, SUPERVISOR FOR THE TOWN OF HAMILTON, ACTING O/B/O THE TOWN OF HAMILTON TO REZONE FROM EXCLUSIVE OR GENERAL AGRICULTURE AND RURAL DISTRICT TO THE RURAL DISTRICT AND TO REZONE FROM GENERAL AGRICULTURE AND RESIDENTIAL "A" DISTRICTS TO THE RESIDENTIAL "A" DISTRICT AND TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO THE PUBLIC FACILITIES AND INSTITUTIONAL DISTRICT IN THE TOWN OF HAMILTON

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1937 to amend the La Crosse County Zoning Ordinance filed by Ray Ebert, Supervisor for the Town of Hamilton, acting o/b/o the Town of Hamilton, N5105 N Leonard St, West Salem, WI 54669 and having held a public hearing on the 31st day of March, 2014 for a petition to rezone from the Exclusive or General Agriculture and Rural District to the Rural District, for single family residential use with a deed restriction indicating only one single family residence (existing or proposed) per lot, on the following tax parcels in the Town of Hamilton: 7-1016-1, 7-1016-4, 7-1034-2, 7-110-0, 7-11-2, 7-1288-1, 7-1288-2, 7-1324-1, 7-151-2, 7-159-1, 7-1712-0, 7-183-0, 7-266-1, 7-277-2, 7-294-1, 7-302-1, 7-302-3, 7-344-2, 7-353-1, 7-357-1, 7-357-2, 7-369-0, 7-38-1, 7-421-1, 7-446-1, 7-45-1, 7-467-1, 7-467-2, 7-525-1, 7-55-1, 7-557-1, 7-562-1, 7-567-1, 7-599-1, 7-609-1, 7-618-1, 7-626-1, 7-630-1, 7-639-2, 7-640-0, 7-648-2, 7-649-0, 7-676-1, 7-676-2, 7-681-1, 7-729-

2, 7-735-0, 7-769-2, 7-849-1, 7-850-4, 7-898-1, 7-930-1, 7-951-2, 7-991-1, 7-994-1, 7-1321-0, 7-1109-10, 7-1564-0, 7-255-3, 7-294-2, 7-294-3, 7-315-1, 7-341-1, 7-371-0, 7-38-0, 7-440-1, 7-485-3, 7-688-2, 7-756-1, 7-912-0, 7-992-2 AND to rezone from the General Agriculture and Residential "A" Districts to the Residential "A" District for continued existing uses the following tax parcels in the Town of Hamilton: 7-974-1 and 7-974-0

AND to rezone from the Exclusive Agriculture District to the Public Facilities and Institutional District for continued existing uses the following tax parcels in the Town of Hamilton: 7-131-0, 7-142-0, and 7-147-0 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 unanimous vote the committee recommended approval, except that approval for rezones to the Residential A or Rural District for any lot(s) exceeding 40,000 square feet in area for continued residential use are conditional subject to the recording of deed restrictions indicating:

1. No further subdividing and only one single family residence per lot, or per all adjacent lots in common ownership at the time of the rezoning; and
2. These conditions can only be lifted through rehearing and approval by the La Crosse County Board of Supervisors.

(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 15th day of April, 2014. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/P. Jerome to approve. Discussion ensued. Corporation Counsel David Lange responded to questions from the Board. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

ZONING ORDINANCE NO. Z327-4/14 RE: PETITION NO. 1938 FILED BY JOSHUA A AND JONI R BLISS TO REZONE FROM GENERAL AGRICULTURE DISTRICT TO THE RURAL DISTRICT IN THE TOWN OF ONALASKA

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1938 to amend the La Crosse County Zoning Ordinance filed by Joshua A and Joni R Bliss, W6339 Wendtland Rd, Onalaska, WI 54650 and having held a public hearing on the 31st day of March, 2014 for a petition to rezone from the General Agriculture District to the Rural District approximately 8,255 sq. ft. combined with an existing residential use parcel to resolve a lot line encroachment in the Town of Onalaska and described as follows:

Part of the SE/NW of Section 28, T17N, R7W. Property address W6339 Wendtland Rd. Town of Onalaska. 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 unanimous vote, the committee recommended approval to the Rural District with no conditions. This is not changing the existing land use. (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

(16-14/15)

the petition by ordinance or to disapprove it. **The County Board** took the following action this 15th day of April, 2014. Approved the petition as submitted, becomes an ordinance.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/V. Burke to approve as recommended by the Committee passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

RESOLUTION NO. 2-4/14 RE: AUTHORIZATION TO SELL PROPERTY (2502 14TH STREET SOUTH) TO THE CITY OF LA CROSSE

WHEREAS, La Crosse County has acquired title to a tax delinquent property, computer parcel #17-50050-90, located at 2502 14th Street South, La Crosse, Wisconsin, consisting of an empty lot; and, **WHEREAS**, the City of La Crosse desires to purchase said property by paying the outstanding taxes against the property; and, **WHEREAS**, the property shows a fair market value of \$29,900, and an appraised value of \$25,000, but the actual value is substantially less as the property has been abandoned and would be in need of improvement prior to sale; **WHEREAS**, the County is authorized to sell the parcel to the City of La Crosse without publically advertising the property for bids pursuant to Wis. Stat. Sec. 75.69; and, **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby authorizes the sale of parcel # 17-50050-90, to the City of La Crosse, for payment of outstanding taxes, interest and penalties against the property, which currently total \$15,169.18. **BE IT FURTHER RESOLVED**, that the County Board Chair and County Clerk are hereby authorized to sign a Quit Claim Deed conveying this property to the City of La Crosse, upon approval of Corporation Counsel. **FISCAL NOTE:** The total amount owing as of February 28, 2014 = \$15,169.18 consisting of unpaid general property taxes in the amount of \$10,028.44, unpaid interest of \$3,427.28 and penalties of \$1,713.46.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/J. Schroeder to approve. Discussion ensued. Corporation Counsel David Lange responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

RESOLUTION NO. 3-4/14 RE: AUTHORIZATION TO SELL PROPERTY AT 802 ROSE STREET TO CITY OF LA CROSSE

WHEREAS, La Crosse County is in the process of acquiring title to certain property in the City of La Crosse, computer parcel #17-10014-30, pursuant to a tax foreclosure action; and, **WHEREAS**, the City of La Crosse desires to purchase said property by paying the outstanding taxes against said property; and, **WHEREAS**, the County is authorized to sell the parcel to the City of La Crosse without publicly advertising the property for bids pursuant to Wis. Stat. s. 75.69; and, **WHEREAS**, the City of La Crosse has already invested a substantial amount of money in preserving the property so it did not need to be razed; and, **WHEREAS**, the City also paid the 2006, 2007, and 2008 delinquent taxes, interest and penalty for a total amount of \$11,082.65 in 2013 so that the property would not be taken by the County of La Crosse in the prior tax foreclosure action; and, **WHEREAS**, the Public Works & Infrastructure Committee recommends selling this property to the City of La Crosse for the principal amount of the outstanding taxes and special assessments against the property from 2009 through 2013, not including interest and penalties, and finds that such sale is in the best interest of La Crosse County. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby authorizes the sale of parcel #17-10014-30 to the City of La Crosse for the payment of the outstanding taxes and special assessments against the property. **BE IT FURTHER RESOLVED**, that the County Board Chair and County Clerk are authorized to sign a Quit Claim Deed conveying this property to the City of La Crosse, upon approval by Corporation Counsel, after La Crosse County has acquired title to the property. **FISCAL NOTE:** The total outstanding taxes and special assessments against the property consist of the following: General taxes for 2009 through 2013 total \$4,246.85 and special assessments for 2013 are \$441.85 for a total due of \$4,688.70. Interest and penalty for

(17-14/15)

2009 through March, 2013, total \$1,080.80 interest and \$545.26 penalty plus \$8.84 interest on the special assessment.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/L. Pfaff to approve. Discussion ensued. Corporation Counsel David Lange responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

RESOLUTION NO. 4-4/14 RE: APPROVAL OF UTILITY EASEMENT TO BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY ON FISHERMAN'S PARKING AREA

WHEREAS, Burlington Northern Santa Fe Railway Company (BNSF) has a need for an access easement for a utility line crossing La Crosse County property located in the Town of Onalaska; and, **WHEREAS**, La Crosse County and BNSF have negotiated an appropriate location for a 20 foot wide utility easement on the east side of the property and a 30 foot wide utility easement on the south edge of the property; and, **WHEREAS**, the easement is required for the installation of a signal box located on the right-of-way of the BNSF Railway to help maintain a safe rail line at the location; and, **WHEREAS**, it is in the best interests of La Crosse County to grant such an easement to BNSF Railway Company in exchange for payment of \$1,000 to the County; and, **WHEREAS**, the easement is over the County land described as follows: That part of the North 50 rods of the SW ¼ of the NW ¼ of Section 32, Township 17 North, Range 7 West, La Crosse County, Wisconsin lying west of the center of US Highway 53 on now located (1951) and East of the East right-of-way line of the Chicago and Northwestern Railroad. **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby authorizes the granting of a 20 foot and 30 foot wide easement as described above to BNSF Railway Company over the above-described property for utility purposes; and, **BE IT FURTHER RESOLVED** that the La Crosse County Board Chair and County Clerk are hereby authorized to execute any documents to provide said easement, after approval by Corporation Counsel. **FISCAL NOTE:** The County will receive \$1,000 to be deposited in Org. 1064, Account 59031, Park Plat Contribution.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/J. Schroeder to approve. Discussion ensued. Facilities Director Jim Speropulos responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

RESOLUTION NO. 5-4/14 RE: SUPPORT OF COULEE CONNECTIONS TRANSPORTATION STUDY

WHEREAS, the Wisconsin Department of Transportation (WisDOT) has enumerated about \$140 million in the Major Highway Projects program for transportation improvements in the La Crosse Area between I 90 and USH 14/61; and, **WHEREAS**, in 2005 and 2010 the La Crosse Area Planning Committee (LAPC) completed *Metropolitan Transportation Plans* identifying considerable "level of service" and intersection safety issues on major arterials in the I-90 to USH 14/61 corridor and calling for a study to determine the most feasible and publicly-acceptable solutions; and, **WHEREAS**, in 2006 WisDOT commissioned the *Coulee Connections Transportation Study*, to provide updated, publicly-acceptable solutions based on current conditions; and, **WHEREAS**, although the La Crosse County Board recognizes that federal and state environmental processes require that the "5B-1 Alternative" be included in the range of study alternatives, the La Crosse County Board highly values the La Crosse River Marsh and existing city neighborhoods, and recommends that improvements to existing roadways, expanding transit services and including bike/pedestrian facilities be given priority in the preferred alternative. **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby supports the completion of the *Coulee Connections Transportation Study* by WisDOT as soon as possible both to determine solutions to difficult congestion and safety issues and to timely commit the Major Highway Projects funds dedicated to the La Crosse area; and, **BE IT FURTHER RESOLVED** that the La Crosse

(18-14/15)

County Board hereby requests that WisDOT utilize a study process that includes a Policy Advisory Committee comprised of local elected officials, professional planning staff, and business and civic leaders; and a Technical Advisory Committee comprised of local and regional transportation and planning professionals; and, **BE IT FURTHER RESOLVED** that the La Crosse County Board hereby requests that WisDOT also utilize a study process that maximizes the public participation wherein the final recommendations are accompanied by trigger points, which indicate timing of implementation for each recommendation, thus allowing for staging or phasing the projects throughout the entire study area, so that no improvements are constructed until they are warranted. **FISCAL NOTE:** No Cost to La Crosse County.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/P. Barlow to approve. Motion by M. Freedland/J. Schroeder to amend by adding in the first Be It Further Resolved, "maximizes the public participation and", after "study process that" on the second line passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19. Discussion ensued. Supervisor Doyle explained the need for the resolution. Highway Commissioner Ron Chamberlain responded to questions from the Board. The motion to approve as amended passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

SUGGESTIONS FOR FUTURE AGENDA TOPICS – none offered.

ADJOURN

Motion by D. Ferries/L. Berg to adjourn at 8:02 PM passed on a unanimous voice vote with 24 ayes, 3 excused – R. Keil, A. Richmond and K. Rosa, and 2 vacant – District 9 and 19.

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 Organizational Meeting held Tuesday, April 15, 2014 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 APRIL 2014.