

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING
PROCEEDINGS; THURSDAY, DECEMBER 18, 2014**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, December 18, 2014 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 28 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 Veenstra, Joe | Present |
| 4 Freedland, Maureen | Present |
| 5 Rosa, Keyla | Present |
| 6 Plesha, Roger | Present |
| 7 Hampson, Sharon | Present |
| 8 Jerome, Peg | Present |
| 9 Caucutt, Nancy | Excused at 07:27 PM |
| 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 Hoffman, Hubert | Present |
| 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 |
| 29 Johnson, Tara | Present |

PLEDGE OF ALLEGIANCE

COMMUNICATIONS AND ANNOUNCEMENTS:

County Board Chair Report - Tara Johnson

- Doug Mormann recognition – Chair Johnson acknowledged the great work Doug Mormann has accomplished over the thirty years as La Crosse County’s Health Director. Doug was presented with a recognition item.
- Supervisor Conference Reports
 - Chair Johnson announced that past supervisor Arlene Benrud has been diagnosed with cancer and welcomes any visits and phone calls.

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- Supervisor Freedland attended a presentation sponsored by the Department of Health Services in coordination with the La Crosse County Health Department with regards to changing weather and extreme weather events.
- Supervisor Hoffman mentioned that Mr. Nissen of the US Fish & Wildlife Services, and who assisted with the Fred Funk Boat Landing, will be retiring on January 2nd, 2015. He has worked with the County and Town of Onalaska on several projects.
- Supervisor Burke announced the Mississippi Regional Planning Commission presented their Regional Comprehensive Plan for 2035. The plan is on their website and Supervisor Burke has a hard copy. She also has a hard copy of the final Environmental Impact Study for the Badger Coulee Transmission line.

ADDENDUM ITEM

- Lot C Negotiations Update – Supervisor Veenstra announced that negotiations continue and the City and County have to come to an MOU. The County continues to work with Weber Holdings on a purchase agreement.

Administrator Report – Steve O'Malley

- 2014 Highlights and County Tax Impact on Individual Properties – Administrator O'Malley acknowledged the work of the Finance Department that put this information together. The tax rate for this year is almost equal to what it was a couple years ago. We currently have the 6th lowest total county levy per capita. La Crosse County property taxes continue to be one the lowest in the State. The County Board budget had a savings of \$109,108 from the 2006 budget. La Crosse County has a credit rating of Aa1. Only 5 Counties have a higher credit rating. Main achievements of the 2015 adopted budget provides for the Lakeview Campus, Administrative Center, radio system, Holmen corridor CTH HD, Carroll Heights façade, CTH C / STH 108, CTH B freight project in the City of La Crosse, conservation projects, NIC recommendations for Ophelia's House, 3 more jailers without opening vacant pod, and 19 new Human Services positions, including 2 community based Social Workers in City neighborhoods. County taxes paid by individual properties are impacted in changes on: total tax base in the County compared to previous years, total County tax levy compared to previous year, apportionment among the 18 municipalities including changes in equalized value, and assessed value of the individual property. The total County property tax paid by Supervisors in 2015 versus 2014 is an increase of 1.37%.

Corporation Counsel – David Lange

- Electronic Communication Reminder – walking quorums; Corporation Counsel David Lange reminded Supervisors that you should not “reply all” when communicating through emails to carry on discussion and debate. As we communicate more by electronic means there is an easier chance of violating an open meetings law.

CHAIR CHANGE

1st Vice Chair S. Hampson took the chair.

APPOINTMENTS

Reappoint **Arlene Schroeder** to the La Crosse County Housing Authority for a five year term to expire December 31, 2019; reappoint **Bob Keil** to the Agricultural Society for a one year term to expire December 31, 2015; reappoint **Peg Jerome** to the Historic Sites Preservation Committee for a three year term to expire December 31, 2017; reappoint **Larry Warzynski** to the Board of Adjustment for a three year term to expire December 31, 2017; reappoint **Fred Marini** to the La Crosse County Library Board for a three year term to expire December 31, 2017; appoint **Steve Johnston** to the La Crosse County Library Board to replace George Varnum for a three year term to expire December 31, 2017; appoint

Dale Kragenschmidt to the Local Emergency Planning Committee as the hospital representative to replace Leah Mudler for the remainder of a two year term to expire January 30, 2015.

Motion by T. Johnson/V. Burke to approve passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and R. Keil.

CHAIR CHANGE

Chair T. Johnson resumed the chair.

CONSENT AGENDA

Motion by R. Plesha/D. Ferries to approve the minutes of the La Crosse County Board of Supervisors Planning Meeting held November 3, 2014, Public Hearing on Annual Vehicle Registration Fee Ordinance held November 10, 2014, Public Hearing on Budget and Annual Meeting held November 10 & 12, 2014 and Special Meeting on November 25, 2014 and the Claims List for \$6,291,293.90 passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and R. Keil.

ORDINANCE NO. 134-12/14 TO AMEND S. 11.52 OF CHAPTER 11 OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN ENTITLED "OUTDOOR WOOD-FIRED FURNACES"

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

Section 1. Section 11.52 is amended to read:

11.52 OUTDOOR WOOD-FIRED FURNACES.

(1) **PURPOSE.** This ordinance is intended to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of La Crosse County from air pollution emitted from outdoor wood-fired furnaces.

(2) **APPLICABILITY.** This ordinance applies to all outdoor wood-fired furnaces within La Crosse County except those located within incorporated municipalities. If a provision in a town ordinance in this County covers a provision contained in this ordinance, the town ordinance controls.

(3) **DEFINITIONS.**

(a) "Clean Wood" means natural dry wood which has not been painted, varnished or coated with a similar material, has not been pressure treated with preservatives and does not contain resins or glues as in plywood or other composite wood products.

(b) "Outdoor Wood-fired Furnace" means a wood-fired furnace, stove or boiler that is not located within a building intended for habitation by humans or domestic animals.

(c) "Refuse" means any waste material except clean wood.

(d) "Phase I Outdoor Wood-fired Furnace" means an Outdoor Wood-Fired Furnace that has been qualified by the EPA as meeting a particulate matter emission limit of 0.6 pounds per million British Thermal Units input and is labeled accordingly.

(e) "Phase II Outdoor Wood-fired Furnace" means an Outdoor Wood-Fired Furnace that has been qualified by the EPA as meeting a particulate matter emission limit of 0.32 pounds per million British Thermal Units input and is labeled accordingly.

(f) **SUBDIVISION.** A division of a lot, parcel or tract of land by the owner thereof or his or her agent for the purpose of sale or of building development where: The act of division creates 5 or more parcels or building sites of 1-1/2 acres each or less in area; or 5 or more parcels or building sites of 1-1/2 acres each or less in area are created by successive divisions within a period of 5 years.

(4) **INSTALLATION AND USE OF OUTDOOR WOOD-FIRED FURNACES.**

(158-14/15)

(a) Effective January 1, 2015, any new or replacement installations must be of Phase II Outdoor Wood-fired Furnaces.

(b) Outdoor wood fired furnaces are prohibited within a platted subdivision.

(c) The outdoor wood-fired furnace shall be installed and used only in parcels of sufficient size to meet distance requirements to neighboring residences.

(d) The outdoor wood-fired furnace shall be located at least 300 feet from any residence which is not on the same property as the outdoor wood-fired furnace.

(e) Any outdoor wood-fired furnace located within 300 to 500 feet of a residence which is not on the same property shall have an attached permanent stack extending at least 2 feet higher than the peak of the roof line of any residence within 500 feet of the wood-fired furnace.

(f) The outdoor wood-fired furnace shall comply with all applicable laws including, but not limited to county ordinances that prohibit creating a human health hazard or a public nuisance.

(g) Only clean wood shall be burned in the furnace.

(h) The outdoor wood-fired furnace shall not be used to burn any of the prohibited materials listed in s. 11.52(5) except paper and cardboard.

(5) MATERIALS THAT SHALL NOT BE BURNED. Unless specific written approval has been obtained from the Department of Natural Resources, the following materials shall not be burned:

(a) Rubbish or garbage including but not limited to food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes.

(b) Waste oil or other oily wastes except used oil burned in a heating device for energy recovery subject to the restrictions in Chapter NR 590, Wisconsin Administrative Code.

(c) Asphalt and products containing asphalt.

(d) Treated or painted wood including but not limited to plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives.

(e) Any plastic material including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.

(f) Rubber including tires and synthetic rubber-like products.

(6) Outdoor Wood-fired Furnace Permit

(a) Permit. When required by this Code, a permit shall be obtained from the County Health Department prior to installing or replacing a wood-fired furnace or changing the structure, equipment or location of an existing wood-fired furnace.

(b) Application. An application for a wood-fired furnace permit shall be made to the County Health Department upon forms furnished by the County that shall include, the following information:

1. Name and address of applicant and property owner;
2. Legal description of the property; and,
3. A sketch of the dimensions of the property, including

location of buildings and the wood-fired furnace relative to the lot lines and distances from neighboring residences that are within 500 feet.

(c) Fee. All applications shall include an application fee that will be determined by the County Board; pursuant to s. 13.05 of this Code.

(d) Review and Permit Processing.

1. The application shall be reviewed by the County Health Department for compliance with s. 11.52(4) of this code.

2. Applicants shall be notified in writing of the decision within 7 business days of receipt of the completed application; and,

3. The County Health Department shall issue a permit for a wood-fired furnace if it meets compliance with s. 11.52(4) and the permit fee is paid.

(e) Duration of Permit. The permit shall be valid for 2 years from the date of issue. Installation of the wood-fired furnace shall be completed during that time or the permit is void and the applicant shall re-apply for a new permit. Permits shall not be transferable from person to person or place to place.

(f) Appeals. Any person or entity aggrieved by a decision of the County Health 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 La Crosse County Health and Human Services Board. The committee shall either affirm, reverse or modify the decision.

(7) RIGHT OF ENTRY AND INSPECTION. An officer, agent, employee or representative of the County Health Department who presents credentials may inspect any property for the purpose of ascertaining compliance with the provisions of this ordinance. If the owner or occupant of the premises denies access to the property for this purpose, a special inspection warrant may be obtained in accordance with s. 66.0119, Wis. Stats.

(8) EXISTING NONCONFORMING OUTDOOR WOOD-FIRED FURNACES.

(a) Effective January 1, 2015, as long as any unit within 500 feet of another dwelling is in compliance with the chimney stack height requirement, the lawful use of an otherwise nonconforming outdoor wood-fired furnace existing at the time of the adoption or amendment of this ordinance may be continued. However, the use of a nonconforming outdoor wood-fired furnace shall not be a public nuisance or cause a human health hazard prohibited by s. 11.29 of the General Code of La Crosse County.

(b) By December 31, 2030, all nonconforming outdoor wood-fired furnaces must be removed or rendered inoperable.

(9) ENFORCEMENT AND PENALTIES.

(a) The Health Department staff is authorized to enforce the provisions of this ordinance.

(b) The penalty for violation of any portion of this ordinance shall be a forfeiture of not less than \$25 or more than \$250 plus court costs. Penalties are doubled for second and subsequent offenses.

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

HEALTH AND HUMAN SERVICES BOARD

Motion by M. Kruse/K. Cable to approve. Discussion ensued. Corporation Counsel David Lange responded to questions from the Board. The motion to approve passed on a voice vote with 21 ayes, 6 nays - R. Ebert, D. Hesse, H. Hoffman, B. Logue, L. Pfaff and J. Schroeder, 2 excused - L. Berg and R. Keil.

ORDINANCE NO. 129-12/14 TO REPEAL CHAPTER 23 ENTITLED "ANIMAL WASTE MANAGEMENT" AND RECREATE CHAPTER 23 ENTITLED "ANIMAL MANURE MANAGEMENT" 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 23 entitled "Animal Waste Management" is repealed and Chapter 23 entitled "Animal Manure Management" is recreated to read:

23.01 AUTHORITY. This Chapter is adopted under Wisconsin Statutes, ss. 59.02, 59.03, 59.70(20), and 92.16 and Wisconsin Administrative Code ATCP 50.56.

23.02 TITLE. This Chapter shall be known as the La Crosse County Animal Manure Management Ordinance, and is hereinafter referred to as the Chapter.

23.03 DECLARATION OF POLICY.

(1) Findings. The La Crosse County Board of Supervisors finds that improper management of animal manure and commercial fertilizers cause pollution of ground and surface waters and may result in actual or potential harm to public health, other animals, aquatic life, and the property tax base of La Crosse County.

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(2) Purpose. To enhance public health, prosperity and welfare by protecting surface and ground water resources from pollution caused by the mismanagement of animal manure and commercial fertilizers.

23.04 APPLICABILITY. This section applies only in unincorporated areas of La Crosse County.

23.05 INTERPRETATION. In its interpretation and application, the provisions of this Chapter shall be minimum requirements, and shall be liberally construed in favor of La Crosse County, and shall not be deemed a limitation or repeal of any other power granted by Wisconsin Statute.

23.06 SEVERABILITY. If any section, provision, or portion of the Chapter is ruled invalid by a court of competent jurisdiction, the remainder of the Chapter shall not be rendered ineffective.

23.07 DEFINITIONS.

(1) "Abandonment" an operation where a livestock facility is located ceases operations, or manure has not been added or removed from the facility for a period of 24 months.

(2) "Adequate Sod or Self-Sustaining Vegetative Cover" means maintenance of sufficient vegetation types and densities such that the physical integrity of the streambank or lakeshore is preserved. Self-sustaining vegetative cover includes grasses, forbs, sedges and duff layers of fallen leaves and woody debris.

(3) "Animal Feedlot" means a barnyard, exercise area, or other outdoor area where livestock are concentrated for feeding or other purposes and self-sustaining vegetative cover is not maintained. "Animal Feedlot" does not include a winter grazing area or a bare soil area such as a cattle lane or a supplemental feeding area located within a pasture, provided that the bare soil is not a significant source of pollution to waters of the state.

(4) "Applicant" means any person who applies for a permit under this Chapter.

(5) "Barnyard Runoff Control System" means a system of facilities or practices used to contain, divert, retard, treat, or otherwise control the discharge of runoff from outdoor areas of concentrated livestock activity, which may include those components listed in Wisconsin Administrative Code, ATCP 50.64(1), or any amendments thereto.

(6) "Department of Land Conservation" also referred to as "Department" means the enforcing authority of this Chapter.

(7) "Direct Runoff" includes any of the following:

(a) Runoff from a feedlot that can be predicted to discharge a significant amount of pollutants to surface waters of the state or to a direct conduit to ground water.

(b) Runoff of stored manure, including manure leachate, that discharges a significant amount of pollutants to surface waters of the state or to a direct conduit to ground water.

(c) Construction of a manure storage facility in permeable soils or over fractured bedrock without a liner designed in accordance with Wisconsin Administrative Code., NR 154.04 (3).

(d) Discharge of a significant amount of leachate from stored manure to waters of the state.

(8) "Livestock Operation" means a feedlot or other facility or pasture where animals are fed, confined, maintained or stabled.

(9) "Livestock Structure" means a building or other structure used to house or feed livestock, to confine livestock for milking, to confine livestock for feeding other than grazing, to store livestock.

(10) "Manure" means livestock excreta and includes livestock bedding, water, soil, hair, feathers, and other debris that becomes intermingled with livestock excreta in normal manure handling operations.

(11) "Manure Storage Facility" means a facility as defined in Wisconsin Administrative Code, ATCP 50.62(1)(c), or any amendments thereto.

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(12) "Manure Storage Structure" means a structure as defined in Wisconsin Administrative Code, ATCP 50.62(1)(d), or any amendments thereto.

(13) "New Manure Storage Facility, Livestock Operation or Animal Feedlot" means a facility, operation or feedlot constructed or substantially altered after October 1, 2002.

(14) "Nutrient Management Plan" means any of the following:

(a) A plan required under Wisconsin Administrative Code, ATCP 50.04 (3) or 50.62 (5)(f).

(b) A farm nutrient plan prepared or approved, for a landowner, by a qualified nutrient management planner.

(15) "Operator" means a person responsible for the oversight or management of equipment, facilities or livestock at a livestock operation, or is responsible for land management in the production of crops.

(16) "Pasture" means land on which livestock graze or otherwise seek feed in a manner that maintains the vegetative cover over the grazing area. Pasture may include limited areas of bare soil such as cattle lanes and supplemental feeding areas provided the bare soil areas are not significant sources of pollution to waters of the state.

(17) "Substantially Altered" means a material change in construction or use of a livestock structure or manure storage structure, including any of the following material changes:

(a) An increase in the capacity of a manure storage facility.

(b) The addition or modification of a liner to a manure storage facility.

(c) Any change to an existing manure transfer system that discharges to a manure storage facility.

(d) An increase of more than 20% in the area or capacity of a livestock structure used to house, feed or confine livestock, or to store livestock feed.

(e) Any change in type or increase in source volume that is discharged to a manure storage facility. This includes a change in type due to a change of livestock management from one species of livestock to another.

(18) "Unconfined Manure Pile" means a quantity of manure at least 175 cubic feet in volume that covers the ground surface to a depth of at least 2 inches, but does not include any of the following:

(a) Manure that is confined within a manure storage facility, livestock housing structure or barnyard runoff control facility.

(b) Manure that is covered or contained in a manner that prevents storm water access and direct runoff to surface water or leaching of pollutants to groundwater.

(19) "Water Quality Management Area" or "WQMA" means:

(a) The area within 1,000 feet from the ordinary high water mark of navigable waters that consist of a lake, pond or flowage, except that, for a navigable water that is a glacial pothole lake, the term means the area within 1,000 feet from the high water mark of the lake;

(b) The area within 300 feet from the ordinary high water mark of navigable waters that consist of a river or stream;

(c) A site that is susceptible to groundwater contamination; or

(d) A site that has the potential to be a direct conduit for contamination to reach groundwater.

(20) "Waters of the State" has the meaning given in s. 283.01 (20), Wis. Stats.

23.08 ACTIVITIES SUBJECT TO REGULATION

(1) Activities Requiring a Permit

(a) Any person who locates, installs, or substantially alters a manure storage structure or parts thereof, or who employs another to do the same, on land subject to this Chapter, shall be subject to the provisions of this section.

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(b) Any person who locates, installs, or substantially alters a new livestock operation, or employs another to do the same, on land subject to this section, shall be subject to the provisions of this Chapter.

(2) Activities Regulated But Not Requiring a Permit

(a) Manure Management Prohibitions

1. A livestock operation shall have no overflow of manure storage facilities.

2. A livestock operation shall have no unconfined manure pile in a Water Quality Management Area.

3. A livestock operation shall have no direct runoff from an animal feedlot or stored manure into the waters of the state.

4. A livestock operation may not allow unlimited access by livestock to waters of the state in a location where high concentrations of animals prevent the maintenance of adequate sod or self-sustaining vegetative cover.

(b) Any person who applies animal manure or other nutrients to agricultural fields shall do so in accordance with a certified, annual nutrient management plan.

(3) Failing and Abandoned Existing Facilities

(a) Any existing manure storage facility that poses an immediate or imminent threat to public health, surface water quality, fish and aquatic life or groundwater quality due to structural failure or leakage, on land subject to this ordinance, shall be properly closed or reconstructed in accordance with the provisions of this Chapter.

(b) Closure of a manure storage facility shall occur when an operation where the facility is located ceases operations, or manure has not been added or removed from the facility for a period of 24 months. Manure facilities shall be closed in a manner that will prevent future contamination of groundwater and surface waters.

23.09 STANDARDS

(1) The standards for design and construction of manure storage facilities and transfer systems, storage facility closure, animal barnyard runoff control, nutrient management, streambank protection and stabilization and soil and water conservation shall be the current standards found in the USDA Natural Resources Conservation Service Field Office Technical Guide. All adopted policies of the Planning, Resources and Development Committee that refer to this section and incorporate these standards are located in the Department of Land Conservation office.

(2) The Standards of the USDA Natural Resources Conservation Service Field Office Technical Guide are adopted and by reference, made a part of this section as if fully set forth herein. Any future amendment, revision, or modification of the standards incorporated herein is made a part of this section, unless otherwise acted upon by the Planning, Resources and Development Committee.

23.10 APPLICATION FOR THE ISSUANCE OF PERMITS

(1) No person shall undertake an activity subject to this Chapter without obtaining a permit from the Department of Land Conservation prior to beginning the proposed activity. Applications for permits for the substantial alteration, modification, closure or construction of a new manure storage facility, livestock operation or animal feedlot is available from the office of the Department of Land Conservation.

(2) All permits issued under this Chapter shall be issued subject to the following conditions;

(a) All activities authorized by permit shall be carried out in accordance with a design and construction plan(s) signed by a Wisconsin licensed professional engineer or a person with the appropriate Department of Agriculture, Trade and Consumer Protection – Agricultural Practitioner Certification and in compliance with applicable standards as approved by the Department of Land Conservation.

(b) Permit fees are to be submitted with the permit application.

(c) A Construction Certificate shall be issued to the permit applicant after the Department has completed and approved a review of the design plan of the proposed activity. No construction may be started until the Construction Certificate has been issued by the Department.

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(d) The permittee agrees to submit to the Department an annual nutrient management plan for all lands where animal manure is applied that is generated from the permitted livestock operation.

(e) A permittee shall notify the Department at least three (3) days before starting any construction activity authorized by the permit.

(f) Any modifications to a design or construction plan must first be approved by the Department.

(g) Prior to use, a permit applicant must submit documentation that clearly shows that construction, alteration or closure of a manure storage facility or livestock operation was done so in compliance with the approved plans.

(3) Emergency repairs to an animal manure storage facility may be performed without a manure storage facility permit. The Department shall be notified immediately of any emergency repair work being conducted on any manure storage facility.

(4) The Department may revoke any permit issued under this Chapter if the holder of the permit has misrepresented any material fact in the permit application or the design plan, or if the holder of the permit violates any of the conditions of the permit.

23.11 PERMIT FEES. Fees charged by the Department of Land Conservation shall be set annually by the La Crosse County Board of Supervisors during the annual County budget process in November of each year and are subject to change.

23.12 DESIGN PLAN REQUIREMENTS. Each application for an Animal Manure permit under this section must include the required design and construction plan components. The required design plan components are listed on the appropriate application form.

23.13 ADMINISTRATION

(1) La Crosse County hereby designates the Department of Land Conservation as the agency to administer and enforce this Chapter. As part of this designation, the Department shall;

(a) Keep an accurate record of all permit applications, animal manure facility plans, animal feedlot plans, animal manure storage facility abandonment plans permits issued, inspections made and other official actions.

(b) Review permit applications in accordance with Section 23.10(b) of this Chapter.

(c) Inspect manure storage facility, animal feedlot construction, and manure storage facility abandonment to insure the facility is being constructed or abandoned according to an approved plan.

(d) Investigate complaints relating to compliance with this Chapter.

(e) Monitor the adequacy of manure storage facilities, including compliance with nutrient management plans.

(f) Perform other duties as specified in this Chapter.

(2) Inspection Authority. Pursuant to section 92.07(4), Wis. Stats., the Department is authorized to enter upon lands affected by this Chapter to insure compliance. Persons refusing Department access to any site may be grounds for permit denial or revocation.

(3) Landowner Documentation. The Department is authorized to require all landowners in districts zoned for agricultural use as defined in Chapter 17 La Crosse County Zoning Code, to provide agricultural performance standard information to the Department upon request. The agricultural performance standard information may include the number and type of animal units housed on a livestock operation as well as other documentation that may assist the Department in determining an operation's compliance with the State's Agricultural Performance Standards and Prohibitions as described in Wisconsin Administrative Code, NR 151.

23.14 VIOLATIONS

(1) Penalty. Any person who violates, neglects or refuses to comply with, or resists the enforcement of any of the provisions of this Chapter, shall be subject to a forfeiture of not less than \$250 plus costs of prosecution of each offense. Each day that a violation occurs shall constitute a separate offense.

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(2) The Department is authorized to issue notices of noncompliance, stop work orders, revoke permits and seek penalties or injunctions against any person who violates this Chapter.

23.15 APPEALS

(1) Authority. Under the authority of Chapter 68, Wisconsin Statutes, the La Crosse County Planning, Resources and Development Committee shall hear and decide all appeals where it is alleged that there is error in any order, requirement, decision, or determination by the County Department of Land Conservation in administering this Chapter.

(2) Procedure. The rules, procedures duties and powers of the Planning Resources and Development Committee and Chapter 68, Wisconsin State Statutes, shall apply to this Chapter.

(3) Who May Appeal. Appeals may be taken by any person having a substantial interest which is adversely affected by this order, requirement, decision, or determinations made by the Department of Land Conservation.

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. Holtze/P. Scheller to approve passed on a unanimous voice vote with 28 ayes, 1 excused - R. Keil.

RESOLUTION NO. 49-12/14 RE: DESIGNATION OF WATERLOO TRUSS BRIDGE ON OLD COUNTY TRUNK HIGHWAY B AS A LA CROSSE COUNTY HISTORIC STRUCTURE

WHEREAS, the Waterloo Truss Bridge (formerly called the Iron Overhead Truss Bridge) on old County Trunk Highway B in the Town of Hamilton in La Crosse County is the last overhead truss road bridge located in La Crosse County; and, **WHEREAS**, the bridge dates from approximately 1911, when it was constructed to replace other bridges that washed away in floods near this location; and, **WHEREAS**, the bridge is a one lane bridge, one span long, that crosses the La Crosse River and at one time served vehicular traffic but has been closed to vehicular traffic for almost 25 years; and, **WHEREAS**, the bridge is located on old County Trunk Highway B on lands specifically described as follows: That part of Government Lot 2 and of Government Lot 3 in Section 32, Township 17 North, Range 6 West lying within the old right-of-way of County Road B, Town of Hamilton; and, **WHEREAS**, following a public hearing, the Historic Site Preservation Commission approved adding the Waterloo Truss Bridge on Old County Trunk Highway B as a historic bridge to the La Crosse County Historic Sites listing. **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board does hereby approve adding the Waterloo Truss Bridge on Old County Trunk Highway B to the La Crosse County Historic Sites listing; and, **BE IT FURTHER RESOLVED**, that designation of the Waterloo Truss Bridge on Old County Trunk Highway B as a La Crosse County Historic Structure shall subject this structure to all provisions of Chapter 22 of the General Code of La Crosse County and this resolution shall be recorded at County expense at the La Crosse County Register of Deeds office. **FISCAL NOTE:** The cost for recording the resolution is \$30.00.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Holtze/M. Nikolay to approve passed on a unanimous voice vote with 28 ayes, 1 excused - R. Keil.

RESOLUTION NO. 50-12/14 RE: APPROVAL OF TOWN OF CAMPBELL ZONING AMENDMENT

WHEREAS, the Town of Campbell has adopted a zoning ordinance, which ordinance was approved by the La Crosse County Board by Resolution #52-1/13 on January 17, 2013; and, **WHEREAS**, Wis. Stat. s. 60.62(3) states that no zoning ordinance or amendment to a

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zoning ordinance may be adopted by the town unless approved by the county board; and, **WHEREAS**, after a public hearing on November 5, 2014, the Town of Campbell approved a petition by Travis Klingforth to rezone parcel #4-720-0 located at 1708 Lakeshore Drive from the Rural Residential District to the Residential District "A", for the purpose of maintaining a home business pending the approval of a conditional use permit. **WHEREAS**, the Planning, Resources and Development Committee, after receiving input from Zoning, Planning and Land Information Department staff, recommend approval of the proposed zoning amendment. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby approves the amendment to the zoning district of the Town of Campbell zoning ordinance regarding parcel #4-720-0 approved by the Town of Campbell on November 5, 2014 in accordance with Wis. Stat. s. 60.62(3). **FISCAL NOTE:** No fiscal impact to La Crosse County.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Holtze/J. Schroeder to approve passed on a unanimous voice vote with 28 ayes, 1 excused - R. Keil.

ZONING ORDINANCE NO. Z339-12/14 RE: PETITION NO. 1950 FILED BY ANDY M AND MICHELLE R BEE TO REZONE 1.33 ACRES OF A 44.35 ACRE BASE FARM TRACT FROM THE EXCLUSIVE AGRICULTURE DISTRICT TO THE RURAL DISTRICT FOR ONE SINGLE FAMILY FARM RESIDENCE IN THE TOWN OF BARRE

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1950 to amend the La Crosse County Zoning Ordinance filed by Andy M and Michelle R Bee, W3062 Russlan Coulee Rd, La Crosse, WI, 54601 and having held a public hearing on the 1st day of December, 2014 for a petition to rezone 1.33 acres of a 44.35 acre Base Farm Tract from the Exclusive Agriculture District to the Rural District for one single family farm residence in the Town of Barre and described on a preliminary Certified Survey Map as follows: Part of the SW/NE and the NW/SE in Section 23, T16N, R6W. Part of tax parcel 2-205-3. Town of Barre. 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 seven (6) in favor, zero (0) no, and (1) excused (Hundt-Wehrs), the committee recommended approval of Zoning Petition No. 1950 subject to the recording of deed restrictions indication:

1. Only one single family dwelling is allowed on the proposed 1.33 acre CSM lot with no further subdividing; and
2. The remainder of the Base Farm Tract shall be limited to one existing single family dwelling only and only continued and future agricultural development.

(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 18th day of December, 2014. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Holtze/H. Hoffman to approve as recommended by the Committee passed on a unanimous voice vote with 28 ayes, 1 excused - R. Keil.

ORDINANCE NO. 138-12/14 TO AMEND CHAPTER 19 ENTITLED "COUNTY PARKS, BUILDINGS AND GROUNDS" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

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

Section 1. Chapter 19 of the County Code is amended to read:

(166-14/15)

19.01 APPLICABILITY. This chapter shall apply to all County parks and County-owned buildings and grounds in La Crosse County.

19.02 PARK HOURS. Except as provided in s. 19.15, no person shall be in any County park between 10 p.m. and 5 a.m. without the written permission of the Facilities Director or his/her assigned designee.

19.03 FIREARMS, HUNTING, AND DEER FEEDING IN COUNTY PARKS.

(1) A person who complies with state law regarding the possession of firearms may have in his or her possession or under his/her control a firearm in County Parks unless there is a special event as defined by Wis. Stat. s. 943.13(1e)(h) and the person has been notified not to enter or remain at the special event in the County Park while carrying a firearm.

(2) No person shall trap or disturb any wild animals or birds within any County park, but any person may use a County park for access to public hunting areas and grounds.

(3) No person shall discharge, or cause to be discharged, any missile from any firearm, airgun, slingshot, bow and arrow or other weapon in any County park, except in properly designated areas or ranges.

(4) No person in Goose Island Park shall feed deer at any time.

(5) Exception. The Public Works and Infrastructure Committee may approve deer management plans, allow special deer hunts in County parks, and grant exceptions to the prohibitions set forth in subsections 1 through 4 above, subject to County Board approval.

19.035 FIREARMS OR WEAPONS PROHIBITED IN COUNTY BUILDINGS.

(1) No person carrying a firearm or weapon as defined by state law shall enter any building owned, operated, or controlled by La Crosse County where the building is posted in accordance with state law by the Facilities Director and/or his or her designee that the person shall not enter or remain in the building while carrying a firearm or weapon.

(2) The prohibition under par (1) does not apply to any of the following:

(a) A law enforcement officer.

(b) A weapon in a courthouse or courtroom if a judge who is a licensee as defined in Wis. Stat. s. 175.60(1)(d) is carrying the weapon or if another licensee, whom a judge has permitted in writing to carry a weapon, is carrying the weapon.

(c) A weapon in a courthouse or courtroom if a district attorney, or an assistant district attorney, who is a licensee as defined in Wis. Stat. s. 175.60(1)(d) is carrying the weapon.

(3) It is unlawful for person carrying a firearm or weapon except a law enforcement officer to enter or remain at any special event on land owned by La Crosse County where the organizers of the special event have notified the person not to enter or remain at the special event while carrying a firearm. This provision does not apply if the firearm or weapon is in a vehicle driven or parked in the parking facility to any part of the special event grounds used as a parking facility.

(4) All buildings and land affected by this ordinance shall be posted by the Facilities Director or by a person designated by the Facilities Director with signs that are at least 5 inches by 7 inches that notify a person that firearms or weapons in said building or on said property are prohibited.

19.04 DAMAGE TO VEGETATION AND PUBLIC PROPERTY PROHIBITED. No person shall disturb, molest, deface, remove or destroy any trees, shrubs, plants or other natural growth; carve on any rocks, signs, walls or structures; drive nails in trees; or disturb, destroy, damage or deface any park building, sign, fence, table, fireplace or other County property.

19.05 DISTURBING PRIVATE PROPERTY PROHIBITED. No person shall disturb, molest, damage or remove the property or personal effects of others while in a County park or on County lands.

19.06 LITTERING. No person shall dispose of any garbage, bottles, tin cans, paper or other waste material in any manner except by placing the same in receptacles provided for such purpose; nor shall any person dump any such refuse on County park lands or in any lake or stream within any County park.

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19.07 DOGS AND CATS RESTRICTED. No person having charge or control of any dog or cat shall allow such dog or cat to run at large within a County park, but shall keep such dog or cat under control on a leash at all times.

19.08 FIRES. No person shall build any campfire or burn any rubbish on County park lands except in designated fireplaces; nor shall any person throw away any cigarettes, cigars or pipe ashes without first extinguishing them.

19.09 VEHICLES REGULATED.

(1) DRIVING. No person shall drive any automobile, truck, motorcycle or other vehicle in a reckless manner or at a speed greater than the established speed limits as posted on signs along County park roads;

(2) PARKING. No person shall park or leave unattended any automobile, truck, trailer, wagon, motorcycle, boat or other similar equipment except in areas designated for such purposes.

19.10 UNNECESSARY NOISE. No person shall operate any stereo, sound track, amplified loud speaker or other mechanical device that produces undue or unreasonable noise nor shall any person verbally or in any other way produce undue or unreasonable noise in any County park which disturbs or tends to disturb or annoy others. No live music bands, mobile disc jockey services, or amplified musical instruments shall be allowed in any County park; except the Facilities Director may authorize live music bands, mobile disc jockey services or amplified musical instruments at County approved special events or use a amplified loudspeaker in case of an emergency.

19.11 ADVERTISING AND SALES REGULATED.

(1) ADVERTISING. No person shall distribute any handbill or other advertising matter in any County park without a written permit from the Facilities Director.

(2) SALES. No person shall peddle or solicit business or operate concessions or stands in any County park without the written permission of the Public Works and Infrastructure Committee.

19.12 DISORDERLY CONDUCT PROHIBITED. No person shall engage in any disorderly conduct as defined by s. 947.01(1), Wis. Stats., in any County park, nor shall any intoxicated person be or remain in any County park.

19.13 SALES OF INTOXICATING BEVERAGES PROHIBITED. No person shall sell or offer for sale any intoxicating liquors or fermented malt beverages in any County park, except as authorized by the Public Works and Infrastructure Committee.

19.14 SHELTER HOUSE RESERVATIONS.

(1) PROCEDURE.

(a) Any person 18 years of age or older, desiring to reserve a park shelter house, shall apply to the Facilities Department for a shelter house permit. Such requests shall be handled by the Facilities Department on a "first come, first serve" basis.

(b) No reservations shall be accepted prior to the first business day of January of any year.

(2) FEES. Rental fees and deposits for shelter houses and park facilities shall be determined by the County Board and shall be subject to change from time to time. Youth organizations using the shelter houses and facilities during the week shall be entitled to use the facilities for one-half the regular fee. All groups and individuals using park facilities shall be held responsible for excessive clean-up charges and for damages to the facilities for such use.

(3) EXCEPTIONS. Nothing herein shall prohibit the Public Works & Infrastructure Committee from making advance reservations for such special events and conventions as the Committee deems necessary.

19.15 CAMPING.

(1) PERMIT REQUIRED. No person shall camp, picnic, or remain in the designated camping areas in Veterans Memorial Campground and Goose Island Campground without a valid County permit. No person shall camp in any County park without a valid County permit. Camping is only allowed in designated camping areas.

(2) PERMIT FEES.

(a) Fees as determined by the County Board, per night per camping unit and for electrical and water hook-up, shall be paid on receipt of the camping

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permit. The permit must be placed where it can be inspected by personnel designated by the Facilities Director.

(b) Discounts. A senior citizen shall receive a discount as determined by the County Board when the camper presents a valid discount card showing that the person is 60 years of age or older. Persons camping 7 consecutive nights shall receive the 7th night free of the regular fee, however, payment must be made for electrical and/or water service. These discounts do not apply to monthly or seasonal use rates.

(c) The monthly (28 nights) site rental charge and the seasonal rate for a site at Veterans Memorial Campground and Goose Island Campground shall be determined by the County Board. These sites shall be made available upon a first come, first serve basis. Reservations for Goose Island Campground may be accepted the first business day of January of each year. (Monthly and seasonal rates shall not be available to tenters.) Monthly and seasonal camping sites shall be designated by the Facilities Director.

(d) All of the rates under this section shall be determined from time to time by the County Board without the requirement of an amendment to this Code.

(3) CAMP UNIT DEFINED. For the purpose of this section, any of the following groups is a "camp unit" and shall be subject to the provisions of this section:

(a) One tent occupying 1 unit site.
(b) Two connected tents occupying only 1 unit site and used by only 1 family.

(c) One trailer equipped to be lived in or slept in.
(d) One car, truck, bus or other vehicle used for living or sleeping quarters.

(e) A sleeping bag, hammock or similar device used for sleeping with no other shelter.

(f) Any special situation regarding "camp units" not covered above shall be handled by the Facilities Director.

(4) REGISTRATION. All camp units shall register for a permit prior to occupancy. Any camp unit must register upon request by County authorized personnel.

(5) CAMPING RESTRICTED.

(a) Length of Stay. Campers may remain in the camp area for no more than 14 days provided, upon leaving the camp area for 2 days, a camper may re-enter for another 14-day period. This provision is not applicable to the monthly or seasonal rental spaces provided in s. 19.15(2)(c).

(b) Camping Season. Camp areas and facilities in County parks shall be open for use as determined by the Facilities Director from year to year.

(c) Tables. Each camp unit shall be allowed 1 table only.

(d) Quiet Time. Visitors must be out of the camp area and quiet maintained at 11:00 p.m.

(e) Mini-Bikes. No mini-bikes, ATV's, golf carts or other mechanized unlicensed vehicle shall be driven in any County Park, except as authorized by the Facilities Director.

(f) Utility Building and Laundry Room Restrictions. No person shall clean fish or water fowl, wash dishes, or take hot water from the utility building or laundry room.

(6) UNOCCUPIED CAMPS. Camp units set up but not occupied by the owner or person in charge thereof shall be subject to permit fees and sub. (5)(a) regulating the length of stay in the same manner as occupied sites.

(7) ADDITIONAL REGULATIONS. Campers and camping activities shall be subject to all other provisions of this chapter and any rules or policies adopted by the Facilities Director or Public Works & Infrastructure Committee.

19.16 WASTE DISPOSAL RESTRICTIONS. No person shall dispose of any garbage, bottles, tin cans, or any other solid waste material, including demolition material, in any County park or on any County lands where the waste is generated from outside of the County property.

19.17 NAMING OF COUNTY BUILDINGS AND COUNTY PROPERTY. The following procedure shall be followed when naming or renaming County properties:

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(1) La Crosse County shall not name or rename any building that is over 3,000 square feet in size after an individual.

(2) La Crosse County may name or rename an internal building space (i.e. conference room, courtroom), County owned land (i.e. donated park land), or building less than 3,000 square feet in size (i.e. park shelter) after an individual.

(3) In all cases, the request to name or rename County property shall be reviewed by the standing committee that has governing control over the property that is the subject of the request. If the request is approved by the standing committee, a resolution will be drafted and presented for review to the Public Works and Infrastructure Committee.

(4) The following items shall be considered in reviewing the request:

(a) The merit of the proposal.

(b) The fiscal impact of a name change.

(c) If the County building, internal building space or property is proposed to be named after an individual, has he/she performed outstanding public service that is worthy of recognition?

(5) A resolution requesting the naming or renaming of any County property requires County Board approval by a two-thirds vote of the Supervisors present.

19.18 PENALTY. Any person who shall violate any provision of this chapter or any regulation, rule or order made hereunder shall be subject to a penalty as provided in s. 25.04 of this Code.

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

TARA JOHNSON, COUNTY BOARD CHAIR
GINNY DANKMEYER, COUNTY CLERK

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/P. Barlow to approve passed on a unanimous voice vote with 28 ayes, 1 excused - R. Keil.

RESOLUTION NO. 51-12/14 RE: APPROVAL OF PARK PLAZA PROPERTY OFFER TO PURCHASE FROM WATER PLACE ONE, LLC

WHEREAS, La Crosse County has received an Offer to Purchase the property located at 529 Park Plaza Drive, La Crosse, Wisconsin (Park Plaza Property) dated November 17, 2014, from Water Place One, LLC; and, **WHEREAS**, the purchase price is for six hundred thousand dollars (\$600,000) with five thousand dollars (\$5,000) earnest money to be paid within 5 days of acceptance; and, **WHEREAS**, the Offer to Purchase indicates the property is sold "as is" and provides a closing date of no later than January 30, 2015; and, **WHEREAS**, the Offer contains the following contingencies:

- Verification that the property is zoned Planned Development District
- Buyer receiving copies of all easements, restrictions and covenants affecting the property and the most recent survey of the property
- Buyer obtaining any required governmental approvals for sale of property by the County
- Seller providing written verification that the DNR has approved abandonment of pre-existing sewer main through the premises, with no requirement to remove
- Subject to any testing and inspections by Buyer, at Buyer's expense
- No financing contingency

WHEREAS, it is in the best interest of La Crosse County to accept the Offer to Purchase from Water Place One, LLC. **NOW THEREFORE BE IT RESOLVED** that La Crosse County Board hereby approves acceptance of the Offer to Purchase the Park Plaza Property from Buyer Water Place One, LLC in accordance with the terms outlined in the resolution. **BE IT FURTHER RESOLVED**, that the County Board Chair is authorized to sign any documents necessary to effectuate this resolution, after approval by Corporation Counsel. **FISCAL NOTE:** Proceeds shall be receipted into Org. 1064 Non Departmental, Account 56015 Sale of County Property. Proceeds shall be applied to County expenses for the property, which

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include real estate taxes paid by the County, and the balance of expenses shall be paid from tax revenue increments from a TIF proportionately based on actual funding for expenses as provided in the Intergovernmental Agreement between the City of La Crosse, La Crosse County and the City Redevelopment Authority.

EXECUTIVE COMMITTEE

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/A. Richmond to approve. Discussion ensued. Planner Charlie Handy responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 28 ayes, 1 excused - R. Keil.

RESOLUTION NO. 52-12/14 RE: APPROVAL OF PURCHASE OF SCHROEDER PROPERTY

WHEREAS, the County Board has determined the public necessity for acquiring the Schroeder Property at W5151 State Road 16, La Crosse, Wisconsin, consisting of 4.64 acres, located immediately north of property operated by the County Solid Waste Department, as set forth in detail in Resolution 81-2/11; and, **WHEREAS**, pursuant to Resolution 81-2/11, the County Administrator hired a qualified appraiser to determine the fair market value of the Schroeder Property, which 2011 appraisal indicated a value of \$740,000; and **WHEREAS**, the Schroeder Property has development challenges due to its location, shape and access to STH 16, but if combined with County property, the acquisition will provide for future public road access to adjacent properties for commercial or industrial development, while also improving options to help improve traffic and safety issues for the County Solid Waste Department; and, **WHEREAS**, the owner of the Schroeder Property has offered to sell the Schroeder Property to La Crosse County for a net purchase price of \$375,000, subject to the following conditions:

- Purchase price of \$500,000, payable to Seller at closing
- Seller responsible for realtor commission, IRS appraisal costs, Title Commitment and GAP coverage, transfer fee, tax proration, and other customary charges
- Closing no later than December 31, 2014
- Seller, at closing, will present La Crosse County with a check for \$125,000 as a donation/gift, and La Crosse County will present Seller with the required acknowledgement letter for the charitable donation.
- Seller waives any right to compensation under Chapter 32 of Wisconsin Statutes
- Buyer's conditions include inspection rights and proper zoning; and,

WHEREAS, it is in the best interests of La Crosse County to purchase the Schroeder property. **NOW THEREFORE BE IT RESOLVED** by the La Crosse County Board hereby approves the purchase of the Schroeder Property at W5151 State Road 16, La Crosse, WI, for net price of \$375,000 in accordance with the terms of this resolution to achieve better access to development land already owned by La Crosse County and adjacent parcels and to meet safety, traffic and access needs of the County Solid Waste Department. **BE IT FURTHER RESOLVED** that the County Board Chair is authorized to sign all necessary documents to complete the purchase of the Schroeder Property, after approval by Corporation Counsel. **FISCAL NOTE:** Net purchase price of property will be \$375,000 with closing costs, including proration of taxes and recording fees, estimated to be approximately \$100 - \$300 (\$49/day plus \$30 recording fee), from date of closing - to be paid from Org. 1061 – Economic Development Commission, Account 86010, Land Purchase. The funds for the purchase are budgeted for 2015 but actual sale will take place in December 2014 to save the County and the Purchaser an additional year of taxes to prorate. The source of funds for this purchase are from Excess Sales Tax Reserve.

EXECUTIVE COMMITTEE

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/D. Ferries to approve. Discussion ensued. Administrator O'Malley, Corporation Counsel David Lange and Finance Director Sharon Davidson responded to questions from the Board. The motion to approve passed on a roll call vote with 26 ayes, 1 abstention - J. Schroeder, 2 excused - N. Caucutt and R. Keil.

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RESOLUTION NO. 53-12/14 RE: APPROVAL OF APPLICATION OF TABLE OF STATUTORY WEIGHT LIMITS UNDER WISCONSIN LAW FOR CATEGORY B IMPLEMENTS OF HUSBANDRY

WHEREAS, 2013 Wis. Act 377 under Wis. Stat. §348.15(9)(f)1. provides that there is no weight limitation per wheel, axle or group of axles for Category B implements of husbandry as defined Wis. Stat. §340.01(24)(a)1.b., but does apply gross weight limitations to these vehicles; and, **WHEREAS**, Wis. Stat. §348.15(9)(f)1. authorizes the County to require compliance with axle weight limitations established under Wis. Stat. §348.15(3)(g) for Category B implements of husbandry as defined in Wis. Stat. §340.01(24)(a)1.b. on all highways under the County's jurisdiction; and, **WHEREAS**, the Public Works & Infrastructure Committee, as the County Highway committee of La Crosse County, has reviewed this resolution and pursuant to Wis. Stat. §348.15(9)(f) approves the contents of this resolution, whereby all implements of husbandry, including Category B implements of husbandry, may not exceed the weight limits imposed by state law. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby approves the requirement authorized by Wis. Stat. §348.15(9)(f), whereby all implements of husbandry, including Category B implements of husbandry, as defined in Wis. Stat. §340.01(24)(a)1.b. may not exceed the weight limits imposed by Wis. Stat. §348.15(3)(g) on County highways in La Crosse County. **BE IT FURTHER RESOLVED** that to exceed the length and the weight limitations and/or weight limitations on County highways a person may apply for a no-fee permit from the County. **BE IT FURTHER RESOLVED** that pursuant to Wis. Stat. §348.27(19)(b)4m.a., in the event an application for no-fee permit is made for a Category B implement of husbandry, the County is required to provide an approved alternate route, which may include highways that are not under the County's jurisdiction if prior approval has been given by the jurisdiction over the alternate route not under the County's jurisdiction for operation of Category B implements of husbandry as defined by state law. **BE IT FURTHER RESOLVED** that this resolution shall be in effect until rescinded by further action of the La Crosse County Board. **BE IT FURTHER RESOLVED** that a copy of this resolution shall be provided to the Wisconsin Department of Transportation to be posted on the state website. **FISCAL NOTE**: No cost to La Crosse County.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/P. Barlow to approve. Discussion ensued. Highway Commissioner Ron Chamberlain responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 27 ayes, 2 excused - N. Caucutt and R. Keil.

RESOLUTION NO. 54-12/14 RE: DESIGNATION OF AN OFFICIAL NEWSPAPER FOR 2015

WHEREAS, La Crosse County Board Rule 2.02(6) per Wisconsin Statutes Section 985 requires the designation of an official newspaper for La Crosse County; and, **WHEREAS**, the La Crosse Tribune meets the qualifications per Wisconsin Statutes 985.03; and, **WHEREAS**, it is in the best interest of La Crosse County to designate the La Crosse Tribune as the official newspaper because of its distribution and circulation in the county; and, **WHEREAS**, the current year designation by resolution terminates on December 31, 2014. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse Tribune is designated and approved by the La Crosse County Board of Supervisors as the official newspaper for La Crosse County for the year 2014 expiring December 31, 2015. **FISCAL NOTE**: No fiscal impact for designating the official newspaper.

EXECUTIVE COMMITTEE

Motion by J. Veenstra/V. Burke to approve passed on a unanimous voice vote with 27 ayes, 2 excused - N. Caucutt and R. Keil.

RESOLUTION NO. 55-12/14 RE: AUTHORIZATION FOR DESIGNATION OF DEPOSITORIES

WHEREAS, per WI. Statutes Chapter 34 and 59, the County Board shall designate one or more depositories; and, **WHEREAS**, the Executive Committee has met and they have

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designated depositories which meet the state statutes requirements. **NOW THEREFORE BE IT RESOLVED**, that the County Board appoint the following financial institutions as official depositories for La Crosse County funds:

| | |
|------------------------------------------------------|----------------------------------------------------------|
| Wells Fargo Bank NA, La Crosse | Wells Fargo Securities |
| State Bank Financial, La Crosse & Onalaska | Firefighters Credit Union, La Crosse & Holmen |
| Coulee Bank of La Crosse | U. S. Bank, La Crosse & Onalaska |
| Farmers State Bank of Bangor | Union State Bank of West Salem |
| Park Bank, Holmen and La Crosse | First National Bank of Bangor & La Crosse |
| Community Credit Union, La Crosse, Onalaska & Holmen | Altra Federal Credit Union, La Crosse, Onalaska & Holmen |
| Associated Bank, La Crosse | UBS Financial Services Inc. |
| Dana Investment Advisors | Bank of America, Chicago |
| River Bank, La Crosse & Holmen | BMO Harris Bank |
| MBIA Municipal Investors Corp. | Wisconsin State Mutual Pool, Madison |
| Trust Point, La Crosse | American Deposits Management, Delafield WI |
| Governmental Employees Credit Union, La Crosse | |

BE IT FURTHER RESOLVED, that the aforementioned depositories are officially designated until there is a change in state statutes or they are amended by the La Crosse County Board. **FISCAL NOTE:** No Fiscal Impact

EXECUTIVE COMMITTEE

Motion by J. Veenstra/R. Plesha to approve passed on a unanimous voice vote with 27 ayes, 2 excused - N. Caucutt and R. Keil.

RESOLUTION NO. 56-12/14 RE: LAW ENFORCEMENT SUPERVISORS, CAPTAINS, CHIEF DEPUTY WAGE FOR 2015

WHEREAS, the Executive Committee has met to consider amendments to the salary and WRS of non-union Law Enforcement Sergeants (LS) and Sheriff Department Management and with the recommendation of the Personnel Director and the County Administrator has approved certain amendments to said salary and WRS; **WHEREAS**, 2014-2016 Deputy Sheriff's Collective Bargaining Agreement provided a two year transition to full payment of the employee contribution to the Wisconsin Retirement System (WRS) by providing an across the board 3.5% wage increase in 2014 and in 2015, in conjunction with a payment of 3.5 % WRS employee contribution for both years so that these employees are paying the full employee share of WRS beginning in 2015. **NOW THEREFORE BE IT RESOLVED**, that the salary and WRS of the Law Enforcement Sergeants (LS), the Patrol and Investigative Captains, and Chief Deputy in the B-schedule, be adopted for said employees to reflect an across the board wage increase of 3.5% effective December 22, 2014 to the pay plan, in conjunction with employees paying the full amount of the employee share of the WRS beginning in 2015. **BE IT FURTHER RESOLVED**, that the Personnel Department is authorized and directed to implement the modifications set forth; and, **BE IT FURTHER RESOLVED**, that the Finance Department is authorized to implement financial changes as indicated. **FISCAL NOTE:** The estimated cost for salary and fringe is \$7000. Sufficient funds have been budgeted in the 2015 budget.

EXECUTIVE COMMITTEE

Motion by J. Veenstra/V. Burke to approve passed on a unanimous voice vote with 27 ayes, 2 excused - N. Caucutt and R. Keil.

RESOLUTION NO. 57-12/14 RE: INCREASE THE HOURS OF THE WEST SALEM BRANCH LIBRARY SUPERVISOR BY 3 HOURS PER WEEK

WHEREAS, the current budgeted hours for the West Salem Branch Library Supervisor are 34.5 per week (69 per two-week pay period); and, **WHEREAS**, the West Salem Library continues to have an increase of circulation statistics and general library services; and, **WHEREAS**, the West Salem Library location provides a level service comparable to the

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Holmen location with less Staff and fewer service hours; and, **WHEREAS**, an increase in hours would allow the Branch Library Supervisor to represent the County Library at community meetings and events, help implement a Friends of the Library group and advocate for support throughout the community with hopes of expanding service hours to more closely match Holmen's in the future. **NOW THEREFORE BE IT RESOLVED**, that the West Salem Branch Library Supervisor position is increased to a full-time schedule of 37.5 per week (75 per two-week pay period), effective January 1, 2015. **BE IT FURTHER RESOLVED**, that the Personnel Department is authorized to take whatever actions are necessary to implement the increased hours. **FISCAL NOTE:** The increased hours would cost \$3,021.00 annually (wage & fringe). The West Salem Branch Library Supervisor recently retired from the position at a Step 5 pay rate, and the replacement is expected to be hired at a Step 1 pay rate, which is a savings of \$4,219.00 in the 2015 budget year, including the increased hours.

EXECUTIVE COMMITTEE

Motion by J. Veenstra/R. Ebert to approve passed on a unanimous voice vote with 27 ayes, 2 excused - N. Caucutt and R. Keil.

SUGGESTIONS FOR FUTURE AGENDA TOPICS – none offered.

ADJOURN

Motion by K. Rosa/P. Jerome to adjourn at 7:41 PM passed on a unanimous voice vote with 27 ayes, 2 excused - N. Caucutt, and R. Keil.

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, December 18, 2014 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 22 OF DECEMBER 2014.