

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING  
PROCEEDINGS; THURSDAY, FEBRUARY 20, 2014**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, February 20, 2014 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 17 supervisors were present when Chair Tara Johnson called the meeting to order at 6:00 P.M. and those otherwise present, excused or absent are noted in the roll call detail:

| <b>District Name</b>  | <b>Attendance</b>   |
|-----------------------|---------------------|
| 1 Richmond, Andrea    | Present             |
| 2 Geary, Ralph        | Present             |
| 3 Veenstra, Joe       | Present at 06:06 PM |
| 4 Freedland, Maureen  | Present             |
| 5 Johnson, Karin      | Absent              |
| 6 Plesha, Roger       | Present             |
| 7 Hampson, Sharon     | Present             |
| 8 Jerome, Peg         | Present             |
| 9 Londre, Andrew      | Present             |
| 10 Becker, Richard    | Excused             |
| 11 Schultz, Bill      | Present             |
| 12 Holtze, Dave       | Present             |
| 13 Meyer, Donald      | Present             |
| 14 Schroeder, Jeffrey | Excused             |
| 15 Kruse, Monica      | Present             |
| 16 Ferries, Dan       | Present             |
| 17 Berns, Jim         | Present at 06:05 PM |
| 18 Berg, Laurence     | Present             |
| 19 Downer, Thomas     | Excused             |
| 20 Doyle, Steve       | Absent              |
| 21 Burke, Vicki       | Excused             |
| 22 Barlow, Patrick    | Present             |
| 23 Pedretti, Marilyn  | Present             |
| 24 Pfaff, Leon        | Absent              |
| 25 Ebert, Ray         | Present             |
| 26 Gamroth, Tammy     | Excused             |
| 27 Wehrs, Tina        | Excused             |
| 28 Keil, Robert       | Excused             |
| 29 Johnson, Tara      | Present             |

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

**County Board Chair Report - Tara Johnson**

- Lot C Advisory Committee Update – A list of the committee members was distributed to Supervisors. The committee met for the first time on February 19<sup>th</sup> and discussed the charge of the committee. They will give input to the Administrative Center & Downtown Campus Study Committee and to the full County Board on what the community vision is for Lot C. Consultants from Stantec gave the history of Lot C and what will be the process for the committee.

- Supervisor Conference Reports – none offered

#### **CHAIR CHANGE**

1<sup>st</sup> Vice Chair Hampson took the chair.

#### **APPOINTMENTS**

Appoint **Keith Lee** to the La Crosse County Local Emergency Planning Committee as a Transportation Representative to replace Keith Carlson for a term to expire December 31, 2014; appoint **Ben Hein** to the La Crosse County Local Emergency Planning Committee as a Community Group Representative to replace Shari Vanderbush for a term to expire December 31, 2014.

Motion by T. Johnson/R. Plesha to approve passed on a unanimous voice vote with 19 ayes, 3 absent - S. Doyle, K. Johnson and L. Pfaff, 7 excused - R. Becker, V. Burke, T. Downer, T. Gamroth, R. Keil, J. Schroeder and T. Wehrs.

#### **CHAIR CHANGE**

Chair T. Johnson resumed the chair.

#### **CONSENT AGENDA**

Motion by R. Plesha/P. Jerome to approve the minutes of the La Crosse County Board of Supervisors Planning meeting held January 6, 2014 and the Monthly meeting held January 16, 2014 and the claims list for \$3,853,242.64 passed on a unanimous voice vote with 19 ayes, 3 absent - S. Doyle, K. Johnson and L. Pfaff, 7 excused - R. Becker, V. Burke, T. Downer, T. Gamroth, R. Keil, J. Schroeder and T. Wehrs.

#### **TERMINATION NO. 84 FILED BY LA CROSSE COUNTY ZONING, PLANNING AND LAND INFORMATION DEPARTMENT TO TERMINATE CONDITIONAL USE PERMIT NO. 811 ISSUED TO DOUGLAS ENDER ON BEHALF OF THE CURRENT OWNER: DAVID RUCKER, TO OPERATE A MASSAGE THERAPY PRACTICE IN THE TOWN OF ONALASKA**

The La Crosse County Planning, Resources and Development Committee, having considered the application filed by La Crosse County Zoning, Planning and Land Information Department 400 4<sup>th</sup> St N – Room 3170 La Crosse WI 54601 and having held a public hearing on the 3<sup>rd</sup> day of February, 2014 on a petition to terminate Conditional Use Permit No. 811 issued to Douglas Ender, N7536 County Road D, Holmen, WI 54636, on behalf of the current owner: David Rucker, N7540 County Road D, Holmen, WI 54636, to operate a massage therapy practice inside the residence and grounds at the owner's property in the Town of Onalaska. Reason for terminating – The business has not operated for the past twelve (12) consecutive months. Town of Onalaska. LAND DESCRIBED AS: Lot 1 of Certified Survey Map No. 161 Volume 7, and Lot 2 of Certified Survey Map No. 171 Volume 9. Tax parcels 10-1362-1 and 10-1362-2. Town of Onalaska. And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee and the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to: Terminate. By unanimous vote the Committee recommended approval to terminate Conditional Use Permit No. 811. THE **COUNTY BOARD** took the following action this 20<sup>th</sup> day of February, 2014. Approved termination.

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

(254-13/14)

Motion by M. Pedretti/D. Holtze to approve as recommended by the Committee passed on a unanimous voice vote with 18 ayes, 3 absent - S. Doyle, K. Johnson and L. Pfaff, 8 excused - R. Becker, V. Burke, T. Downer, R. Ebert, T. Gamroth, R. Keil, J. Schroeder and T. Wehrs.

**ZONING ORDINANCE NO. Z319-2/14 RE: PETITION NO. 1930 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY LARRY MIKSHOWSKY, ACTING O/B/O RALPH R AND EVELYN J MIKSHOWSKY TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO RURAL DISTRICT IN THE TOWN OF WASHINGTON**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1930 to amend the La Crosse County Zoning Ordinance filed by Larry Mikshowsky, W1425 State Rd 33, Bangor, WI 54819 acting o/b/o Ralph R and Evelyn J Mikshowsky, W1389 State Rd 33, Bangor, WI 54819 and having held a public hearing on the 3<sup>rd</sup> day of February, 2014 for a petition to rezone from the Exclusive Agriculture District to the Rural District, part of the SE ¼ of the NE ¼, Section 16, T15N-R5W for continued residential use in the Town of Washington and described as follows: Commencing at the northeast corner of Section 16, thence S 31°41'49" W 1581.84 feet to the South right-of-way line of State Road "33" and the point of beginning of this description: thence S 13°46'32" E 389.28 feet; thence S 67°26'23" W 374.84 feet; thence N 71°32'00" W 205.02 feet to the West line of the SE ¼ of the NE ¼; thence, along said West line, N 01°13'01" W 67.51 feet to the southwest corner of the parcel described in Volume 759, Page 819, thence N 64°18'17" E 291.00 feet to the southeast corner of said parcel; thence N 25°21'32" W 133.00 feet to the northeast corner of said parcel and said South right-of-way line; thence, along said South right-of-way line, N 59°37'08" E 282.95 feet to the point of beginning of this description. Town of Washington. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of five (5) in favor, zero (0) no, one (1) abstaining (Holtze), and one (1) excused (Jerome), the committee recommended approval of Zoning Petition No.1930 subject to the recording of deed restrictions affecting the proposed CSM Lot 1 stating only one single family dwelling is allowed and there will be no further subdivision of the parcel and to include a waiver on the area, number, and height limits for accessory buildings. (If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) The County Board, under s.59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. The County Board took the following action this 20<sup>th</sup> day of February, 2014. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by M. Pedretti/P. Jerome to approve as recommended by the Committee passed on a unanimous voice vote with 18 ayes, 3 absent - S. Doyle, K. Johnson and L. Pfaff, 8 excused - R. Becker, V. Burke, T. Downer, R. Ebert, T. Gamroth, R. Keil, J. Schroeder and T. Wehrs.

**ZONING ORDINANCE NO. Z320-2/14 RE: PETITION NO. 1931 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY ALEXANDER PARCHER, O/B/O BROADWAY PROPERTIES LLC TO REZONE FROM RESIDENTIAL DISTRICT A TO THE RESIDENTIAL DISTRICT B, AND 2.32 ACRES FROM RESIDENTIAL DISTRICT A TO RECREATIONAL AND NATURAL RESOURCE DISTRICT IN THE TOWN OF HOLLAND**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1931 to amend the La Crosse County Zoning Ordinance filed by Alexander Parcher, 1446 Rose St. #3, La Crosse, WI, o/b/o Broadway Properties LLC and having held a public hearing on the 3<sup>rd</sup> day of February, 2014 for a petition to rezone from the Residential District A to the Residential District B, and 2.32 acres from Residential District A

(255-13/14)

to Recreational and Natural Resource District to construct six 2-unit condominiums and to expand an existing campground in the Town of Holland and described as follows: All part of the NE/SE of Section 11, T18N, R8W more fully described in tax parcel 8-901-5. Town of Holland. 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 six (6) in favor, zero (0) no, and one (1) excused (Jerome), the committee recommended approval of Zoning Petition No.1931 subject to the recording of deed restrictions. The deed restrictions shall:

1. Limit the number of two-unit condominiums to six (12 units total) in any configuration decided upon by the petitioner;
2. Access to the condominium units shall be addressed in the declarations or provided by public highway;
3. Campground users shall not have access to campground lots via the access for the condominium plat if that access is part of the plat.

(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 20<sup>th</sup> day of February, 2014. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

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

Motion by M. Pedretti/D. Holtze to approve as recommended by the Committee passed on a unanimous voice vote with 18 ayes, 3 absent - S. Doyle, K. Johnson and L. Pfaff, 8 excused - R. Becker, V. Burke, T. Downer, R. Ebert, T. Gamroth, R. Keil, J. Schroeder and T. Wehrs.

#### **RESOLUTION NO. 75-2/14 RE: APPROVAL OF COUNTY FISH AND GAME PROJECT FOR VETERANS PARK**

**WHEREAS**, the Wisconsin Legislature enacted legislation allocating to the respective counties in Wisconsin on an acreage basis fish and game projects on the condition that the counties match the state allocation; and, **WHEREAS**, the Veteran's Memorial Park Pond is in need of improvements to the habitat consisting of redirection in nutrient run off, adding rip rap, ADA compliant fishing platforms and pond aeration; and, **WHEREAS**, La Crosse County desires to participate in a county fish and game project pursuant to Wis. Stat. s. 23.09(12); and, **WHEREAS**, the State of Wisconsin has awarded La Crosse County up to \$2,851 for the State match for a total possible project cost of \$5,702.00; and, **WHEREAS**, the West Salem Rod and Gun Club has agreed to donate \$1,251 to participate in the project to improve the Veteran's Memorial Park Pond. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board of Supervisors is authorized to expend the funds appropriated and funds received from the State of Wisconsin for the improvement of fish and wildlife habitat by improvement of the Veteran's Memorial Park Pond habitat. **FISCAL NOTE:** No County funds expended. Project cost up to \$5,702 to be paid by the donated \$1,251, donations solicited by the Facilities Dept. or others for the balance of the matching funds, and a 50% State match up to \$2,851.

#### **PUBLIC WORKS AND INFRASTRUCTURE**

Motion by D. Meyer/J. Berns to approve passed on a unanimous voice vote with 19 ayes, 3 absent - S. Doyle, K. Johnson and L. Pfaff, 7 excused - R. Becker, V. Burke, T. Downer, T. Gamroth, R. Keil, J. Schroeder and T. Wehrs.

#### **ORDINANCE NO. 122/2-14 TO AMEND CHAPTER 1 OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN ENTITLED "GENERAL GOVERNMENT"**

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

**Section 1.** Chapter 1 entitled "Governing Body" is amended to read:

**1.01** ELECTED OFFICIALS.

- (1) Elected officials of the County shall be:
  - (a) Clerk of Circuit Courts
  - (b) County Clerk
  - (c) County Treasurer
  - (d) Register of Deeds
  - (e) Sheriff
  - (f) Supervisors (29 each)

(2) Election and Term.

(a) Elected Constitutional Officials. The Sheriff and Clerk of Courts shall be elected to 4 year terms beginning with the general election held in 2002, such term to commence on the first Monday of January next succeeding their election and to continue 4 years and until their successors qualify. The County Clerk, County Treasurer, and Register of Deeds shall be elected to 4 year terms at the general election held in 2008, such terms to commence on the first Monday of January next succeeding their election and to continue 4 years and until their successors qualify.

(b) Supervisors. Pursuant to s. 59.10(1)(b), Wis. Stats. Supervisory districts are enumerated in Chapter 2 of this Code.

(c) Nomination Papers. Pursuant to s. 8.10(3m), Wis. Stats., the number of required signatures on nomination papers for the office of Supervisor in La Crosse County shall be not less than 50 nor more than 200 electors.

**1.02** APPOINTED OFFICIALS. The following shall be appointed officials:

| OFFICIAL                                   | APPOINTING AUTHORITY                        | TERM         |
|--|---|--------------|
| Aging Director                             | County Administrator                        | Indefinite   |
| Auditor/Finance Director                   | County Administrator                        | Indefinite   |
| Corporation Counsel                        | County Administrator                        | Indefinite   |
| County Administrator                       | County Board                                | Per Contract |
| County Surveyor                            | County Administrator                        | Indefinite   |
| Emergency Services Administrator           | County Administrator                        | Indefinite   |
| Facilities Director                        | County Administrator                        | Indefinite   |
| Family Court Commissioner                  | Circuit Court Judges                        | Indefinite   |
| Health Officer                             | County Administrator                        | Indefinite   |
| Highway Commissioner                       | County Administrator                        | Indefinite   |
| Hillview Administrator                     | County Administrator                        | Indefinite   |
| Human Services Director                    | County Administrator                        | Indefinite   |
| Information Technology Director            | County Administrator                        | Indefinite   |
| Lakeview Administrator                     | County Administrator                        | Indefinite   |
| Land Conservation Director                 | County Administrator                        | Indefinite   |
| Library Director                           | Library Board                               | Indefinite   |
| Mediation & Family Court Services Director | Circuit Court Judges                        | Indefinite   |
| Medical Examiner                           | County Administrator                        | Indefinite   |
| Personnel Director                         | County Administrator                        | Indefinite   |
| Solid Waste Director                       | County Administrator                        | Indefinite   |
| University Extension Office Director       | County Administrator & University Extension | Indefinite   |
| Veterans' Service Officer                  | County Administrator                        | Indefinite   |
| Zoning & Planning Administrator            | County Administrator                        | Indefinite   |

**1.03** OFFICIAL OATHS AND BONDS. Elected officials and County Surveyor shall execute and file the official bond and take and file the official oath pursuant to s. 59.21, Wis. Stats.

**1.04** APPOINTMENT, SUPERVISION AND REMOVAL.

(1) Appointments and Supervision. The County Administrator shall appoint and supervise the heads of all departments except those elected by the people and except

where Wisconsin Statutes provide that the appointment shall be made by elected officers; but the County Administrator shall also appoint and supervise all department heads where the law provides that the appointment shall be made by a board or commission, by the Chair of the County Board or by the County Board. Any appointment of a department head by the County Administrator requires the confirmation of the County Board.

(2) Removals.

(a) Elected Officials. Elected officials may be removed pursuant to s. 17.09, Wis. Stats., or by a judge of the circuit court for cause pursuant to ss. 17.14 and 17.16, Wis. Stats.

(b) Appointed Officials.

1. Appointed by County Administrator or County Board. Any Department Head appointed by a County Administrator or the County Board may be removed for cause by the County Administrator.

2. Appointed by the Circuit Judge. County officials appointed by a judge or judges of the circuit court may be removed at pleasure by the judge or a majority of the judges authorized to appoint the officials' successors.

3. Others. All other appointive county officials may be removed at pleasure by the officer or body that appointed them. Removals by a body, other than the County Board, consisting of 3 or more members may be made by an affirmative vote of two-thirds of all the members thereof.

4. To the extent that the provisions of this section are in apparent conflict with provisions of Wisconsin Statutes or other La Crosse County Code sections, the provisions of the more specific statute or code section are controlling.

1.05 VACANCIES.

(1) How Occurring. Vacancies in elected or appointed positions are caused pursuant to s. 17.03, Wis. Stats.

(2) How filled. Vacancies in elected and appointed offices shall be filled pursuant to ss. 17.21 and 17.22, Wis. Stats.

1.06 SALARY.

(1) Elected officials of the county shall not during the term of the office collect salary in excess of the salary provided at the time of that official's taking office pursuant to s. 66.0505, Wis. Stats.

(2) Salaries of appointed officials may be determined by the County Board from time to time.

(3) Members of the following committees who are not supervisors shall receive monthly compensation as set forth herein:

|   |      |
|---|------|
| Health & Human Services Board               | \$25 |
| Planning, Resources & Development Committee | \$25 |

**ELECTED COUNTY OFFICIALS**

1.10 CLERK OF CIRCUIT COURTS.

(1) Duties. The Clerk of Circuit Courts shall appoint 1 or more deputies pursuant to applicable law. The Clerk of Circuit Court shall file and keep all documents in every circuit court action or proceeding and keep an official record of all circuit court proceedings. The Clerk of Circuit Court shall maintain a judgment and lien docket of all money judgments and claims and shall collect and keep records of all costs, fees and surcharges required in circuit court actions.

(2) Applicable Statute - pursuant to s. 59.40, Wis. Stats.

1.11 COUNTY CLERK.

(1) Duties. The County Clerk acts as clerk of the County Board, performing all duties prescribed by law or required by the County Board in connection with its meeting and transactions, including recording minutes of all proceedings and recording all resolutions, orders and ordinances before the County Board. The County Clerk shall perform all required duties related to elections, including the preparation and distribution of ballots and the canvass and return of votes. In the absence of the County Clerk, the Deputy Clerk shall perform the duties of the Clerk. The County Clerk also issues and collects fees for County licenses, including dog licenses and marriage licenses as authorized by state law.

(2) Applicable Statute - pursuant to s. 59.23, Wis. Stats.

1.12 COUNTY TREASURER.

(1) Duties. The County Treasurer is the custodian of all County funds and maintains a true and correct account of all receipts and expenditures of all County monies. The County Treasurer shall keep files of all monies received, including delinquent and current taxes, forfeitures, fines and fees and assists in ensuring that monies owed to the County are collected. The County Treasurer is authorized to invest excess funds in U.S. Bonds or Bills or other investments pursuant to applicable law and policies approved by the County Board. The County Treasurer is responsible for the tax settlement process and for the issuance of tax certificates for parcels with delinquent taxes and any subsequent tax foreclosure process as provided by Chapters 74 and 75 of Wisconsin Statutes.

(2) Applicable Statute - pursuant to s. 59.25, Wis. Stats.

1.13 REGISTER OF DEEDS.

(1) Duties. The Register of Deeds shall record and file all deeds, mortgages, plats and certified survey maps and any other documents that are authorized to be accepted for recording and filing. The Register of Deeds shall record and transmit to the state registrar all vital records, including death and birth certificates. The Register shall appoint 1 or more deputies, who shall serve at the Register's pleasure and perform the Register's duties in the Register's absence.

(2) Applicable Statute - pursuant to ss. 59.43, 69.05, and 69.07, Wis. Stats.

1.14 SHERIFF.

(1) Duties. The Sheriff shall be responsible for the administration of the La Crosse County Jail and for providing assistance, including court officers, to the La Crosse County Circuit Court. The Sheriff shall be responsible for serving and executing all processes, writs, precepts and orders issued or made by lawful authority and for providing law enforcement services, including patrol, investigation and enforcement in areas within the jurisdiction of the Sheriff's Department.

(2) Applicable Statutes - pursuant to ss. 59.26 through 59.33, Wis. Stats.

1.15 SUPERVISORS.

(1) Duties. County Board Supervisors shall attend County Board meetings and serve on committees as appointed. County Board Supervisors shall fulfill all duties and follow all rules and procedures as required by law and as set forth in Chapter 2 of this Code.

(2) Applicable Statute - pursuant to s. 59.10, Wis. Stats.

**APPOINTED COUNTY OFFICIALS**

1.16 AGING DIRECTOR. Duties.

(1) The Aging Director shall be responsible for planning, coordinating and implementing programs and services that address an array of needs of senior citizens. Activities will be in accordance with federal and state laws and regulations. Included responsibilities are personnel and fiscal management of the Department.

(2) Applicable Statute – pursuant to s. 46.82, Wis. Stats.

1.17 AUDITOR/FINANCE DIRECTOR.

(1) Duties. The Auditor/Finance Director shall be deemed the creation of a combined office of Auditor and Finance. The Auditor/Finance Director duties shall include all duties set forth in Chapter 4 of this Code. In addition, the Auditor/Finance Director is responsible for the oversight of all payroll, debt management and general accounting for the County, as well as purchasing coordination and the examination of the books and accounts of any County department, board, commission, committee, or other officer or employee entrusted with the receipt, custody or expenditure of money, or by or on whose certificate any funds appropriated by the County Board are authorized to be expended. The Auditor/Finance Director shall direct the keeping of all of the accounts of the County, in all of its offices, departments and institutions, and shall keep such books of account as may be necessary to properly perform the duties of the office, and to perform such other duties as assigned.

(2) Applicable Statutes - pursuant to s. 59.47, Wis. Stats.

1.18 CORPORATION COUNSEL.

(259-13/14)

(1) Duties. The Corporation Counsel shall provide comprehensive civil legal services to the County, including prosecution and defense of all civil actions and proceedings in any court, tribunal or commission in which the County is interested or where state law requires corporation counsel representation. The Corporation Counsel shall also give advice to the County Board, County Departments, committees, commissions, and officers in all civil matters in which the County is interested or related to the discharge of official duties. The Corporation Counsel shall prepare ordinances and resolutions for County Board consideration, and shall attend all meetings of the County Board and committees of the County Board when requested by either the County Board Chair or the chair of the committee.

(2) Applicable Statute – pursuant to s. 59.42, Wis. Stats.

1.19 COUNTY ADMINISTRATOR.

(1) Duties. The County Administrator shall be the chief administrative officer of the County who shall take care that every county ordinance and state or federal law is observed in the County. The County Administrator shall appoint and supervise heads of departments, except for elected officials, and coordinate and direct all administrative and management functions of the County not otherwise vested by law. The County Administrator may approve grants if the receipt of the grant funds does not require hiring additional County employees or the expenditure of non-budgeted County funds, and the County Administrator or his/her designee shall act as the Administrative Board of Review of La Crosse County pursuant to s. 68.09, Wis. Stats.

(2) Applicable Statute - pursuant to s. 59.18, Wis. Stats.

1.20 COUNTY SURVEYOR.

(1) Duties. The Surveyor shall protect and maintain the corners of the Public Lands Survey System (PLSS) and other significant control monuments, maintain the County Surveyor files and County Highway Register, enforce the County Subdivision Control Ordinance by approving appropriate Certified Survey Maps and Subdivision Plats, perform survey work requested by other County Departments and respond to inquiries regarding land surveying and land ownership.

(2) Applicable Statute – pursuant to s. 59.45, Wis. Stats.

1.21 EMERGENCY SERVICES ADMINISTRATOR.

(1) Duties. The Emergency Services Administrator is the head of emergency management and shall be responsible for administrating and planning all work for the County's emergency management activities, including those under Ch. 323, Wis. Stats. The Emergency Services Administrator shall be responsible for directing the operation of the County-wide Public Safety Dispatching Department and 9-1-1 System and SARA Title III Hazardous Materials, including the application, preparation and administration of grant-related projects.

(2) Applicable Statutes - pursuant to Ch. 323, Wis. Stats.

1.22 FACILITIES DIRECTOR. Duties. The Facilities Director shall have the responsibility for the operation of all County-owned buildings and real property. The Director shall be responsible for the coordination of all capital improvement projects, the fiscal and personnel management of the Facilities Department and the County parks as provided in Chapter 19 of this Code and shall perform other duties as prescribed.

1.23 FAMILY COURT COMMISSIONER.

(1) Duties. The Family Court Commissioner shall perform those duties in connection with divorce and other family law matters pursuant to state law, more particularly, Chapter 767 of the Wisconsin Statutes, all under the direction of the Chief Judge of the Judicial Administrative District. The Family Court Commissioner shall perform other duties as the Chief Judge of the Judicial Administrative District, or other Judge as the Chief Judge may designate or direct.

(2) Applicable Statutes – pursuant to ss. 757.68 and 757.69, Wis. Stats.

1.24 HEALTH OFFICER.

(1) Duties. The Health Officer shall administer and supervise the County Health Department and perform duties prescribed by the Health & Human Services Board according to state statute. The Health Officer shall enforce state public health laws and any



local public health regulations and ordinances. The Health Officer shall administer all funds received for public health programs and shall promote the spread of information relating to the causes and prevention of disease and preservation and improvement of health in the County.

(2) Applicable Statute - pursuant to s. 251.06(3), Wis. Stats.

1.25 HIGHWAY COMMISSIONER.

(1) Duties. The Highway Commissioner shall have charge, under the direction of the Public Works and Infrastructure Committee according to state statute, of the construction of highways built with county aid and of the maintenance of all highways maintained by the County. The Commissioner shall be responsible for the proper maintenance, repair and storage of all road machinery and tools and for the fiscal and personnel management of the Highway Department.

(2) Applicable Statute – pursuant to s. 83.01(7), Wis. Stats.

1.26 HILLVIEW ADMINISTRATOR. Duties. The Hillview Administrator shall be responsible for planning, organizing, directing, and controlling the operations of the Hillview Health Care Center, Hillview Terrace, and Carroll Heights Apartment Complex. Responsibilities include taking all reasonable steps to provide qualified staffing to assure the health, safety, and rights of the residents. The Administrator works under the general supervision of the County Administrator and policy guidance of the Veterans, Aging and Long Term Care Committee, and must be licensed pursuant to applicable provisions of the Wisconsin Administrative Code and Chapter 456, Wis. Stats.

1.27 HUMAN SERVICES DIRECTOR.

(1) Duties. The Human Services Director shall supervise and administer the Human Services Department. The Human Services Director shall evaluate and manage Human Services programs and procedures and make recommendations to the Health & Human Services Board according to state statute and to the County Board regarding the provision of services, including whether to contract with other providers to provide services. The Human Services Director shall assist in the preparation of the Human Services Department budget and shall do what is necessary to maintain and improve programs and services.

(2) Applicable Statutes – pursuant to ss. 46.23(3)(b)2.b. and 46.23(6m), Wis. Stats.

1.28 INFORMATION TECHNOLOGY DIRECTOR. Duties. The Information Technology Director shall be responsible for all computer based data processing activities, including hardware and software selection, systems management, applications' analysis and programming, computer operations and user support. Associated responsibilities include departmental budgeting, staff supervision, and short/long range planning (timings, priorities, and costs).

1.29 LAKEVIEW ADMINISTRATOR. Duties. The Lakeview Administrator shall be responsible for planning, organizing, directing, and controlling the operations of the Lakeview Health Center and its associated entities. Responsibilities include taking all reasonable steps to provide qualified staffing to assure the health, safety, and rights of the residents. The Administrator works under the general supervision of the County Administrator and policy guidance of the Veterans, Aging and Long Term Care Committee, and must be licensed pursuant to applicable provisions of the Wisconsin Administrative Code and Chapter 456, Wis. Stats.

1.30 LAND CONSERVATION DIRECTOR. Duties. The Land Conservation Director shall perform professional and technical land and water conservation activities, including activities pursuant to s. 92.09, Wis. Stats. The Director shall also have supervisory responsibilities in regard to the administration and enforcement of the Animal Waste Management ordinance (Chapter 23 of this Code), the Erosion Control Land Disturbance ordinance (Chapter 21 of this Code), Nonmetallic Mining Reclamation ordinance (Chapter 27 of this Code), and the Post Construction Storm Water Management ordinance (Chapter 29 of this Code).

1.31 LIBRARY DIRECTOR. Duties. The County Library Director shall be responsible for administration of the County Library System under the supervision of the La Crosse County Library Board. The duties of the Director include the hiring and the supervision of

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staff members, planning and related management of fiscal matters, supervising print and media acquisitions, daily operations and delivery of services as well as cooperating with various governing bodies in the provision, equipping and maintenance of library facilities pursuant to Chapter 43, Wis. Stats.

1.32 MEDIATION AND FAMILY COURT SERVICES DIRECTOR.

(1) Duties. The Mediation and Family Court Services Director supervises the La Crosse County Mediation and Family Court Services office staff and performs mediation and legal custody and physical placement studies. The Director administers and manages the budgeting for La Crosse County Mediation and Family Court Services.

(2) Applicable Statute – pursuant to s. 767.11, Wis. Stats.

1.33 MEDICAL EXAMINER.

(1) Duties. The Medical Examiner shall appoint deputies as deemed proper and perform such other duties as required by law. The Medical Examiner shall take all inquests of the dead pursuant to Chapter 979, Wis. Stats., testify in any court proceeding regarding his/her findings as required, and perform or supervise duties of a pathological or medical nature as may be required, including making physical examinations and tests incident to any matter of a criminal nature when requested to do so. The Medical Examiner shall also sign all death certificates, report deaths of all motor vehicle and snowmobile victims monthly, and perform such other duties as required by law.

(2) Applicable Statutes – pursuant to ss. 59.34, 59.35, 59.36, and 59.38, Wis. Stats.

1.34 PERSONNEL DIRECTOR. Duties. The Personnel Director shall organize, conduct and direct the Department of Personnel for centralized personnel services and shall perform such other duties as prescribed. The Director shall be the custodian of County employee personnel files. The Director shall be the chief spokesperson for the County Board in employee relations matters, including collective bargaining matters, if applicable. The Director is designated the agent of the County in matters pertaining to the Wisconsin Retirement Fund and shall be the Affirmative Action Officer for the County with such duties as prescribed by law.

1.35 SOLID WASTE DIRECTOR. Duties. The Solid Waste Director shall be responsible for the technical and administrative management of the department to ensure efficient, cost effective and environmentally sound disposal of solid waste pursuant to Chapter 15 of this Code.

1.36 UNIVERSITY EXTENSION OFFICE DIRECTOR.

(1) Duties. The University Extension Office Director serves as the department head for county government functions of the University of Wisconsin Extension program; carries out administrative and office management responsibilities, including personnel, finance, program development, agency and institutional relations and public relations; and delegates authority and responsibilities to serve the interests of La Crosse County and Cooperative Extension programs. The University Extension Office Director has specific program responsibilities in the University Extension. The Director shall be 1 of the 4 base (core) program faculty in the University Extension.

(2) Applicable Statute – pursuant to s. 59.56(3), Wis. Stats.

1.37 VETERANS' SERVICE OFFICER.

(1) Duties. The Veterans' Service Officer shall furnish information about veterans burial places within the County and cooperate with federal and state agencies that serve or grant aid or benefits to former military personnel and their dependents. The Officer shall also advise persons living in the County who served in the US armed forces regarding any benefits to which they may be entitled or any complaint or problem arising out of such service and render to them and their dependents all possible assistance.

(2) Applicable Statute - pursuant to s. 45.80(5), Wis. Stats.

1.38 ZONING AND PLANNING ADMINISTRATOR. Duties. The Zoning and Planning Administrator prepares and maintains descriptions, ownership, and map information for all real estate parcels in the County, and coordinates the tax and assessment processes with all the townships, villages and cities. The Administrator also coordinates planning and land information projects within the County and among the County, local, state, and federal governments and the private sector pursuant to state law. The Administrator supervises

office staff in the Zoning, Planning and Land Information Department and the issuance of permits for new building construction and land use activities. The Administrator shall enforce the County Zoning Code, Floodplain Zoning, Shoreland Zoning and Non-Metallic Mining Ordinances, and shall process all zoning amendments, permits, and variance requests as required by state law and County ordinance.

**COMMITTEES, BOARDS AND COMMISSIONS**

1.40 GENERAL PROVISIONS.

(1) Standing Committees are defined as those that provide policy and program oversight over County departments, offices, or agencies.

(2) Special Committees, Boards and Commissions are defined as creations of the County Board that do not have oversight or supervisory responsibilities over any particular County department, office or agency.

(3) Membership.

(a) Appointments.

1. The County Board Chair is authorized to make new appointments or reappoint members to the standing committees except the Health and Human Services Board at or after the County Board April organizational meeting. Unless otherwise specified, appointments to Special Committees and other organizations shall be made by the County Board Chair with the approval of the County Board. There are no tenured appointments to any committee.

2. The County Administrator shall appoint the members of all boards and commissions where state statutes provide that such appointment shall be made by the County Board or by the County Board Chair. All appointments to boards and commissions by the County Administrator shall be subject to the confirmation of the County Board. The County Administrator may delegate this appointment authority to the County Board Chair.

(b) The County Board Chair is authorized to fill vacancies and to make membership changes upon the request of a particular Supervisor wishing to change.

(c) In addition, the County Board Chair shall fill vacancies that are created by chronic absenteeism. Chronic absenteeism is defined as at least 3 unexcused absences from committee meetings during a calendar year. The chair of the committee, board or commission shall determine if the absence is excused.

(d) In order to assure a quorum for a County Board committee meeting, the County Board Chair or committee chair, if the County Board Chair is not present, may appoint 1 or more Supervisors to serve as temporary replacements for those committees that provide for chair appointment. The County Board Chair shall serve as an ex-officio member of all committees, with voting privileges when a regular committee member is not present at the beginning of the meeting and the County Board Chair has been present throughout the meeting.

(e) No County Board Supervisor, excluding officers of the Board, shall serve as a permanent member on more than 2 Standing Committees.

(4) Term. Unless otherwise specified, all committee appointments shall be for a term of 2 years and all committee appointments of Supervisors shall be for the length of the Supervisor's elected term.

(5) Minutes and Reports. Each standing and special committee, board and commission and any meeting that requires an open meetings notice shall keep minutes of its proceedings and the chair shall be responsible to insure the official minutes are submitted to the County Clerk for the official files.

(6) Notice of Meetings. All notices of meetings shall be provided to the County Clerk who shall be responsible for notifying the news media pursuant to s. 19.84(1), Wis. Stats. Public notice of all meetings of a governmental body shall be given to those news media who have filed a written request for such notice and to the official newspaper. The written request shall be filed with the County Clerk every June when the resolution for the designation of the official newspaper is passed by the County Board. The County Clerk may delegate the responsibility to notify the news media to the Department Head. A copy shall be provided to the Director of Facilities Department who shall be responsible for

posting it on an information board in the County Administrative Center at least 24 hours prior thereto, provided such notice shall not be required in the case of occasional emergency meetings.

(7) Chairs of Standing Committees. The County Board Chair shall have the power to select the chairs of the standing committees except where an alternate procedure is specified by State Statutes or this Code.

(8) Chairs of Special Committees, Boards and Commissions. The County Board Chair shall have the power to select the chair of the various special committees, boards and commissions, with the exception of the Board of Harbor Commissioners, Condemnation Commission, Highway Safety Commission, Historic Sites Preservation Commission, La Crosse County Housing Authority, Veterans' Service Commission, and Wildlife Abatement/Damage Committee.

### **STANDING COMMITTEES**

#### **1.42 EXECUTIVE COMMITTEE**

(1) Membership. The Executive Committee shall be composed of the County Board Chair, the 2 Vice Chairs, and the Chair of each Standing Committee. The County Board Chair shall be the chair of the Executive Committee. The County Board Chair may appoint additional Supervisors to the Executive Committee to maintain the membership at 9 Supervisors. In addition, the immediate past County Board Chair may serve as a member of the Executive Committee for 1 year from the last date that he or she held office as County Board Chair provided that he or she continues to be a Supervisor.

(2) The Executive Committee shall act as the policy oversight committee for the following departments:

- (a) County Administrator;
- (b) Corporation Counsel and Child Support Agency;
- (c) County Clerk;
- (d) Finance;
- (e) Information Technology;
- (f) Personnel; and
- (g) Treasurer.

(3) Duties and Powers of the Executive Committee:

(a) Assists the County Board as well as the County Board Chair in the operation of county government.

(b) Reviews and recommends action on the annual budget prepared by the County Administrator for submission to the County Board.

(c) Provides supervision and liaison with the County Administrator. The Committee shall recommend to the County Board all matters pertaining to the employment of the County Administrator.

(d) Meets periodically with comparable representatives from other municipalities of La Crosse County to act as a liaison between governmental units and to work out problems of mutual concern.

(e) Handles all other matters not specifically delegated to any other committee.

(f) Sets parameters and goals and gives directions to the County Administrator and Personnel Director on County personnel policies and procedures.

(g) Approves any proposed union contracts and contract changes where applicable for submission to the County Board for approval. The total percentage resulting from the proposed union contract shall be listed in the fiscal note.

(h) Provides oversight for all routine County financial matters, approves County audit reports, oversees County investments, monitors County insurance policies, monitors County bonding, manages the annual contingency funds, approves and recommends all budget amendments to the County Board.

(i) Examines claims against the County brought to the Committees by Corporation Counsel.

(j) Monitors, approves and recommends all expenditures in excess of the County Administrator's authority.

(k) Exercises jurisdiction over all County personnel matters, including the following: oversees all union and non-union employee personnel matters, recommends salaries and classifications structure for all personnel to the County Board and creation and/or elimination of all positions.

(4) Special Committees, Boards and Commissions. The Executive Committee shall be responsible for interaction and recommendations to the County Board with respect to following: Library Board, Board of Harbor Commissioners, Economic Development Committee, La Crosse County Housing Authority, Aviation Board, La Crosse Area Development Corp. (LADCO), La Crosse County Agricultural Society, Mississippi River Regional Planning Commission (MRRPC), Southwest Badger Resource Conservation and Development (SWRCD), Winding Rivers Library System, and Wisconsin Counties Utility Tax Association.

#### 1.43 HEALTH & HUMAN SERVICES BOARD.

##### (1) Membership.

(a) The Health & Human Services Board shall be composed of 9 members appointed by the County Administrator and subject to the confirmation by the County Board including 6 Supervisors and 3 citizen members who are not Supervisors or employees of the County.

(b) The citizen members shall have a demonstrated interest or competence in human services, public health or community health and at least 1 of the 3 citizen members shall be an individual who receives or has received human services or shall be a family member of such an individual.

(c) A good faith effort shall be made to appoint a registered nurse and a physician and the Health & Human Services Board shall reflect the diversity of the community.

(d) No public or private provider of services may be appointed to the Health & Human Services Board.

(e) The above membership provisions are required by ss. 46.23(4)(a) and 251.03(1), Wis. Stats.

##### (2) Terms.

(a) Members of the Health & Human Services Board shall serve for 3 year staggered terms.

(b) Vacancies shall be filled in the same manner as the original appointments.

(c) A Health & Human Services Board member may be removed from office for the following reasons:

1. For cause, by a 2/3 vote of the County Board, on due notice in writing and hearing of the charges against the member.

2. If the member when appointed was a member of the County Board and was not reelected to that office, on due notice in writing.

(3) The Committee shall act as the policy oversight committee for the following departments:

(a) Human Services; and

(b) Health.

##### (4) Duties and Powers of the Health & Human Services Board:

(a) Functions as the county human services board and is responsible for providing program oversight of the Human Services Department pursuant to ss. 46.23(3)(b)2.c. and 46.23(5), Wis. Stats., and s. 11.01(4) of this Code.

(b) Responsible for developing policies and authorizing direction and planning for the delivery of all human services and 51.42/51/437 services that meet the physical and mental health, social and economic needs of individuals and families within the County; reviews the coordinated plan and budget; sets priorities on program operations within the funding mechanisms provided by federal, state, and county governments.

(c) Functions as the county board of health and is responsible for the program oversight of the Health Department pursuant to s. 11.19 of this Code. The Board also assesses the health status of the people of La Crosse County and recommends

policies that will improve the health status and assure that needed health services are provided in the County.

(5) Special Committees, Boards and Commissions.

The Health & Human Services Board acts as a liaison to the County Board for the following: Social Justice Coalition and Couleecap, Inc.

1.44 PUBLIC WORKS AND INFRASTRUCTURE COMMITTEE.

(1) Membership. The Public Works and Infrastructure Committee shall be composed of 7 Supervisors appointed by the County Board Chair.

(2) The Committee shall act as the policy oversight committee for the following departments:

- (a) Facilities;
- (b) Highway; and,
- (c) Solid Waste.

(3) Duties and Powers of the Public Works and Infrastructure Committee:

(a) Functions as the county highway committee and has general supervision over the Highway Department in representing the county in the expenditure of county funds in constructing or maintaining, or aiding in constructing or maintaining highways pursuant to s. 83.015, Wis. Stats.

(b) Submits to the County Board an annual report, which shall include a report on the receipts and expenditures of the Highway Department.

(c) Exercises policy making and legislative authority over the Facilities Department and all County facilities and properties management, including: capital improvement projects, facilities maintenance, preventive maintenance, construction, personal property and real estate, including parks and parking lots, whether owned or leased, and operations, repairs and upkeep of such real estate; and shall negotiate and execute concession arrangements on an annual basis.

(d) Exercises oversight over operational matters of the Solid Waste Department.

1.45 JUDICIARY AND LAW COMMITTEE.

(1) Membership. The Judiciary & Law Committee shall be composed of 5 Supervisors appointed by the County Board Chair.

(2) The Committee shall act as the policy oversight committee for the following departments:

- (a) Clerk of Courts;
- (b) Family Court Commissioner;
- (c) District Attorney;
- (d) Emergency Services;
- (e) Medical Examiner;
- (f) Sheriff; and
- (g) Mediation and Family Court Services.

(3) Special Committees, Boards & Commissions. The Judiciary & Law Committee acts as liaison to the County Board for the following: Public-Safety Communications Committee, Criminal Justice Management Council, and Local Emergency Planning Committee (LEPC).

1.46 VETERANS, AGING & LONG TERM CARE COMMITTEE

(1) Membership. The Veterans, Aging & Long Term Care Committee shall be composed of 5 Supervisors appointed by the County Board Chair.

(2) The Committee shall act as the policy oversight committee for the following departments:

- (a) Hillview Health Care Center;
- (b) Hillview Terrace;
- (c) Carroll Heights;
- (d) Lakeview Health Center;
- (e) Veterans' Services; and,
- (f) Aging.

(3) Duties and Powers of the Veterans, Aging and Long Term Care Committee.

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(a) Functions as the board of trustees in managing the county institutions including Hillview Health Care Center, Hillview Terrace, Carroll Heights Apartments, and Lakeview Health Center pursuant to s. 46.18, Wis. Stats.

(b) Responsible for developing policies and procedures adequate to the mission of the institutions.

(c) Responsible for developing and implementing health programs and budgets within the funding sources available to the institutions.

(d) Audits all claims against the County incurred on behalf of the institutions at least once a month.

(e) Exercises policy making and legislative authority over the county institutions.

(4) Special Committees, Boards and Commissions. The Veterans, Aging and Long Term Care Committee acts as a liaison for Commission on Aging and Veterans' Services Commission.

1.46 PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE.

(1) Membership. The Planning, Resources and Development Committee shall be composed of 7 Supervisors appointed by the County Board Chair and 1 citizen member. The citizen member shall be a person who is a Chairperson of the Farm Service Agency or other county agriculture stabilization and conservation committee member designated by the Chairperson of the county agriculture stabilization and conservation committee. This person shall be a voting member of the Committee only for land conservation matters.

(2) The Committee shall act as the policy oversight committee for the following departments:

- (a) Land Conservation;
- (b) Zoning, Planning and Land Information;
- (c) Register of Deeds;
- (d) County Surveyor; and,
- (e) University Extension.

(3) Powers and Duties of the Planning, Resources and Development Committee:

(a) Functions as a Planning, Resources and Development Committee pursuant s. 92.06, Wis. Stats., and has all powers and duties pursuant to Chapter 92, Wis. Stats.

(b) Promotes the development of comprehensive county wide resource conservation programs, more specifically, to halt and reverse the depletion of La Crosse County's soils, resources, and pollutions of its waters.

(c) Designated as the county zoning agency, authorized to act in all matters pertaining to County planning and zoning pursuant to s. 59.69(2), Wis. Stats.

(d) Responsible for updating and revising the zoning ordinance and responsible for long range development plans.

(e) Considers, examines, and reports to the County Board its findings in all matters of the legal assessments, tax titles, and delinquent taxes that may come before the County Board for action.

(f) Makes recommendations to the County Board concerning the Farmland Preservation Program to assure that each application meets all eligibility requirements to the law pursuant to s. 71.59 and Chapter 91, Wis. Stats., and County Land Use Policies.

(g) Functions as a committee on agriculture and extension education and supervises the educational program in cooperation with the University of Wisconsin, referred to as the "University Extension Program" pursuant to s. 59.56(3) Wis. Stats.

(h) Makes a determination of basic problems and periodic evaluation of extension services.

(i) Maintains a qualified and competent University Extension staff in cooperation with the University Extension and the U.S. Department of Agriculture, to

meet the needs of the people of the County and, on behalf of the County, examines and approves expenses relative to the operation of the Extension office and staff.

(4) Special Committees, Boards & Commissions. The Planning, Resources & Development Committee acts as a liaison to the County Board for the following: Board of Adjustment, Condemnation Commission Wildlife Abatement/Damage Committee, Historic Sites Preservation Commission, Lake Neshonoc Protection and Rehabilitation District, and Lake Onalaska Protection and Rehabilitation District.

**SPECIAL COMMITTEES, BOARDS, AND COMMISSIONS**

1.54 COMMISSION ON AGING. The Commission on Aging shall be an advisory committee to the Veterans, Aging and Long Term Care Committee.

(1) Membership. Pursuant to s. 46.82(4), Wis. Stats., the Commission on Aging shall be appointed by the County Administrator subject to the confirmation of the County Board. The Commission shall be composed of 7 members, 4 of whom must be over 60 years of age, and 3 of whom shall be Supervisors. At least 1 of the 3 Supervisors shall be a member of the Veterans, Aging and Long Term Care Committee. Members shall serve for 3 year staggered terms. No member may serve more than 2 consecutive 3 year terms.

(2) Duties and Responsibilities of the Commission on Aging:

(a) Compiles and distributes information about older people.

(b) Serves as a point of contact for information, assistance, and referral.

(c) Provides leadership in the development of a comprehensive, coordinated community system of care and support services.

(d) Monitors the nutrition program and other programs provided by the department.

1.55 PUBLIC-SAFETY COMMUNICATIONS COMMITTEE.

(1) Membership.

(a) City of La Crosse Police Chief

(b) City of La Crosse Fire Chief

(c) County Sheriff

(d) Chair of the County Judiciary & Law Committee

(e) City of Onalaska Police Chief

(f) City of Onalaska Fire Chief or Assistant Chief

(g) Police Chief from County at-large (Appointed by City/County Law Enforcement Chiefs)

(h) Fire Chief from County at-large (Appointed by Fire Officers' Association)

(i) Medical Services Representative (Appointed by the County Board Chair)

(2) Duties and Powers. The Public-Safety Communications Committee:

(a) Provides input to the Emergency Services Department and the Emergency Management Administration regarding operations of the Department. The Committee shall convene as needed upon request of a member or the Emergency Services Director.

(b) Serves to resolve impasses in functional operations and may assist in developing policies relative to functional operations.

(c) Coordinates to the extent feasible elements necessary in implementing the Emergency Medical Services Program in La Crosse County including but not limited to the La Crosse Emergency Dispatch System (911), law enforcement agencies, first responder agencies, fire departments, ambulance services, and other groups interested and involved in emergency medical services.

(d) Serves in an advisory capacity to the Judiciary and Law Committee.

1.56 FAMILY POLICY BOARD EXECUTIVE COMMITTEE.

(1) Membership. The Family Policy Board Executive Committee shall be composed of not more than 13 members who are La Crosse County residents as follows:

(a) La Crosse County Human Services Director or his/her designee;



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designee; (b) The Chair of the Health & Human Services Board or his/her  
designee; (c) The Chair of the Judiciary & Law Committee or his/her  
designee; (d) The Executive Director of the La Crosse United Way or his/her  
or his/her designee; (e) The Executive Director of the La Crosse Community Foundation  
(f) The Family Policy Board Chair;  
(g) One representative from a non-profit family & children oriented  
agency appointed by the Health & Human Services Board;  
(h) One School District representative (School Board Member or  
Superintendent) appointed by the Health & Human Services Board;  
(i) One CESA representative appointed by Health & Human  
Services Board;  
(j) Two citizen members with a demonstrated interest in family &  
children's issues and appointed by the Health & Human Services Board;  
(k) One representative of a law enforcement agency in La Crosse  
County appointed by the Health & Human Services Board; and,  
(l) One La Crosse County Circuit Court Judge appointed by the  
presiding Judge of La Crosse County Circuit Court.

(2) Term.

(a) The representatives from the non-profit family and children  
agency, the School District, CESA, the law enforcement agency and citizen members shall  
serve 2 year terms with no term limits.

(b) If a member of the Family Policy Board Executive Committee  
shall cease to a representative of the office or agency that he/she was designated or  
appointed to represent, then he/she shall also cease to be a member of the Family Policy  
Board Executive Committee and their position on the Committee shall become vacant.

(c) Vacancies on the Family Policy Board Executive Committee shall  
be filled by the successor to the office/position where applicable or by a new representative  
appointed by the Health & Human Services Board to fill the unexpired portion of the term to  
which the person was appointed.

(3) Officers. The chair of the Health & Human Services Board shall be the  
chair and the chair of the Family Policy Board shall be the vice-chair of the Family Policy  
Board Executive Committee.

(4) Duties and Powers. The Family Policy Board Executive Committee  
shall:

(a) Act in an advisory capacity to the Health & Human Services  
Board on matters of policy related to family & children's issues;

(b) Recommend program priorities and policies, identify unmet service  
needs, and propose short-term and long-term plans relating to family & children's issues;

(c) Evaluate and bring forth recommendations from the Family  
Policy Board;

(d) Serve on the Family Policy Board; and

(e) Perform other general functions that may from time to time be  
directed by the Health & Human Services Board and/or the County Board.

1.57 Integrated Support and Recovery Services (ISRS) Advisory Council.

(1) The Integrated Support and Recovery Services Advisory Council shall  
be composed of 21 members appointed by the County Board Chair with the approval of the  
County Board as follows:

(a) Nine consumer or consumer advocate representatives that  
include:

1. At least 2 current recipients of mental health services;  
and;

2. Other populations that must be represented by consumers or consumer advocate members include frail elder, children, physical disability, developmental disability, mental health, chemical dependence)

(b) Two County representatives from the La Crosse County Health & Human Services Board

(c) Representative of the La Crosse County Health Department

(d) Representative of the La Crosse County Aging Department

(e) Representative of the La Crosse National Alliance for the Mentally Ill (NAMI)

(f) Two private providers of longer term mental health services

(g) Four representatives from ISRS

(h) Representative of the La Crosse County Community Support Program (CSP)

(2) Term. The members shall serve 2 year terms with no term limits.

(3) Officers. The County Board Chair shall appoint the Chair and Vice-Chair of the MHRS Advisory Council.

(4) Duties. The ISRS Advisory Council shall:

(a) Perform the role of the Community Options Program (COP) Advisory Committee as required by Wis. Stat. s. 46.23(5)(g). This function includes approving the annual COP Plan Update, input and review of Quality Improvement, policies, program practices, approve or deny variances to service limitations, and annually review appeals or grievances.

(b) Perform the role of the Comprehensive Community Services (CCS) Coordination Committee required by Wis. Adm. Code HFS 36 program standards. This function includes input and review of Quality Improvement, policies, and program practices and directions.

(c) Perform role of the MHRS Excellence Committee that provides a level of oversight and feedback regarding compliance and direction of MHRS services.

(d) Provide oversight and feedback to each unit within MHRS (Crisis, Outpatient, Mental Health Clinic, Case Management)

(e) Perform other general functions that may from time to time be directed by the Health & Human Services Board and/or County Board.

(f) Report to the Health & Human Services Board.

1.58 CRIMINAL JUSTICE MANAGEMENT COUNCIL. The Criminal Justice Management Council shall be an advisory committee to the Judiciary & Law Committee and Health and Human Services Board.

(1) Membership. The Criminal Justice Management Council (CJMC) shall be composed of not more than 21 members who are La Crosse County residents as follows: the County Board Chair or his/her designee, 3 other Supervisors appointed by the County Board Chair including at least 1 Supervisor from the Judiciary & Law Committee and 1 Supervisor from the Health & Human Services Board, the Presiding Judge of La Crosse County Circuit Court or his/her designee, the La Crosse County Sheriff, the La Crosse County District Attorney, a representative of the Wisconsin Department of Corrections, a representative of the State of Wisconsin Public Defender's office, the La Crosse County Human Services Director, the chief of the City of La Crosse Police Department or a designee, and a representative from the Coulee Region Chief's Association or a similar law enforcement organization as selected by the CJMC, and not more than 9 citizen members including 1 citizen member who is a victim advocate and 1 or 2 citizen members who have experience in the legal or criminal justice field. At the County Board Chair's discretion, 2 persons with legal or criminal justice experience may be appointed to share 1 position. The County Board Chair shall appoint the citizen members after public solicitation.

(2) Term of Citizen Members. The initial term of the 7 citizen members shall commence on the 3<sup>rd</sup> Tuesday of April and shall be 3 year staggered terms. The initial terms of 2 citizen member positions shall expire on April 30th of the 3<sup>rd</sup> year after the positions were created. After the initial term, the citizen members shall serve a term of 3 years with a limit of 2 consecutive terms. The County Board Chair shall appoint the citizen

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members at the April organization meeting of the County Board or as soon thereafter as practicable with the terms to expire on April 30<sup>th</sup> of the 3<sup>rd</sup> year following the appointment.

(3) Vacancies. If a vacancy occurs on the Council, the County Board Chair shall as soon as practical appoint a person to fill the unexpired portion of the term to which the person is appointed. If the term is for a police chief or citizen member, such appointment may be made after public solicitation.

(4) Duties and Powers.

(a) The Criminal Justice Management Council is created to act in an advisory capacity to the Judiciary & Law Committee, Health & Human Services Board, and County Board on all aspects of the La Crosse County Criminal Justice System subject to the constitution and to any enactment of the legislature which is of statewide concern and which uniformly affects every county. The Council shall recommend to the appropriate standing committees and County Board changes, including the creation, elimination or modification of programs, policies and procedures that reflect the La Crosse County Correctional Philosophy.

(b) To assure coordinated leadership, all proposed policy changes relating to criminal justice may be brought to the Council for review and for recommendations to the appropriate La Crosse County Committees.

(c) Under the direction of the County Board, the Council shall be responsible for the evaluation of the La Crosse County Criminal Justice System in accordance with the La Crosse County Correctional Philosophy.

(d) The Council may assist County departments in setting priorities for the La Crosse County Criminal Justice System.

(e) The Council may perform such other general functions necessary to implement its responsibilities as directed by the Judiciary & Law Committee, Health and Human Services Board and/or County Board.

1.59 LIBRARY BOARD.

(1) Membership. The Library Board shall be composed of 7 members appointed by the County Board Chair subject to the confirmation of the County Board. The Board shall include at least 1 School District Administrator of a school district located in whole or in part in that county, or that School District Administrator's designee, and 1 or 2 Supervisors.

(2) Terms. The terms shall be for 3 years. Vacancies shall be filled for unexpired terms in the same manner as regular appointments are made.

(3) Duties and Powers of the Library Board.

(a) Supervise the administration of the County Library System pursuant to s. 43.58, Wis. Stats.

(b) Appoint a Library Director to administer the day to day operations of the Library System.

1.60 BOARD OF ADJUSTMENT.

(1) Membership. The Board of Adjustment shall be composed of 3 members for a 3 year term beginning July 1. There shall be 1 or more alternate members on the Board of Adjustment at all times for a 2 year term. Alternate members may be appointed at any time upon recommendation of the County Board. They shall have the same powers and duties as regular members. Appointments are made by the County Administrator subject to the confirmation of the County Board.

(2) Pursuant to ss. 17.80 and 17.81 of this Code.

1.61 BOARD OF HARBOR COMMISSIONERS.

(1) Creation. The La Crosse County Board, pursuant to s. 30.37, Wis. Stats., does hereby create a Board of Harbor Commissioners. Said board to exercise the powers and perform the duties conferred upon such board by law. The board shall be composed of 7 members and shall serve 3 years staggered terms.

(2) Membership. The County Administrator shall appoint the members of the board and designate the length of the term of each member. The Mayor of the City of La Crosse may recommend 3 members. Thereafter, at the expiration of the term of any member, the County Board Chair shall appoint a successor for a 3 year term. All appointments shall be subject to the confirmation of the County Board. All persons

appointed shall be qualified electors of the County and must have been a resident of the County for at least 3 years. Only 1 Supervisor may be appointed to the board. A person appointed to the board shall serve until a successor has been appointed and qualifies. Members of the board shall receive no compensation for their services, but shall be reimbursed for expenses actually and necessarily incurred in the performance of their duties.

(3) Organization; Officers. As soon as possible after the appointment and confirmation of the members of the board, they shall meet and organize by electing from among their members a president, vice-president, and such other officers as they deem necessary. The board shall hold meetings at such times and places as it determines and may adopt such bylaws consistent with law as seem practicable for its government.

(4) Duties and Powers. The intention of establishment of said board is to provide for the development and operation of harbors and preservation of navigable waterways within said County. Said powers granted pursuant to s. 30.30, Wis. Stats., including without limitation, harbor improvement; repairs and alterations of harbor; the construction, maintenance and repair of suitable dock walls of shore protection walls along the shore of any waterway other than privately owned slips and to make recommendations regarding economic development within La Crosse County.

(5) Relationship. The Board of Harbor Commissioners may exercise its power and perform its duties without first obtaining the approval of the County Board, but in no event is the board empowered to financially obligate in any manner the County or the State without the express consent of the County Board. Said powers and duties pursuant to s. 30.38, Wis. Stats., and are hereby incorporated by reference.

(6) Records. The office of record for Harbor Commission documents shall be the County Clerk.

#### 1.62 SOLID WASTE POLICY BOARD.

(1) Membership. Membership of the Solid Waste Policy Board shall be appointed by the County Board Chair, subject to confirmation of the County Board. It shall consist of 9 members and be composed as follows:

(a) There shall be at least 3 members who are La Crosse County Board Supervisors.

(b) There shall be 6 members of recognized ability and demonstrated interest in the problems of solid waste management who are representatives of the users of the La Crosse County Solid Waste System. At least 2 of the 6 members shall be from La Crosse County.

(c) If a member of the Solid Waste Policy Board shall cease to be a member of the La Crosse County Board or a representative of a user of the system, then he/she shall also cease to be a member of the Solid Waste Policy Board.

(2) Appointments shall be for 3 year staggered terms. Vacancies shall be filled for the residue of the unexpired term in the manner that original appointments are made.

(3) Organization.

(a) The Solid Waste Policy Board shall annually elect a Chair, Vice-Chair, and Secretary. Meetings shall be held at such times and at such places as the Solid Waste Policy Board may determine.

(b) The Solid Waste Policy Board shall have the power to adopt, amend, and repeal rules and regulations governing its procedure and operations that are not inconsistent with this section.

(c) No compensation shall be paid to members of the Solid Waste Policy Board, but they shall be reimbursed for their actual and necessary expenses in accordance with La Crosse County travel policies.

(4) Responsibilities. It shall be the responsibility of the Solid Waste Policy Board to act as the policy making body relative to program policies affecting the activities of the Solid Waste Department and report directly to the County Board. The Solid Waste Policy Board shall keep abreast of the latest techniques, procedures, and methods that may be developed in solid waste management.

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(5) Powers. The Solid Waste Policy Board shall have the following powers, subject to the restrictions on powers set forth in subsection (6):

(a) Develop plans for the County solid waste management programs to collect, transport, reduce, reuse, recycle, compost, process, incinerate, destroy, convert or landfill solid waste including, without restriction because of enumeration, garbage, ashes, incinerator residue, municipal, commercial, industrial, pathological, infectious, and hazardous waste in accordance with the rules and regulations established by law.

(b) Establish operations and methods of waste management that are considered appropriate.

(c) Engage in, sponsor or co-sponsor research and demonstration projects that are intended to improve the techniques of solid waste management or to increase the extent of reuse or recycling of materials and resources including within the waste.

(d) Through the budget process, recommend the establishment of reasonable fees, approximately commensurate with the costs of services rendered to users of the services of the County solid waste management system. Fees may include a reasonable charge to create interest-earning reserves for future capital outlays for waste disposal facilities or equipment, research activities, post-closure care costs, and potential remedial action.

(e) Create service districts which provide different types of solid waste collection or disposal services.

(f) Provide education to users of the services of the County solid waste management system and the public that it serves.

(g) Exercise such other powers and perform such other duties as may be necessary to properly advise the La Crosse County Board on policy issues relating to the operation of the solid waste management system, and which are not inconsistent with subsection (6), the laws of the State of Wisconsin, the regulations of the Department of Natural Resources, or the ordinances and resolutions adopted by the La Crosse County Board of Supervisors.

(6) Limitations on Solid Waste Policy Board Powers. The Solid Waste Policy Board shall not exercise the following powers:

(a) Acquire lands within the County by purchase, lease, donation or eminent domain.

(b) Authorize employees or agents to enter into lands to conduct reasonable and necessary investigations and tests to determine the suitability of sites for solid waste management activities.

(c) Acquire by purchase, lease, donation or eminent domain easements or other limited interest in land.

(d) Acquire equipment to be used in the solid waste management system.

(e) Enact and enforce ordinances necessary for the conduct of the solid waste management system.

(f) Contract with private collectors, transporters or municipalities to receive and dispose of waste.

(g) Accept funds that are derived from state or federal grants or assistance programs.

(7) The Solid Waste Policy Board shall have no authority, on any basis, to levy taxes or borrow money for the solid waste management system from sources other than the La Crosse County Board.

(8) The restrictions on the Solid Waste Policy Board powers set forth above in paragraph (6)(a) through (g) shall not prohibit the La Crosse County Board from either paying directly or reimbursing the Solid Waste Department for any costs for the establishment, development, and operation of the solid waste management system, or any part thereof, without requiring the repayment of said costs or expenses by a fee from the

users of the solid waste management system and without the necessity of amending this section.

1.64 CONDEMNATION COMMISSION

(1) Pursuant to s. 32.08, Wis. Stats., a county shall have a condemnation commission. Each commissioner shall be a resident of La Crosse County and be appointed pursuant to s. 32.08, Wis. Stats.

(2) Such commissioners shall be appointed by the circuit judges and may be removed by said judges at their pleasure, and they shall be appointed for 3 year staggered terms.

(3) The commissioners shall annually elect 1 of their members as chair.

(4) The commissioners shall receive an hourly rate for actual service. Said rate to be established by resolution of the La Crosse County Board. Said commissioners are entitled to receive mileage at the going County Board rate and such compensation and expenses shall be paid by the condemner on order approved by the circuit judges.

1.65 FARMLAND PRESERVATION COMMITTEE.

(1) Membership. Members of the Farmland Preservation Committee shall be appointed by the County Board Chair, subject to confirmation by the County Board. A Committee member shall be an elector of La Crosse County. The Committee shall consist of 9 members to be composed as follows: 3 County Board Supervisors; 1 representative from town government; 1 representative from the city/village government; 1 representative from real estate or development interests; 1 representative with agricultural interests; 1 representative with forestry interests; and 1 representative with local conservation interests, at least 3 to be farmers in La Crosse County if possible.

(2) Term. The members shall serve 3 year staggered terms.

(3) Vacancy. If any member ceases to be an elected official of the governmental entity that he/she represents, then that person's position on the Committee shall become vacant. Vacancies may also result from the removal or resignation of a member. Vacancies shall be filled for the remainder of the unexpired term in the same manner that original appointments are made.

(4) Responsibilities. The Committee shall be responsible for general oversight of the Purchase of Agricultural Conservation Easements (PACE) Program, including the following:

(a) Review and recommend any needed changes to the ordinance establishing the PACE Program.

(b) Develop an application form and procedure for the PACE Program.

(c) Review and provide oversight in assessing all applications according to the general purposes, objectives and provisions of the PACE Program set forth in Chapter 32, including but not limited to the minimum eligibility criteria.

(d) Make recommendations regarding individual conservation easement instruments, including but not limited to the defined restrictions and reserved rights under the conservation easement.

(e) Make recommendations regarding acceptance of easements.

(f) Establish monitoring procedures and oversee subsequent monitoring to insure easement compliance in coordination with the La Crosse County Zoning, Planning and Land Information Department and La Crosse County Corporation Counsel.

(5) Reporting. The Farmland Preservation Committee shall report to the Planning, Resources, and Development (PR&D) Committee, which shall approve, deny or amend the recommendations prior to consideration by the County Board. The final decision making authority is with the County Board.

1.66 ETHICS BOARD.

(1) Membership.

(a) The Ethics Board shall be composed of 3 members and 2 alternates. The alternates shall substitute for members of the Ethics Board that are absent or unable to attend a meeting or are not eligible for any reason to sit on a case because of conflict of interest. The members and alternates shall be citizens chosen from the private

sector who shall not have an affiliation with county government in any capacity. The members and alternates shall be appointed by the Executive Committee with the approval of the County Board.

(b) The membership of the Ethics Board shall be composed of 3 members serving 3 year staggered terms. The first alternate shall be appointed for a 3 year term and the second alternate shall initially be appointed for a 2 year term. Thereafter, both alternates shall be appointed for 3 year terms.

(2) Duties and Powers. Pursuant to s. 2.04(10)(b) of this Code.

1.67 HIGHWAY SAFETY COMMISSION.

(1) Membership. The Highway Safety Commission shall be appointed by the County Board Chair and shall be composed of:

- (a) County Highway Safety Coordinator, Chair
- (b) District 5 Engineer Wis. DOT Representative
- (c) County Highway Department Representative
- (d) District 5 State Highway Patrol Representative
- (e) Sheriff's Patrol Deputy Representative
- (f) Educational Profession Representative
- (g) Medical Profession Representative
- (h) Legal Profession Representative
- (i) Woman Highway Safety Leader Representative
- (j) Population Center Representative
- (k) Citizen Representative
- (l) City of La Crosse Board of Public Works Representative
- (m) Wisconsin DOT Office of Highway Safety Representative
- (n) City of La Crosse Police Representative

(2) Meetings.

(a) The commission shall develop a meeting schedule that includes a minimum of 4 full meetings per year.

(b) The County Highway Safety Coordinator shall appoint a secretary to keep a record of attendance, minutes and all official proceedings.

(3) Duties and Powers. The Highway Safety Commission shall act as an advisory board to the County Highway Safety Coordinator to enable him/her to:

(a) Secure voluntary coordination and reinforcement of highway safety activities conducted by the political subdivisions of the County in the functional areas of:

1. Driver education.
2. Codes and laws.
3. Traffic courts.
4. Alcohol in relation to highway safety.
5. Identification and surveillance of accident locations.
6. Traffic records.
7. Emergency medical services.
8. Highway design, construction and maintenance.
9. Traffic control devices.
10. Pedestrian safety.
11. Police traffic services.
12. Debris hazard control and clean up.
13. School bus safety.

(b) Advise the Judiciary and Law Committee on highway safety manners.

(c) Maintain liaison with highway safety programs carried on by the Cities of La Crosse and Onalaska; Villages of Holmen, West Salem and Bangor, and the Town of Shelby and related State functions conducted in the County.

(d) Develop local actions necessary to implement projects under the Federal Highway Safety Act of 1966.

(e) Cooperate with unofficial organizations and groups in developing and conducting public information programs directed to highway safety improvements.

(4) Subcommittees and Study Groups. The County Highway Safety Coordinator may establish special study groups or subcommittees necessary to meet the commission's responsibilities as outlined in this section. Meetings of such groups or subcommittees may be scheduled as often as necessary and when convenient.

1.68 HISTORIC SITES PRESERVATION COMMISSION.

(1) Membership. The Historic Sites Preservation Commission shall be composed of 7 members. The membership shall be composed of: 1 registered architect or architectural historian; 1 historian qualified in the field of historic preservation; 1 licensed real estate broker; 1 Supervisor; 1 qualified archaeologist; or make a reasonable effort to find members with these qualifications, and 2 citizen members. Each member shall have, to the highest extent practicable, a known interest in historic preservation. The County Board Chair shall appoint the commissioners subject to the confirmation of the County Board.

(2) Pursuant to Chapter 22 of this Code.

1.69 LA CROSSE COUNTY HOUSING AUTHORITY.

(1) Membership. The La Crosse County Housing Authority shall be composed of 5 members appointed by the County Board Chair for 5 year terms and at least 1 of the 5 shall be a Supervisor.

(2) Duties and Powers. The Authority shall investigate the need for low-cost housing and plan for its development on a county-wide basis pursuant to ss. 59.53(22) and 66.1201 through 66.1211, Wis. Stats.

1.70 LOCAL EMERGENCY PLANNING COMMITTEE (LEPC).

(1) Membership. The Local Emergency Planning Committee shall be composed of representatives of elected state and local officials, police, fire, civil defense, public health professionals, environmental, hospital, and transportation officials, as well as representatives of facilities subject to the emergency planning requirements, community groups, and the media appointed by the County Board Chair.

(2) Duties and Powers. The LEPC's primary responsibility is to develop and review annually an emergency response plan for hazardous and toxic chemical accidents. The LEPC plan must evaluate available resources for preparing for and responding to a potential chemical accident in accordance to the Emergency Planning and Community Right-to-Know Act of 1986 (S.A.R.A., Title III). The Committee shall serve in an advisory capacity to the Judiciary and Law Committee.

1.71 LA CROSSE COUNTY ECONOMIC DEVELOPMENT FUND, INC.

(1) Membership. The Board of Directors of the La Crosse County Economic Development Fund, Inc. shall be composed of 15 members, which shall include the Chair, First Vice Chair, and Second Vice Chair of the County Board, County Administrator, County Auditor/Finance Director, and Corporation Counsel, or their designees, and 6 citizen representatives with financial, accounting and/or relevant business backgrounds and 3 Supervisors of the County Board appointed by the County Board Chair subject to confirmation by the County Board.

(2) Duties and Powers.

(a) The La Crosse County Economic Development Fund, Inc. is a non-stock corporation created by the County Board to serve as the county industrial development agency and is responsible for the management of a revolving loan fund and the continued improvement of the industrial climate of the county pursuant to s. 59.57, Wis. Stats. The Board of Directors of the Economic Development Fund shall develop criteria for evaluating business loan applications and make loans that will promote economic development, jobs creation, and retention.

(b) The Economic Development Fund shall analyze economic development trends, develop and recommend economic development policies and programs, and facilitate activities to improve the economic climate of La Crosse County.

(c) The Economic Development Fund shall maintain regular contact with economic development agencies and provide educational opportunities related to economic development.



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(d) The Economic Development Fund may provide "start up" funds for one time support of economic development initiatives such as festivals and other not for profit events.

1.72 VETERANS' SERVICE COMMISSION

(1) Membership. The Veterans' Service Commission shall be composed of 3 residents of the County who are veterans appointed for staggered 3 year terms by the County Board Chair subject to the confirmation of the County Board.

(2) Duties and Powers. To provide aid to needy veterans, or to spouses, surviving spouses, minor and dependent children of such veterans, and the needy parents of such veterans pursuant to s. 45.81, Wis. Stats. The Commission shall serve in an advisory capacity to the Veterans, Aging and Long Term Care Committee.

1.73 WILDLIFE ABATEMENT/DAMAGE COMMITTEE.

(1) Membership. The Wildlife Abatement/Damage Committee shall be composed of 4 members appointed by the County Board Chair including 1 member who is a Supervisor.

(2) Duties. The committee shall be responsible for overall supervision of the Wildlife Damage Program, including: establishment of County damage policy and procedures; approval of annual budget requests, expenditures, abatement contracts and damage claims. All actions of the committee will be informally reviewed by the Planning, Resources and Development Committee.

1.74 COMMISSION ON EQUAL OPPORTUNITIES IN HOUSING.

(1) Membership. The County Commission on Equal Opportunities in Housing shall be composed of 5 members appointed by the County Board Chair with approval of the County Board to serve 5-year staggered terms.

(2) Duties and Powers. The Commission shall have those powers and duties as outlined in s. 9.06(3)(c) of this Code.

1.75 TRANSPORTATION COORDINATING COMMITTEE.

(1) Membership. Membership of the Transportation Coordinating Committee shall be appointed by the County Board Chair, subject to confirmation of the County Board. It shall consist of 13 members representing at least the following:

(a) County Board; one of whom shall be a member of the Aging and Long Term Care Committee;

(b) County Aging Unit;

(c) County Human Services Department;

(d) County boards created under ss. 51.42 or 51.437, Wis. Stats.

(e) Transportation providers – public, proprietary, and nonprofit;

(f) Elderly and disabled citizen advocates;

(g) Consumer and agency advocates.

(2) Appointments shall be for 3 year staggered terms. Vacancies shall be filled for the residue of the unexpired term in the manner that original appointments are made.

(3) Organization.

(a) The Transportation Coordinating Committee shall annually elect a chair and vice chair. Meetings shall be held at such time and such places as the Transportation Coordinating Committee may determine.

(b) The Transportation Coordinating Committee shall have the power to adopt, amend, and repeal rules and regulations governing its procedures and operations that are not inconsistent with this section.

(4) Responsibilities – Duties. It shall be the responsibility of the Transportation Coordinating Committee to act as the coordinator of transportation services for elderly and disabled persons in La Crosse County. The Committee shall have at least the duties prescribed in Trans 2.10, Wisconsin Administrative Code. The Committee shall report to the Commission on Aging and the Veterans, Aging and Long Term Care Committee.

1.76 JOINT CITY/COUNTY EMERGENCY MEDICAL SERVICES COMMISSION.

(1) Membership. The Joint City/County Emergency Medical Services Commission (hereinafter the "EMS Commission") shall be composed of the following members:

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- (a) La Crosse County Board Chair or his/her designee, who shall be a County Board Supervisor;
- (b) La Crosse County Board First Vice Chair or his/her designee, who shall be a County Board Supervisor;
- (c) Mayor of the City of La Crosse or his/her designee, who shall be a City of La Crosse Common Council Member;
- (d) City of La Crosse Common Council Member, who is appointed by the Mayor subject to Common Council approval;
- (e) Citizen member from the City of La Crosse, who is appointed by the Mayor subject to Common Council approval;
- (f) Mayor of the City of Onalaska or his/her designee, who shall be a City of Onalaska Common Council Member;
- (g) The La Crosse County Unit Chair of the Wisconsin Towns Association;
- (h) Member who shall be a village president or his/her designee as determined by the villages located in La Crosse County and shall be an elected official;
- (i) Representative from and appointed by Gundersen Lutheran Medical Center;
- (j) Representative from and appointed by Franciscan Skemp Medical Center;
- (k) Physician from and appointed by Gundersen Lutheran Medical Center; and,
- (l) Physician from and appointed by Franciscan Skemp Medical Center.

Citizen members of the Commission shall not be employees or previous employees of La Crosse County, the City of La Crosse, the City of Onalaska, Franciscan Skemp, Gundersen Lutheran, or Tri-State Ambulance.

(2) Vacancies. A vacancy on the EMS Commission is created by the death, removal, retirement, or resignation of a member or when a member ceases to be an elected official or representative of the entity that he/she was elected or designated to represent. The vacancy shall be filled in the same manner as the original election, designation or appointment.

(3) Officers. At the first meeting of the EMS Commission and every other year thereafter, members shall elect from their number a chairperson, a vice chairperson and other officers as necessary. Vacancies in these offices shall be filled for the unexpired terms in the same manner. The chairperson shall preside at all meetings when present. In case of the absence of the chairperson for any meeting, the vice chairperson shall act as the temporary chairperson.

(4) Duties and Powers.

(a) The EMS Commission shall be responsible for establishing standards and contracting for emergency medical services in La Crosse County, reviewing provider performance, and reporting on performance to the county and other municipal governmental entities. Decisions which may impact budgets of county or municipal governmental entities, or current EMS system providers, must have advance approval by the appropriate agency governing board(s). At a minimum, the standards established by the EMS Commission shall be in compliance with the current performance standards achieved by the EMS system and enjoyed by the County of La Crosse, for example:

1. Physician EMS Medical Director(s) that are Board Certified by the American Board of Emergency Medicine;
2. A single set of Pre-Hospital Medical Care Protocols for 911 Response;
3. Wisconsin Administrative Code HFS 112 for Emergency Medical Service operations;
4. Closest ambulance response regardless of jurisdictional boundaries. Jurisdictional boundaries shall not limit the response of the transport providers;
5. Electronic patient care reporting for all individual patient care reports; and,

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6. A medical quality assurance program which shall be external to EMS system providers.

(b) The duties and powers of the EMS Commission shall include the exercise of powers in the following areas:

1. Personnel Standards. Develop personnel standards in the following areas:

a. State licensed EMT paramedic or National Registry in compliance with Wisconsin Administrative Code HFS 112;

b. Turnover Rate Standards.

2. Scope of Services. Develop scope of services in the following areas:

a. Response time standards for defined response zones for advanced life support services everywhere in La Crosse County consistent with industry and national standards. Response time standards for services provided in the City of La Crosse shall not exceed eight (8) minutes and zero (0) seconds for 90 percent (90%) of emergency medical responses which require a red lights and siren response as determined by the use of an Emergency Medical Dispatch program approved by the EMS Commission.

b. Plan for 24 hour, 365 day per year coverage as per Wisconsin Administrative Code HFS 112 for La Crosse County;

c. Mutual Aid Agreements, including the number of mutual aid agreements, response time requirements and activations requiring La Crosse County resources; and,

d. Response times for individuals requiring transfer to a more appropriate inpatient behavioral health unit due to inability to meet specific patient care requirements such as age, forensic care, and medpsych diagnoses.

3. Ambulance Operators. Any ambulance service provider wishing to operate an ambulance within the La Crosse County EMS System shall first be authorized by the EMS Commission before entering an ambulance into service.

4. Vehicle and Equipment Requirements. Develop vehicle and equipment requirements which include, at a minimum, standards regarding the age and status of ambulance vehicles, equipment and supplies inventory, and repair and maintenance requirements and reporting in compliance with Wisconsin Administrative Code HFS 112 and DOT Trans 309.

5. EMS System Communications and Standards in compliance with Wisconsin Administrative Code HFS 112.

6. Medical Director/Medical Control to be in accordance with Wisconsin Administrative HFS 112. The EMS Commission shall have the authority to approve, remove and replace the Medical Director to be utilized by the credentialed paramedics in accordance with standards promulgated by the EMS Commission.

7. Quality Assurance Program. Develop standards for quality assurance in such areas as: quality indicators, run report review process, protocol review and approval process, patient satisfaction monitoring process, patient rights and safety program.

8. Insurance Requirements. Requirements for commercial/general liability/professional liability coverage for ambulance providers.

9. Data Collection, Reporting, and Records Requirements.  
a. Develop standards regarding content and frequency of routine reports in such areas as: calls, response times, clinical quality, skills proficiency, patient satisfaction, and vehicles and equipment.

b. To ensure complete transparency, ambulance providers will make all financial and operational information available to the Commission and the public. Financial and operational information includes but is not limited to personnel, vehicle, capital, equipment, operational expenses, charges for services, revenues, reimbursement rates, technology information such as GPS and computer-aided

dispatch data, and response times to various communities, districts, or zones.

1.77 SUSTAINABLE LA CROSSE COMMISSION.

(1) Membership. The Sustainable La Crosse Commission shall be composed of the following members:

(a) La Crosse County Board Chair or his/her designee, who shall be a County Board Supervisor;

(b) La Crosse County Board Supervisor, appointed by the County Board Chair, subject to County Board approval;

(c) Mayor of the City of La Crosse or his/her designee, who shall be a City of La Crosse Common Council Member;

(d) City of La Crosse Common Council Member who is appointed by the Mayor, subject to Common Council approval;

(e) Mayor of the City of Onalaska or his/her designee, who shall be a City of Onalaska Common Council Member;

(f) Four citizen members consisting of 1 citizen member from each of the following categories: community groups, business, higher education, and health care. Two citizen members shall be appointed by the Mayor of the City of La Crosse and 2 citizen members shall be appointed by the County Board Chair.

(2) TERMS. The Members' term shall be 2 years. No citizen member will serve for more than 2 terms.

(3) Duties and Powers.

(a) Regularly review progress of implementing City and County of La Crosse Strategic Plan for Sustainability.

(b) Coordinate Sustainability Plan review and revision on a 2 to 5 year cycle (setting new goals and developing new action plans).

(c) Make recommendations on funding related to sustainability initiatives during the annual budget process.

(d) Make policy recommendations and provide general support for sustainability efforts.

(e) Network with community members – businesses, private citizens, governmental entities, non-profits, etc.

(f) Coordinate educational opportunities for the community at large.

(g) Contribute to expansion, enhancement and public awareness and utilization of the sustainability website.

(h) The Commission shall report to the Planning, Resources and Development Committee.

1.78 LAND INFORMATION COUNCIL.

(1) Membership. The Land Information Council shall be composed of not less than 8 members, which shall include the County Register of Deeds, the County Treasurer, and the Real Property Lister or their designees and the following members appointed by the County Board Chair and confirmed by the County Board:

(a) A member of the County Board;

(b) A representative of the land information office;

(c) A realtor or a member of the Realtors Association employed within the County;

(d) A public safety or emergency communications representative employed within the County;

(e) The County Surveyor or a registered professional land surveyor employed within the County;

(f) A representative of the La Crosse County Information Technology Department; and,

(g) Any other members of the Board or public that the Board designates.

(2) Notwithstanding par. (1), if no person is willing to serve under par. (1) (c), (d), or (e), the Board may create or maintain the Council without the member designated under par. (1) (c), (d), or (e).

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(3) Terms. Council members who hold elective office or are employed by La Crosse County shall serve on the Council as long as they hold the office or County position designated for membership. Other Council members appointed by the County Board shall serve 3 year terms.

(4) Duties and Powers.

(a) The Council shall review the priorities, needs, policies, and expenditures of the land information office and advise the County on matters affecting the land information office.

(b) The Council shall meet on an as-needed basis.

(c) The Council shall report to the Planning, Resources and Development Committee.

OTHER ORGANIZATIONAL APPOINTMENTS

1.80 AVIATION BOARD. (City of La Crosse Board) Membership includes 1 Supervisor appointed by the County Board Chair.

1.81 LA CROSSE AREA DEVELOPMENT CORP. (LADCO). Membership includes 1 Supervisor appointed by the County Board Chair.

1.82 LA CROSSE COUNTY AGRICULTURAL SOCIETY. Membership includes 1 Supervisor appointed by the County Board Chair for a 1 year term.

1.83 LAKE NESHONOC PROTECTION AND REHABILITATION DISTRICT. Pursuant to s. 33.28, Wis. Stats., membership shall include 1 person appointed by the County Board Chair with the approval of the County Board who is a member of the Planning, Resources and Development Committee or is nominated by that committee.

1.84 LAKE ONALASKA PROTECTION AND REHABILITATION DISTRICT. (Same as 1.83 above)

1.85 MISSISSIPPI RIVER REGIONAL PLANNING COMMISSION. Pursuant to s. 66.0309(3)(a) Wis. Stats., the membership composition of the Commission from La Crosse County shall be as follows: The County shall appoint 1 member subject to the confirmation of the County Board and the Governor shall Board Chair appoint 2 members from each participating county. Terms are for 6 years.

1.86 SOUTHWEST BADGER RESOURCE CONSERVATION AND DEVELOPMENT (SWRCS). Membership includes 1 Supervisor appointed by the County Board Chair.

1.87 WINDING RIVERS LIBRARY SYSTEM. Membership shall be composed of 7 representatives, including 1 and not more than 2 County Board representatives of the County's Library Board, appointed by the County Board Chair with the approval of the County Board for a 3 year term.

1.88 COULEECAP, INC. Membership includes 2 County Board representatives appointed by the County Board Chair with the approval of the County Board.

1.89 WISCONSIN COUNTIES UTILITY TAX ASSOCIATION. Membership includes 1 County Board representative appointed by the County Board Chair with the approval of the County Board.

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

**Tara Johnson, County Board Chair**

**Ginny Dankmeyer, County Clerk**

**EXECUTIVE COMMITTEE**

Motion by S. Hampson/A. Londre to approve. Discussion ensued. The motion to approve passed on a unanimous voice vote with 19 ayes, 3 absent - S. Doyle, K. Johnson and L. Pfaff, 7 excused - R. Becker, V. Burke, T. Downer, T. Gamroth, R. Keil, J. Schroeder and T. Wehrs.

**ORDINANCE NO. 125-2/14 TO REPEAL CHAPTER 26 ENTITLED "COUNTY SALES AND USE TAX" 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 26 entitled "County Sales and Use Tax" is repealed.

**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**

**EXECUTIVE COMMITTEE**

Motion by S. Hampson/A. Londre to approve passed on a unanimous voice vote with 19 ayes, 3 absent - S. Doyle, K. Johnson and L. Pfaff, 7 excused - R. Becker, V. Burke, T. Downer, T. Gamroth, R. Keil, J. Schroeder and T. Wehrs.

**RESOLUTION NO. 76-2/14 RE: OPPOSITION TO SENATE BILL 407, SENATE BILL 434 AND SENATE BILL 435 AND SUPPORT OF SENATE BILL 417**

**WHEREAS**, several bills are currently pending in the Wisconsin State Legislature which impact public health; and, **WHEREAS**, Senate Bill 435 provides an exemption from the requirement to obtain a food processing plant license for the face-to-face sale of nonhazardous homemade baked goods to consumers by a person who receives less than \$10,000 per year from the sale of the food, registers with the State Department of Agriculture, Trade and Consumer Protection (DATCP), takes a class on food safety approved by DATCP, and complies with requirements concerning labeling, signage, and documenting sales; and, **WHEREAS**, Senate Bill 435 would effectively double the amount of home-canned food available for sale to the public and increase the risk of foodborne illnesses; and, **WHEREAS**, Senate Bill 434 exempts certain food establishments from the requirement to have a certified restaurant manager present and requires local health departments to create and maintain violation databases as a result of the exemption; and, **WHEREAS**, Senate Bill 407 effectively creates a class of housing that does not meet building codes and increases the number of houses without septic systems by exempting from State standards related to plumbing dwellings without an indoor toilet, which poses a health risk to groundwater in the state; and, **WHEREAS**, Senate Bill 417 corrects a situation that has prevented the Wisconsin Department of Natural Resources from requiring disinfection of certain public water systems; and, **WHEREAS**, the Health & Human Services Board has reviewed these Bills and based upon the recommendation of Health Department staff, opposes Senate Bill 407, Senate Bill 434 and Senate Bill 435 and supports Senate Bill 417. **NOW THEREFORE BE IT RESOLVED** that the County Board of Supervisors hereby opposes current pending legislation designated as Senate Bill 407, Senate Bill 434 and Senate Bill 435 and supports the pending legislation designated as Senate Bill 417. **BE IT FURTHER RESOLVED** that a copy of this resolution shall be sent to Governor Walker, Senator Shilling, and State Representatives Doyle and Billings. **FISCAL NOTE:** No fiscal impact.

**HEALTH AND HUMAN SERVICES BOARD**

Motion by M. Kruse/A. Londre to approve. Discussion ensued. Environmental Health Inspector Jim Steinhoff responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 19 ayes, 3 absent - S. Doyle, K. Johnson and L. Pfaff, 7 excused - R. Becker, V. Burke, T. Downer, T. Gamroth, R. Keil, J. Schroeder and T. Wehrs.

**ORDINANCE NO. 127-2/12 TO AMEND CHAPTER 9 ENTITLED "PUBLIC PEACE & GOOD ORDER" 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 9 entitled "Public Peace & Good Order" is amended to read:

9.01 OFFENSES AGAINST STATE LAWS SUBJECT TO FORFEITURE. The following statutes following the prefix 9 defining offenses against the peace and good order of the State or which involves conduct which is the same as or similar to that provided by 941 to 949 of the Wis. Stats. are adopted by reference to define offenses of the unincorporated areas of the County provided the penalty for commission of such offenses shall be limited to a forfeiture

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imposed under s. 25.04 of this Code of Ordinances. This section is authorized by §§. 59.54(6) and (22), Wis. Stats., and any amendments thereto.

|                 |  |
|-----------------|--|
| 9.941.01        | Negligent Operation of Vehicle   |
| 9.941.10        | Negligent Handling of Burning Materials                                    |
| 9.941.12        | Interfering with Fire Fighting   |
| 9.941.13        | False Alarms   |
| 9.941.23        | Carrying Concealed Weapon  |
| 9.941.235       | Carrying Firearm in Public Building  |
| 9.941.237       | Carrying Handgun Where Alcohol Beverages May be Sold and Consumed          |
| 9.941.24        | Possession of Switchblade Knife  |
| 9.941.2965      | Restrictions on Use of Facsimile Firearms                                  |
| 9.941.297       | Sale or Distribution of Imitation Firearms                                 |
| 9.941.299       | Restrictions on the Use of Laser Pointers                                  |
| 9.941.316       | Abuse of Hazardous Substance   |
| 9.941.35        | Emergency Telephone Calls  |
| 9.941.37(1)&(2) | Obstructing Emergency Personnel  |
| 9.943.01(1)     | Damage to Property   |
| 9.943.017(1)    | Graffiti   |
| 9.943.07        | Criminal Damage to Railroads   |
| 9.943.11        | Entry into Locked Vehicle  |
| 9.943.125       | Entry into Locked Coin Box   |
| 9.943.13        | Criminal Trespass to Land  |
| 9.943.14        | Criminal Trespass to Dwellings   |
| 9.943.145       | Criminal Trespass to Medical Facility                                      |
| 9.943.15        | Entry onto a Construction Site or into a Locked Building, Dwelling or Room |
| 9.943.215       | Absconding Without Paying Rent   |
| 9.943.22        | Use of Cheating Tokens   |
| 9.943.225       | Refusal to Pay for a Motor Bus Ride  |
| 9.943.26        | Removing or Damaging Encumbered Real Property                              |
| 9.943.34(1)(a)  | Receiving Stolen Property (less than \$2500)                               |
| 9.943.37        | Alteration of Property Identification Marks                                |
| 9.943.392       | Fraudulent Data Alteration   |
| 9.943.395       | Fraudulent Insurance and Employee Benefit Program Claims                   |
| 9.943.45        | Theft of Telecommunications Service  |
| 9.943.455       | Theft of Commercial Mobile Service   |
| 9.943.46        | Theft of Video Service   |
| 9.943.47        | Theft of Satellite Sable Programming                                       |
| 9.943.49        | Unlawful use of Recording Device in Motion Picture Theater                 |
| 9.943.55        | Removal of Shopping Cart   |
| 9.943.75        | Unauthorized Release of Animals (Unless Violation is a Felony)             |
| 9.944.20        | Lewd and Lascivious Behavior   |
| 9.944.23        | Making Lewd, Obscene or Indecent Drawings                                  |
| 9.944.36        | Solicitation of Drinks Prohibited  |
| 9.945.02        | Gambling   |
| 9.945.035       | Certain slot Machines on Licensed Premises                                 |
| 9.945.04        | Permitting Premises to be Used for Commercial Gambling                     |
| 9.945.07        | Gambling by Participants in Contest  |
| 9.946.06        | Improper Use of the Flag   |
| 9.946.40        | Refusing to Aid Officer  |
| 9.946.41        | Resisting or Obstructing Officer   |
| 9.946.46        | Encouraging of Violation of Probation or Parole                            |
| 9.946.49(1)(a)  | Bail Jumping (unless underlying offense is felony)                         |
| 9.946.495       | Violation of Nonsecure Custody Order                                       |
| 9.946.70(1)     | Impersonating Peace Officers   |
| 9.946.71        | Unlawful Use of License for Carrying Concealed Weapons                     |

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|  |   |
|--|---|
| 9.946.72(2)  | Tampering with Public Notices                                       |
| 9.946.75   | Denial of Right of Counsel  |
| 9.947.01   | Disorderly Conduct  |
| 9.947.011  | Disrupting a Funeral or Memorial Service                            |
| 9.947.012  | Unlawful Use of Telephone   |
| 9.947.0125   | Unlawful Use of Computerized Communication Systems                  |
| 9.947.013  | Harassment  |
| 9.947.04   | Drinking in Common Carriers   |
| 9.947.06   | Unlawful Assemblies and Their Suppression                           |
| 9.948.09   | Sexual Intercourse With a Child Age 16 or Older                     |
| 9.948.10   | Exposing Genitals or Pubic Area                                     |
| 9.948.21   | Neglecting a Child (if death is not a consequence)                  |
| 9.948.22   | Failure to Support (only if not a felony under criminal law)        |
| 9.948.23   | Concealing or Not Reporting Death of a Child; Not Reporting         |
| Disappearance of a Child (only if not a felony under criminal law) |   |
| 9.948.40   | Contributing to Delinquency of Child (only if not a felony          |
| under criminal law)  |   |
| 9.948.45   | Contributing to Truancy   |
| 9.948.51   | Hazing (only if not a felony under criminal law)                    |
| 9.948.53   | Child Unattended in Child Care Vehicle (only if not a felony under  |
| criminal law)  |   |
| 9.948.55   | Leaving or Storing a Loaded Firearm Within the Reach or Easy Access |
| of a Child   |   |
| 9.948.60(2)(a)   | Possession of a Dangerous Weapon By a Person Under 18               |
| 9.948.605  | Gun-free School Zones   |
| 9.948.61   | Dangerous Weapons Other Than Firearms on School Premises (only if   |
| not a felony under criminal law)                                   |   |
| 9.948.63   | Receiving Property From a Child                                     |
| 9.948.70   | Tattooing of Children   |
| 9.02   | ABANDONED VEHICLES.   |

(1) STATUTORY AUTHORIZATION. This section is adopted pursuant to s. 342.40(3), Wis. Stats.

(2) DEFINITION. A motor vehicle is abandoned if it is inoperable and over 8 years old and is left unattended on public property for more than 48 hours, or has remained illegally on public property for a period of more than 48 hours, or has remained on private property without the consent of the owner or person in control of the property for more than 48 hours.

(3) ABANDONMENT PROHIBITED. No person shall leave unattended any vehicle, trailer, semi-trailer or mobile home on any public highway or private or public property for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned, within the unincorporated municipalities of the County.

(4) PUBLIC NUISANCE DECLARED. An abandoned vehicle constitutes a public nuisance.

(5) AUTHORITY TO TAKE POSSESSION OF ABANDONED MOTOR VEHICLES. Any sheriff's deputy, County traffic patrolman, State Traffic Officer or Conservation Warden who discovers any motor vehicle, trailer semi-trailer or mobile home on any public highway or private or public property which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment. Upon removal of the vehicle, the officer shall notify the Sheriff of the abandonment of the vehicle and the location of the impounded vehicle. The County, acting through 1 of the persons designated above, may employ its own personnel, equipment and facilities or hire persons, equipment and facilities for the purpose of removing, preserving, and restoring abandoned motor vehicles.

(6) NOTIFICATION OF OWNER AND LIENHOLDERS AND DISPOSAL.

(a) Any vehicle in violation of this section shall be impounded until lawfully claimed or disposed of under (c) except that if it is deemed by a duly authorized County representative that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked or sold by the County prior



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to expiration of the impoundment period upon determination by the Sheriff having jurisdiction that the vehicle is not stolen or otherwise wanted for evidence or other reason. All substantially complete vehicles in excess of 19 model years of age shall be disposed of in accordance with (c).

(b) The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not recovered from the sale of the vehicle may be recovered in a civil action by the County against the owner. Whether or not the County recovers the cost of towing and enforcement, the County shall be responsible to the towing service for requisitional towing service and reasonable charges for impoundment.

(c) Any vehicle which is deemed abandoned by a duly authorized County representative and not disposed of under sub.(6)(a) shall be retained in storage for a minimum period of 10 days after certified mail notice has been sent to the owner and lienholders of record to permit reclamation of the vehicle after payment of accrued charges. Such notice shall set forth the year, make, model, and serial number of the abandoned motor vehicle, the place where the vehicle is being held, and shall inform the owner and any lienholders of their right to reclaim the vehicle. The notice shall state that the failure of the owner or lienholders to exercise their rights to reclaim the vehicle under this section shall be deemed a waiver of all right, title, and interest in the vehicle and a consent to the sale of the vehicle. Each retained vehicle not reclaimed by its owner or lienholder may be sold. The County may dispose of the vehicle by sealed bid or auction sale as provided by ordinance. At such sale the highest bid for any such motor vehicle shall be accepted unless the same is deemed inadequate by a duly authorized County representative, in which event all bids may be rejected. If all bids are rejected or no bid is received, the County may either re-advertise the sale, adjourn the sale to a definite date, sell the motor vehicle at a private sale or junk the vehicle. Any interested person may offer bids on each abandoned vehicle to be sold. Public notice of such sale shall be posted at the office of the County Sheriff. The posting of the notice at the Sheriff's Department shall be in the same form as the certified mail notice sent to the owner or lienholders of record. Upon sale of an abandoned vehicle, the County shall supply the purchaser with a completed form designed by the department enabling the purchaser to obtain a regular certificate of title for the vehicle. The purchaser shall have 10 days to remove the vehicle from the storage area, but shall pay a reasonable storage fee established by the County for each day the vehicle remains in storage after the 2nd business day subsequent to the sale date. Ten days after the sale, the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be sold again. Any listing of vehicles to be sold by the County shall be made available to any interested party or organization which makes a written request for such list. The County may charge a fee for the list.

(7) REPORT. Within 5 days after the sale or disposal of a vehicle as provided in sub. (6), the County shall advise the Division of Motor Vehicles, Madison, Wisconsin, of the sale or disposition of such vehicle on a form supplied by the Division of Motor Vehicles.

(8) PENALTIES. The owner of any abandoned motor vehicle which is sold or disposed of pursuant to this section shall, in addition to reimbursing the County for all costs the County incurred as provided in sub. (6)(b), be subject to a penalty as provided in s. 9.20.

9.03 LITTERING PROHIBITED. No person shall throw or deposit any weeds, sod, brush, lighted tobacco or other burning materials, bottles, cans, garbage, paper or other waste materials upon the streets, alleys, highways, public parks or other property of the County or upon any private property or upon the surface of any body of water within the County.

9.04 AUXILIARY POLICE. The County Sheriff and the County Emergency Government Coordinator may call upon the County auxiliary police to direct traffic and maintain order at County fairs, exhibitions, parades and similar activities.

9.05 CURFEW.

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(1) Hours. No children of the following specified ages shall loiter, idle or remain upon any street, alley or other public place in the County during the set times on the designated dates:

(a) Children ages 15 through 17.  
1. School year: 11:00 pm - 5:00 am – Sunday through Thursday  
12:30 am - 5:00 am – Friday through Saturday  
2. Summer: 12:30 am - 5:00 am – Sunday through Saturday

(b) Children ages 12 through 14.  
1. School year: 10:00 pm - 5:00 am – Sunday through Thursday  
11:00 pm - 5:00 am – Friday through Saturday  
2. Summer: 11:00 pm - 5:00 am – Sunday through Saturday

(c) Children ages 11 and under.  
1. School year: 10:00 pm - 5:00 am – Sunday through Saturday.  
2. Summer: 10:00 pm - 5:00 am – Sunday through Saturday

(d) Definitions. The following terms have the designated meanings in this section:  
1. "School year" means the period September 1 through May 30.

2. "Summer" means the period June 1 through August 31.  
(e) Exceptions. This section shall not apply to a child:  
1. Performing an errand as directed by his or her parent, guardian or person having lawful custody.  
2. Who is on his or her premises or the areas immediately adjacent thereto.  
3. Whose employment makes it necessary to be upon the streets, alleys or public places or in any motor vehicle during such hours.  
4. Returning home from a supervised school, church or civic function.  
5. These exceptions, however, shall not permit a child to unnecessarily loiter about the streets, alleys or public places or be in a parked motor vehicle on the public street.

(2) PARENTAL VIOLATION. No parent, guardian or other person having legal custody of a child 17 or under shall permit such child to loiter, idle or remain upon any street, alley or other public place in the County during the hours specified in sub. (1)(a)-(c), unless such child is accompanied by his or her parent, guardian or other adult person having legal custody of such child.

(3) RESPONSIBILITY OF OPERATORS OF PLACES OF AMUSEMENT. No person operating a place of amusement or entertainment within the County, or any agent, servant or employee of such person, shall permit a child 17 years of age or younger to enter or loiter in such place of amusement or entertainment during the hours specified in sub. (1)(a)-(c), unless such child is accompanied by his or her parent, guardian or other adult person having legal custody of such child.

(4) RESPONSIBILITY OF OPERATORS OF HOTELS, MOTELS AND ROOMING HOUSES. No person operating a hotel, motel or lodging or rooming house within the County, or any agent, servant or employee of such person, shall permit any child 17 years of age or younger to visit, idle, wander or stroll in any portion of such hotel, motel or lodging or rooming house during the hours specified in sub. (1)(a)-(c), unless such child is accompanied by his or her parent, guardian or other adult person having legal custody of such child.

(5) LOITERING IN SCHOOL AND PLAYGROUND AREAS. No person not in official attendance or on official school business shall enter into, congregate, loiter, wander,

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stroll, stand, or play in any school building or in or about any playground area adjacent thereto within the County between 8:00 a.m. and 4:00 p.m. on official school days.

(6) TAKING A CHILD INTO CUSTODY. A child believed to be violating the provisions of this section may be taken to the Sheriff's Department for La Crosse County for proper identification. Every law enforcement officer while on duty may take into custody any child violating subs. (1), (3), (4) and (5) of this section until the parent, guardian, legal custodian or other responsible adult has been immediately notified and the person so notified has, as soon as is reasonably possible thereafter, reported to the Sheriff's office for the purpose of taking the child into custody and has signed a release for the child.

(7) GENERAL PENALTY.

(a) Any parent, guardian, or person having legal custody of a child described in subs. (1), (3), (4) and (5), who violates any of the provisions of this section, shall be subject to a penalty as provided in s. 25.04 of this Code; provided no forfeiture imposed for a violation of this section shall exceed the maximum for the same offense under State law.

(b) Any child 11 years of age or younger who violates this subs. (1), (3), (4) and (5) of this section may be referred to an intake worker of the La Crosse County Human Services Department for a determination whether a petition should be filed in the court assigned to exercise jurisdiction under Chapters 48 and 938, Wis. Stats.

(c) Any child 12 years of age or older who violates subs. (1), (3), (4) and (5) of this section may be:

1. Issued a citation imposing a forfeiture of \$25 plus court costs and directing the child to appear in the court assigned to exercise jurisdiction under Chapters 48 and 938, Wis. Stats., or make a deposit or stipulation and deposit in lieu of appearance as provided in Chapter 939, Wis. Stats.; or

2. Referred to an intake worker for a determination whether a petition should be filed in the court assigned to exercise jurisdiction under Chapters 48 and 938, Wis. Stats.

9.055 PROHIBITION OF HABITUAL TRUANCY.

(1) PROHIBITED. A child is prohibited from being a habitual truant.

(2) DEFINITION. For purposes of this section:

(a) "Habitual Truant" shall mean a pupil who is absent from school without an acceptable excuse part or all of 5 or more days on which school is held during a school semester.

(b) "Acceptable Excuse" shall mean an acceptable excuse as defined in s. 118.15 and 118.16(4), Wis. Stats.

(3) PENALTY. Upon finding that a person under 18 years of age is a habitual truant, the Court shall enter an order making 1 or more of the following dispositions:

(a) Suspend the person's operating privilege, as defined in s. 340.01(40), Wis. Stats., for not less than 30 days nor more than 1 year. If the court takes possession of the license, it shall destroy the license. The court shall forward to the Department of Transportation a notice stating the reason for and duration of the suspension.

(b) Order the person to participate in counseling, community service or a supervised work program under s. 938.34(5g), Wis. Stats.

(c) Order the person to remain at home except during hours in which the child is attending religious worship or a school program, including travel time required to get to and from the school program or place of worship. The order may permit a child to leave his or her home if the child is accompanied by a parent or guardian.

(d) Order the person to attend an educational program under s. 938.34(7d), Wis. Stats.

(e) Order the Department of Workforce Development to revoke, under s. 103.72, Wis. Stats., a permit under s. 103.70, Wis. Stats., authorizing the employment of the person.

(f) Order the person to be placed in a teen court program as described in s. 938.342(1)(f), Wis. Stats.

(g) Order the person to attend school.

(h) Impose a forfeiture of not more than \$500 plus costs, subject to s. 938.37, Wis. Stats. All or part of the forfeiture may be assessed against the person, the parents or guardian of the person, or both.

(i) Any other reasonable conditions consistent with this subsection, including a curfew, restrictions as to going to or remaining on specified premises and restrictions on associating with other children or adults.

(j) An order placing the person under formal or informal supervision, as described in s. 938.34(2), for up to 1 year.

(k) An order for the person's parent, guardian or legal custodian to participate in counseling at the parent's, guardian's or legal custodian's own expense or to attend school with the person, or both.

(4) REFERENCE TO STATUTES. Reference to specific statutory sections used in this ordinance shall mean the Wisconsin Statutes of 2011-12 as from time to time amended, modified and repealed or otherwise altered by the State Legislature.

(5) ENFORCEMENT PROCEDURE.

(a) Any person violating any of the provisions of this section shall be issued a citation as provided in s. 25.04(4) of this Code.

(b) Who may issue citations authorized under this section.

1. Law enforcement officers.

2. Intake workers authorized under Chapter 48, Wis. Stats.

(6) SEVERABILITY. If any section or part of this ordinance is adjudged unconstitutional or invalid by any court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

#### 9.06 DISCRIMINATION IN HOUSING PROHIBITED.

(1) POLICY. It is the policy of the County pursuant to the federal and state constitutions, and to its power to protect the public health, safety and general welfare, that all persons, regardless of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, lawful source of income, age or ancestry are entitled to an equal opportunity for housing; and to that end, the County enacts this section, which prohibits any person not herein exempted from discriminating against any other person by impairing access to any housing or housing accommodations on any prohibited basis which are listed above, and which creates a Commission with the power and duty to enforce equal opportunity in housing for all citizens of unincorporated areas of the County.

(2) DEFINITIONS.

(a) "Commission" means the County Commission on Equal Opportunities in Housing, and "Commissioner" means a member thereof.

(b) "Complainant" means a person who files a complaint alleging discrimination in housing.

(c) "Disability" means a physical or mental impairment that substantially limits 1 or more major life activities, a record of having such an impairment or being regarded as having such an impairment. "Disability" does not include the current illegal use of a controlled substance, as defined in s. 961.01(4), Wis. Stats., or a controlled substance analog, as defined in s. 961.01(4m), Wis. Stats., unless the individual is participating in a supervised drug rehabilitation program.

(d) "Discriminate" means to segregate, separate, exclude or treat a person or class of persons unequally in a manner described in sub.(4) because of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, lawful source of income, age, or ancestry.

(e) "Hearing" means a hearing under the jurisdiction of the Commission, except where otherwise indicated.

(f) "Housing" means any improved property, or any portion thereof, including a mobile home as defined in Chapter 66 of the Wisconsin Statutes, or condominium, that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence. "Housing" includes any vacant land that is offered for sale or rent for the construction or location thereon of any building, structure or portion thereof that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence.

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(g) "Housing for older persons" means any of the following:

1. Housing provided under any state or federal program that the secretary determines is specifically designed and operated to assist elderly persons, as defined in the state or federal program.

2. Housing solely intended for, and solely occupied by, persons 62 years of age or older.

3. Housing primarily intended and primarily operated for occupancy by at least 1 person 55 years of age or older per dwelling unit.

(h) "Owner-occupied building" means a building used for human habitation in which the owner thereof maintains his/her permanent living quarters.

(i) "Person" includes any individual, partnership, labor or other association, corporation, legal representative, receiver, trustee, trustee in bankruptcy or other fiduciary, or the lessee, proprietor, manager, employee or any other agent of any such person.

(j) "Probable cause" means reasonable grounds to believe that a violation of sub. (4) not exempted by sub. (5) may have occurred or may be occurring.

(k) "Rent" means to lease, to sublease, to let or to otherwise grant for a consideration the right of a tenant to occupy housing not owned by the tenant.

(l) "Respondent" means the person accused in the complaint or amended complaint of discrimination in housing and any other person identified in the course of an investigation as allegedly having discriminated in housing.

(m) "Single-occupancy room" means any room which the owner has leased or rented or offered to lease or rent to a sole individual; provided the owner permanently occupies living quarters in the same dwelling.

(3) COMMISSION ON EQUAL OPPORTUNITIES IN HOUSING.

(a) Membership. The County Commission on Equal Opportunities in Housing shall be composed of 5 members appointed by the Chair of the County Board to serve 5-year terms; except of those first appointed, 1 shall be appointed for 1 year, 1 shall be appointed for 2 years, 1 shall be appointed for 3 years, 1 shall be appointed for 4 years and 1 shall be appointed for 5 years.

(b) Compensation. Commission members shall be reimbursed for all actual and necessary expenses but shall receive no other compensation.

(c) Powers and Duties. The County Commission on Equal Opportunities in Housing shall have the following powers and duties:

1. To adopt, amend, publish and rescind rules for governing its meetings and hearings;

2. To adopt, amend, publish and rescind regulations consistent with and for the enforcement of this section;

3. To appoint such other employees, agents and staff as are necessary to promote the purposes of this section; and to prescribe their duties;

4. To receive or initiate and investigate all complaints alleging any discriminatory practice prohibited by this section;

5. To appoint mediators who initially shall seek a settlement agreeable to both the complainant and the respondent by means of informal conferences;

6. If necessary, to hold hearings after efforts at settlement, based on complaints made against any person and a determination of probable cause; to administer oaths and take testimony; to compel the production of books, papers and any other documents relating to any matters involved in the complaints; and to subpoena witnesses and compel their attendance. If a witness fails or refuses to obey a subpoena issued by the Commission, the Commission may order attendance. At any time after it has issued such an order, the Commission may petition a court of competent jurisdiction for its enforcement;

7. To issue, after hearing, such final orders as are necessary to promote the purposes of this section;

8. To issue temporary orders effective for a maximum of 20 days, absent extraordinary circumstances, restraining the respondent from taking any action

which would tend to render ineffectual or unenforceable any order which the Commission might issue;

9. To refer orders, pursuant to sub. (9) to the Corporation Counsel to be enforced in the name of the County;
10. To make available to the public written copies of:
  - a. Transcripts of all its proceedings, except initial settlement efforts by its mediators;
  - b. All temporary and final orders;
  - c. All decisions and opinions rendered.
11. To require a written report of the manner of compliance with any final order it may issue;
12. To recommend to the County Board any legislation necessary to further promote the purposes of this section; and
13. To file annual written reports of its work with the County Board.

(4) PROHIBITED ACTS.

- (a) It is unlawful for any person to discriminate:
  1. By refusing to sell, rent, finance or contract to construct housing or by refusing to negotiate or discuss the terms thereof.
  2. By refusing to permit inspection or exacting different or more stringent price, terms or conditions for the sale, lease, financing, or rental of housing.
  3. By refusing to finance or sell an unimproved residential lot or to construct a home or residence upon such lot.
  4. By advertising in a manner that indicates discrimination by a preference or limitation.
  5. For a person in the business of insuring against hazards, by refusing to enter into, or by exacting different terms, conditions or privileges with respect to, a contract of insurance against hazards to a dwelling.
  6. By refusing to renew a lease, causing the eviction of tenant from rental housing or engaging in the harassment of a tenant.
  7. In providing the privileges, services, or facilities that are available in connection with housing.
  8. By falsely representing that housing is unavailable for inspection, rental, or sale.
  9. By denying access to, or membership or participation in, a multiple listing service or other real estate service.
  10. By coercing, intimidating, threatening, or interfering with a person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, a right granted or protected under this section, or with a person who has aided or encouraged another person in the exercise or enjoyment of a right granted or protected under this section.
  11. In making available any of the following transactions, or in the terms or conditions of such transactions for a person whose business includes engaging in residential real estate-related transactions:
    - a. The making or purchasing of loans or the provision of other financial assistance for purchasing, constructing, improving, repairing, or maintaining housing or the making or purchasing of loans or the provision of other financial assistance secured by residential real estate.
    - b. Selling, brokering, or appraising residential real property.
  12. By otherwise making unavailable or denying housing.
- (b) The provisions of s. 106.50(2r), Wis. Stats., prohibiting discrimination against persons with disabilities is hereby adopted and incorporated by reference.

(5) EXEMPTIONS AND EXCLUSIONS.

- (a) Nothing in this section prohibits discrimination based on age or family status with respect to housing for older persons.

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1. Under this paragraph, housing may qualify as housing for older persons only if the owner of the housing maintains records containing written certification that all of the following factors apply to the housing:

a. At least 80% of the dwelling units under s. 106.04(1m)(m)3., Wis. Stats., are occupied by at least 1 person 55 years of age or older.

b. Policies are published and procedures are adhered to that demonstrate an intent by the owner or manager to provide housing under s. 106.50(1m)(m)3., Wis. Stats., for persons 55 years of age or older.

2. No person may discriminate by refusing to continue renting to a person living in housing for older persons under s. 106.50(1m)(m)3., Wis. Stats., who is subject to a hardship condition.

3. Under this paragraph, housing may qualify as housing for older persons with respect to persons first occupying the housing on or after September 1, 1992, regardless of whether a person who had not attained the age of 62 resided in the housing on that date or regardless of whether 1 or more dwelling units were unoccupied on that date, if the person who first occupied the housing on or after that date attained the age of 62.

(b) Nothing in this section shall prohibit a person from exacting different or more stringent terms or conditions for financing housing based on the age of the individual applicant for financing if the terms or conditions are reasonably related to the individual applicant.

(c) Nothing in this section shall prohibit the development of housing designed specifically for persons with disabilities and preference in favor of persons with disabilities in relation to such housing.

(d) Nothing in this section requires that housing be made available to an individual whose tenancy would constitute a direct threat to the safety of other tenants or persons employed on the property or whose tenancy would result in substantial physical damage to the property of others, if the risk of direct threat or damage cannot be eliminated or sufficiently reduced through reasonable accommodations. A claim that an individual's tenancy poses a direct threat or a substantial risk of harm or damage must be evidenced by behavior by the individual which caused harm or damage, which directly threatened harm or damage or which caused a reasonable fear of harm or damage to other tenants, persons employed on the property or the property. No claim that an individual's tenancy would constitute a direct threat to the safety of other persons or would result in substantial damage to property may be based on the fact that a tenant has been or may be the victim of domestic abuse, as defined in s. 813.12(1)(a), Wis. Stats.

(e) It is not discrimination based on family status to comply with any reasonable federal, state or local government restrictions relating to the maximum number of occupants permitted to occupy a dwelling unit.

(f) 1. Subject to subd. 2., nothing in this section applies to a decision by an individual as to the person with whom he or she will, or continues to, share a dwelling unit, as defined in s. 101.71(2), Wis. Stats., except that dwelling unit does not include any residence occupied by more than 5 persons.

2. Any advertisement or written notice published, posted or mailed in connection with the rental or lease of a dwelling unit under subd. 1. may not violate sub.(4)(a)4. of this Code, 42 USC 3604(c), or any rules or regulations promulgated under this section or 42 USC 3601 to 3619, except that such an advertisement or written notice may be for a person of the same sex as the individual who seeks a person to share the dwelling unit for which the advertisement or written notice is placed.

(g) Nothing in this section prohibits an owner or agent from requiring that a person who seeks to buy or rent housing supply information concerning family status and marital, financial and business status but not concerning race, color, physical condition, disability, sexual orientation, ancestry, national origin, religion, creed, or subject or subd.1, age.

1. Notwithstanding the above, an owner or agent may require that a person who seeks to buy or rent housing under s. 106.50(1m)(m)3., Wis.

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Stats., supply information concerning his or her age for the purpose of verifying compliance with s. 9.06(5)(a)1.a., of this Code.

(6) No person shall file or cause to be filed any complaint that is not valid or is blatantly untrue for the purpose of defamation and with intent to expose any respondent to hatred, contempt, ridicule, degradation or disgrace.

(7) COMMISSION AND CORPORATION COUNSEL TO ENFORCE. This section shall be enforced by the Commission and, where necessary, by the Corporation Counsel.

(8) ENFORCEMENT PROCEDURE.

(a) Complaint.

1. Who May Initiate. Any complaint alleging any discriminatory practice prohibited by this section shall be in writing. Such complaint may be initiated by:

a. The complainant, who may mail his/her complaint to the Commission c/o the County Clerk's office;

b. Any agent of the complainant, including any agent who has solicited offers to buy, lease, rent or in any other manner seek access to any interest in any part of any housing accommodation for the complainant; or

c. Any member of the Commission on his or her own initiative or the County or an agent of the County.

2. Information. All complaints shall contain the following:

a. The name and address of the complainant;

b. The name and address of the respondent or respondents;

c. A statement setting forth the particulars of the alleged discrimination or discriminatory practice; and

d. The date or dates of the alleged discrimination or discriminatory practice.

3. Where Filed. Complaints shall be filed with the County Clerk's office by the complainant, his/her duly authorized agent or a member or duly authorized agent of the Commission, and may be filed in person or by mail. Complaint forms shall be available at the County Clerk's office.

4. When Filed. Complaints alleging any discriminatory practice prohibited by this section shall be filed not later than 1 year after the alleged discrimination occurred or terminated.

5. Amendment and Withdrawal. A complaint may be amended or withdrawn at any time with and subject to the approval of the Commission or its designated agent and under such terms as the Commission or agent shall direct.

(b) Notice to Respondent. Upon the filing of a complaint, the Commission shall serve a copy thereof upon the respondent within 10 days of filing, which notice shall be sent by certified mail with return receipt requested and shall also include a written statement from the Commission directing the respondent to respond in writing to the allegations in the complaint within 20 days after the date of notice and further stating that, if the respondent fails to answer the complaint in writing, the Commission will make an initial determination as to whether discrimination has occurred based only on the Commission's investigation and the information supplied by the complainant.

(c) Notice to Complainant. Upon the filing of the complaint, the Commission shall also serve a notice on the complainant acknowledging the filing of the complaint and advising the complainant of the time limits for filing the complaint and the choice of forums provided, which include the right to bring a private civil action for injunctive relief for damages, including punitive damages, and in the case of a prevailing plaintiff, for court costs and reasonable attorney's fees, in a court of competent jurisdiction as provided for in s. 106.50(6m), Wis. Stats.

(d) Investigation and Hearing.

1. The Corporation Counsel shall promptly investigate any duly filed complaint. Within 30 days of the filing of each complaint, Corporation Counsel shall issue to the complainant and respondent an initial determination in writing of whether probable cause exists and setting forth the basis of the determination. If probable cause is



found to exist, the determination shall include the charge on behalf of the aggrieved person, which shall be served by certified mail on the parties. A person on whose behalf the charge is filed may elect to have the charges decided in a civil action in circuit court instead of pursuing the rights and remedies under this Code.

2. Should a determination be made that there is no probable cause to believe discrimination in violation of this section has been or is being committed, the complainant shall be afforded an opportunity to appeal such decision to the full Commission. Should the full Commission decide there is no probable cause, the complainant may appeal to the Circuit Court of the county in which the property or property interest in question is located, which must occur within 30 days after service of the determination of the commission.

3. Should a determination be made that there is probable cause to believe discrimination in violation of this section has been or is being committed, an agent designated by the Commission shall endeavor by means of conference, conciliation or persuasion to eliminate the alleged discriminatory practice.

4. If efforts at settlement have failed to eliminate the discriminatory practice alleged by the complaint, the Commission shall promptly cause to be issued a notice of hearing before a hearing examiner, who shall act as an agent of the Commission, to determine the merits of the complaint.

(e) Action on Determination.

1. If, after hearing and on the basis of the official record made therein, the examiner finds the respondent has engaged in or is engaging in any discrimination prohibited by this section, he/she shall make and recommend to the Commission written findings of fact and conclusions thereon and shall recommend such action be taken by the respondent and, where necessary, by the complainant as will effect the purposes of this section by eliminating the discrimination found. The hearing shall be held substantially in accordance with the procedures set forth in s. 106.50(6)(f), Wis. Stats.

2. A certified copy of such recommended findings, conclusions and orders, together with a summary of the findings of fact, shall be mailed to the last known address of the complainant and respondent. The complainant shall again be notified that he or she may elect to have the claims asserted if decided in a civil action in a circuit court in the State of Wisconsin as provided for in 106.50(6m), Wis. Stats., which election to initiate an action in circuit court must be made no later than 20 days after receipt of service of the findings.

3. If within 20 days following the mailing of the examiner's decision, the Commission does not receive notice of appeal, the findings, conclusions and orders of the examiner shall be the findings, conclusions and orders of the full Commission.

(f) Appeal. If within 20 days following the mailing of the examiner's decision the complainant or respondent serves notice of appeal, such appeal may be had to the full Commission. The Commission may reverse or modify the determination of the hearing examiner. After final determination of the Commission, either party may appeal by certiorari to a court of competent jurisdiction.

(g) Transfer of Proceedings. At any time after a finding of probable cause, the Commission, with appropriate notice to the complainant and respondent, may transfer the proceedings to itself. In addition, at anytime after the complaint is filed, the commission may file a petition in the circuit court for the county where the discrimination occurred, seeking a temporary injunction or restraining order against the respondent to prevent the respondent from performing any act which would tend to render any order ineffectual, pending final determination of proceedings.

(h) Disqualification of Commissioners. No Commissioner who, pursuant to sub. (8)(a)1.c., has filed a complaint on his own initiative shall participate in any subsequent hearing or proceeding except as a witness, nor shall he participate in the deliberation of the Commission in such case.

(i) Judicial Enforcement. Whenever, in the judgment of the Commission, judicial enforcement of a Commission order is necessary, the Commission shall in writing request the County Corporation Counsel to commence proceedings in a court of competent jurisdiction to enforce such orders in the name of the County. Upon receipt of any

such request, the Corporation Counsel shall seek enforcement of such orders in a court of competent jurisdiction.

(9) REMEDIES AND PENALTIES.

(a) Remedies. The Commission shall, after investigation and hearing, issue and implement such orders as may be necessary to effectuate the purposes of this section. Such orders may include:

1. Cease and desist orders;
2. Compensatory damages to the complainant;
3. Affirmative action by the respondent and, where necessary, by the complainant; and,
4. Any other orders which may be necessary to effectuate the purposes of this section, but the commission may not order punitive damages.

(b) Penalties. Any person who willfully violates this section or any lawful orders shall be subject to the following penalties:

1. Damages not to exceed \$10,000.
2. A respondent who is not a natural person who has committed 1 other discriminatory act during the preceding 5 year period may be assessed a forfeiture not to exceed \$25,000, and if the respondent is not a natural person who has been adjudged to have committed 2 or more prior discriminatory acts during the prior 7 year period, he or she may be assessed a forfeiture not exceeding \$50,000.
3. If the respondent is a natural person who has been adjudged to have committed 1 other prior discriminatory act based on an offense before September 1, 1992, the forfeiture may not exceed \$25,000, and if the respondent is a natural person who has been adjudged to have committed 2 or more discriminatory acts based on an offense date prior to September 1, 1992, the forfeiture may not exceed \$50,000.

(10) LIBERAL CONSTRUCTION. The provisions of this section shall be liberally construed to promote the purposes and provisions contained herein.

(11) JUDICIAL REVIEW. Within 30 days after service upon all parties of an order or determination of the commission under this subsection, the respondent, the complainant, or any aggrieved party may appeal the order or the determination to the circuit court for the County in which the alleged discrimination took place by the filing of a petition for review.

9.07 THEFT OF LIBRARY MATERIALS. The provisions of s. 943.61, Wis. Stats., relating to theft of library materials and any amendments, revisions and modifications of said statute, are hereby adopted by reference for violations where the value of the library materials does not exceed \$2500.

9.08 OFFENSES INVOLVING ALCOHOLIC BEVERAGES.

(1) UNDERAGE AND INTOXICATED PERSONS. The provisions of s. 125.07(1), (4)(a), (b), or (bm), Wis. Stats., relating to underage and intoxicated persons, presence on licensed premises and possession, and any amendments, revisions and modifications of such statutes, are hereby adopted by reference.

(2) PROHIBITED USE OF OFFICIAL IDENTIFICATION CARD. The provisions of s. 125.085(3)(b), Wis. Stats., relating to proof of age and prohibited use of an official identification card, and any amendments, revisions, and modifications of such statutes, are hereby adopted by reference.

(3) POSSESSION ON SCHOOL GROUNDS PROHIBITED. The provisions of s. 125.09(2), Wis. Stats., relating to the consumption of alcoholic beverages on the premises of a public place and the possession of alcoholic beverages on school grounds, and any amendment, revisions and modifications of such statute, are hereby adopted by reference.

9.09 OFFENSES AGAINST PUBLIC AND PRIVATE PROPERTY

(1) THEFT. The provisions of s. 943.20(1) and (2), Wis. Stats., relating to theft, and any amendments, revisions and modifications of such statute are hereby adopted by reference for thefts under \$2500.

(2) RETAIL THEFT. The provisions of s. 943.50, Wis. Stats., relating to retail theft and any amendments, revisions and modifications of such statute, exclusive of any provisions therein relating to penalties to be imposed, are hereby adopted by reference where the value of the merchandise does not exceed \$2500.

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(3) FRAUD ON HOTEL OR RESTAURANT KEEPERS OR TAXICAB OPERATORS. The provisions of s. 943.21(1) and (2), Wis. Stats., relating to fraud on hotel or restaurant keepers, and any amendments, revisions and modifications of such statute, are hereby adopted by reference where the value of any beverage, food, lodging, accommodation, transportation or other services, \$2500 or less.

9.10 ISSUE OF WORTHLESS CHECKS. The provisions of s. 943.24, Wis. Stats. relating to issue of worthless checks, and any amendments, revisions or modifications of such statute, are hereby adopted by reference, where the check or other order for payment is not more than \$2500.

9.11 SHINING ANIMALS PROHIBITED.

(1) No person may use or possess with intent to use a light for shining wild animals between 10:00 P.M. and 7:00 A.M. from September 1 to December 31 of a particular year and between 7:00 A.M. and 10:00 P.M. from September 1 to December 31 if the shining is within the public highway right-of-way where the beam from the light used or intended to be used shines within 1,000 feet of any building or structure inhabited by livestock or persons.

(2) Exceptions: This section does not apply:

(a) To a peace officer on official business, an employee of the DNR on official business, or a person authorized by the DNR to conduct a game census or to observe bear for educational purposes.

(b) To a person who possesses a flashlight or who uses a flashlight at the point of kill while hunting on foot for wolves or for raccoons, foxes, coyotes, or other unprotected animals during the open season for the animals hunted.

(c) To a person who possesses or uses a light while using a bow and arrow or crossbow for taking rough fish.

(d) If rules promulgated by the DNR specifically permit a person to use or possess a light for shining wild animals during these times.

(3) Definition.

(a) "Flashlight" means a battery operated light designated to be carried and held by hand.

(b) "Light" includes flashlights, automobile lights, and other lights.

(c) "Shining" means the casting of rays of light on a field, forest or other area for the purpose of illuminating, locating or attempting to illuminate or locate wild animals.

9.12 REGULATION OF FIREWORKS.

(1) DEFINITIONS. In this section, "fireworks" means anything manufactured, processed or packaged for exploding, emitting sparks or combustion which does not have another common use, but does not include any of the following:

(a) Fuel or a lubricant.

(b) A firearm cartridge or shotgun shell.

(c) A flare used or possessed or sold for use as a signal in an emergency or in the operation of a railway, aircraft, watercraft or motor vehicle.

(d) A match, cigarette lighter, stove, furnace, candle, lantern or space heater.

(e) A cap containing not more than one-quarter grain of explosive mixture, if the cap is used or possessed or sold for use in a device which prevents direct bodily contact with a cap when it is in place for explosion.

(f) A toy snake which contains no mercury.

(g) A model rocket engine.

(h) Tobacco and a tobacco product.

(i) A sparkler on a wire or wood stick not exceeding 36 inches in length that is designed to produce audible or visible effects or to produce audible and visible effects.

(j) A device designed to spray out paper confetti or streamers and which contains less than one-quarter grain of explosive mixture.

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(k) A fuseless device that is designed to produce audible or visible effects or audible and visible effects, and that contains less than one-quarter grain of explosive mixture.

(l) A device that is designed primarily to burn pyrotechnic smoke-producing mixtures, at a controlled rate, and that produces audible or visible effects, or audible and visible effects.

(m) A cylindrical fountain that consists of one or more tubes and that is classified by the federal department of transportation as a Division 1.4 explosive, as defined in 49 CFR 173.50.

(n) A cone fountain that is classified by the federal department of transportation as a Division 1.4 explosive, as defined in 49 CFR 173.50.

(2) The prohibitions regarding the sale, possession or use of fireworks as provided in s. 167.10, Wis. Stats., and amendments, or revisions, thereto are hereby adopted by reference.

(3) This ordinance does not apply and may not be enforced within any city, village, or town that has enacted or annexed an ordinance regulating fireworks pursuant to s. 167.10, Wis. Stats.

9.13 OBSCENE MATERIAL OR PERFORMANCE. The provision of s. 944.21, Wis. Stats., relating to obscene materials or performances and any amendments, revisions and modifications of such statute, exclusive of any provisions therein relating to penalties to be imposed, are hereby adopted by reference.

9.14 PUBLIC ASSISTANCE; FALSE REPRESENTATION. The provision of s. 49.95(1), Wis. Stats., and any amendments, revisions or modifications thereto, are hereby adopted by reference.

9.15 PURCHASE OR POSSESSION OF TOBACCO PRODUCTS BY MINOR. The provisions of s. 254.92, Wis. Stats., regarding the purchase or possession of tobacco products by a person under 18 years of age and any amendments, revisions, or modifications thereto, are hereby adopted by reference. This section does not apply within a town, village or city that has enacted or enacts an ordinance pursuant to the statute herein referenced.

9.16 POSSESSION OF MARIJUANA. It is unlawful for any person to possess 25 grams or less of marijuana as defined in s. 961.04(14), Wis. Stats., unless the marijuana was obtained directly from, or pursuant to a valid prescription or order of, a practitioner who is acting in the course of his or her professional practice as provided in s. 961.41(3g)(intro.), Wis. Stats., or unless the person is otherwise authorized by Chapter 961, Wis. Stats., to possess the marijuana. This section shall not apply to any person who is charged with possession of any amount of marijuana following a conviction for possession of marijuana in this state. This section applies in every municipality within La Crosse County.

9.17 POSSESSION OF DRUG PARAPHERNALIA.

1. It is unlawful for any person to use, or possess with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance or controlled substance analog in violation of Chapter 961, Wis. Stats. Drug paraphernalia shall be defined as provided in s. 961.571, Wis. Stats., or any amendments thereto. This section may be enforced in any municipality within La Crosse County.

2. Any person who violates this section who is under 17 years of age is subject to a disposition under s. 938.344(2e), Wis. Stats., or any amendments thereto.

9.20 PENALTY

(1) Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in s. 25.04 of this Code. In addition to any penalty imposed for violation of s. 9.943.01(1), any person who shall damage or destroy any public property shall be liable for the costs of replacing or repairing such damaged or destroyed property. The parent or parents of any unemancipated minor child who violates s. 9.943.01(1) may also be held liable for the cost of repairing such damaged or destroyed property in accordance with s. 895.035, Wis. Stats.

(2) Any person who shall violate any provision of ss. 9.08, 9.09, and 9.10 shall be subject to a penalty as provided in s. 25.04 of this Code, except as otherwise provided in ss. 125.07, 125.085 and 125.09, Wis. Stats.

**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**

**JUDICIARY AND LAW COMMITTEE**

Motion by R. Ebert/B. Schultz to approve passed on a unanimous voice vote with 19 ayes, 3 absent - S. Doyle, K. Johnson and L. Pfaff, 7 excused - R. Becker, V. Burke, T. Downer, T. Gamroth, R. Keil, J. Schroeder and T. Wehrs.

**SUGGESTIONS FOR FUTURE AGENDA TOPICS**

- Supervisor Barlow asked for a discussion on eliminating the Judiciary and Law Committee.

**ADJOURN**

Motion by D. Ferries/P. Jerome to adjourn at 6:34 PM passed on a unanimous voice vote with 19 ayes, 3 absent - S. Doyle, K. Johnson and L. Pfaff, 7 excused - R. Becker, V. Burke, T. Downer, T. Gamroth, R. Keil, J. Schroeder and T. Wehrs.

**STATE OF WISCONSIN )**

**COUNTY OF LA CROSSE )**

**I, Ginny Dankmeyer , La Crosse County Clerk, in and for the County of La Crosse, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the La Crosse County Board of Supervisors at the La Crosse County Board of Supervisors Monthly Meeting held Thursday, February 20, 2014 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 24 OF FEBRUARY 2014.**