

(129-14/15)

**LA CROSSE COUNTY BOARD OF SUPERVISORS ANNUAL MEETING
PROCEEDINGS; MONDAY, NOVEMBER 10, 2014**

The La Crosse County Board of Supervisors Annual Meeting was held on Monday, November 10, 2014 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 27 supervisors were present when Chair Tara Johnson called the meeting to order at 6:00 P.M. and those otherwise present, excused or absent are noted in the roll call detail:

District Name	Attendance
1 Richmond, Andrea	Present
2 Geary, Ralph	Present
3 Veenstra, Joe	Present
4 Freedland, Maureen	Present
5 Rosa, Keyla	Present
6 Plesha, Roger	Present
7 Hampson, Sharon	Present
8 Jerome, Peg	Present
9 Caucutt, Nancy	Present
10 Cable, Kim	Present
11 Scheller, Patrick	Present
12 Holtze, Dave	Present
13 Logue, Brian	Present
14 Schroeder, Jeffrey	Present
15 Kruse, Monica	Present
16 Ferries, Dan	Present
17 Giese, Mike	Present
18 Berg, Laurence	Excused
19 Hoffman, Hubert	Present
20 Doyle, Steve	Present
21 Burke, Vicki	Present
22 Barlow, Patrick	Present
23 Nikolay, Matt	Present
24 Pfaff, Leon	Present
25 Ebert, Ray	Present
26 Hesse, Dan	Excused
27 Wehrs, Tina	Present
28 Keil, Robert	Present
29 Johnson, Tara	Present

PLEDGE OF ALLEGIANCE

PUBLIC HEARING COMMENCED:

- **OUTLINE OF COUNTY ADMINISTRATOR'S RECOMMENDED BUDGET –** Administrator O'Malley presented an overview of the 2015 recommended budget including the gross expenditures (\$191.578 million), 2015 tax levy, tax levy changes, mill rate, property taxes, credit ratings, collaboration, innovation and improvements.
- Chair Johnson called speakers to the podium.

(130-14/15)

- o Alan Schulz spoke on the budget.
- o Marc Schultz – Onalaska Lake District, Rolly Bogert – Town of Onalaska Chair, Fritz Funk, Colin Klos – MBA Architects, and Jim Nissen – La Crosse District Manager for the US Fish and Wildlife Services spoke in favor of the Fred Funk Boat Landing Project.
- o Joe Gow – UW La Crosse Chancellor and Kim Blum – UW La Crosse Interim Athletic Director spoke in favor of continuing the UWL Stadium Project funding.

PUBLIC HEARING CLOSED: With no one else requesting to speak, the public hearing was closed. Motion by M. Kruse/A. Richmond to close the Public Hearing passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

**COMMUNICATIONS AND ANNOUNCEMENTS:
County Board Chair Report - Tara Johnson**

CLOSED SESSION

Motion by S. Hampson/K. Rosa to go into closed session at 6:33 p.m. pursuant to Wis. Stat., s. 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, **To Wit:** negotiations with Weber Holdings and the City of La Crosse regarding Lot C development and parking considerations passed on a unanimous voice vote with 25 ayes, 4 excused – L. Berg, S. Doyle, R. Ebert and D. Hesse.

RECONVENE INTO OPEN SESSION

Motion by D. Holtze/P. Barlow to reconvene into open session at 7:04 p.m. passed on a unanimous voice vote with 27 ayes, 2 excused – L. Berg and D. Hesse.

CLOSED SESSION ACTION

Chair Johnson noted that no action was taken in closed session.

- Supervisor Conference Reports
 - o Supervisor Ferries read a letter of appreciation from a constituent regarding Smart Seniors and Strong Seniors program.

AGENDA ORDER

Supervisor Ebert requested to take Item #11-26 out of order. Chair Johnson asked for unanimous consent to take Item #11-26; Resolution Re: Creating a Position of Associate Administrator and Eliminating the Assistant Personnel Director and Deputy Finance Director Positions out of order. There were no objections.

RESOLUTION NO. 41-11/14 RE: CREATING A POSITION OF ASSOCIATE ADMINISTRATOR AND ELIMINATING THE ASSISTANT PERSONNEL DIRECTOR AND DEPUTY FINANCE DIRECTOR POSITIONS

WHEREAS, the La Crosse County Board adopted Resolution #86-3/14 recommended by the County Administrator to approve replacing the Finance Director and Personnel Director with a single Deputy County Administrator (DCA) to guide the comprehensive systematic review and reorganization of Human Resource and Finance responsibilities; and **WHEREAS**, after conducting an unsuccessful recruitment for the position of DCA and reviewing all options with the Management Team, County Board Chair and Executive Committee, the County Administrator is recommending that the County instead create a position of Associate Administrator, while eliminating the Assistant Personnel Director and Deputy Finance Director; and **WHEREAS**, the Associate Administrator would not be a Department Head level position, but would be part of the management team working closely with the Finance Director and Personnel Director to continue to guide a comprehensive and systematic review of Human Resource and Finance responsibilities for greater efficiency, long term continuity

and back up to the County Administrator. **NOW THEREFORE BE IT RESOLVED**, that Resolution #86-3/14 is hereby rescinded in its' entirety and the positions of Finance Director and Personnel Director are reinstated, instead of a single position of Deputy County Administrator and the positions of Assistant Personnel Director and Deputy Finance Director are eliminated. **BE IT FURTHER RESOLVED**, that the County Administrator is authorized to finalize the job description, advertise to seek candidates for the position of Associate Administrator at a B-23 pay range (\$74,763 to \$98,592) and interview finalist candidates with the Executive committee. **FISCAL NOTE:** The 2015 budget includes the addition of the Associate Administrator and elimination of the two positions. In 2014, the Assistant Personnel Director is budgeted at (B-20 Step 8) \$83,964 and the Deputy Finance Director is budgeted at (B-21 Step 8), \$88,596. The estimated annual savings is \$121,560, including fringe benefits.

EXECUTIVE COMMITTEE

Motion by S. Hampson/P. Scheller to approve. Discussion ensued. Administrator O'Malley explained the resolution and responded to questions from the Board. The motion to approve passed on a voice vote with 25 ayes, 1 nay - B. Logue, 3 excused - L. Berg, S. Doyle and D. Hesse.

Administrator Report - Steve O'Malley

APPOINTMENTS

Motion by R. Ebert/T. Wehrs to appoint Sharon Davidson as the Auditor/Finance Director. Discussion ensued. Administrator O'Malley spoke to the appointment. The motion to approve passed on a unanimous voice vote with 26 ayes, 3 excused - L. Berg, S. Doyle and D. Hesse.

Motion by L. Pfaff/R. Geary to appoint Mary Marco as Personnel Director. Discussion ensued. Administrator O'Malley spoke to the appointment. The motion to approve passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

CONSENT AGENDA

Motion by R. Plesha/D. Ferries to approve the minutes of the La Crosse County Board of Supervisors Planning meeting held October 6, 2014 and the Monthly meeting October 16, 2014 and the Claims List for \$3,788,048.45 passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

ORDINANCE NO. 133-11/14 TO AMEND S .3.08 OF CHAPTER 3 ENTITLED "PERSONNEL ADMINISTRATIVE CODE" 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. Section 3.08 is amended to read:

3.08 HOURS OF OPERATION/FILING OF DOCUMENTS.

(1) Hours of Operation. It is the policy of the County of La Crosse to establish and publicize normal hours of operation sufficient to meet the needs of the public. In order to carry out this policy, the County Administrator shall work with County departments to establish such hours of operation. The County Administrator shall report the normal hours of operation for County departments to the County Board for review and approval initially and as often as directed by the County Board.

(2) Filing of Documents. In order to assure the complete processing, recording and indexing of documents on the same day they are received, the Register of Deeds office must receive a document no later than 3:30 p.m. Monday through Friday, excluding legal holidays. Documents received after 3:30 p.m. shall be processed on the next business day.

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

TARA JOHNSON, COUNTY BOARD CHAIR

GINNY DANKMEYER, COUNTY CLERK

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/H. Hoffman to approve passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

FIRST CONSIDERATION OF ORDINANCE

ORDINANCE NO. 129 TO REPEAL CHAPTER 23 ENTITLED "ANIMAL WASTE MANAGEMENT" AND RECREATE CHAPTER 23 ENTITLED "ANIMAL MANURE MANAGEMENT" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN. Motion by T. Wehrs to move the first reading. Discussion ensued. The ordinance will be held over for 30 days and is on file and open for public inspection in the office of the County Clerk and on the La Crosse County web site at: www.co.la-crosse.wi.us. Upon adoption and publication it will be incorporated into the La Crosse County General Code of Ordinances.

CONDITIONAL USE PERMIT NO. 935 FILED BY ROBIN H AND ELIZABETH R GODOLPHIN TO OPERATE A FEDERALLY LICENSED FIREARMS BUSINESS KNOWN AS GODOLPHIN ARMS TRADING IN THE RURAL DISTRICT IN THE TOWN OF ONALASKA

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by Robin H and Elizabeth R Godolphin, N5689 Oak Wood Dr, Onalaska, WI 54650 and having held a public hearing on the 27th day of October, 2014 for a Conditional Use Permit for a home occupation to operate a federally licensed firearms business known as Godolphin Arms Trading to include retail and on-line sales; firearms maintenance, repair, and assembly, and, off-site training in the Rural District in the Town of Onalaska and described as follows: The N ½ / NE ¼, Section 28, T17N, R7W, and part of Outlot 2 in Certified Survey Map No. 110, Volume 5. Tax parcel 10-737-2. Property address N5689 Oak Wood Dr. Town of Onalaska. And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 91.48(1), Wis. Stats., along with the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to:

By a vote of seven (7) in favor, and zero (0) no, the committee recommended approval of Conditional Use Permit No. 935 subject to the following nine (9) conditions:

1. This permit is issued specifically to Robin Godolphin, doing business as Godolphin Arms Trading, at N5689 Oakwood Drive, Onalaska, WI 54650;
2. Hours of operation are from 8 a.m. to 10:00 a.m. Mondays, per applicant's impact statement;
3. One employee, the owner, per applicant's impact statement;
4. No outdoor discharge of firearms or establishment of a shooting range is allowed by this permit. Any proposal for outdoor firearm discharge at the site shall require rehearing of and amendment to this conditional use permit;
5. All firearms and ammunition shall be stored in a secured manner or location in accordance with any Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE) issued permit and requirements;
6. Report any personal property subject to personal property taxes to the local assessor annually;
7. Any findings of non-compliance by the BATFE of the Federal Firearms License (FFL) or other operating requirements shall result in rehearing and possible revocation of this conditional use permit;
8. Any outdoor advertising shall comply with Chapter 33 of the La Crosse County Code of Ordinances; and

(133-14/15)

9. This permit is non-transferrable and automatically terminates if the use of these premises as a FFL dealer by the applicant discontinues for 12 consecutive months or longer.

THE COUNTY BOARD took the following action this 10th day of November, 2014. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/H. Hoffman to approve. Discussion ensued. The motion approve as recommended by the Committee passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

ZONING ORDINANCE NO. Z337-11/14 RE: PETITION NO. 1948 FILED BY FRED E BAUMGARTNER, JR. FOR AN AFTER-THE-FACT PETITION TO REZONE FROM THE GENERAL AGRICULTURE DISTRICT TO THE RURAL DISTRICT A 9.7 ACRE PARCEL FOR CONTINUED RESIDENTIAL USE IN THE TOWN OF SHELBY

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1948 to amend the La Crosse County Zoning Ordinance filed by Fred E Baumgartner, Jr., N946 Lauterbach Rd, La Crosse, WI 54601 and having held a public hearing on the 27th day of October, 2014 for an after-the-fact petition to rezone from the General Agriculture District to the Rural District a 9.7 acre parcel for continued residential use in the Town of Shelby and described as follows: Part of the SW ¼ / SE ¼, Section 24; and the NW ¼ / NE ¼, Section 25, T15N, R7W and described as follows: Commencing at the South ¼ corner of Section 24, thence, along the South line of the SE ¼, N 89°51'13" E 82.16 feet to the northwest corner of Lot 2, Certified Survey Map, Volume 5, Page 83, Document Number 1077658 and the point of beginning of this description: thence along the West line of said Lot 2, S 35°42'55" E 52.45 feet; thence, continuing along said West line, S 05°44'38" E 77.94 feet; thence S 87°04'56" W 123.51 feet to the West line of the NW ¼ / NE ¼; thence, along said West line, N 01°15'28" E 107.59 feet to the East right-of-way line of Lauterbach Road; thence, along said East right-of-way line, the following seven calls; thence, on the arc of a 481.17 foot radius curve, concave to the northwest, the chord of which bears, N 11°48'18" E 169.21 feet; thence N 01°40'49" E 71.72 feet; thence S 88°19'18" E 10.00 feet; thence N 01°40'54" E 168.07 feet; thence N 01°05'54" E 232.06 feet; thence N 88°19'43" W 17.00 feet; thence N 01°05'48" E 145.90 feet; thence S 88°54'12" E 161.55 feet; thence N 65°06'58" E 190.93 feet; thence S 88°47'03" E 185.00 feet; thence S 01°12'57" W 836.88 feet to the South line of the SW ¼ / SE ¼; thence, along said South line, S 89°51'13" W 461.25 feet to the point of beginning of this description. Tax parcels 11-1964-0 and 11-1856-0. Property address N946 Lauterbach Rd. Town of Shelby. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of seven (7) in favor, and zero (0) no, the committee recommended approval of Zoning Petition No. 1948 subject to no conditions. (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 10th day of November, 2014. Approved the petition as submitted, becomes an ordinance.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/P. Scheller to approve as recommended by the Committee passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

CONDITIONAL USE PERMIT NO. 938 FILED BY SHANE BEGLEY ACTING O/B/O SBA NETWORK SERVICES/VERIZON WIRELESS, ON PROPERTY OWNED BY BRYANT H AND GEOFFREY W KLOS TO CONSTRUCT A NEW MULTI-TENANT, 250-FT TALL MOBILE SERVICE SUPPORT STRUCTURE (CELLULAR TOWER) IN THE EXCLUSIVE AGRICULTURE DISTRICT IN THE TOWN OF FARMINGTON

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by Shane Begley, 14114 S. Country Circle, Gordon, WI 54838 acting o/b/o SBA Network Services/Verizon Wireless, 5900 Broken Sound, Parkway N.W., Boca Raton, FL 33487, on property owned by Bryant H and Geoffrey W Klos, 2125 Maplewood Dr, Onalaska, WI 54650 and having held a public hearing on the 27th day of October, 2014 for a Conditional Use Permit to construct a new multi-tenant, 250-ft tall mobile service support structure (cellular tower), along with a shelter, generator, and associated equipment & hardware; and, including a 30-ft wide easement in the Exclusive Agriculture District in the Town of Farmington and described as follows: The NE/SW of Section 4, T17N, R6W. Tax parcel 5-431-0. Town of Farmington. And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 91.48(1), Wis. Stats., along with the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to:

By a vote of seven (7) in favor, and zero (0) no, the committee recommended approval of Conditional Use Permit No. 938 subject to the following fourteen (14) conditions:

1. SBA Network Services, LLC, acting on behalf of Verizon Wireless is granted a permit for one 250-ft self supported mobile service support structure with related equipment sheds and cabinets;
2. The tower will be designed to handle three (3) additional carriers for future co-locations for wireless phone, data and internet service;
3. Construction is allowed from 6:00 a.m. to 6:00 p.m., Monday through Saturday;
4. The applicant or applicant's agent shall complete a Telecommunications Facility Information Report as required under s.28.07 of the La Crosse County Code of Ordinances and within 45 days of County Board approval of this permit;
5. An 80-ft x 80-ft fence eight (8) feet in height with barbed wire shall be constructed as depicted on the 100-ft x 100-ft leased area. Existing vegetation may be used for landscaping and screening;
6. The owner of the mobile service support structure shall completely remove the structure, including subsurface structures, and restore the site to its pre-construction state when the structure is no longer in use;
7. No hazardous materials shall be stored except things normally found at such facilities such as batteries, propane, etc.;
8. This permit is transferable;
9. The access easement shall be of dimensions specified by the Town of Farmington, and shall be kept clean and open in the event of an emergency;
10. No advertising allowed on the support structure;
11. A sign shall be attached to the fence with contact information including phone numbers in case of an emergency;
12. Any applicable erosion control and stormwater permits are required before a Zoning/Occupancy Permit may be issued for the structure;
13. Proof of liability coverage shall be provided prior to issuance of a Zoning/Occupancy Permit as required under s.28.05(9)g of the La Crosse County Code of Ordinances; and
14. A bond, irrevocable letter of credit, or other suitable financial guarantee shall be filed with the La Crosse County Zoning, Planning & Land Information Department in the amount of \$15,000 to assure financial resources are available in the event of abandonment. This guarantee shall be filed prior to issuance of a Zoning/Occupancy Permit.

(135-14/15)

THE COUNTY BOARD took the following action this 10th day of November, 2014. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/D. Holtze to approve as recommended by the Committee passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

ZONING ORDINANCE NO. Z338-11/14 RE: PETITION NO. 1949 FILED BY GREGORY P AND CHRISTINE P CHRISTEN FOR AN AFTER-THE-FACT PETITION TO REZONE FROM THE COMMERCIAL DISTRICT WITH RESTRICTIONS RECORDED TO THE COMMERCIAL DISTRICT WITH NO CONDITIONS IN THE TOWN OF ONALASKA

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1949 to amend the La Crosse County Zoning Ordinance filed by Gregory P and Christine P Christen, N6141 County Rd SN, Onalaska, WI 54650 and having held a public hearing on the 27th day of October, 2014 for an after-the-fact petition to rezone from the Commercial District with restrictions recorded to the Commercial District with no conditions to allow for sale and rental of golf carts and parts, and continued use as a garden center/landscape supply in the Town of Onalaska and described as follows: Part of the SE/SE of Section 18, T17N, R7W. Property address N6141 County Rd SN. Tax parcel 10-405-2. Town of Onalaska. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of seven (7) in favor, and zero (0) no, the committee recommended approval of Zoning Petition No. 1949 subject to no conditions. (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 10th day of November, 2014. Approved the petition as submitted, becomes an ordinance.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/S. Doyle to approve as recommended by the Committee passed on a voice vote with 26 ayes, 1 nay - M. Giese, 2 excused - L. Berg and D. Hesse.

RESOLUTION NO. 42-11/14 RE: APPROVAL OF BIDS FOR THE SALE OF PROPERTY TAKEN BY TAX FORECLOSURE

WHEREAS, La Crosse County has advertised for the sale of 4 separate parcels of property which were the subject of a prior tax foreclosure action; and, **WHEREAS**, sealed bids were received no later than 12:00 PM on October 24, 2014, and opened by the County Treasurer on October 24, 2014 at 3:00 PM, which bid results are attached hereto; and, **WHEREAS**, the sale and appraised value of the real estate was advertised by publication as required by law pursuant to s. 75.69, Wis. Stats.; and, **WHEREAS**, the highest responsive bids were accepted by the Public Works & Infrastructure Committee. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board approves the sale of the parcels for which responsive bids were accepted by the Public Works & Infrastructure Committee; and, **BE IT FURTHER RESOLVED**, that the County Board Chair and County Clerk are hereby authorized to execute any legal documents necessary to accomplish the sale of said properties, after approval of Corporation Counsel. **FISCAL NOTE:** the revenue from the sale of tax delinquent property will be applied toward satisfying outstanding taxes.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/J. Schroeder to approve. Discussion ensued. Corporation Counsel David Lange responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

RESOLUTION NO. 43-11/14 RE: APPROVAL OF JURISDICTIONAL TRANSFER AGREEMENT WITH VILLAGE OF HOLMEN REGARDING CTH HD & DH

WHEREAS, the County of La Crosse may make deletions from the County Trunk system pursuant to §83.025, Wis. Stats., with the approval of the municipality where the proposed deletion is located and the Wisconsin Department of Transportation (DOT); and, **WHEREAS**, La Crosse County and the Village of Holmen have negotiated a transfer of jurisdiction, whereby the County will transfer a portion of CTH HD and DH to the Village of Holmen; and, **WHEREAS**, the segments to be transferred include CTH HD from a point north of the STH 53/35 interchange, which is the existing southern end of CTH HD, to a point approximately 1,350 feet north of the intersection of CTH HD with CTH MH; and, **WHEREAS**, La Crosse County will also transfer to the Village of Holmen Main Street used as CTH DH and a portion of CTH DH from the intersection of Gaarder Road and Holmen Drive to the east side of the intersection of Main Street and Gaarder Road in the Village of Holmen; and, **WHEREAS**, La Crosse County and the Village of Holmen have negotiated the terms of a jurisdictional transfer agreement, whereby La Crosse County would delete the above-referenced portions of CTH HD and DH and the Village of Holmen would add such portions to the Village highway system effective June 1, 2016, which includes the following provisions:

1. La Crosse County would support the current, proposed Tax Incremental District #3 by the Village of Holmen.
2. La Crosse County will perform the design for asphalt pavement replacement in that section of CTH HD from Empire Street north to a point approximately 1,350 feet north of the intersection with CTH MH and of that portion of CTH DH from the east side of the intersection of Gaarder Road and Main Street to the intersection of Gaarder Road and Holmen Drive in the Village of Holmen in 2015.
3. La Crosse County will replace the asphalt pavement in the portion of CTH HD from Empire Street north to a point approximately 1,350 feet north of the intersection of CTH HD and CTH MH in 2017.
4. La Crosse County will replace the asphalt pavement on CTH DH from the east side of the intersection of Gaarder Road and Main Street to the intersection of Gaarder Road and Holmen Drive in 2017.
5. The concrete segment of CTH HD on Holmen Drive from a point north of the STH 53/35 interchange (the existing southern end of CTH HD) north to Empire Street will be jointly inspected by officials of La Crosse County and the Village of Holmen in the spring of 2017, with spot replacement to occur on sections identified as in need of replacement by La Crosse County in the year 2017.
6. The Village of Holmen will accept the jurisdictional and maintenance responsibility of the segments of CTH HD and DH to be transferred as part of this agreement as referenced above.
7. La Crosse County and the Village of Holmen will jointly pursue grant funding under a Surface Transportation Freight Program for the entire section of CTH HD (Holmen Drive) associated with this transfer agreement.

NOW, THEREFORE BE IT RESOLVED, that the La Crosse County Board hereby approves a jurisdictional transfer agreement with the Village of Holmen in accordance with the terms outlined in this resolution, which transfer shall be contingent upon approval of the jurisdictional transfer of those referenced sections of CTH HD and DH by the DOT and the Village of Holmen; and, **BE IT FURTHER RESOLVED**, that the La Crosse County Board hereby approves as part of the jurisdictional transfer agreement that effective June 1, 2016, the following segments of highway be deleted from the County highway system and transferred to the Village of Holmen highway system: CTH HD from the existing southern end of CTH HD in the Village of Holmen to a point approximately 1,350 feet north of the intersection of CTH HD and CTH MH and Main Street designated as CTH DH and that portion

of CTH DH from the intersection of Gaarder Road and Holmen Drive to the east side of the intersection of Main Street and Gaarder Road in the Village of Holmen; and, **BE IT FURTHER RESOLVED**, that the La Crosse County Board Chair and County Clerk are hereby authorized to execute any agreements to effectuate this resolution, after approval by Corporation Counsel. **FISCAL NOTE:** County funding of the projects referenced as part of the jurisdictional transfer agreement will be funded by bonding as provided in the 2015 La Crosse County budget and as designated in future budgets. The estimate for the cost of performing the work promised by La Crosse County is a total of approximately \$1.6 million.

EXECUTIVE COMMITTEE

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/P. Barlow to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. The motion to approve passed on a voice vote with 25 ayes, 1 nay - B. Logue, 1 abstention - J. Veenstra, 2 excused - L. Berg and D. Hesse.

FIRST CONSIDERATION OF ORDINANCE

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

Motion by M. Freedland to move the first reading. Discussion ensued. The ordinance will be held over for 30 days and is on file and open for public inspection in the office of the County Clerk and on the La Crosse County web site at: www.co.la-crosse.wi.us. Upon adoption and publication it will be incorporated into the La Crosse County General Code of Ordinances.

ORDINANCE NO. 135-11/14 TO AMEND S. 1.57 ENTITLED "INTEGRATED SUPPORT & RECOVERY SERVICES (ISRS) ADVISORY COUNCIL" 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. Section 1.57 is amended to read:

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

(1) The Integrated Support and Recovery Services Advisory Council shall be composed of 12 members appointed by the County Board Chair with the approval of the County Board as follows:

(a) Four consumer or family representatives that include:
1. At least three parents of children with physical disability, developmental disability, mental health, or chemical dependence; and;
2. One adult consumer with mental health and chemical dependence that is currently receiving services.

(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 County Human Services Family & Children's section

(f) Representative of the La Crosse County Human Services Integrated Support & Recovery Services section

(g) Representative of the La Crosse School District

(h) The La Crosse County Juvenile Court Administrator or representative appointed by the circuit court judge responsible for Chapter 48 and 938 cases.

(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 ISRS 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,

(138-14/15)

program practices, approve or deny variances to service limitations, and annually review appeals or grievances.

(b) Perform the role of the Coordinated Services Teams (CST) Coordinating Committee required by Wis. Adm. Code HFS 46 program standards. This function includes preparing required interagency agreements, assessing how CST collaborates with other services offered in the community, assisting with annual program applications, and reviewing determinations of eligibility, assessment, appropriate services, or funding of services as requested.

(c) Perform role of Family Support Program (FSP) Advisory Committee as required by Wis. Adm. Code HFS 46. This function includes assisting in the development of the program plan and monitoring of the program.

(d) Provide oversight and feedback to operation of La Crosse County Birth to 3 program

(e) Provide input, as requested, to the Crisis program during annual update of the Crisis Community Plan.

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

(g) Report to the Health & Human Services 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

HEALTH AND HUMAN SERVICES BOARD

Motion by M. Kruse/K. Cable to approve passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

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

Motion by M. Kruse/K. Cable to approve. Motion by M. Kruse/T. Wehrs to amend with the following: 1. In section (4)(b): a. Limiting OWFF to areas zoned as Exclusive Agriculture or General Agriculture to be removed. b. Proposing that OWFF will be prohibited within a "platted subdivision". c. Section (3)(f) to be added defining "subdivision" as the "division of a lot, parcel or tract of land by the owner thereof or his or her agent for the purpose of sale or of building development where: The act of division creates 5 or more parcels or building sites of 1-1/2 acres each or less in area; or 5 or more parcels or building sites of 1-1/2 acres each or less in area are created by successive divisions within a period of 5 years." 2. In section (4)(e): language to be changed to read "Any outdoor wood-fired furnace located within 300 to 500 feet of a residence which is not on the same property shall have an attached permanent stack extending at least 2 feet higher than the peak of the roof line of any residence within 500 feet of the wood-fired furnace." 3. To add a new section (6)(f) providing an appeal process to the HHS board. a. Specifically: "Appeals. Any person or entity aggrieved by a decision of the County Health Department shall have the right to appeal pursuant to chapter 68 of the Wisconsin Statutes. The impartial decision maker under s. 68.11, Wis. Stats., shall be the La Crosse County Health and Human Services Board. The committee shall either affirm, reverse or modify the decision." 4. Section (8)(b) – concerning the "Sale or Transfer of Property" - to be removed entirely. 5. Effective date by which all nonconforming OWFF to be removed or rendered inoperable to be changed from December 31, 2020 to December 31, 2030. The motion to amend passed on a roll call vote with 25 ayes, 2 nays - H. Hoffman and J. Schroeder, 2 excused - L. Berg and D. Hesse. Discussion Ensued. Health Director Doug Mormann and Corporation Counsel David Lange responded to questions from the Board. **Chair Johnson ruled the changes to be significant and this will be the first reading of the ordinance.**

(139-14/15)

RECESS: Motion by D. Holtze/A. Richmond to recess at 8:10 PM until 9:00 AM Wednesday, November 12, 2014 passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

**LA CROSSE COUNTY BOARD OF SUPERVISORS ANNUAL MEETING
RECONVENED MONDAY, NOVEMBER 12, 2014**

The La Crosse County Board of Supervisors Annual Meeting was reconvened on Wednesday, November 12, 2014 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 25 supervisors were present when Chair Tara Johnson called the meeting to order at 6:00 P.M. and those otherwise present, excused or absent are noted in the roll call detail:

District Name	Attendance
1 Richmond, Andrea	Present
2 Geary, Ralph	Present
3 Veenstra, Joe	Present at 9:05 P.M.
4 Freedland, Maureen	Present
5 Rosa, Keyla	Present
6 Plesha, Roger	Present
7 Hampson, Sharon	Present
8 Jerome, Peg	Present
9 Caucutt, Nancy	Present
10 Cable, Kim	Present
11 Scheller, Patrick	Present
12 Holtze, Dave	Present
13 Logue, Brian	Present
14 Schroeder, Jeffrey	Present
15 Kruse, Monica	Present
16 Ferries, Dan	Present
17 Giese, Mike	Present
18 Berg, Laurence	Excused
19 Hoffman, Hubert	Present
20 Doyle, Steve	Present
21 Burke, Vicki	Present
22 Barlow, Patrick	Present
23 Nikolay, Matt	Present
24 Pfaff, Leon	Present
25 Ebert, Ray	Present
26 Hesse, Dan	Excused
27 Wehrs, Tina	Present at 9:04 A.M.
28 Keil, Robert	Present
29 Johnson, Tara	Present

ORDINANCE NO. 136-11/14 TO AMEND CHAPTER 25 OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN ENTITLED "CONSTRUCTION AND EFFECT OF ORDINANCES" TO BE ENTITLED "CONSTRUCTION AND EFFECT OF ORDINANCES AND CITATIONS"

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

(140-14/15)

Section 1. Chapter 25 entitled "Construction and Effect of Ordinances and Citations" is amended to read:

25.01 DEFINITIONS.

(1) General Rule. Words which are not specifically defined shall be defined as they are ordinarily and commonly used. A dictionary such as the American Heritage Dictionary or Webster's New Collegiate Dictionary, Ninth Edition, may be used as evidence of the meaning of words.

(2) Specific Definitions.

(a) "Board" means the County Board of Supervisors unless the context indicates otherwise.

(b) "County" means La Crosse County unless specifically indicated otherwise.

(c) "Highway" shall mean a county trunk highway unless the context indicates otherwise.

(d) "Person" means a natural person, corporation, partnership, group, or entity unless the context indicates the term should be limited to natural persons.

(e) "Motor vehicle" has the meaning given in Wis. Stat. s. 340.01(35).

(f) "Time" shall mean the hour, minute, and second of Central Standard time or, when applicable, Central Daylight Time, as established by the Congress of the United States.

25.02 RULES OF CONSTRUCTION. In the construction of this Code of general ordinances, the following rules shall be observed unless such construction would be inconsistent with the manifest intent of the ordinance:

(1) Intent. All ordinances shall be construed to fulfill their manifest policy and intent and to work substantial justice.

(2) Gender. All personal pronouns shall not be gender specific. Male shall include female unless a provision is particularly applicable to either gender.

(3) Singular and Plural. Every word imparting the singular number only may extend and be applied to several persons or things as well as to one person or thing; provided these rules of construction shall not be applied to any provision which contains any express language excluding such construction or when application of the rule would lead to unreasonable or absurd results.

(4) Legal References Include Amendments. References to a provision of federal or state legislation or administrative regulations shall be deemed to include amendatory acts to the provision referenced.

(5) Tense. The present tense shall include the future, unless the context makes the future tense inapplicable. The future perfect includes both past and future tenses.

(6) Agency. When a provision requires an act to be done which may, by law, as well as be done by an agent as by the principal, such requirement shall be construed to include all such acts when done by an authorized agent.

25.03 CONFLICT AND SEVERABILITY.

(1) CONFLICT OF PROVISIONS. If the provisions of the different chapters of this Code conflict with or contravene each other, the provisions of each chapter shall prevail as to all matters and questions arising out of the subject matter of such chapter.

(2) SEVERABILITY OF PROVISIONS. If any section, subsection, sentence, clause or phrase of the Code is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase or portion thereof. The Board hereby declares that they would have passed this Code and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions may be declared invalid or unconstitutional.

25.04 CITATION PROVISIONS.

(141-14/15)

(1) Authority. The use of a citation for violations of any ordinance, including ordinances for which a statutory counterpart exists, is adopted and authorized pursuant to Wis. Stat. s. 66.0113.

(2) ISSUANCE OF CITATIONS.

(a) Method. Pursuant to Sec. 66.0113, Wis. Stats., the County of La Crosse adopts and authorizes the use of a citation to be issued for violations of ordinances, including ordinances for which a statutory counterpart exists.

(b) Form. The citation shall contain the following:

1. The name and address of the alleged violator.
2. Factual allegations describing the alleged violation.
3. The time and place of the offense.
4. The section of the ordinance violated.
5. A designation of the offense in such manner as can readily be understood by a person making a reasonable effort to do so.
6. The time at which the alleged violator may appear in court.
7. A statement which, in essence, informs the alleged violator:

a. That a cash deposit based on the schedule established by this section may be made which shall be delivered or mailed to the Treasurer prior to the time of the scheduled court appearance.

b. That if a deposit is made, no appearance in court is necessary unless he is subsequently summoned.

c. That if a cash deposit is made and the alleged violator does not appear in court, he or she will be deemed to have entered a plea of no contest and submitted to a forfeiture, plus costs, fees and surcharges imposed by state law, or, if the court does not accept the plea of no contest, a summons will be issued commanding him or her to appear in court to answer the complaint.

d. That if no cash deposit is made and the alleged violator does not appear in court at the time specified, the court may issue a summons or warrant for the defendant's arrest, or consider the nonappearance to be a plea of no contest and enter judgment if allowed under s. 66.0113(3)(d), Wis. Stats., or an action may be commenced to collect the forfeiture.

e. That if the court finds that the violation involves an ordinance that prohibits conduct that is the same as or similar to conduct prohibited by state statute punishable by fine or imprisonment or both, and that the violation resulted in damage to the property of or physical injury to a person other than the alleged violator, the court may summon the alleged violator into court to determine if restitution shall be ordered under s. 800.093.

8. A direction that if the alleged violator elects to make a cash deposit, the statement which accompanies the citation shall be signed to indicate that the statement required under para. 7. above has been read. Such statement shall be sent or brought with the cash deposit.

9. Such other information as the County deems necessary.

(c) Schedule of Deposits. The following schedule of cash deposits is established for use with citations issued under this section:

Ordinance:	Offense Deposits: (Does not Include statutory costs)
Dog Control Ordinance	\$50 minimum; \$100 maximum
Environmental Health or Public Health/Welfare	\$50 minimum; \$500 maximum
Erosion Control/Land Disturbance	\$100 minimum; \$500 maximum
Floodplain Zoning	\$50
Mobile Tower	\$100 minimum; \$500 maximum
Outdoor Advertising	\$100 minimum; \$500 maximum (1 st Offense)
Park Regulations	\$50 minimum; \$200 maximum

(142-14/15)

Possession of Marijuana – S. 9.16	\$100
Possession of Drug Paraphernalia – S. 9.17	\$100
Public Works	\$50 minimum; \$200 maximum
Solid Waste Management	\$50 minimum; \$200 maximum
Sanitation Code	\$50 minimum; \$500 maximum
Shoreland Zoning	\$100 minimum; \$200 maximum
Subdivision Code	\$100
Zoning Code	\$100 minimum; \$500 maximum

Deposit shall be made in cash, money order or certified check to the La Crosse County Clerk of Court who shall provide a receipt therefore.

(d) Who May Issue.

1. Any law enforcement officer in the county may issue citations for enforcement of any ordinance authorized under this Chapter. "Law enforcement officer" means any person employed by La Crosse County or any city, village, or town within La Crosse County for the purpose of preventing and detecting crime and enforcing state laws or local ordinances and who is authorized to make arrests for violations of the laws or ordinances he or she is employed to enforce.

2. County Officials. (Am. #5-92) The following County officials may issue citations which are directly related to their official responsibilities.

- a. Zoning and Planning Administrator.
- b. Code Enforcement Specialist (Zoning Department).
- c. Health Department Director.
- d. Registered Sanitarian.
- e. Environmental Health Manager.
- f. Facilities Director.
- g. Parks Supervisor.
- h. Humane Officer.
- i. Solid Waste Director.
- j. Vector Control Manager.
- k. Land Conservation Director.
- l. Soil Conservationist.
- m. Urban Erosion Technician.

(e) Procedure. Section 66.0113(3), Wis. Stats., relating to violator's options and procedure on default, is hereby adopted and incorporated herein by reference.

(f) Nonexclusivity.

1. Adoption of this chapter does not preclude the County Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matters.

2. The issuance of a citation hereunder shall not preclude the County or any authorized officer from proceeding under any other ordinance or law or by any other enforcement method to enforce any ordinance, regulation or order.

(3) Penalties and Other Enforcement Provisions.

(a) GENERAL PENALTY. Except as otherwise specifically provided in this Code, any person who shall violate any of the provisions of this Code shall upon conviction of such violation be subject to a penalty, which shall be as follows:

1. First Offense--Penalty. Any person who shall violate any provision of this Code shall, upon conviction thereof, forfeit not less than \$25.00 nor more than \$500, together with the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding 90 days.

2. Second Offense--Penalty. Any person found guilty of violating any ordinance or part of an ordinance of this Code who shall previously have been convicted of a violation of the same ordinance within one year shall, upon conviction thereof, forfeit not less than \$50.00 nor more than \$500 for each such offense, together with costs of prosecution and in default of payment of such forfeiture and costs shall be

(143-14/15)

imprisoned in the County Jail until such forfeiture and costs of prosecution are paid, but not exceeding 90 days.

(b) CONTINUED VIOLATIONS. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the County from maintaining any appropriate action in law or equity to prevent or remove a violation of any provision of this Code.

(c) EXECUTION AGAINST DEFENDANT'S PROPERTY. Whenever a person fails to pay any forfeiture and costs of prosecution upon the order of any court for violation of any ordinance of the County, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for such forfeiture and costs.

(d) Restitution. A court may also order restitution where authorized by s. 800.093, Wis. Stats.

(e) Liability for Damages. A person who causes physical damages to or destroys any public property is liable for the cost of repairing or replacing the damaged or destroyed property. The parent or parents with custody of a minor child may be held liable for damages to property, the cost of repairing or replacing property or removing the marking, drawing, writing, or etching from property, the value of unrecovered stolen property, or for personal injury attributable to a willful, malicious, or wanton act of the child as provided in Wis. Stat. s. 895.035.

25.05 REVISION AND MAINTENANCE OF THIS CODE.

(1) All ordinances adopted by the La Crosse County Board of Supervisors after the effective date of codification of this Code shall be enacted as part of the Code unless the Board specifies that the provision shall be non-codified.

(2) Documents Incorporated by Reference. Whenever in this Code any standard, code, rule, regulation or other written or printed matter is adopted by reference, it shall be deemed incorporated in this Code s if fully set forth herein.

(3) Procedure for Code Revision. For the purpose of the Code, the County Clerk shall be revisor of the Code. As such, the revisor shall be empowered to correct typographical errors in enactments, classify ordinances to the Code and print revised pages of the Code for insertion in the Code binders of Code subscribers. The revisor shall also be empowered to adjust section and subsection numbers in order to maintain the uniform style of the Code prescribed in subsection (5) of this section. The County Clerk, after consulting with Corporation Counsel, is authorized to correct erroneous references to the committees, boards, and commissions of the County Board in the La Crosse County Code and incorrect sections numbers and statutory references where this can be done without changing in any way the substantive effect of said Code. The County Clerk shall report all such additions, corrections, and deletions in writing to the Board when the same have been completed.

(4) Proof of Code Provisions. A copy of the Code shall be prima facie evidence of its substance. The definitive copy of the Code shall be the Master Binder maintained in the office of the county Clerk of La Crosse County.

(5) Style of Code. All amendments to this Code shall be drafted on the following format:

(a) Chapter titles and headings.

1. Each chapter of the Code shall be given a concise, plain title. The chapter number shall be spelled out and typed in capital letters, and the chapter title shall be typed all in capital letters. The resulting title shall be centered and set off from the body of the chapter by two line spaces.

2. There shall be a table of contents for each chapter following the title. The table shall have a list of the sections of the chapter accompanied by a brief description of each section of the chapter.

(b) Text. The text of each chapter shall be divided into sections. Sections shall be numbered with the chapter number, a period and a section number. Sections shall be numbered from .01 through .99. If an amendment logically belongs between two existing sections, it may be inserted between them and given a third decimal

place number to separate it from the preceding section. e.g., Section 12.125 between 12.12 and 12.13.

(c) Subsections. If a section must be subdivided into sections, the division shall be as follows:

1. The first subdivision shall be an Arabic number, starting in sequence from 1 and placed in parentheses, e.g., (1).

2. The second subdivision shall be a small case letter starting from (a) and going through the English alphabet. If more than 26 subdivisions are required, the 27th subdivision shall be (aa), going through (az), then (ba) and so on. This subdivision letter shall also be enclosed by parentheses.

3. The third subdivision shall be Arabic numerals starting with 1. These numerals shall be followed by a period, e.g., 1.

4. The fourth subdivision shall be small case English letters sequenced as stated in subsection 2. of this subsection. These letters shall be followed by a period.

5. The fifth subdivision shall be small case roman numerals followed by a period, e.g., i; ii.

(6) Incorporation of Changes in State Statutory Provisions. Where a provision of this Code has been adopted under a provision of state law, the Code provision shall be repealed if the state law authorizing it is repealed. The County Clerk shall report any such changes to the Board.

25.06 EFFECT OF REPEALS. The repeal or amendment of any section or provision of this Code or of any other ordinances or resolutions of the Board shall not:

(1) By implication be deemed to revive any ordinance not in force or existing at the time at which such repeal or amendment takes effect.

(2) Affect any vested right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed or amended, unless the privilege of repealing such obligation or privilege has been reserved by the County.

(3) Affect any offense committed or penalty or forfeiture incurred previous to the time when any ordinance shall be repealed or amended; except when any forfeiture or penalty shall have been mitigated by the provisions of any ordinance, such provisions shall apply to and control any judgment to be pronounced after such ordinance takes effect for any offense committed before that time.

(4) Affect any prosecution for any offense, or the levy of any penalty or forfeiture pending at the time when any ordinance aforesaid shall be repealed or amended; but the right of action shall continue and the offender shall be subject to the penalty as provided in such ordinances, and such prosecution shall proceed, in all respects, as if such ordinance or ordinances had not been repealed; except all such proceedings had after the time this code shall take effect shall be conducted according to the provisions of this Code.

25.07 TITLE: EFFECTIVE DATE. These ordinances shall be known as the "General Code of the County of La Crosse" and shall take effect from and after passage and publication as provided in ss. 66.0103, 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

EXECUTIVE COMMITTEE

Motion by S. Hampson/R. Keil to approve passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

FIRST CONSIDERATION OF ORDINANCE

ORDINANCE NO. 137 TO CREATE SECTION 4.12 ENTITLED "ANNUAL VEHICLE REGISTRATION FEE" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN
Motion by S. Hampson/M. Giese to move the first reading. Discussion ensued.

Administrator O'Malley, Corporation Counsel David Lange, Highway Commissioner Ron Chamberlain and Chair Johnson responded to questions from the Board. Motion by A. Richmond to exclude the City of La Crosse residents from the Vehicle Registration Fee was ruled out of order by Corporation Counsel David Lange. Motion by A. Richmond/H. Hoffman to refer back to Executive and PWI Committees passed on a roll call vote with 15 ayes, 12 nays - K. Cable, S. Doyle, M. Giese, S. Hampson, P. Jerome, T. Johnson, M. Kruse, M. Nikolay, L. Pfaff, R. Plesha, K. Rosa and P. Scheller, 2 excused - L. Berg and D. Hesse.

RESOLUTION NO. 44-11/14 RE: ACKNOWLEDGE "THE BEST OF PUBLIC SERVICE" WHEREAS, the following employees have been a faithful part in providing "The Best of Public Service" to La Crosse County:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>YEARS</u>
Robert D. Matysik	University Extension	28+
Constance M. Eide	Health	13+
Kay M. Stewart	Lakeview Health Center	11+

WHEREAS, it is the wish of the County Board of Supervisors to acknowledge long and faithful service on behalf of the citizens of La Crosse County; **NOW THEREFORE BE IT RESOLVED,** that a resolution extending our congratulations be recorded in La Crosse County Board Proceedings and a certificate of our actions be presented as an expression of our gratitude.

**TARA JOHNSON, COUNTY BOARD CHAIR
GINNY DANKMEYER, COUNTY CLERK**

EXECUTIVE COMMITTEE

Motion by S. Hampson/M. Kruse to approve passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

RESOLUTION NO. 45-11/14 RE: CHANGES IN POSITIONS FUNDED BY OUTSIDE SOURCES (NON-TAX LEVY) FOR 2015

WHEREAS, the County Administrator's 2015 budget includes changes in positions that are fully funded by outside sources; and, **WHEREAS,** elimination of 6.25 Full Time Equivalents (FTE) are the result of decreased grant revenues and new positions of 21.27 FTE are the result of increased grant revenues and other outside sources. **NOW THEREFORE BE IT RESOLVED,** that the following position modifications be approved for inclusion in the 2015 La Crosse County budget, reflecting a net increase of 15.02 FTE with \$0 levy impact.

	<u>Net Increase/ Decrease FTE</u>	<u>Annual Cost Salary & Fringe</u>	<u>Net Levy Impact</u>
<u>Health Dept</u>			
+0.40 Nutrition Educator I	0.40	\$20,360	\$0
+0.10 Community Health Aide (WIC/Nutr.)	0.10	\$3,176	\$0
<u>Human Services</u>			
+2.00 Social Worker I (Community)	2.00	\$136,562	\$0
+1.00 Software Support & Database Spec.	1.00	\$79,152	\$0
+1.00 ADRC Manager	1.00	\$108,893	\$0
+1.00 Social Worker I (ADRC)	1.00	\$68,281	\$0
+1.00 Social Service Specialist (ADRC)	1.00	\$53,741	\$0
+1.00 Social Worker I (CORE/JDF)	1.00	\$68,281	\$0
+2.00 Social Worker I (ISRS)	2.00	\$136,562	\$0
+1.00 Clinical Therapist (F & C)	1.00	\$77,855	\$0
+1.00 Clinical Therapist (ISRS-CCS)	1.00	\$77,855	\$0

(146-14/15)

+2.00 Juvenile Detention Worker	2.00	\$118,354	\$0
+1.00 Juvenile Detention Worker (2 @ .5)	1.00	\$36,862	\$0
+2.00 Adv. Practice Nurse Prescriber	2.00	\$322,808	\$0
+1.00 Mental Health Nurse	1.00	\$73,738	\$0
+1.00 HS Supervisor (Contracted-CPS)	1.00	\$85,727	\$0
+1.00 HS Supervisor (Comm.Prog & Prev.)	1.00	\$85,727	\$0
-1.00 Account Clerk, Senior	(1.00)	(\$47,324)	\$0
-1.00 HS Supervisor (ADRC)	(1.00)	(\$104,867)	\$0
-3.00 Economic Support Clerk	(3.00)	(\$146,212)	\$0
-1.00 Economic Support Specialist	(1.00)	(\$45,744)	\$0

Solid Waste

+1.00 Special Waste Technician (HMM)	1.00	\$58,089	\$0
+0.27 Hazardous Mat. Wkr. (Seasonal)	0.27	\$8,410	\$0
+0.50 Scale Attendant (Seasonal)	0.50	\$18,522	\$0
-0.25 Grounds Laborer (Seasonal)	(0.25)	(\$5,016)	\$0
+0.00 Secretary (75/pp to 80/pp)	0.00	\$2,371	\$0

Net Change/Totals	15.02	\$1,292,163	\$0
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BE IT FURTHER RESOLVED, that the Finance Department is authorized to make the necessary changes to the budget as needed and the Personnel Department is authorized to make necessary changes to the County pay plan. **BE IT FURTHER RESOLVED**, that any position addition reliant on non-tax-levy funding will be deleted if outside funding ends. **FISCAL NOTE:** Increase of salary and fringe costs in the amount of \$1,292,163 are included in the Administrator's Proposed 2015 Budget. These positions will be fully funded by grant revenue or other outside sources and will not impact the tax levy.

EXECUTIVE COMMITTEE

Motion by S. Hampson/K. Cable to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

RESOLUTION NO. 46-11/14 RE: CHANGES IN GENERAL OPERATING LEVY POSITIONS AND HOURS FOR 2015 BUDGET

WHEREAS, based on input from the departments, the County Administrator's 2015 budget includes a total decrease of 4.1 Full Time Equivalent (FTE) and an increase of 5.84 FTE for positions supported by local property tax levy. **NOW THEREFORE BE IT RESOLVED**, that the following position modifications be approved for inclusion in the 2015 La Crosse County budget, reflecting a net increase of 1.74 FTE with a net increase of \$66,188 in the 2015 Tax Levy.

	<u>Net Increase/ Decrease FTE</u>	<u>Annual Cost Salary & Fringe</u>	<u>Net Levy Impact</u>
<u>Aging</u>			
+0.59 Clerk	0.59	\$18,402	\$18,402
-0.80 Home Del. Meals & Outreach Coord.	(0.80)	(\$43,011)	(\$43,011)
<u>County Administrator</u>			
+1.00 Associate Administrator	1.00	\$116,148	\$116,148
<u>Finance</u>			
-1.00 Deputy Finance Director	(1.00)	(\$121,524)	(\$121,524)
<u>Personnel</u>			
-1.00 Assistant Personnel Director	(1.00)	(\$116,184)	(\$116,184)

(147-14/15)

Facilities

+1.00 Electronics/Telecomm. Tech.	1.00	\$68,040	\$68,040
-1.00 Building Maintenance Worker	(1.00)	(\$63,264)	(\$63,264)

Medical Examiner

+0.25 Chief Deputy Medical Examiner	0.25	\$11,148	\$11,148
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Jail

+3.00 Jailers	3.00	207,054	207,054
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Treasurer

-0.30 Account Clerk (Seasonal)	(0.30)	(\$10,621)	(\$10,621)
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Net Change/Totals	1.74	\$66,188	\$66,188
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BE IT FURTHER RESOLVED, that the Finance Department is authorized to make the necessary changes to the budget as needed and the Personnel Department is authorized to make necessary changes to the County pay plan. **FISCAL NOTE:** Net addition of \$66,188 is reflected in the Administrator's Proposed 2015 budget.

EXECUTIVE COMMITTEE

Motion by S. Hampson/V. Burke to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

RESOLUTION NO. 47-11/14 RE: AUTHORIZING THE APPROVAL OF MODIFICATION TO CERTAIN LA CROSSE COUNTY PERMITS, FEES, AND CHARGES FOR 2015

WHEREAS, the 2015 budget includes certain fee increases for various revenue accounts commencing January 1, 2015 for various departments; and, **WHEREAS**, the fees in each of the departments have been identified in the 10-16-2014 budget document entitled "Proposed User Fees, Charges for Services, and Permit Fees for 2015 Comprehensive Master List"; and, **WHEREAS**, the La Crosse County Financial Management Policies indicate that the County will establish service fees and charges wherever appropriate for the purpose of keeping property taxes to a minimum; and, **WHEREAS**, these fees and charges will attempt to fairly allocate the full cost of services to the users of those services whenever possible and as deemed appropriate by the County Board, including consideration of waiving or offering reduced fees to youth, seniors, or other special population groups identified as requiring preferential consideration based on policy goals. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby approve budget documents entitled "Proposed User Fees, Charges for Services, and Permit Fees for 2015 Comprehensive Master List" to be effective commencing January 1, 2015. **FISCAL NOTE:** The proposed fees, charges and permit fees for 2015 have been included in the proposed 2015 Budget.

EXECUTIVE COMMITTEE

Motion by S. Hampson/T. Wehrs to approve passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

APPROVAL OF 2015 ADMINISTRATOR'S RECOMMENDED BUDGET

EXECUTIVE COMMITTEE

Motion by S. Hampson/J. Veenstra to approve. **Motion** by V. Burke/M. Kruse to amend by reducing expense account #87034 Capital Improvements – Parks and Campgrounds by \$40,000 and establish a new expense account #87035 – Fred Funk Boat Landing with \$40,000. Discussion ensued. **Motion** by J. Veenstra/P. Scheller to amend the Burke amendment by providing \$20,000 in direct payment and \$20,000 as a match failed on a roll call vote with 18 nays, 9 ayes - M. Freedland, R. Geary, M. Giese, P. Jerome, T. Johnson, P.

(148-14/15)

Scheller, J. Schroeder, J. Veenstra and T. Wehrs, 2 excused - L. Berg and D. Hesse. **Motion** by S. Hampson/A. Richmond to amend the Burke amendment by replacing account #87034 Capital Improvements – Parks and Campgrounds with Org #1064-99905 Excess Sales Tax Reserve failed on a roll call vote with 24 nays, 3 ayes - S. Hampson, A. Richmond and K. Rosa, 2 excused - L. Berg and, D. Hesse. **The motion to amend** passed on a roll call vote with 26 ayes, 1 nay - S. Hampson, 2 excused - L. Berg and D. Hesse. **Motion** by J. Schroeder to amend by reducing the Excess – Land Purchase from \$375,000 to \$200,000 failed for a lack of a second. **The motion to approve the Administrator's Recommended 2015 Budget as once amended passed on a roll call vote with 25 ayes, 2 nays - H. Hoffman and B. Logue, 2 excused - L. Berg and D. Hesse.**

RESOLUTION NO. 48-11/14 RE: ADOPTION OF THE 2015 BUDGET AND TAX LEVY

WHEREAS, the County Administrator has worked with all County departments and has prepared the La Crosse County 2015 Recommended Budget; and, **WHEREAS**, the La Crosse County Board of Supervisors has held a public hearing, pursuant to Section 65.90m, Wisconsin Statutes. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board of Supervisors does adopt a budget for calendar year 2015 with total expenditures of \$191,438,227, total revenues of \$114,120,859 and other funding sources of \$45,740,513 and a total La Crosse County tax levy of \$31,576,855 to be divided and levied as follows: County Tax of \$25,247,283 to be levied upon all the taxable property of the County; and, Debt Levy Tax of \$4,622,786 to be levied upon all the taxable property of the County; and, County Library Tax of \$1,706,786 to be levied upon all taxable property of the County except for that property within the City of La Crosse; and, **BE IT FURTHER RESOLVED**, that in addition to the La Crosse County tax levy, a State Forestry Tax in the amount of \$1,430,390 and State Special Charges of \$1,727 be levied upon all the taxable property of the County as certified by the State Department of Administration. **BE IT FURTHER RESOLVED**, that the 2015 budget is adopted and approved at the department level of detail as contained in the budget document. **BE IT FURTHER RESOLVED**, that the County Clerk and County Finance Director shall determine and apportion within 10 days of this date, the tax levy set forth for the respective municipalities, according and in proportion to the valuations for the towns, villages, and cities as submitted by the Wisconsin Department of Revenue. **BE IT FURTHER RESOLVED**, that the County Administrator and the County Clerk are hereby authorized to correct any clerical errors that may be found in the budget document prior to the publishing of this resolution. **FISCAL NOTE:** See reverse side for budget comparison data.

EXECUTIVE COMMITTEE

Motion by S. Hampson/P. Scheller to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. The motion to approve passed on a voice vote with 26 ayes, 1 nay - H. Hoffman, 2 excused - L. Berg and D. Hesse.

SUGGESTIONS FOR FUTURE AGENDA ITEMS

- Supervisor Ferries asked for an update on the Ophelia House
- Supervisor Barlow inquired about a special meeting regarding Lot C

ADJOURN

Motion by T. Wehrs to adjourn at 11:16 AM passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and D. Hesse.

STATE OF WISCONSIN)

COUNTY OF LA CROSSE)

(149-14/15)

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 Public Hearing and Annual Meeting held Monday, November 10, 2014 and Wednesday, November 12, 2014 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 20 OF NOVEMBER 2014.