

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

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, September 18, 2014 in the Administrative Center, Room B410. The Deputy County Clerk, Amy Twitchell, 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	Excused
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	Excused at 08:15 PM
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	Present
27 Wehrs, Tina	Present
28 Keil, Robert	Present
29 Johnson, Tara	Present

PLEDGE OF ALLEGIANCE

COMMUNICATIONS AND ANNOUNCEMENTS:

County Board Chair Report - Tara Johnson

- Lot C Negotiations update
Chair Johnson gave an update on Lot C. Meetings are being held weekly with Weber Holdings and staff is drafting a purchase agreement. There are conversations with the City of La Crosse and Weber Holdings. The main topic of discussion is parking. The City has asked for data from an updated park study and all three parties would assist with the cost, \$20,000 range. Data would be available in a month.

(87-14/15)

- Supervisor Conference Reports and Announcements
 - Supervisor Cable encouraged all to attend the meeting in regards to minimum wage being held on October 22 at the University of Wisconsin-La Crosse.
 - Supervisor Burke attended the DMI banquet where the City Arts Board received an award related to beautifying downtown.
 - Supervisor Jerome and Supervisor Richmond attended the open house at Northside Elementary.
 - Supervisor Cable reminded the Board of the picnic on Friday, September 19th at noon at Swarthout Park.

Administrator Report - Steve O'Malley

- 2015 Budget
 - A sign-up sheet for electronic copy or hard copy of budget book was sent around for Supervisors.
- 2015 Health & Dental Plan Design & Rates
 - Administrator O'Malley presented on the 2015 health and dental plan design, rates and recommended changes. Employees will continue to have a choice – Mayo/Gundersen. Employees will also receive \$750/single and \$1250/family into the HRA (Health Reimbursement Account). The HRA account is accessed by the individual, not the County. HRA's and premiums will be revisited for 2016.
- County Hwy C and State Rd 108 Jurisdictional Transfer Overview
 - Highway Commissioner Ron Chamberlain presented on County Highway C (CTH C) and State Road 108. An overview was given in regards to requests made to the Wisconsin Department of Transportation (WisDOT). Highway Commissioner Chamberlain also addressed what will change and what will not change.

CHAIR CHANGE

1st Vice Chair Hampson took the chair.

APPOINTMENTS

Appoint **Dave Niemi** to the Sustainable La Crosse Commission as a Business Representative to replace Wayne Olson for a two year term to expire December 31, 2015; appoint **Brenda Rundahl** to the Joint Board of Harbor Commissioners as a citizen member to replace Wayne Oliver for a three year term to expire July 31, 2017; appoint **Judy Bouffleur** to the Winding Rivers Library System as a citizen member to replace Kim Cable for the remainder of a term to expire December 31, 2016.

Motion by T. Johnson/D. Holtze to approve passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and K. Rosa.

CHAIR CHANGE

Chair Johnson resumed the chair.

CONSENT AGENDA

Motion by R. Plesha/D. Ferries to approve the minutes of the La Crosse County Board of Supervisors Planning Meeting held August 11, 2014 and the monthly meeting held August 21, 2014 and the Claims List for \$3,659,511.28 passed on a unanimous voice vote with 27 ayes, 2 excused - L. Berg and K. Rosa.

RESOLUTION NO. 33-9/14 RE: APPROVAL OF JURISDICTIONAL TRANSFER AGREEMENT WITH STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION REGARDING CTH C & STH 108 AND APPROVAL OF CONTRACT WITH CBS2 FOR EXCEPTION TO STANDARDS REVIEW

WHEREAS, the functional/jurisdictional relationship of the present State and local highway systems have been cooperatively reviewed by La Crosse County and State of Wisconsin

Department of Transportation (DOT) officials; and, **WHEREAS**, the DOT, under s. 84.02(3), Stats., may enter into a jurisdictional transfer agreement with local units of government, thereby facilitating such alterations in the jurisdictional highway system; and, **WHEREAS**, the DOT and La Crosse County have negotiated a transfer of jurisdiction, whereby the County will transfer a portion of CTH C to the State of Wisconsin and the State of Wisconsin will transfer a portion of STH 108 to La Crosse County; and, **WHEREAS**, the segments of highway to be transferred are from the southern intersection of CTH C and STH 108 to the northern intersection of CTH C and STH 108 in La Crosse County; and, **WHEREAS**, La Crosse County and DOT have negotiated the terms of a jurisdictional transfer agreement to accomplish the mutual transfer of segments of highway referred to above, which includes the following provisions:

1. The State granting La Crosse an acceptable exception to standards in the areas necessary for those portions of STH 108 transferred to the La Crosse County highway system.
2. The State support of any application/efforts to utilize the highways as either a rustic road or a portion of the state scenic byway.
3. The State will provide all existing as-built plans to La Crosse County.
4. La Crosse County and the State shall convey all access rights and all highway rights-of-way as they exist in either fee or easement at the time of this resolution along the segments transferred to the County or State, as applicable.
5. The State will provide \$4.1 million of additional funding to help finance the improvements required on the highway transfer to La Crosse County.
6. The State will agree to locate existing monuments on the existing STH 108, at WisDOT expense, and the County must locate monuments on the existing CTH C at County expense.
7. The State will consider a Park and Ride to be constructed at the intersection of the new STH 108 and CTH DE in the on-going State Park and Ride study.
8. The State will investigate the availability of HSIP funds for the realignment of Davis Creek Road and STH 108 and CTH C/STH 108 intersections.
9. The State will schedule resurfacing and safety improvements (if applicable) for the new alignment of STH 108 in 2018.
10. The County shall accept the jurisdictional and maintenance responsibility of the segments of STH 108 transferred to the La Crosse County highway system upon execution of a jurisdictional transfer agreement.
11. The State shall accept the jurisdictional and maintenance responsibility of the segments of CTH C transferred to the State highway system upon execution of a jurisdictional transfer agreement, subject to any agreements with La Crosse County for maintenance of said road; and,

WHEREAS, after using a Quality Based Selection Process, the Highway Commissioner obtained a proposal from the firm CBS2 to perform an exception to standards review and report for a cost not to exceed \$108,784.76. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby approves a jurisdictional transfer agreement with the State of Wisconsin in accordance with the terms outlined in this resolution, which transfer shall be contingent upon the DOT approving all requested exceptions to standards; and, **BE IT FURTHER RESOLVED**, that the La Crosse County Board approves that the following segment of highway be added to the County highway system: STH 108 from the southern intersection of CTH C to the northern intersection of CTH C in La Crosse County, for a total distance of 13.1 miles; and, **BE IT FURTHER RESOLVED**, that the La Crosse County Board hereby approves that the following segment of highway be deleted from the County highway system and transferred to the State DOT: CTH C from the southern intersection with STH 108 to the northern intersection of STH 108 for a total distance of 10.81 miles; and, **BE IT FURTHER RESOLVED**, that the La Crosse County Board hereby authorizes La Crosse County to enter into a contract with CBS2 for a cost not to exceed \$108,784.76 to prepare an exception to standards review and report for the portion of STH 108 transferred to the La Crosse County highway system; and, **BE IT FURTHER RESOLVED**, that La Crosse County Board Chair and County Clerk are hereby authorized to execute any agreements to

effectuate the purposes of this resolution, after approval by Corporation Counsel. **FISCAL NOTE:** The County will receive \$4.1 million from the State of Wisconsin as a result of entering into the jurisdictional transfer agreement, which shall be used for improvements to the new CTH C. Funds to finance the payment to CBS2 for the exception to standards review and report shall be paid from Org. 3103 Road Maintenance Special Projects, Account 93291 Other Contractual Services.

EXECUTIVE COMMITTEE

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/J. Schroeder to approve. Discussion ensued. Highway Commissioner Ron Chamberlain responded to questions from the Board. The motion to approve passed on a roll call vote with 25 ayes, 2 nays - R. Ebert and L. Pfaff, 2 excused - L. Berg and K. Rosa.

RESOLUTION NO. 34-9/14 RE: ADOPTION OF HIGH DEDUCTIBLE HEALTH PLAN DESIGN AND ADOPTION OF RATES FOR 2015 HEALTH AND DENTAL PLANS FOR EMPLOYEES CONTRIBUTING TO THE WISCONSIN RETIREMENT SYSTEM AND RETIREES

WHEREAS, it is necessary to establish the premium for County health and dental insurance for those eligible non-union and union employees, contributing the employee share to the Wisconsin Retirement System (WRS), and to prepare the health benefit plan design for compliance with the Affordable Health Care Act Implementation in coming years ; and, **WHEREAS**, it is necessary to confirm TPAs for the County health and dental plans and to establish the County's portion of contribution to health and dental rates for those eligible non-union and union employees contributing to the WRS, and to fund the health and dental benefit plan at appropriate levels considering the recommendations of insurance advisors; and, **WHEREAS**, Mayo Medical Systems Inc. (MMSI), Gundersen Health Plan (GHP) and Delta Dental qualify as sole source TPA vendors pursuant to s. 4.06 (7) (g) of the Code due to their ability to deliver a unique service, their technical expertise and qualifications, their ability to deliver services at a particular time, and their ability to fulfill the needs of La Crosse County as Third Party Administrators for the La Crosse County health and dental insurance plans; and, **WHEREAS**, the County is authorized under law, past practice and precedent and the requirements of good fiscal management to establish plan design for cost efficient health programs for county employees, and the health benefit is a major cost item in the County budget. **WHEREAS**, effective 1/1/2014 the County plan was amended to only provide insurance to employees working 30 or more hours per week, except that part-time staff including County Board supervisors receiving health and dental insurance were grandfathered until 12/31/14. **WHEREAS**, six part time employees on the health plan including three County Supervisors have not been able to obtain comparable affordable replacement health coverage and staff recommends that they should be grandfathered for one more year. **NOW THEREFORE BE IT RESOLVED**, that effective 1/1/2015 the active contributory employee High Deductible Health Plan is established with in-network coverage at a deductible of \$1,250 for single and \$2,500 for family, with a maximum out of pocket expense of \$2,250 single and \$4,500 family; and with structure for 2015 funding levels as recommended by TPA insurance actuaries and the County's Insurance advisors. **BE IT FURTHER RESOLVED**, that a Health Reimbursement Account (HRA) program was established effective 1/1/2014 and should continue in 2015; and a wellness benefit is provided for employees enrolled in the County health insurance plan and participating in the 2014 Health Risk Appraisal, in consultation with the County's Health Insurance advisors as a consideration in the 2015 rates. **BE IT FURTHER RESOLVED**, that in 2015 for those employees contributing the employee share to the WRS, enrolled in health insurance the County shall deposit quarterly to their HRA 25% of an annual amount of \$500 for a single or \$1,000 for a family plan and if the employee participates in the Healics Health Appraisal (HA) (in 2014 for 2015 deposit) they shall receive a deposit of an additional \$250 to the HRA deposited in January. **BE IT FURTHER RESOLVED**, the La Crosse County Board does hereby approve the contract with MMSI for Third Party Administration of the County's Mayo Clinic Health Systems PPO; and with Gundersen Health Plan for Third Party Administration

of the County's Gundersen PPO; and with Delta Dental for the dental plan, for the calendar year 2015. **BE IT FURTHER RESOLVED**, that the La Crosse County Board does hereby adopt 2015 funding levels after consideration of recommendations by TPA insurance actuaries and insurance advisors, for those employees contributing the employee share to the WRS, which insurance rates are provided in the County Administrator's budget as follows:

<u>GHP PPO PLAN</u>		<u>MAYO PPO PLAN</u>		<u>DENTAL</u>	
Single	Family	Single	Family	Single	Family
\$719.00	\$1,761.00	\$719.00	\$1,761.00	\$33.00	\$92.00

BE IT FURTHER RESOLVED, that the La Crosse County Board does hereby adopt the following rates as the County's share of the above funding levels, for all eligible employees contributing to the employee share of WRS, for employees effective with the December premium for January 1, 2015 coverage, with eligible part time employees contribution to be prorated.

<u>GHP PPO PLAN</u>		<u>MAYO PPO PLAN</u>		<u>DENTAL</u>	
Single	Family	Single	Family	Single	Family
\$647.10	\$1,584.90	\$647.10	\$1,584.90	\$25.74	\$70.88

BE IT FURTHER RESOLVED, the employees share shall be 10% of the total health premium and the dental rate effective with the December premium for January 1, 2015 coverage as provided, with eligible part time employees contribution to be prorated:

<u>GHP PPO PLAN</u>		<u>MAYO PPO PLAN</u>		<u>DENTAL</u>	
Single	Family	Single	Family	Single	Family
\$71.90	\$176.10	\$71.90	\$176.10	\$7.26	\$21.12

BE IT FURTHER RESOLVED, that effective 1/1/2015 the retiree health plan, which is fully funded by retirees, and is a High Deductible Health Plan for all retirees, shall have a premium of \$719.00 for single and \$1761.00 for family. **BE IT FURTHER RESOLVED**, three part-time employees and three County Board Supervisors currently receiving County health insurance shall continue coverage grandfathered until 12/31/15 while paying 55% of the premium. **BE IT FURTHER RESOLVED**, that the County Administrator, the County Clerk and the County Interim Personnel Director are hereby authorized to sign any and all necessary documents for effectuating the above plans for 2015 on behalf of La Crosse County. **FISCAL NOTE:** The changes to the deductible and maximum out-of-pocket (OOP) will offset rising premium costs, which will result in no premium increase for 2015.

EXECUTIVE COMMITTEE

Motion by J. Veenstra/M. Kruse to approve. Discussion ensued. Corporation Counsel David Lange, Interim Personnel Director Mary Marco, and Administrator O'Malley responded to questions from the Board. Motion by B. Logue/H. Hoffman to delete the 8th "Be It Further Resolved, three part-time employees and three County Board Supervisors currently receiving County health insurance shall continue coverage grandfathered until 12/31/15 while paying 55% of the premium." The motion to amend failed on a roll call vote with 22 nays, 2 ayes - H. Hoffman and B. Logue, 3 abstentions - D. Ferries, S. Hampson, and R. Plesha, 2 excused - L. Berg and K. Rosa. Motion by R. Ebert/H. Hoffman to amend the 8th "Be It Further Resolved" by replacing 55% with 65% of the premium. The motion to amend failed on a roll call vote with 21 nays, 3 ayes - R. Ebert, H. Hoffman and P. Scheller, 3 abstentions - D. Ferries, S. Hampson, and R. Plesha, 2 excused L. Berg and K. Rosa. The motion to approve passed on a roll call vote with 21 ayes, 1 nay - B. Logue, 5 abstentions - V. Burke, D. Ferries, S. Hampson, H. Hoffman and R. Plesha, 2 excused - L. Berg and K. Rosa.

RESOLUTION NO. 35-9/14 RE: APPROVAL OF BID FOR THE EXTENSION OF GARLAND STREET IN THE VILLAGE OF WEST SALEM

WHEREAS, the Village of West Salem has approved Tax Incremental District Number One in the Village of West Salem, County of La Crosse; and, **WHEREAS**, the Village has adopted the TIF Project Plan for such Tax Incremental District, including the Garland Street Extension Project with a 2006 budget of \$534,000; and, **WHEREAS**, the Garland Street Extension Project is likely to significantly enhance the value of other real property in said

TIF District; and, **WHEREAS**, the project costs directly relate to development of this area and are consistent with the purpose for which the Tax Incremental District was created pursuant to s. 66.1105, Wis. Stats.; and, **WHEREAS**, La Crosse County has requested bids for the construction of the Garland Street Extension Project; and, **WHEREAS**, sealed bids were received and publicly opened on August 28th, 2014 at 1:00 PM; and, **WHEREAS**, said bids have been reviewed for qualification of bidders and cost by Cedar Corp, La Crosse County's contracted engineering firm; and, **WHEREAS**, the bid of Badger Environmental of Westby, WI, at a construction cost of \$666,335.30, is the lowest responsive bid; and, **WHEREAS**, the total 2014 estimated project cost of the Garland Street Extension Project, including the bid of Badger Environmental of \$666,335.30, as well as inspection and engineering costs of \$63,664.70, is \$730,000.00. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board of Supervisors does hereby accept the bid of Badger Environmental in the amount of \$666,335.30; and, **BE IT FURTHER RESOLVED**, that the La Crosse County Board of Supervisors does hereby approve additional inspection and engineering costs of \$63,664.70; and, **BE IT FURTHER RESOLVED**, the project will be funded with bond proceeds amortized for a period of 20 years at an estimated rate of 3%, which can be paid off sooner than the full 20 year term; and **BE IT FURTHER RESOLVED**, that the authorization for bonding will be considered in a separate resolution in order to combine with other 2014 bonding needs, which will save on the cost of issuance. **FISCAL NOTE:** The loan from bonding will be reimbursed to La Crosse County through the revenue sharing agreement authorized in resolution # 60-11/06, Tax Incremental District Number One, Village of West Salem, La Crosse County, Wisconsin.

BID SUMMARY:

VENDOR	BID AMOUNT
Badger Environmental	\$666,335.30
McHugh Excavation and Plumbing	\$673,657.02
A1 Excavating	\$739,998.00
Pember	\$806,400.00

EXECUTIVE COMMITTEE

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

RESOLUTION NO. 36-9/14 RE: AUTHORIZING THE ADVERTISEMENT FOR PUBLIC SALE AND THE SALE OF GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2014-A OF THE COUNTY OF LA CROSSE, WISCONSIN IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,850,000 AND RELATED MATTERS

WHEREAS, counties are authorized by Chapter 67 of the *Wisconsin Statutes*, as supplemented and amended, to borrow money and to issue general obligation promissory notes to finance any project undertaken for a public purpose and to refund municipal obligations, including interest thereon; and, **WHEREAS**, it is hereby determined that it is necessary and desirable to issue general obligation promissory notes of the County of La Crosse, Wisconsin (the "*County*") in an aggregate principal amount not to exceed \$3,850,000 for the public purpose of constructing highways and highway improvements, pursuant to Chapter 67 of the *Wisconsin Statutes*, as supplemented and amended; and, **WHEREAS**, it is now necessary and desirable for the County to issue its General Obligation Promissory Notes, Series 2014-A in an aggregate principal amount not to exceed \$3,850,000 (the "*Notes*") for the public purpose of constructing highways and highway improvements. **NOW, THEREFORE, BE IT RESOLVED** by the County Board of Supervisors of the County of La Crosse, Wisconsin, as follows:

Section 1. Authorization. There shall be issued the Notes of the County in an aggregate principal amount not to exceed \$3,850,000, for the public purpose aforesaid.

Section 2. Sale of Notes. For the purpose of offering the Notes for sale, the Interim Auditor/Finance Director of the County is hereby authorized and directed to cause to

be circulated the Official Terms of Offering and to publish appropriate notices of the sale of the Notes in a newspaper to be selected by the Interim Auditor/Finance Director of the County prior to the receipt of bids therefor and to receive bids for the Obligations on such date or dates as shall be determined by the Interim Auditor/Finance Director of the County. The Interim Auditor/Finance Director of the County shall also cause to be prepared and distributed an Official Statement or Official Statements, including Official Terms of Offering, with respect to the Notes.

Section 3. Award of Notes. After receipt of bids for the Notes and consideration thereof by this County Board of Supervisors, this County Board of Supervisors will consider a resolution awarding the Notes to the best bidder, prescribing the terms thereof and the form of Note and levying taxes in the specific amount necessary to pay the principal of and interest on the Notes.

Section 4. Other Documents. The Chairperson, the County Clerk, the County Treasurer, the Interim Auditor/Finance Director and all other officers of the County are hereby authorized to execute all documents and certificates necessary in connection with the sale of the Notes, including without limitation an Official Statement describing the Notes and the County.

Section 5. Severability. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability or such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 6. Ordinances, Resolutions Superseded. All ordinances and resolutions in conflict herewith are hereby superseded to the extent of such conflict, and this Resolution shall take effect from and after its passage. **FISCAL NOTE:** Debt Service Funding will be provided for in the 2015 budget for the Highway portion of the bonding; and future TIF increments will pay the Debt Service for the Business Fund portion.

EXECUTIVE COMMITTEE

Motion by S. Hampson/R. Ebert to approve. Discussion ensued. Administrator O'Malley and Highway Commissioner Ron Chamberlain responded to questions from the Board. The motion to approve passed on a voice vote with 26 ayes, 1 nay - B. Logue, 2 excused - L. Berg and K. Rosa.

SECOND CONSIDERATION OF ORDINANCE NO. 130-9/14 TO AMEND CHAPTER 24 ENTITLED "EMERGENCY GOVERNMENT" TO BE ENTITLED "EMERGENCY MANAGEMENT" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

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

Section 1. Chapter 24 entitled "Emergency Government" is amended to be entitled "Emergency Management" and to read:

24.0 POLICY AND PURPOSE. (Rep. & Rec. #8-91)

(1) To ensure that the County of La Crosse will be prepared to cope with emergencies resulting from natural or man-made disasters, an emergency management organization is created to carry out the purposes set forth in Chapter 323 of the Wisconsin Statutes.

(2) DEFINITIONS.

(a) "Adjutant general" means the adjutant general of the department of military affairs.

(b) "Disaster" means a severe or prolonged, natural or human-caused, occurrence that threatens or negatively impacts life, health, property, infrastructure, the environment, the security of this state or a portion of this state, or critical systems, including computer, telecommunications, or agricultural systems.

(c) "Emergency management" means all measures undertaken by or on behalf of the state and its subdivisions to do any of the following:

1. to prepare for and minimize the effect of disaster or the imminent threat of a disaster.

2. make repairs to or restore infrastructure destroyed or damaged by a disaster.

(93-14/15)

(3) COUNTY EMERGENCY MANAGEMENT COMMITTEE.

(a) The Judiciary and Law Committee of the County Board as created under its rules is hereby designated as the County Emergency Management Committee.

(b) Duties. The Judiciary and Law Committee shall be an advisory and planning group with policy-making and rule-making powers in the establishment and development of county emergency planning programs. The Committee shall advise the head of emergency management services and the County Board on all matters pertaining to emergency management.

(4) EMERGENCY MANAGEMENT COORDINATOR.

(a) The Emergency Management Coordinator shall be the head of emergency management for La Crosse County. In addition to the duties as outlined herein, the head shall have the duties and responsibilities as provided in s. 323.15, Wis. Stats.

(b) Term, Appointment and Staff.

1. Term. The term of the emergency management coordinator shall be at the pleasure of the County Board.

2. Appointment. The La Crosse County Board shall appoint the Emergency Management Coordinator in accordance with County standard employment procedures.

3. Staff. The provisions of s. 323.14, Stats. relating to personnel shall apply to the selection of the coordinator and his/her staff. The Emergency Management Coordinator shall be considered a County employee and he/she shall report to the County Emergency Services Administrator.

(5) OFFICE AND STAFF.

(a) La Crosse County shall provide offices, office furniture, administrative staff and such office supplies as may be necessary to carry out the functions of emergency management. The costs shall be borne by the County of La Crosse.

(b) Major Equipment and Service. The cost of equipment and services shall be borne completely by the municipal government requiring such procurement with federal matching funds procured by the emergency management coordinator when applicable. Federal matching fund requirement shall be returned to the treasurer of the municipality procuring the equipment and service.

(6) COUNTY-MUNICIPALITY COOPERATION. Counties, towns and municipalities may cooperate under ss. 66.0301 and 323.14(2)(b), Wis. Stats., to furnish services, combine offices and finance emergency management services.

(7) DUTIES OF EMERGENCY MANAGEMENT COORDINATOR.

(a) The Emergency Management Coordinator shall develop and promulgate emergency management plans consistent with state plans, direct the emergency management program and perform such other duties related to emergency management as required by the La Crosse County Board and the Judiciary and Law Committee when applicable.

(b) The Emergency Management Coordinator shall coordinate and assist in developing town and municipal emergency management plans within the county, integrate such plans with the county plan, advise the department of military affairs of all emergency management planning in the county and submit to the adjutant general such reports as he or she requires, direct and coordinate emergency management activities throughout the county during the state of emergency, and direct county-wide emergency management training programs and exercises.

(c) During the continuance of a state of emergency proclaimed by the governor, he or she, on behalf of the county, may contract with any person to provide equipment and services on a cost basis to be used to respond to a disaster, or the imminent threat of a disaster.

(d) The Emergency Management Coordinator shall serve as the designated National Incident Management System (NIMS) compliance monitor and shall submit an annual report regarding the NIMS compliance and implementation.

(e) Mutual Aid Request. The Emergency Management Coordinator shall present all requests for out-of-county mutual aid for emergency management assistance to the Emergency Services Administrator, or, if not available, to the County Administrator.

(8) RESOURCES.

(a) County Resources. The implementation of the county emergency management program and organization shall utilize the services, equipment, supplies and facilities of the existing departments and agencies of the county to the maximum extent practicable. This may include the shared use of county vehicles.

(b) Emergency Use of Vehicles. An authorized emergency vehicle includes any emergency vehicle of a county department authorized or designated by the County to be an authorized emergency vehicle pursuant to s. 340.01(3)(e), Wis. Stats. The Emergency Management Coordinator, or any authorized person, when responding to an official request for help during any declared state of emergency, may operate any motor vehicle that is not registered in this state under s. 323.20, Wis. Stats.

(c) Use of Volunteer Groups. Other available resources include volunteer groups such as the Mass Casualty Team, County Disaster Assessment Team and amateur radio groups. The Emergency Management Coordinator shall serve as the supervisor of any utilized volunteer groups and shall direct the group's activities during training, team meetings, team exercises, and during responses to actual incidents or imminent threats of disasters.

(d) Powers of Peace Officers. During any state of emergency proclaimed by the governor or during any training program or exercises authorized by the adjutant general, any law enforcement officer of the state or of a county, city, village or town, when legally engaged in traffic control, escort duty or protective service, may carry out such functions at any point within the state, but shall be subject to the direction of the adjutant general through the sheriff of the county in which an assigned function is performed.

(9) RESPONSIBILITY. In order to assure that in the event of an emergency, all of the facilities of the existing county government are expended to the fullest extent to meet such an emergency, all department heads will fulfill emergency and non-emergency duties as assigned under the county emergency operations plan. The emergency management coordinator will assist them in organizing and planning for the expansion of their departments prior to and during an emergency and for recruiting necessary emergency government volunteers to supplement regular department employees.

(10) PENALTIES. It shall be unlawful for any person willfully to obstruct, hinder or delay any member of the emergency management organization in the enforcement of any order, rule, regulation or plan issued pursuant to this ordinance, or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this ordinance. Penalties shall be provided by s. 25.04 of the La Crosse County Code of Ordinances.

24.01 LOCAL AGENCY RESPONSE AND REIMBURSEMENT (Cr. #6/5-97).

(1) Definitions.

(a) "Hazardous substance" has the meaning given in s. 299.01(6), Stats., or any amendments thereto.

(b) "Local Agency" means an agency of a county, city, village or town, including a municipal police or fire department, a municipal health organization, a county office of emergency management, a county sheriff, an emergency medical service, a local emergency response team, or a public works department. The City of La Crosse Fire Department has been designated as the local agency to respond to Type II hazardous materials spills in La Crosse County.

(2) A person who possesses or controls a hazardous substance that is released or who causes the release of a hazardous substance shall take the actions necessary to protect public health and safety and prevent damage to property.

(95-14/15)

(3) If action required under sub.(2) is not being adequately taken or the identity of the person responsible for an emergency involving a release or potential release of a hazardous substance is unknown and the emergency involving a release or potential release threatens public health or safety or damage to property, a local agency may take any emergency action that is consistent with the contingency plan for the undertaking of emergency actions in response to the release or potential release of hazardous substances established by the Department of Natural Resources under s. 292.11(5) and that it considers appropriate under the circumstances.

(4) A person who possessed or controlled a hazardous substance involved in the emergency or who caused the emergency shall, as provided under sub.(5), reimburse a local agency for actual, reasonable and necessary expenses incurred under sub.(3).

(5) (a) The Local Emergency Planning Subcommittee consisting of the Emergency Management Coordinator and the Chairperson of the Local Emergency Planning Committee or their designees is hereby designated as the reviewing entity under this subsection.

(b) A local agency seeking reimbursement under sub.(4) shall submit a claim stating its expenses to the reviewing entity for the County in which the emergency occurred.

(c) The Local Emergency Planning Subcommittee and/or designees shall review claims submitted under par.(5)(b) and determine the amount of reasonable and necessary expenses incurred. The Local Emergency Planning Subcommittee and/or designees shall provide a person who is liable for reimbursement under sub.(4) with a notice of the amount of expenses it has determined to be reasonable and necessary that arose from the emergency involving the release or potential release of a hazardous substance and are incurred by all local agencies from which the Local Emergency Planning Subcommittee receives a claim.

(d) If a person receiving a notice under par.(c) objects to the amount of expenses in the notice, the person may request the Local Emergency Planning Subcommittee to review its determination. Such request must be in writing, must contain the reasons for the objection to the expenses, and must be made within 10 days of receipt of notice of the amount of expenses provided in par.(c) above. The Local Emergency Planning Subcommittee may modify the determination and shall notify the person of the result of its review in writing.

(e) A person liable for reimbursement under sub.(4) shall pay the reimbursement directly to each local agency.

24.02 DECLARATION OF EMERGENCY

(1) The County Board Chair may declare a state of emergency for La Crosse County or any portion thereof if he or she determines that an emergency resulting from any disaster exists.

(2) If the County Board Chair is unavailable, the first vice chair, the second vice chair, and the County Administrator shall in the order named, if the preceding named officers are unavailable, exercise the powers and discharge the duties of the office of the County Board Chair until a new chair is elected and qualified, or until a preceding named officer becomes available.

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 V. Burke/N. Caucutt to approve passed on a unanimous voice vote with 26 ayes, 3 excused - L. Berg, M. Kruse and K. Rosa.

CONDITIONAL USE PERMIT NO. 928 FILED BY TODD J HAINES TO OPERATE AN AUTOMOTIVE GAUGE REPAIR SHOP IN THE RURAL DISTRICT IN THE TOWN OF ONALASKA

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by Todd J Haines, N5330 State Rd 35, Onalaska, WI, 54650 and having held a public hearing on the 2nd day of September, 2014 for a Conditional Use Permit to operate an automotive gauge repair shop for repairing/rebuilding instrument clusters and building custom instrument clusters, along with possible future on-line retail, from an existing 25-ft x 30-ft detached accessory garage on a 0.44 acre lot located in the Rural District in the Town of Onalaska and described as follows: Part of the SW/SW of Section 29, T17N, R7W. Property address N5330 State Rd 35. Tax parcel 10-810-0. 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 six (6) in favor, zero (0) no, and one (1) excused (Nikolay), the committee recommended approval of Conditional Use Permit No. 928 subject to the following twelve (12) conditions:

1. This permit is granted specifically to Todd J Haines, N5330 State Rd 35, Onalaska, WI, 54650, to operate an automotive gauge repair shop for repairing/rebuilding instrument clusters and building custom instrument clusters, along with possible future on-line retail, from an existing 25-ft x 30-ft detached accessory garage at N5330 State Road 35;
2. Hours of operation are from 8 a.m. to 6 p.m., Monday through Friday with no weekends or holidays;
3. The use of the 20-ft easement recorded in Volume 204, Page 407 cannot be impeded;
4. No outside storage of stock, equipment, or supplies;
5. No stock associated with any future on-line sales will be kept at the site;
6. It is the responsibility of the applicant to dispose of waste in a code compliant manner;
7. All equipment associated with the business shall be reported to the local assessor annually;
8. The residential character of the garage shall be preserved while the business is in operation;
9. Number of employees allowed are limited to the owner and 1.5 additional employees;
10. Applicant shall contact the La Crosse County Environmental Health Department to determine if the Private On-site Wastewater Treatment System is designed to accommodate additional wastewater flow with employee use. A copy of their response is required for this file;
11. Any outdoor advertising must comply with Chapter 33 of the La Crosse County Code of Ordinances; and
12. This permit is not transferrable.

THE COUNTY BOARD took the following action this 18th day of September, 2014. Approved subject to conditions as outlined.

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 26 ayes, 3 excused - L. Berg, M. Kruse and K. Rosa.

CONDITIONAL USE PERMIT NO. 929 FILED BY STEVE PAISLEY OF PAISLEY TRUCKING, LLC FOR NON-METALLIC MINING TO EXTRACT SAND FOR AGRICULTURAL USE AND INCIDENTAL SALES ON LAND ZONED EXCLUSIVE AGRICULTURE IN THE TOWN OF FARMINGTON

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by: Steve Paisley of Paisley Trucking, LLC , P.O. Box 106, Mindoro, WI, 54644 and having held a public hearing on the 2nd day of September, 2014 for a Conditional Use Permit for non-metallic mining to extract sand for agricultural use and incidental sales for housing, construction, and fill, on land zoned Exclusive Agriculture. Less than one acre will be open, including stockpiles, at any given time and therefore the site will not be subject to Non-Metallic Mining reclamation permitting required under Admin. Code NR 135 in the Town of Farmington and described as follows: Part of the South ½ of the fractional NE ¼ in Section 5, T18N, R6W. Tax parcel 5-546-1. 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 six (6) in favor, zero (0) no, and one (1) excused (Nikolay), the committee recommended approval of Conditional Use Permit No. 929 subject to the following twelve (12) conditions:

1. Conditional Use Permit #929 is granted specifically to Steve Paisley of Paisley Trucking, LLC, P.O. Box 106, Mindoro, WI 54644 for sand extraction for agricultural use and incidental sales for housing, construction and fill;
2. One acre or less of the sandpit, including stockpiles and haul roads, may remain open at any given time unless a reclamation plan complying with Wis. Admin. Code NR135 and Chapter 27 of the La Crosse County Code of Ordinances is issued;
3. Hours of operation are from 7 a.m. to 5 p.m. Monday through Saturday;
4. Ingress/egress point must be relocated so the property is not accessed through the lot to the south;
5. A setback buffer of at least 20-ft shall be maintained from the south lot line to the pit to allow for safe vehicular traffic between the two properties. Additional buffer to allow safe vehicular traffic is required if the pit wall is sloped greater than 2.5:1;
6. No blasting is allowed;
7. Any tracking on a public highway shall be cleaned by the end of each workday;
8. Report all equipment associated with this business to the local assessor on an annual basis;
9. An erosion control permit issued by the La Crosse County Land Conservation Department is required;
10. No bond is required unless a reclamation plan complying with Wis. Admin. Code NR135 and Chapter 27 of the La Crosse County Code of Ordinances is required;
11. The reclaimed site shall consist of an agricultural or agriculture-related use as defined in Ch. 91 Stats; and
12. This permit is non-transferrable.

THE COUNTY BOARD took the following action this 18th day of September, 2014. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/L. Pfaff to approve as recommended by the Committee passed on a unanimous voice vote with 26 ayes, 3 excused - L. Berg, M. Kruse and K. Rosa.

CONDITIONAL USE PERMIT NO. 931 FILED BY CURT GREENO, PRESIDENT OF DYNAMIC RECYCLING FOR A RECYCLING FACILITY IN THE INDUSTRIAL DISTRICT IN THE TOWN OF ONALASKA

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by: Curt Greeno, President of Dynamic Recycling, 2135 Enterprise Ave, La Crosse, WI, 54603, o/b/o Ammunition Accessories, Inc, 748 Flying Cloud Dr, Eden Prairie, MN 55344-3720 and having held a public hearing on the 2nd day of September, 2014 for a Conditional Use Permit for a recycling facility involving de-manufacturing of old electronics, testing/refurbishing working electronics and components, and sorting/consolidating electronic scrap materials in the INDUSTRIAL DISTRICT in the Town of Onalaska and described as follows: Part of the NE/NW and Gov't Lot 3 in Section 25, T17N, R8W. Tax parcel 10-2037-0. 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 six (6) in favor, zero (0) no, and one (1) excused (Nikolay), the committee recommended approval of Conditional Use Permit No. 931 subject to the following ten (10) conditions:

1. This permit is granted specifically to Miles Harter of Dynamic Recycling, site address N5549 County Road Z, to operate a recycling facility involving de-manufacturing of old electronics, testing/refurbishing working electronics and components, and sorting and consolidating electronic scrap materials;
2. Use of the premises shall be in accordance with supporting documentation submitted with the application;
3. Use of the premises by any tenant must be an authorized or conditional use in the Industrial District. If a conditional use, amendment to this conditional use permit or a new conditional use permit must be approved through the regular application process;
4. The applicant or assignee shall develop an evacuation plan for use in event of emergency and may consult with La Crosse County Emergency Management staff for technical assistance;
5. All waste generated shall be disposed of or treated in a code compliant manner;
6. Contact the La Crosse County Environmental Health Department to determine whether an evaluation of the existing Private On-site Wastewater Treatment System (POWTS) is required to document that the existing POWTS is designed and sized to accommodate wastewater flows and/or loads;
7. If wastewater is generated by any part of the de-manufacturing or recycling process, the industrial wastewater cannot be co-mingled with other wastewater and introduced into the POWTS unless approval is granted by the Wisconsin DNR;
8. All equipment subject to personal property taxes shall be reported annually to the local assessor if required by law;
9. This permit shall automatically terminate if use of the premises as authorized in this permit discontinues for a period longer than 12 consecutive months; and
10. This permit is transferrable.

THE COUNTY BOARD took the following action this 18th day of September, 2014. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/H. Hoffman to approve. Discussion ensued. Planner Charlie Handy responded to questions from the Board. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 26 ayes, 3 excused - L. Berg, M. Kruse and K. Rosa.

(99-14/15)

SUGGESTIONS FOR FUTURE AGENDA ITEMS

- Chair Johnson indicated that there was interest in vehicle registration fees.

ADJOURN

Motion by D. Ferries/P. Jerome to adjourn at 8:23 PM passed on a unanimous voice vote with 26 ayes, 3 excused - L. Berg, M. Kruse, and K. Rosa.

STATE OF WISCONSIN)

COUNTY OF LA CROSSE)

I, Amy Twitchell , La Crosse Deputy 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, September 18, 2014 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 22 OF SEPTEMBER 2014.