

LA CROSSE COUNTY BOARD OF SUPERVISORS PUBLIC HEARING AND ANNUAL MEETING PROCEEDINGS; MONDAY, NOVEMBER 09, 2015

The La Crosse County Board of Supervisors Annual Meeting was held on Monday, November 09, 2015 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 28 supervisors were present when Chair Tara Johnson called the meeting to order at 6:00 P.M. and those otherwise present, excused or absent are noted in the roll call detail:

District Name	Attendance
1 Richmond, Andrea	Present
2 Geary, Ralph	Present
3 Veenstra, Joe	Present
4 Freedland, Maureen	Present
5 Rosa, Keyla	Absent
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	Present
19 Hoffman, Hubert	Present
20 Doyle, Steve	Present
21 Burke, Vicki	Present
22 Barlow, Patrick	Present
23 Nikolay, Matt	Present
24 Pfaff, Leon	Present
25 Ebert, Ray	Present
26 Hesse, Dan	Present
27 Wehrs, Tina	Present
28 Keil, Robert	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 2016 recommended budget including the gross expenditures (\$167.23 million), 2016 tax levy, mill rate, and budget priorities.
- Public Comment - Chair Johnson called speakers to the podium.
 - Holmen Community Center
 - Dan McHugh 1305 Moorings Drive La Crosse – in favor
 - Mary Lin Wershofen – W6610 Shilling Rd Onalaska -in favor

(114-15/16)

- Bob Stupi N7577 County Road XX Holmen – in favor
- Beth Balder Schroeder 810 E Cedar Ave Holmen– in favor
- Father Del Moline 909 Western Ave Holmen – in favor
- Patrick Strupp W8114 County Ave Holmen – in favor
- Lloyd Dresen N6944 Garden St Holland – in favor
- Patty Bagniewski 601 Knollwood Dr Holmen – in favor
- Leonard Beranek N7910 Bluffview Ct Holmen – in favor
- Barry Ploessl 910 Deerfield St Holmen -in favor

- Neighborhood Revitalization
 - Brad Sturm 232 Shore Acres Rd La Crescent, MN – in favor
 - Melissa Moss 401 Jay St #206 La Crosse – against
 - Jerilyn Dinsmoor W6364 Wendtland Rd Onalaska – in favor of La Crosse Promise Program
 - Jason Gilman with the City of La Crosse 2315 Sandside Ct Onalaska – in favor
 - Ryan Cornett 920 Wall St La Crosse – in favor

- All Inclusive Park – Autism Park
 - Adam Weissenberger N1582 Meadow Ridge Rd La Crosse – in favor
 - Steve Carlyn City of La Crosse Parks and Rec – in favor, reallocate money for ball park to this park

- Christopher Muller – 538 6th Ave N Onalaska – spoke on budget needs

- UWL Stadium
 - Joe Gow Chancellor of UW La Crosse – in favor
 - Kim Blum W6783 Strawberry Rd Onalaska, Athletic Director UW La Crosse – in favor
- There were no written comments.

PUBLIC HEARING CLOSED: With no one else requesting to speak, the public hearing was closed. Motion by L. Berg/P. Jerome to close the Public Hearing passed on a unanimous voice vote with 28 ayes, 1 Absent – K. Rosa.

COMMUNICATIONS AND ANNOUNCEMENTS: County Board Chair Report - Tara Johnson

A moment of silence was held for past Supervisor Bernie Maney who passed away recently. He served on the La Crosse County Board of Supervisors from 1996-2008.

- AC&DCC Update
 - Facilities Director Jim Speropulos and Supervisor Scheller presented the updates happening to the LEC, HHS and the New Administrative Center buildings.
- Contributions to Flower Kitty – an envelope was passed to collect funds to be used for flowers.
- Supervisor Conference Reports
 - Supervisor Holtze attended Oktoberfest in the Capital and several topics were discussed with legislators. He is also a member of the WCA Ambassador program and reported on the positions they are taking and recommending.
 - Supervisor Pfaff attended the Wildlife Abatement Committee meeting and reported on the deer donation program.
 - Supervisor Hoffman gave an update on the water lettuce found in Lake Onalaska.
 - Supervisor Jerome attended the City of La Crosse Human Rights Commission listening session on LGBT issues on November 4th.

ADMINISTRATOR'S REPORT

PROCLAMATION NOVEMBER 2015 - VETERANS MONTH

WHEREAS, the Veterans Service Office assists and supports La Crosse County veterans and their family members in recognition of the sacrifices and service of veterans to La Crosse County, the state of Wisconsin, and the United States; and, **WHEREAS**, respect for veterans' achievements and sacrifices on behalf of the nation and the world is ensured; and, **WHEREAS**, leadership and advocacy for La Crosse County veterans is demonstrated; and, **WHEREAS**, commitment to service excellence while assisting veterans with their applications for state and federal veterans' programs is of the highest level. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby proclaim the month of November 2015 as La Crosse County Veterans Month and urges all residents to join in recognizing the valuable contribution military veterans have made to La Crosse County.

Motion by J. Schroeder/P. Jerome to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

County Clerk Report – Ginny Dankmeyer

- County Board Supervisory Election Information – Clerk Dankmeyer provided the necessary information to Supervisors on papers that need to be filed regarding the Spring 2016 Elections.

CONSENT AGENDA

Motion by R. Plesha/P. Scheller to approve the minutes of the La Crosse County Board of Supervisors Planning meeting held October 5, 2015 and the Monthly meeting held October 15, 2015 and the claims list for \$7,251,650.75 passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

ORDINANCE NO. 144-11/15 TO AMEND CHAPTER 7 ENTITLED "TRAFFIC CODE" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

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

Section 1. Chapter 7 of the County Code is amended to read:

7.01 STATE TRAFFIC LAWS ADOPTED.

Except as otherwise specifically provided in this Chapter, the statutory provisions in Wis. Stats. Chs. 340 to 348, describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein for which the statutory penalty is a fine or term of imprisonment, are adopted and by reference made a part of this Chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this Chapter in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the state.

7.02 PARKING REGULATIONS.

(1) NO PARKING EXCEPT FOR AUTHORIZED VEHICLES. No person shall stop or park any vehicle in any County-owned area designated for vehicular parking except as authorized by the Facilities Department. Maps designating the parking areas shall be on file at the Facilities Department.

(2) PARKING METERS AND LOTS.

(a) Definitions.

1. Committee. The Public Works and Infrastructure Committee or any subsequent County Committee with jurisdiction over the subject of this Chapter.

2. Parking Meter. Any electronic mechanical device or meter not inconsistent with this section placed or erected for the regulation of parking under this section and which accepts payment by coins or other method to pay for the parking use.

(116-15/16)

3. Parking Meter Space. The space in which a vehicle may be parked, which is indicated clearly by painted lines or otherwise and adjacent to which a parking meter is installed near the front line of such space.

(b) Operation of Meters.

1. When any vehicle is parked in a parking meter space between 8:00 a.m. and 6:00 p.m. on any day except Saturdays, Sundays and public holidays, the owner, operator or driver of such vehicle shall, upon entering such space, deposit a proper coin of the United States of America or make other payment as authorized in the parking meter as indicated thereon for the parking time desired. Failure to deposit such coin or make other authorized payment shall constitute a violation of this section.

2. The fact that the timing device on any parking meter is not in operation shall be presumptive evidence that the owner or driver of the vehicle then parked in the space regulated by such parking meter failed to deposit or cause to be deposited the required coin or coins or make such other authorized payment in such meters; and the mechanical indication by such meter of a "violation" shall be presumptive evidence of unlawful parking.

3. No person shall permit a vehicle registered in his name to remain in any parking space while the parking meter shows a violation.

4. The Facilities Department shall direct the installation of such parking meters within County-owned parking lots as it deems fit and proper, shall determine the time limits of such parking, and shall make such other regulations in relationship thereto as from time to time it deems necessary. The County Board of Supervisors shall set the parking meter charges from time to time.

(c) Position of Parked Vehicles.

1. Vehicles shall be parked wholly within the parking meter spaces as marked.

2. Where the parking meters are placed in front of parking meter spaces, the radiator of a parked vehicle shall be as near as possible to the meter; and where the parking meters are placed beside such spaces, the front fender or front wheel of a parked vehicle shall be as near as possible to the meter.

(d) Purpose of Metered Parking. The coins required to be deposited or other authorized payment as provided herein are for the purpose of regulating parking for the convenience and protection of the public and to cover part of the cost of such regulation.

(e) Vandalism of Meters; Slugs. No person shall deface, injure, tamper with, willfully break, destroy or impair the usefulness of, or open without lawful authority, any parking meter. No person shall deposit or cause to be deposited in any parking meter any slug, device or substitute for the proper coin or coins of the United States of America.

(3) ENFORCEMENT. The enforcement of this section shall be accomplished by issuing a citation to the registered owner of the vehicle, where the citation is affixed to a conspicuous place upon the vehicle.

7.03 MOTOR VEHICLES ON PEDESTRIAN WAYS AND OVERPASSES. No person shall operate or park any motor vehicle on any pedestrian way or pedestrian overpass within the County except County or town maintenance vehicles.

7.035 INTENTIONAL EXCESSIVE NOISE OR DISPLAY BY MOTOR VEHICLES.

(1) No person shall make excessive or unreasonable noise with a motor vehicle by squealing tires or by excessive or rapid acceleration of the vehicle on any public or private way within La Crosse County. Prima facie evidence of excessive or unreasonable noise shall be an unreasonable squealing or screeching sound emitted by the tires or throwing of sand or gravel by the tires of said vehicle, or both. Prima facie evidence of excessive or rapid acceleration of the motor vehicle shall also be fishtailing, power turns, power slides and the like. This section shall not apply to farm machinery or vehicles participating in bona fide events at race tracks or go-cart tracks.

(2) No Engine Braking in Designated Urban Areas.

(117-15/16)

(a) No person shall use an engine braking system within designated urban areas in La Crosse County which is in any way activated or operated by the compression of the engine of any such motor vehicle or any such unit or part thereof, except in cases of emergency or necessary for the protection of persons and/or property. Such braking system is commonly referred to as compression braking or a "jake brake."

(b) The Public Works and Infrastructure Committee may designate urban areas in the County where engine braking is prohibited and signs shall be conspicuously posted in such areas stating: "No engine braking except in emergency" or its equivalent.

7.04 SPEED LIMITS.

(1) 25 MILES PER HOUR. The speed limit on the following streets or portions of streets shall be 25 m.p.h.:

(a) County Trunk "B" from a point .04 miles North of Bainbridge St to a point .03 miles East of Washburne St

(b) County Trunk "B" from a point .04 miles East of Vera Ln to a point .15 miles East of Mill St

(c) County Trunk "B" from STH 162 to CTH "U"

(d) County Trunk "B" from CTH "U" to a point .28 miles West of Meadow View St

(e) County Trunk "BW" from CTH "B" to a point .06 miles South of Brezzy Point Rd

(f) County Trunk "C" from a point .08 miles North of Industrial Rd to STH 16

(g) County Trunk "D" from CTH "DH" to a point .17 miles East of 2nd Ave

(h) County Trunk "D" from a point .28 miles West of STH 108 to STH 108

(i) County Trunk "DE" from STH 108 to a point .16 miles East of Lions St

(j) County Trunk "DH" from CTH "SN" to CTH "HD"

(k) County Trunk "GI" from County Line to STH 35

(l) County Trunk "J" from a point .04 miles South of Water St to a point .14 miles North of CTH "U"

(m) County Trunk "MW" from County Property Line to CTH "M"

(n) County Trunk "OT" from a point .24 miles North of CTH "ZM" to CTH "XX"

(o) County Trunk "S" from Onalaska City Limits to a point .01 miles North of Redwood St

(p) County Trunk "SN" from a point .02 miles North of Alpine Ln to CTH "HD"

(q) County Trunk "V" from CTH "DH" to a point .21 miles North of Juniper Ln

(r) County Trunk "XX" from a point .18 miles North of Holland Dr to a point .22 miles North of Old NA

(s) County Trunk "Z" from a point .20 miles West of Forest Dr to a point .24 miles West of Elm St

(t) County Trunk "ZN" from a point .06 miles West of Lumber Pl to CTH "OT"

(u) Fanta Reed from CTH "BW" to a point .11 miles East of Western Ave

(v) Cottage Lane from CTH "ZB" to CTH "ZN"

(2) 30 MILES PER HOUR. The speed limit on the following streets or portions of streets shall be 30 m.p.h.:

(a) County Trunk "ZM" from CTH "Z" to CTH "OT"

(3) 35 MILES PER HOUR. The speed limit on the following streets or portions of streets shall be 35 m.p.h.:

(a) County Trunk "B" from Fanta Reed to a point .04 miles North of Bainbridge St

(118-15/16)

- (b) County Trunk "B" from a point .03 miles East of Washburne St to City Limits
- (c) County Trunk "B" from STH 16 to a point .04 miles West of Wolf Ridge Ct
- (d) County Trunk "B" from CTH "M" to a point .04 miles East of Vera Ln
- (e) County Trunk "B" from a point .15 miles East of Mill St to a point .73 miles East of Mill St
- (f) County Trunk "BW" from a point .06 miles South of Brezzy Point Rd to Nelson Park
- (g) County Trunk "C" from a point .18 miles West of Linden Ln to a point .08 miles North of Industrial Rd
- (h) County Trunk "DD" from a point .07 miles South of CTH "T" to CTH "T"
- (i) County Trunk "F" from Briarwood Ave to a point .07 miles East of Trailer Park
- (j) County Trunk "F" from a point .22 miles West of Nolop Rd to STH 33
- (k) County Trunk "K" from CTH 35 to a point .03 miles County Line
- (l) County Trunk "M" from a point .14 miles South of CTH "O" to CTH "O"
- (m) County Trunk "M" from a point .02 miles North of CTH "B" to STH 16
- (n) County Trunk "MH" from CTH "XX" to CTH "HD"
- (o) County Trunk "MM" from STH 14 to a point .59 miles East of Trailer Park
- (p) County Trunk "O" from a point .02 miles West of Fox Hollow Dr to CTH "M"
- (q) County Trunk "OT" from a point .10 miles South of Corporate Dr to a point .24 miles North of CTH "ZM"
- (r) County Trunk "S" from a point .01 miles North of Redwood St to CTH "SN"
- (s) County Trunk "SN" from CTH "S" to a point .06 miles North of CTH "OT"
- (t) County Trunk "SN" from a point .09 miles South of Pinecrest Ave to a point .02 miles North of Alpine Ln
- (u) County Trunk "T" from a point .55 miles East of CTH "DD" to a point .29 miles West of CTH "DD"
- (v) County Trunk "U" from a point .30 miles West of Mankee/Hessleberg to a point .09 miles East of Huhn Rd
- (w) County Trunk "Z" from a point .27 miles West of CTH "ZN" to a point .18 miles West of Northshore Ln
- (x) County Trunk "ZB" from CTH "Z" to CTH "Z"
- (y) County Trunk "ZN" from CTH "ZB" to CTH "Z"
- (z) County Trunk "ZZ" from CTH "ZN" to CTH "Z"
- (zz) Fanta Reed from a point .11 miles East of Western Ave to CTH "B" Dawson Ave

(4) 40 MILES PER HOUR. The speed limit on the following streets or portions of streets shall be 40 m.p.h.:

- (a) County Trunk "B" from Gillette St City Limit to STH 16
- (b) County Trunk "OT" from CTH "XX" to STH 35

(5) 45 MILES PER HOUR. The speed limit on the following streets or portion of streets shall be 45 m.p.h.:

- (a) County Trunk "B" from a point .04 miles West of Wolf Ridge Ct to a point .15 miles East of CTH "O"
- (b) County Trunk "D" from a point .17 miles East of 2nd Ave to a point .04 miles East of Granum St

(119-15/16)

- (c) County Trunk "F" from a point .07 miles East of Trailer Park to a point .22 miles West of Nolop Rd
- (d) County Trunk "HD" from a point .30 miles South of Hale Dr to a point .26 miles North of CTH "DH"
- (e) County Trunk "M" from a point .48 miles North of Russlan Coulee to a point .14 miles South of CTH "O"
- (f) County Trunk "M" from CTH "O" to a point .02 miles North of Logging Rd
- (g) County Trunk "M" from STH 16 to a point .12 miles South of Hidden Valley Rd
- (h) County Trunk "MM" from a point .59 miles East of Trailer Park to STH 14
- (i) County Trunk "O" from CTH "B" to a point .02 miles West of Fox Hollow Dr
- (j) County Trunk "OA" from a point .14 miles South of Drectrah Rd to CTH "O"
- (k) County Trunk "OT" from CTH "SN" to a point .10 miles South of Corporate Dr
- (l) County Trunk "SN" from a point .06 miles North of CTH "OT" to a point .09 miles South of Pinecrest Ave
- (m) County Trunk "V" from a point .21 miles North of Juniper Ln to a point .27 miles North of Keppel Rd
- (n) County Trunk "XX" from CTH "OT" to a point .04 miles North of Remus Rd
- (o) County Trunk "XX" from a point .22 miles North of old NA to STH 35
- (p) County Trunk "YY" from a point 1.35 miles South of CTH "M" to CTH "M"
- (q) County Trunk "Z" from Dump Turnaround to a point .20 miles West of Forest Dr

(6) 50 MILES PER HOUR. The speed limit on the following streets or portions of streets shall be 50 m.p.h.:

- (a) County Trunk "M" from a point .12 miles South of Hidden Valley Rd to a point .16 miles North of Southern Rd

(7) Speed limits on park and campground roads shall be posted as authorized by the Facilities Department.

7.05 SNOWMOBILES.

(1) STATE SNOWMOBILE LAWS ADOPTED. Except as otherwise specifically provided in this Chapter all provisions of Ch. 350, Wis. Stats., describing and defining regulations with respect to snowmobiles for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, are hereby adopted and by reference made a part of this Chapter as if fully set forth herein. Any act required to be performed or prohibited in any statute incorporated herein by reference is required or prohibited by this Chapter.

(2) APPLICABILITY OF RULES OF THE ROAD TO SNOWMOBILES. The operator of a snowmobile upon a roadway shall in addition to the provisions of Ch. 350 be subject to the rules of the road as listed in s. 346.02 (10), Wis. Stats.

(3) ENFORCEMENT. Law enforcement personnel as provided in Wis. Stat. s. 350.17(1) or the County Facilities Director, or his or her designee, shall enforce the provisions of this section.

(4) RESTRICTED USES OF SNOWMOBILES. (Cr. #9-78)

- (a) No person shall operate a snowmobile:
 - 1. On any County land except where authorized by official, posted signage or by permission of the County Facilities Director.
 - 2. At a speed in excess of posted speed limits on snowmobile trails in the County.

(120-15/16)

(b) No four-wheel drive vehicle, passenger car, all-terrain vehicle, truck or motorcycle shall travel on approved county snowmobile trails between November 15 and April 15 without the written permission of the County Snowmobile Coordinator.

(c) Landowners who permit snowmobiling on their land pursuant to ss. 29.68, Wis. Stats., shall notify the County Snowmobile Coordinator if they intend to travel on an approved snowmobile trail with a vehicle other than a snowmobile. The notification shall be the same as that required in ss. 29.68, Wis. Stats.

(5) DEFINITIONS. (Cr. #9-78)

(a) Snowmobile shall have the meaning given in s. 340.01, Wis. Stats.

(b) All-Terrain Vehicle shall have the meaning given in s. 340.01, Wis. Stats. and shall also include, but not be limited to, trail bikes, motorcycles, mini-bikes, air-boats, or golf carts.

(c) Approved Snowmobile Trails includes all snowmobile trails or routes that have been approved by the County Facilities Director or his or her designee.

7.06 COUNTY TRUNK HIGHWAY SYSTEM. The County Trunk Highway system is contained in the official La Crosse County Highway map on file at the La Crosse County Highway Department, which map is annually changed to reflect any changes to the County Trunk Highway System over the previous year.

7.07 ESCORT AND TRAFFIC CONTROL SERVICES. (Rep. & Recr. Ord. #13-90).

(1) Entities shall be required to pay for applicable wage and fringe benefit expenses incurred for escort and/or traffic control services by patrol deputies when needed or requested by the holder of a special permit authorized by the Wisconsin Department of Transportation. The permit authorizes the movement of oversized, weight and load vehicles over highways and roads under the jurisdiction of La Crosse County. This section also applies to non-emergency traffic control services.

(2) All requests for the above services, except for a valid emergency, shall require a twenty-four (24) hour advance notice. Requests shall be made to the La Crosse County Sheriff's Department during business hours.

7.08 ALL-TERRAIN VEHICLES. (Cr. Ord. #11-87)

(1) State All-terrain laws adopted. Except as otherwise specifically provided in this Chapter, the statutory provisions in Chapter 23.33, Wis. Stats., describing and defining regulations with respect to all-terrain vehicles, exclusive of any provisions therein for which the statutory penalty is a fine or term of imprisonment, are hereby adopted by reference and made part of this section as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required by this section.

(2) APPLICABILITY OF RULES OF THE ROAD TO ALL-TERRAIN VEHICLES. The operator of an all-terrain vehicle upon a roadway shall in addition to the provisions of Chapter 350 be subject to the rules of the road as provided in s. 346.02(11), Wis. Stats.

(3) OPERATION ON COUNTY PROPERTY. No person shall operate any all-terrain vehicle on lands owned by the County except where the use is authorized by posted notice or County permit.

7.09 PENALTIES.

(1) SECTION 7.01, STATE TRAFFIC LAWS. The penalty for violation of any provision of 7.01 shall be as follows:

(a) State Forfeiture Statutes. Forfeitures for violation of ss. 340.01 to 348.28, Wis. Stats., shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses.

(b) State Fine Statutes. The forfeiture for violation of any statute adopted by reference hereunder for which the penalty is a fine shall not exceed the maximum fine permitted under such statute.

(2) SECTION 7.02, PARKING REGULATIONS. (Rep. and Recr. Ord. #12-90)

(a) The forfeitures for violation of parking regulations under section 7.02 and the additional forfeiture for late payment shall be set by the County Board of Supervisors from time to time.

(121-15/16)

(b) Persons who receive parking tickets or parking violation notices may discharge the penalty thereof by forwarding the forfeiture within 10 calendar days of the offense to the Facilities Department. The receipt of this tender shall be deemed an entry of appearance and a stipulation for entry of judgment for forfeiture in that amount. No forfeiture imposed for the violation of any provision of ss. 7.02 shall exceed the maximum fine for the same offense under State law.

(c) Unpaid parking tickets may be referred by the Facilities Department to Corporation Counsel for appropriate action in circuit court to collect the unpaid forfeitures.

(3) The forfeiture for violation of S. 7.03 (Motor Vehicles on Pedestrian Ways and Overpasses) and S. 7.035 (Noise Caused by Excessive Acceleration of Vehicles) shall not be less than \$100 or more than \$200.

(4) SECTION 7.05, SNOWMOBILES.

(a) The penalty for violating any provision of this section and provisions of Ch. 350, Wis. Stats., adopted by reference in Section 7.05(1) above, shall be a forfeiture and said forfeiture shall conform to forfeitures for violation of the comparable State offense as provided in Ch. 350, together with the cost of prosecution imposed as provided by law.

(b) Forfeitures for violation of s. 7.05(4) shall not be less than \$100 nor more than \$200 for each offense.

(5) SECTION 7.08, ALL-TERRAIN VEHICLES.

(a) A bond and deposit schedule for violations under Section 7.08 shall be adopted in conformity with Section 23.66 of the Wisconsin Statutes, and the provisions of said statute are hereby adopted by reference as though fully set out herein.

(b) Forfeitures for violation of s. 7.08(3) shall not be less than \$100 nor more than \$200 for each offense.

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

TARA JOHNSON, COUNTY BOARD CHAIR
GINNY DANKMEYER, COUNTY CLERK

JUDICIARY AND LAW COMMITTEE
EXECUTIVE COMMITTEE

Motion by P. Barlow/V. Burke to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

RESOLUTION RE: SUPPORT FOR 2015 ASSEMBLY BILL 378 AND SENATE BILL 280 REGARDING JURISDICTION OF JUVENILE COURT FOR PERSONS UNDER AGE 18

JUDICIARY AND LAW COMMITTEE
HEALTH & HUMAN SERVICES BOARD

Motion by P. Barlow/M. Kruse to approve. Discussion ensued. Supervisor Doyle suggested to send the bill to the WCA as well. **Motion** by L. Berg/B. Logue to amend by striking all the Be It Resolved clauses except the last one and replacing with Now Therefore Be It Resolved that the La Crosse County Board does support amending AB378/SB280 to include funding for additional costs incurred by the county prior to the passage. Corporation Counsel David Lange responded to questions from the Board. Discussion ensued. The motion passed on a roll call vote with 16 ayes, 12 nays - P. Barlow, V. Burke, K. Cable, N. Caucutt, S. Doyle, M. Freedland, S. Hampson, P. Jerome, M. Kruse, R. Plesha, A. Richmond and J. Veenstra, 1 absent - K. Rosa. Human Services Director Jason Witt responded to questions from the Board. **Motion** by M. Kruse/V. Burke to amend by deleting the last Whereas clause stating the Criminal Justice Management Council voted unanimously in favor of the contents of this resolution passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa. **Motion** by S. Doyle/N. Caucutt to hold for 30 days. Discussion ensued. There were no objections to the understanding of 30 days being the December Board meeting. The motion passed on a voice vote with 26 ayes, 2 nays - L. Berg and B. Logue, 1 absent - K. Rosa.

RESOLUTION NO. 45-11/15 RE: RECOGNITION OF MIKE DESMOND AND HIS SERVICE ON THE HEROIN AND OTHER ILLICIT DRUG TASK FORCE

WHEREAS, Mike Desmond served on the Heroin and Other Illicit Drug Task Force for 2 years; and, WHEREAS, Desmond's leadership as co-chair successfully resulted in installation of 7 prescription drop boxes, prescription drug monitoring training for local medical providers, and passage of important legislation relating to increase treatment, response to overdose deaths using Narcan (the life-saving drug to reduce heroin and opioid overdose deaths), prescriber training and more, and supporting law enforcement, mental health, and community prevention efforts; and, WHEREAS, Heroin and prescription overdose deaths were at an all-time high before the Task Force was created; and, WHEREAS, Desmond's strategic planning and community engagement helped result in zero heroin deaths for the years 2014 and 2015 year-to-date; and, WHEREAS, Desmond brought together a diverse group of local citizens and experts to work on this emergent public health problem; and, WHEREAS, Desmond devoted his time, talent and energy to the Task Force. NOW THEREFORE BE IT RESOLVED that the La Crosse County Board recognizes Mike Desmond for his service to the people of La Crosse County addressing this serious life-threatening problem and improving the community in which we all live. FISCAL NOTE: No cost to the County.

HEALTH AND HUMAN SERVICES BOARD

Motion by M. Kruse/A. Richmond to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

ORDINANCE NO. 142-11/15 TO AMEND CHAPTER 17 ENTITLED "ZONING CODE" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

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

Section 1. Chapter 17 of the County Code is amended to read:

17.01 STATUTORY AUTHORIZATION. A chapter to promote the public health, safety and general welfare, pursuant to the provisions of s. 59.69, Wis. Stats., and for such purpose to divide the County of La Crosse, Wisconsin, into districts of such number, shape and area as are deemed best suited to carry out such purposes, to provide a method for its administration and enforcement, and to provide penalties for violations of its provisions.

17.02 INTERPRETATION, PURPOSE, AND APPLICABILITY.

(1) The provisions of this chapter shall be held to be minimum requirements adopted to promote the public health, safety and general welfare of the County. As required by s. 66.1001, Wis. Stats., La Crosse County has adopted a Comprehensive Plan in order to promote planned growth and orderly development. The intent of this chapter is to meet the requirements and aid in the implementation of the La Crosse County Comprehensive Plan.

(2) It is not intended by this chapter to repeal, abrogate, annul, impair or interfere with any existing easement, covenant of agreement between parties or with any rules, regulations or permits previously adopted or issued pursuant to laws; provided, however, that where this chapter imposes a greater restriction upon the use of buildings or premises, or upon the height of a building, or requires larger open spaces than are required by other rules, regulations, or permits or by easements, covenants or agreements, the provisions of this chapter shall govern.

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

(4) The County zoning ordinance in effect immediately prior to the enactment of this chapter shall remain in effect in a town for a period of up to 1 year or until this chapter is approved by the town board, whichever period is shorter. If a town board fails to approve this chapter within 1 year of its enactment, neither this chapter nor the County zoning ordinance in effect immediately prior to enactment of this chapter shall be in force in that town.

(123-15/16)

17.03 DEFINITIONS. For the purpose of this chapter, words used in the present tense include the future; the singular number includes the plural number, and the plural number includes the singular number; the word "structure" includes the word "building"; the word "shall" is mandatory and not directory. Any words not defined as follows shall be construed as defined in applicable state statutes and county code. The following definitions are applicable throughout this chapter.

(1) Access Easement. An interest in property evidencing a private right of access to real property, defined by a legal description, providing for sufficient all weather vehicular access to adequately protect public welfare and safety.

(2) Accessory Structure. A structure that is subordinate to the existing or future principal structure which contributes to the convenience or necessity of the principal use on a parcel. Accessory structures shall be detached from the principal structure.

(3) Administrator. The County Zoning Supervisor, or designee of the County Zoning Supervisor, empowered to enforce the rules and provisions of the La Crosse County Zoning Ordinance.

(4) Agricultural Building. A building constructed and used solely for agricultural use.

(5) Agricultural Use. Any of the following activities conducted for the purpose of producing an income or livelihood: crop or forage production, keeping livestock, beekeeping, nursery/sod/Christmas tree production, floriculture, aquaculture, forest management, enrollment of land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program, or any other use that DATCP, by rule, identifies as an agricultural use.

(6) Agricultural Use, Accessory. Any use as defined in s. 91.01(1), Wis. Stats., except farm residences, but including the following provided they meet the requirements of s. 91.01(1): 1 roadside stand for the sale of farm products produced on the premises, greenhouses and nurseries, sawmills when located on the premises for less than 30 days; riding, training or boarding stables, paddocks, and equestrian trails; mineral extraction incidental to a farming operation.

(7) Alley. A street or thoroughfare less than 21 feet wide and affording only secondary access to abutting property.

(8) Animal Unit. Means a unit of measure to determine the total number of single animal types as referenced in NR 243.03(5) and as provided in NR 243.05 of the Wis. Admin. Code, or any amendments thereto.

(9) Approved Access. An access approved by the applicable Town Board, except an easement which is intended to serve more than 1 lot must be approved by the Committee and the applicable Town Board, using the relevant standards established under s. 82.18, Wis. Stats., or any amendments thereto.

(10) Attached Garage. An enclosed accessory use area which is physically and structurally attached to a dwelling.

(11) Base Farm Tract (BFT). A single parcel or 2 or more contiguous parcels in a farmland preservation zoning district (Exclusive Agriculture District and General Agriculture District) which are under common ownership and part of a single farm as of January 30, 2012 [the effective date of the Comprehensive Revision of this Chapter], or as modified under s. 17.05(5)(d)(1)a, and shown on the official BFT Map.

(12) Basement. A story of a building which is at least 50% below grade.

(13) Bed and Breakfast. Any place of lodging that satisfies all of the following:

(a) Rents 8 or fewer rooms for transient residential use to no more than a total of 20 people.

(b) Provides no meals other than breakfast and provides the breakfast only to renters of the place.

(c) Is the owner's personal residence.

(d) Is occupied by the owner at the time of rental.

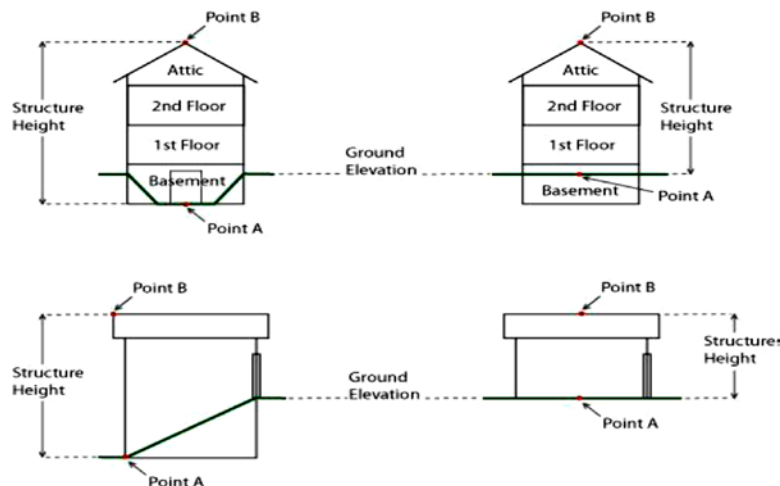
(14) Board. The La Crosse County Board of Adjustment.

(124-15/16)

(15) Boarding House. A building, other than a hotel or motel, that provides temporary or transient residential uses for up to 5 persons, where meals and lodging are furnished for compensation, and is used as a principal residence by the owner or operator.

(16) Building. Any structure used, designed or intended for the protection, shelter, enclosure or support of persons, animals or property. When a building is divided into separate parts by un-pierced walls extending from the ground up, each part shall be deemed a separate dwelling unit for occupancy purposes.

(17) Building/Structure, Height Of. The height of a structure is the measurement of the vertical line segment, starting at the lowest point of any exposed wall and its intersection with the ground (Point A in diagram 1 below) to a line horizontal to the highest point of the structure (Point B in diagram 1 below), unless specified under other sections of this code.



(18). Cabin. A lodging place other than a hotel, a motel or a recreational vehicle in which sleeping accommodations are offered for pay or without pay or a building that is used as a dwelling for temporary residential use.

(19). Camping Unit. A portable device, no more than 400 square feet in area, that can be used as a temporary dwelling unit.

(20) Campground. One or more parcels of land where accommodations are provided for the temporary or transient residential use of camping units, recreational vehicles or other recreational facilities.

(21) Centerline. The center of a highway as shown on a legal map, plat, survey or plan or as described in a recorded document. Where a legal map, plat, survey, plan or other recorded document does not exist, the traveled centerline of the existing highway shall be used to determine the centerline.

(22) Club. A building, facility, or site owned and/or operated for social, educational, recreational, or athletic purposes for members and their guests, but not primarily for profit and not primarily to render a service customarily carried on as a business activity.

(23) Commercial Animal Establishment. An establishment wherein any person is engaged in the business of boarding, breeding, buying, letting for hire, training for a fee or selling dogs, cats, birds or other animals. A person shall be engaged in the business under this definition if the business involves the breeding and selling of more than 2 litters of pups or kittens, 2 clutches of birds, or 2 or more dogs, cats or other animals in a 12 month period of time.

(24) Commercial Building. A building primarily occupied for business uses. A commercial building may be subject to state plan review under Wisconsin State Statutes.

(25) Commercial Transport Trailer or Container. Trailers or vehicles which are used for the transport of commercial products, goods or materials such as, but not limited to, railroad cars, shipping containers or semi-trailers. Commercial transport trailers or containers cannot be used as buildings or structures except as approved by a conditional use permit within the applicable zoning district.

(125-15/16)

(26) Commercially Related Vehicle. A motor vehicle with a Gross Vehicle Weight Rating (GVWR) of up to 16,000 pounds that is typically used for commercial purposes and/or displays business advertising. (e.g. bread trucks, UPS trucks, Fed Ex trucks)

(27) Committee. The committee charged with carrying out the policy-making processes for the La Crosse County Zoning, Planning and Land Information Department as defined in Chapter 1 of the La Crosse County Code of Ordinances.

(28) Community-Based Residential Facility. A licensed facility as defined in s. -50.01(1g), Wis. Stats.

(29) Contiguous. Two or more parcels of land or lots are considered to be contiguous if they adjoin, border or abut along a common boundary at any point or if they are only separated by the following: highway right-of-way, railroad right-of-way, state owned bike trails, creeks, rivers or other linear bodies of water, or a single improved access which is a maximum of 66 feet in width.

(30) County Board. The La Crosse County Board of Supervisors.

(31) DATCP. State of Wisconsin Department of Agriculture, Trade and Consumer Protection.

(32) Department. The La Crosse County Zoning, Planning and Land Information Department.

(33) Dwelling. A building or portion of a building designed for and occupied exclusively for residential purposes.

(34) Dwelling, 1 Family. A building or portion of a building designed for or occupied exclusively by 1 family consisting of 1 dwelling unit.

(35) Dwelling, 2 Family. A building or portion of a building designed for and occupied exclusively by 2 families and consisting of 2 dwelling units.

(36) Dwelling, Multiple Family. A building or portion of a building designed for and occupied by 3 or more families and consisting of 3 or more dwelling units.

(37) Dwelling Unit. A building or portion of a building providing the necessary facilities and intended to be used as a residence by 1 family or housekeeping entity.

(38) Family. A group of people related by blood, marriage or adoption or a maximum of 4 unrelated people living together in a single dwelling unit which is used as a principal residence.

(39) Farm. All parcels of land under common ownership with more than 35 acres of contiguous land and primarily devoted to agriculture uses.

(40) Farm Employee. A full time equivalent employee of the owner or operator of a farm who earns more than 50 percent of his or her gross income from the farm.

(41) Farm Residences. A single-family or two-family dwelling that is the only residential structure on the farm or is occupied by any of the following:

(a) An owner or operator of the farm.

(b) A parent or child of an owner or operator of the farm.

(c) A farm employee.

(42) Feedlot. A lot or building, or combination of contiguous lots and buildings, intended for the confined holding of animals and where manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained. Pastures shall not be considered animal feedlots under these parts.

(43) Foundation Envelope. The area delineated in a Manufactured Community District Plan for the placement of 1 manufactured home and any attachments thereto. Each Manufactured Home Site shall have a delineated foundation envelope.

(44) Frontage. That portion of a lot abutting a highway or other approved access.

(45) Home Occupation. A gainful occupation conducted by members of the family within their place of residence.

(46) Hotel or Motel. A building in which lodging, with or without meals, is offered to transient guests for compensation and in which there are more than 5 sleeping rooms with no cooking facilities in any individual room or apartment.

(126-15/16)

(47) Intersection. The point upon which 2 highway centerlines or a highway centerline and the center of a railway right-of-way converge.

(48) Junk or Salvage Yard. A property, building or structure which is owned, maintained, operated or used for storing, keeping, processing, refurbishing, buying or selling materials such as, but not limited to, unlicensed/inoperable motor vehicles or parts thereof, used appliances or parts thereof, tractors or agricultural equipment or parts thereof, unusable or inoperable recreational vehicles or trailers or parts thereof, demolition or waste materials, metals, lumber, paper, rags, tires, or other materials commonly included within the terms of junk or salvage. A junk or salvage yard may include, but is not limited to, refuse dumps, garbage dumps, automobile graveyards, scrap metal processors, auto-wrecking yards, recycling facilities or used auto parts yards.

(49) Lot. A parcel of land having frontage on a highway or other approved access, occupied or intended to be occupied by a principal structure or use and sufficient in size to meet the lot width, lot frontage, lot area, yard, parking area, and other open space provisions of this code.

(50) Lot Lines. The lines bounding a lot or parcel.

(51) Manufactured Dwelling. A building consisting of 1 or more modules that is installed and used as a residence by a consumer, transportable as 1 unit on a temporary chassis or other conveyance device, and designed to be used on a permanent foundation system. The term includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. Manufactured dwellings are considered to be dwellings under the provisions of this chapter.

(52) Manufactured Home. A structure which is a maximum of 16 feet in width that is certified and labeled as a manufactured home under 42 U.S.C. ss. 5401 to 5406, built since June 15, 1976, that bears a seal indicating it has met the mobile home construction and safety standards of the United States Department of Housing and Urban Development (HUD) standards. Manufactured homes must be:

- (a) used as a permanent, single family residential dwelling.
- (b) installed in accordance with the manufacturer's instructions.
- (c) properly connected to all applicable utilities.
- (d) set on an enclosed foundation in accordance with s. 70.043(l),

Wis. Stats., and applicable provisions of Wis. Admin. Code, Comm 21, and certified by the building inspector prior to occupancy.

(53) Manufactured Home Community. One or more parcels of land within a Manufactured Home Community District which has been developed under a single plan approval.

(54) Manufactured Home Site. The area delineated on a Manufactured Home Community District Plan for placement of 1 manufactured home.

(55) Mineral Extraction. The removal of rock, slate, gravel, sand, topsoil or other non-metallic natural materials.

(56) Mobile Home. A vehicle manufactured or assembled before June 15, 1976 which is designed to be towed as a single unit or in sections by a motor vehicle to be used as a dwelling, the construction of which includes the structure, its utilities and all other equipment carrying a manufacturer's warranty.

(57) Non-Conforming Lot. A lot which had legal dimensions and area prior to the adoption of this zoning ordinance but which now fails to conform to the requirements of its zoning district.

(58) Non-Conforming Structure. A structure or building which was legal prior to the adoption of this zoning ordinance but now does not meet the size, location or dimensional limits of its zoning district.

(59) Non-Conforming Use. A building, structure or premises lawfully used or occupied at the time of the passage of this chapter or amendments thereto which does not conform to the regulations of this chapter or any amendments thereto.

(60) Non-Farm Residence. A single-family or two-family dwelling other than a farm_residence.

(127-15/16)

(61) Official Zoning District Map. The map on file in the La Crosse County Zoning, Planning and Land Information Office originally adopted in 1953 and as amended by official action of the La Crosse County Board of Supervisors defining the boundaries of the principal zoning districts within unincorporated areas of La Crosse County. The official action of the La Crosse County Board shall govern if there is any conflict between such action and the boundaries as shown on the La Crosse County Geographical Information System (GIS).

(62) Open Fence. A constructed fence which is 50% or more transparent when viewed at a right angle.

(63) Parcel. One piece of land owned by a single entity which may or may not coincide with a lot of record.

(64) Parking Stall. An area of unobstructed access, covered or uncovered, for the parking of a motor vehicle with a minimum area of 180 square feet.

(65) Planned Unit Development (PUD). A housing project, consisting of a group of 2 or more buildings having more than 2 dwelling units each, to be constructed on a site not subdivided into customary lots and streets, or where an existing lot and street layout makes it impractical to apply the requirements of this chapter to the individual building units.

(66) Pre-existing Residence. A residence that was constructed prior to a town's original adoption date of farmland preservation zoning under La Crosse County's first certified farmland preservation zoning ordinance, is currently located in a certified farmland preservation zoning district, and is situated on a CSM lot of 5 acres or less split from a larger farm parcel after the town's original adoption date or on a lot larger than 5 acres, but less than 35 acres, that existed on the date of adoption. See Table in s. 17.14(2).

(67) POWTS. Private On-site Wastewater Treatment System. A sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. This term also means an alternative sewage system approved by the department including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure. A private sewage system may be owned by the property owner or by a special purpose district.

(68) Principal Residence. A residence occupied more than 180 days of the year by the owners or renters acting as a family. A principal residence includes a residence owned by a trust or an estate of an individual, if the residence is occupied more than 180 days of the year by a person who has an ownership interest as a beneficiary of the trust or estate.

(69) Principal Structure. A structure or combination of structures of chief importance or function on a parcel. In general, the principal use of the site is carried out in a principal structure. The difference between a principal and accessory structure is determined by comparing the size, placement, similarity of design, use of common building materials and the orientation of the structures on a site.

(70) Professional Office. The office of a legally-recognized professional within their place of residence.

(71) Public Airport. Any airport which complies with the definition of public airport or public use airport contained in Chapter 114 of the Wis. Stats., or any airport which serves or offers to serve common carriers engaged in air transport.

(72) Recreational Vehicle. A vehicle intended to be used for temporary recreational occupancy less than 8 feet in width and 400 square feet in size.

(73) Repair, maintenance, renovation, remodeling. To return to good or sound condition after damage or decay of a structure, or to improve the interior or exterior of a structure when it does not involve a structural alteration, addition, or expansion. This can include, but is not limited to replacing sheetrock, shingles, carpeting, siding, wiring, non-structural interior walls, cabinetry, appliances, and painting, or other similar projects.

(74) Residence. The use of a structure as a dwelling.

(128-15/16)

(75) Restore. To replace or reconstruct a structure or portion of a structure where reconstruction or replacement costs, including material and labor, exceed 50% of the estimated fair market value of the structure.

(76) Right-of-Way. Land over which an existing or planned public highway or railroad is intended and the boundary of which is shown on a legal map, plat, survey or plan or described in a recorded document. Where a legal map, plat, survey, plan or other recorded document does not exist and a highway has been constructed, 33 feet on either side of the traveled centerline shall be considered the right-of-way of said highway.

(77) Right-of-Way Line. The line delineating the exterior boundary or boundaries of a highway.

(78) Rural Accessory Building. A building which was constructed under previous versions of this Code as an agricultural building, but due to unique circumstances is required to meet the regulations of an accessory building provided in s. 17.14(1) of this chapter.

(79) Setback. The minimum horizontal distance between the right-of-way line or the centerline of a highway and the nearest point of building or any projection thereof, excluding uncovered steps.

(80) Setback Line. A line established which is parallel to a right-of-way line, centerline of a highway, a body of water, or other line for the purpose of defining limits, outside of which buildings, structures or uses must be constructed, maintained or confined.

(81) Solid Fence. A constructed fence which is less than 50% transparent when viewed at a right angle.

(82) Story. That portion of a building included between the surface of a floor and the surface of the floor next above it or, if there be no floor above it, then the space between the floor and the ceiling next above it. A floor having 50% or more of its height above grade shall be deemed a story for the purposes of height regulation.

(83) Street. All property dedicated or intended for public or private street purposes, or subject to public easements therefore, and 21 feet or more in width.

(84) Structure. Anything constructed or erected where the use of which customarily requires a location on the ground.

(85) Town Board. The Board of Supervisors elected to represent a specific town.

(86) Trailer. A non-self propelled vehicle which is towed and used for the transport of materials or goods relating to a residential use.

(87) Transient Residential Use. The temporary occupancy, by someone other than the owner, of a dwelling unit for residential short term occupancy for a period not to exceed 30 days,

(88) Temporary Residential Use. The short term occupancy of a permitted structure or building for a period of time not less than 30 days, and not to exceed 180 days during a calendar year.

(89) Tourist Rooming House. A building, other than a hotel or motel, in which sleeping accommodations for transient or temporary residential uses for up to 5 person are offered for pay, but no meals are furnished.

(90) Variance. An authorization by the Board of Adjustment for the construction or maintenance of a building or structure in a manner which is inconsistent with or contrary to the dimensional standards contained in this chapter or for a use inconsistent or contrary to the uses allowed in a zoning district.

(91) Vehicle Trips. The event of a vehicle entering or leaving a location. Each time a vehicle enters or leaves a location is a separate trip.

(92) Vision Clearance. The area providing unobstructed vision at traffic intersections within which no structures, temporary structures, crops or landscape features shall encroach in order to provide for the safe and efficient flow of traffic.

(93) Yard. An open space, on the same lot as a building, which is left unoccupied and unobstructed from the ground upward, except as otherwise provided herein.

(129-15/16)

(94) Yard, Front. A yard extending the full width of the lot, between the front lot line and the nearest part of the principal structure, excluding uncovered steps.

(95) Yard, Rear. A yard extending the full width of the lot, being the minimum horizontal distance between the rear lot line and the nearest part of a principal structure, excluding uncovered steps.

(96) Yard, Side. A yard extending from the front yard to the rear yard, being the minimum horizontal distance between a building or structure and the side lot line.

17.04 ORDINANCE PROVISIONS.

(1) General Provisions.

(a) The use and height of buildings hereafter erected, converted, enlarged or structurally altered, and the use of any land shall be in compliance with the regulations established herein for the district in which such land or building is located. Any use not listed as an authorized use in a district is prohibited in that district unless it is incidental or accessory to an authorized use, and any use authorized in a district shall be construed as a prohibited use in any other district, unless as otherwise expressly provided, in the La Crosse County Code of Ordinances.

(b) No lot area shall be so reduced that the yards and setbacks shall be less than is required by this chapter unless approved by the Board of Adjustment.

(c) Every building hereafter erected, converted, enlarged or structurally altered shall be located on a lot and in no case shall there be more than 1 principal structure per residential lot, unless otherwise authorized.

(d) Nothing herein contained shall require any change in the plans, construction, size or designated use of any building or structure or part thereof for which a permit has been issued before the effective date of this chapter, and the construction of which shall have been started within 6 months from the date of said permit.

(e) When a Planned Unit Development (PUD) is to be constructed, the Committee may approve a development plan, provided it complies with the regulations of this chapter and the following:

1. A map in duplicate, drawn to a minimum scale of 1" to 100' showing:

- a. The parcel boundaries and legal description.
- b. The parcel location.
- c. The legal description of the proposed PUD.
- d. The location and use of all structures.
- e. The ordinary high-water elevation of any

navigable waters within 300 feet of parcel boundaries.

- f. Number of residential units.
- g. Proposed off-street parking areas.
- h. The location and style of exterior lighting and
- i. The location of all public and private utilities.

2. Any additional information deemed necessary to ensure compliance with this chapter.

(f) Agricultural uses shall not be allowed within approved subdivision plats.

(g) An established professional office, barber shop or beauty parlor when located within a residence shall be incidental to the residential occupancy and use of the dwelling. Not more than 25% of the floor area of only 1 story of a dwelling shall be occupied by such office, barber shop or beauty parlor. One unlighted name plate may be exhibited not exceeding 1 square foot in area. A maximum of 4 employees are allowed, including all owners of the business.

(h) Home occupations are subject to the following provisions:
1. No article shall be sold or offered for sale on the premises.

(130-15/16)

2. No stock in trade is kept or sold.
3. No mechanical equipment is used other than what is permissible for purely domestic purposes.

4. One unlighted name plate may be exhibited not exceeding 1 square foot in area.

5. No persons other than members of the immediate family living on the premises can be employed by such business.

(i) No person shall build, use, anchor, keep or maintain any houseboat for residential or business purposes landward of the ordinary high-water mark.

(j) The temporary placement of a mobile or manufactured home for residential occupancy may be authorized by a Zoning/Occupancy Permit, subject to the approval of the Town Board, after issuance of a Zoning/Occupancy Permit for a permanent dwelling on the same parcel. In no case shall a mobile or manufactured home be authorized to be located on the parcel for more than 180 days.

(k) In all residential districts or recorded residential subdivision plats, the storage of all motor driven vehicles with a Gross Vehicle Weight Rating (GVWR) over 16,000 pounds is prohibited, with the exception of recreational vehicles.

(l) In all residential districts or recorded residential subdivision plat, the wheels of any recreational vehicle, trailer or other similar transportation device shall not be removed, and the vehicle shall not be temporarily or permanently fixed to the ground or attached to something having a temporary or permanent location on the ground by any person in any manner, unless otherwise authorized.

(m) In residential district A, residential district B, residential district C or a recorded residential subdivision plat, the storage of semi-tractors or semi-trailers is prohibited and the storage, placement, or use of commercial transport trailers or containers is prohibited, unless otherwise authorized.

(n) Mobile or manufactured homes which have been permitted by a Zoning/Occupancy Permit and existed prior to the adoption or amendments of this Code can be replaced after the issuance of a Zoning/Occupancy Permit and are not subject to the provisions of s. 17.04(4).

(2) Parking Provisions. In all districts and in connection with every use, there shall be provided at the time any building is erected or enlarged, or a Zoning/Occupancy Permit is issued for a change in use, off-street parking stalls on the parcel or on contiguous parcels for all vehicles in accordance with the following:

(a) Adequate access to a highway or other approved access shall be provided for each parking stall.

(b) Size of each parking stall shall not be less than 180 square feet, excluding the space required for ingress and egress.

(c) All off-street parking areas shall be an all weather surface area which is properly drained.

(d) Parking areas for more than 5 vehicles shall have parking stalls clearly marked.

(e) Parking areas for more than 5 vehicles shall have curbs and barriers installed so as to prevent the parking of vehicles over any lot or property boundary line.

(f) The minimum number of parking stalls shall follow these provisions unless otherwise approved. In the case of buildings, structures or uses which are not specified in this provision, the provisions of the most similar shall apply. A combination of any use shall provide the total of the number of stalls required for each individual use.

1. One family, 2 family or multiple family dwellings shall provide 2 parking stalls for every dwelling unit.

2. Mobile Home Communities shall provide 2 parking stalls for every dwelling unit.

(131-15/16)

3. Hotels, motels, bed and breakfast establishments shall provide 1 parking stall for each guest room plus 1 parking stall for every 3 employees.

4. Hospitals, clubs, lodges, dormitories, lodging and boarding houses shall provide 1 parking stall for each bed plus 1 parking stall for every 3 employees.

5. Sanitariums, institutions, rest homes or nursing homes shall provide 1 parking stall for every 5 beds plus 1 parking stall for every 3 employees.

6. Medical or dental clinics shall provide 3 parking stalls for each professional.

7. Faith based buildings or structures, theatres, auditoriums, community centers, vocational schools and other places of public assembly shall provide 1 parking stall for every 5 seats.

8. Colleges, secondary and elementary schools shall provide 1 parking stall for every 2 employees.

9. Restaurants, bars, places of entertainment, repair shops, retail and service stores shall provide 1 parking stall for every 150 square feet of floor area.

10. Manufacturing and processing plants, laboratories and warehouses shall provide 1 parking stall for every 2 employees.

11. Financial institutions, business, governmental and professional offices shall provide 1 parking stall for every 300 square feet of floor area.

12. Funeral homes shall provide 1 parking stall for every 4 seats.

13. Bowling alleys shall provide 5 parking stalls for every alley.

(3) Conditional Use Provisions.

(a) Certain uses and situations which are of such a special nature, or are dependent upon actual contemporary circumstances as to make impractical the predetermination of permissibility, or the detailing in this chapter of specific standards, regulations or conditions which would permit such determination in each individual situation, may be permitted as conditional uses, subject to such requirements as are hereinafter specified. Approval of a conditional use shall be consistent with the general purpose of this ordinance and shall be based upon evidence presented at a public hearing tending to show the advantages or disadvantages of a specific location for a proposed use in promoting the public interest due to factors such as, without limitation, noise, smoke, increased traffic, heavy vehicular traffic, odors, impacts on water and sewer systems, impacts on public waters, impacts on neighboring property values and other similar factors.

(b) The permit holder shall comply with the conditions set forth in the permit and any deviation from those conditions shall constitute a violation of this section.

(c) The permit holder wishing to extend or alter the terms of such permit must apply for such extension or alteration through the procedure of application for conditional use permits detailed herein.

(d) Conditional use status shall terminate when, after public hearing, the Committee determines any of the following:

1. The conditional use has not continued in conformity with the conditions of the permit.

2. Upon the request of a Town Board, a change in the character of the surrounding area or in the conditional use itself causes such use to be no longer compatible with surrounding uses.

3. The conditional use has been discontinued for a period of 12 consecutive months or 18 cumulative months in a 3 year period. A business of a

(132-15/16)

seasonal nature shall not be deemed discontinued during periods in which it is normally inactive.

4. If a new conditional use permit application is approved and a condition of said permit indicates termination of a previously issued conditional use permit.

5. Upon request of the Conditional Use Permit holder and property owner(s) of land that is subject to the Conditional Use Permit.

(e) Conditional use status shall terminate if the conditions of a conditional use permit do not indicate that the permit is transferrable upon a change in ownership of the whole parcel or part of the parcel, except when a conditional use permit is approved for a farm residence. Conditional Use Permits issued prior to the effective date of this chapter are deemed transferrable unless otherwise noted by a permit condition.

(f) Upon a determination to terminate the conditional use, the owner of the premises shall be required to bring all such land and buildings into conformity with the zoning district regulations of the district in which such former conditional use is located and all other provisions of this chapter within 90 days from such determination.

(g) All conditional use permits generating an increase in traffic by more than 200 vehicle trips per day may require the following conditions:

1. Traffic impact analysis.

2. Reimbursement to the appropriate local unit of government for the improvement of any public facility or infrastructure to minimize any negative traffic impact.

(h) Unless otherwise established in approved conditions, all CUP's shall terminate if the conditional use has not commenced within 12 months after County Board approval.

(4) Non-Conforming Use and Structure.

(a) The existing lawful use of a building, structure or premises at the effective date of this chapter, or any amendment thereto, may be continued, although such use does not conform to the provisions of this chapter for the district in which it is located, but such non-conforming use shall not be expanded or increased.

(b) If no structural alterations are made, a non-conforming use of a building or structure may be changed to another non-conforming use of the same or a more restricted zoning district. Whenever a nonconforming use has been changed to a more restricted non-conforming use, such use shall not thereafter be changed to a less restricted use.

(c) If a non-conforming use of a building or premises is discontinued for a period of 12 consecutive months, any future use of the building or premises shall conform to the regulations for the zoning district in which it is located.

(d) When a non-conforming building or structure or a building or structure containing a non-conforming use is damaged by fire, explosion, or force majeure, to the extent of more than 50% of its estimated fair market value, it shall not be restored except in conformity with the regulations of the zoning district in which it is located, except any non-conforming structure, damaged or destroyed by violent wind, vandalism, fire, flood, ice, snow, mold or infestation on or after March 2, 2006 may be restored to the size, location and use that it had immediately before the damage occurred without cost limitation. The size of the structure may be larger than it was immediately before the damage or destruction if necessary to comply with applicable state or federal requirements.

(e) The structural, alterations, expansions, or additions to any non-conforming building or structure or any building or structure containing any non-conforming use shall not, during its life, exceed 50% of the estimated fair market value of the building or structure unless it is changed to a conforming use within the zoning district in which it is located. This section specifically shall not limit, based upon cost, the repair, maintenance, renovation or remodeling of a non-conforming structure where nonconformity is due to development regulations prescribing setback, height, lot coverage or side yard.

(133-15/16)

(5) Height and Area Exceptions. The regulations contained herein relating to the height of buildings and the size of yards and other open spaces shall be subject to the following exceptions:

(a) Faith based buildings or structures, schools, hospitals, sanatoriums and other public and quasi-public buildings and may be erected to a height not exceeding 60 feet nor 5 stories, provided the front, side rear yards and highway setbacks required in the zoning district in which such building is to be located are each increased at least 1 foot for each foot of additional building height above the height limit otherwise established for the zoning district in which such building is to be located.

(b) Chimneys, cooling towers, elevator bulkheads, fire towers, monuments, stacks, silos, windmills, scenery lofts, tanks, water towers, ornamental towers, spires, any structures allowed under chapter 28 of the La Crosse County Code of Ordinances, masts or aerials, telephone, telegraph and power transmission poles and lines, and necessary mechanical appurtenances shall be exempted from the height regulations of this chapter. Structures exempted under this section are subject to increased front, side, rear yards and highway setbacks equal to the height of the proposed structure except as provided for in sections 17.06(5), 17.04(3) and 17.07.

(c) Where a lot has an area less than the minimum number of square feet per family required for its zoning district and was a lot of record at the time of the passage of this chapter, the lot may be occupied by a 1 family dwelling, except specified lots within a farmland preservation zoning district.

(d) The ordinary projections of sills, overhangs, belt courses, cornices and ornamental features shall not project more than 12 inches into any required yard. Open or enclosed fire escapes and fire towers may project into a required yard not more than 5 feet, provided it be so located as not to obstruct light and ventilation.

(e) Agricultural buildings constructed and used on a farm shall be exempted from the building height and area requirements in Table in s. 17.14(1).

(6) Junk or Salvage Yards. Any person accumulating materials considered junk or salvage may be considered to be in the junk or salvage business and therefore subject to the provisions of this chapter. Any property with an accumulation of materials determined to be junk or salvage will be considered a junk or salvage yard under this chapter unless such accumulation is allowed within a zoning district. All junk or salvage yards must meet the following provisions:

(a) Junk or salvage yards shall be located in an appropriate zoning district.

(b) The junk or salvage yard must be surrounded by a solid fence, not less than 6 feet in height.

(c) Must provide a suitable office building.

(d) Must meet all Wisconsin licensing requirements.

(e) The following are exceptions to these regulations:

1. A licensed automobile sales establishment storing unlicensed vehicles intended for resale shall not be considered a junk or salvage yard under this chapter.

2. A licensed automobile service facility storing unlicensed and/or inoperable vehicles for a period not to exceed 6 months per vehicle shall not be considered a junk or salvage yard under this chapter.

3. Vehicles which are eligible to be registered and licensed on a quarterly basis may be stored in an open area, provided that such storage does not exceed more than a 9 month period.

4. In an agricultural zoning district, the accumulation of agricultural vehicles, trailers, tractors, machinery and/or parts thereof, typically used for agricultural purposes will not be considered a junk or salvage yard.

5. One unlicensed/inoperable motor vehicle may be allowed to be stored outside on a parcel. Vehicles being openly stored under this exemption must be properly screened from ordinary public view and the storage of such vehicles cannot constitute a health or safety hazard. Screening shall consist of privacy

(134-15/16)

fencing, shrubs, trees, buildings or other suitable and appropriate means. An approved Conditional Use Permit may allow a person to store more than 1 unlicensed/inoperable vehicle on a parcel.

(7) Abandoned Vehicles. This ordinance is adopted pursuant to the authorization contained in s. 342.40, Wis. Stats. Abandoned motor vehicles are hereby subject to Chapter 9 of the La Crosse County Code of Ordinances, Public Peace and Good Order, section 9.02 and the regulations therein.

(8) Attached Garages. A garage is considered attached if the attachment is accessible from all connecting structures; completely enclosed by a roof, walls and floor; and is compliant with applicable regulations of the Wisconsin Uniform Dwelling Code. Openings are allowed for windows, doors, skylights and similar features.

(9) Ordinance Exemptions. Borrow Sites and Material Disposal Sites for transportation projects, subject and according to Wis. Stats 85.193 are exempted from the regulations of this ordinance.

17.05 ZONING DISTRICTS. For the purpose of this chapter, the County is hereby divided into 12 zoning districts which are identified in sections 17.05(1)-(12) of this chapter.

The boundaries of the aforesaid districts are hereby established as shown on the Official Zoning District Map of La Crosse County. This map is made a part of this chapter by reference and all notations and references shown on this map are as much a part of this chapter as though specifically described herein. It is understood that amendments made appropriately to the Official Zoning District Map of La Crosse County pursuant to s. 59.69, Wis. Stats., or any amendments thereto, after the effective date of this chapter are also part of this chapter by reference.

The district boundaries as depicted on the Official Zoning District Map of La Crosse County are either highways, roads, streets, alleys, or section, quarter section or quarter-quarter section lines, unless otherwise shown, and where the designation on the Official Zoning District Map of La Crosse County indicates that the various districts are approximately bounded by highway, road, street or alley lines, or section, quarter section or quarter-quarter section lines, such lines shall be construed to be the district boundary lines.

Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks, lots, or parcels, the district boundaries shall be construed to be lots, or parcels, and where the designations of the Official Zoning District Map of La Crosse County are approximately bounded by lot lines, such lot line shall be construed to be determined by use of the scale shown on such map.

(1) Residential District "A". In Residential District "A" no building or premises shall be used and no building shall hereafter be erected or structurally altered unless otherwise provided in this chapter.

(a) Authorized Uses.

1. One family dwellings as principal or temporary residences.
2. Conversion into a 1 family dwelling as a principal or temporary residence.
3. Accessory buildings. See Table in s. 17.14(1).
4. Accessory structures.
5. Professional offices. See s. 17.04(1)(g).
6. Home occupations. See s. 17.04(1)(h).
7. Barber shops. See s. 17.04(1)(g).
8. Beauty parlors. See s. 17.04(1)(g).
9. Nursery schools, day nurseries, daycare centers, or child care centers for 8 or less children.
10. One commercially related vehicle.

(135-15/16)

- residents.
11. Community Based Residential Facilities for 8 or less residents.
12. Uses customarily incidental to any of the above uses when located on the same lot and not involving the conduct of any business.
13. Condominium plats for principal residential single family dwellings.
14. Public Parks.
- (b) Conditional Uses.
1. Golf courses, except miniature golf courses and driving ranges.
2. Funeral homes.
3. Group homes.
4. Home occupations and professional offices other than those defined under ss. 17.03(40) and 17.03(70). See ss. 17.04(1)(g) and 17.04(1)(h).
5. Hospitals, clinics, medical and dental offices.
6. Nursery schools, day nurseries, daycare centers, or child care centers for more than 8 children.
7. Private clubs, fraternities, sororities and lodges.
8. Utility buildings, exchanges, sub-stations and relay structures, provided that there is no service garage or storage yard.
9. Truck gardening, nurseries and greenhouses for the propagation of plants only, provided that the greenhouse heating system shall not be less than 60 feet from any property line.
10. New agricultural buildings, provided that agricultural buildings in which livestock are kept shall be at least 100 feet from the nearest residence or non-farm lot.
11. One detached accessory residential dwelling unit on the same parcel or lot subject to the Table in s. 17.14(1). The lot area must be twice the minimum as specified in s. 17.05(1)(c)5.
12. Community Based Residential Facilities for more than 8 residents.
13. Bed and Breakfast.
14. Transient Residential Uses.
15. Boarding Houses.
16. Tourist Rooming Houses.
- (c) Dimensional Standards. The following dimensional standards shall apply to the principal structure:
1. Height. There shall be a maximum height of 35 feet.
2. Setback. Highway setback lines as provided in s. 17.06 or as established on a recorded subdivision or right-of-way plat.
3. Side yard. There shall be a side yard on each side of the structure. The sum of the widths of the required side yard shall not be less than 20 feet and no single side yard shall be less than 8 feet in width.
4. Rear yard. There shall be a rear yard having a minimum depth of 25 feet.
5. Lot area. There shall be a minimum lot area per dwelling as follows:
- a. A lot served by a public sanitary sewer shall have a minimum lot area of 10,000 square feet for a 1 family dwelling.
- b. A lot served by a POWTS shall have a minimum lot area of 20,000 square feet for a 1 family dwelling.
6. Lot width. There shall be a minimum lot width measured at the Highway or front yard setback line as follows:
- a. A lot served by a public sanitary sewer shall have a minimum lot width of 75 feet.

(136-15/16)

b. A lot served by a POWTS shall have a minimum lot width of 100 feet.

(2) Residential District "B". In Residential District "B" no building or premises shall be used and no building shall be hereafter be erected or structurally altered unless otherwise provided in this chapter.

(a) Authorized Uses.

1. Any use authorized in Residential District "A". See s. 17.05(1)(a).
2. Two family dwellings as principal or temporary residences.

3. Conversion into a 1 family or 2 family dwelling as a principal or temporary residences.

4. A Condominium Plat containing 1 or more 2 family dwellings which are to be used as principal or temporary residences.

(b) Conditional Uses. As authorized and regulated in Residential District "A". See s. 17.05(1)(b).

(c) Dimensional Standards. The following dimensional standards shall apply to the principal structure:

1. Height. There shall be a maximum height of 35 feet.
2. Setback. Highway setback lines as provided in s. 17.06 or as established on a recorded subdivision plat or right-of-way plat.

3. Side yard. There shall be a side yard on each side of the structure. The sum of the widths of the required side yard shall not be less than 20 feet and no single side yard shall be less than 8 feet in width.

4. Rear yard. There shall be a rear yard having a minimum depth of 25 feet.

5. Lot area. There shall be a minimum lot area per dwelling as follows:

a. A lot served by a public sanitary sewer shall have a minimum lot area of 7,200 square feet for a 1 family or 2 family dwelling.

b. A lot served by a POWTS shall have a minimum lot area of 20,000 square feet for a 1 family dwelling and a minimum lot area of 25,000 square feet for a 2 family dwelling.

6. Lot width. There shall be a minimum lot width measured at the highway or front yard setback line as follows:

a. A lot served by a public sanitary sewer shall have a minimum lot width of 60 feet.

b. A lot served by a POWTS shall have a minimum lot width of 100 feet.

(3) Residential District "C". In Residential District "C" no building or premises shall be used and no building shall hereafter be erected or structurally altered unless otherwise provided in this chapter.

(a) Authorized Uses.

1. Any use authorized in Residential District "B". See s. 17.05(2)(a).
2. Multiple family dwelling for principal or temporary residential uses.

3. Conversion into a 1 family, 2 family or multiple family dwelling for principal or temporary residential uses.

4. A Condominium Plat containing 1 or more multiple family dwellings for principal or temporary residential uses.

5. Planned Unit Development.

(b) Conditional Uses. As authorized and regulated in Residential District "A". See s. 17.05(1)(b).

1. Tourist Rooming Houses.

(137-15/16)

(c) Dimensional Standards. The following dimensional standards shall apply to the principal structure:

1. Height. There shall be a maximum height of 35 feet.
2. Setback. Highway setback lines as provided in s. 17.06 or as established on a recorded subdivision plat or right-of-way plat.
3. Side yard. There shall be a side yard on each side of the structure. The sum of the widths of the required side yard shall not be less than 20 feet and no single side yard shall be less than 8 feet in width.
4. Rear yard. There shall be a rear yard having a minimum depth of 25 feet.
5. Lot area. There shall be a minimum lot area per dwelling as follows:
 - a. A lot served by a public sanitary sewer shall have a minimum lot area of 7,200 square feet for a 1 family or 2 family dwelling. A multiple family dwelling shall have a minimum lot area of 2,500 square feet per dwelling unit.
 - b. A lot served by a POWTS shall have a minimum lot area of 20,000 square feet for a 1 family dwelling and 5,000 square feet for each additional dwelling unit.
6. Lot width. There shall be a minimum lot width measured at the highway or front yard setback line as follows:
 - a. A lot served by a public sanitary sewer shall have a minimum lot width of 60 feet.
 - b. A lot served by a POWTS shall have a minimum lot width of 100 feet.

(4) Rural District. In the Rural District no building or premises shall be used and no building shall hereafter be erected or structurally altered unless otherwise provided in this chapter.

(a) Authorized Uses.

1. Residential.
 - a. Any use authorized in Residential District "B".
 - b. Conservation and cluster residential subdivisions.
2. Agricultural.
 - a. Farm. See s. 17.03(39).
 - b. Livestock.
 - c. One roadside stand for the sale of farm products produced on the premises.
 - d. Beekeeping.
 - e. Dairy farming.
 - f. Egg production.
 - g. Floriculture.
 - h. Fish farming.
 - i. Forest and game management.
 - j. Grazing.
 - k. Orchards.
 - l. Plant greenhouse and nurseries.
 - m. Raising of crops.
 - n. Sod farming.
 - o. Riding, training or boarding stables, paddocks, and equestrian trails.
 - p. Mineral extractions incidental to a farming operation.

(b) Conditional Uses.

(138-15/16)

- "A". See s. 17.05(1)(b).
1. As authorized and regulated in Residential District
 2. Multiple family dwelling for principal, temporary or transient residential uses.
 3. Conversion into a multiple family dwelling for principal, temporary or transient residential uses.
 4. A Condominium Plat containing 1 or more multiple family dwellings for principal, temporary or transient residential uses.
 5. Planned Unit Development.
 6. Contractor's storage.
 7. Commercial Animal Establishments.
 8. Manufactured homes within a Base Farm Tract.

(c) Dimensional Standards. The following dimensional standards shall apply to the principal structure:

1. Height. There shall be a maximum height of 35 feet.
2. Setback. Highway setback lines as provided in s. 17.06 or as established on a recorded subdivision plat or right-of-way plat.
3. Side yard. There shall be a side yard on each side of the structure. The sum of the widths of the required side yard shall not be less than 20 feet and no single side yard shall be less than 8 feet in width.
4. Rear yard. There shall be a rear yard having a minimum depth of 25 feet.
5. Lot area. There shall be a minimum lot area of 20,000 square feet for a 1 family dwelling and 5,000 square feet for each additional dwelling unit.

6. Lot width. There shall be a minimum lot width of 100 feet measured at the Highway or front yard setback line.

(5) Exclusive Agricultural District. In the Exclusive Agricultural District no building or premises shall be used and no building shall hereafter be erected or structurally altered unless otherwise provided in this chapter.

(a) Purpose. The Purpose of the Exclusive Agricultural District is to preserve agricultural land for food and fiber production; protect productive farmers by preventing conflicts between incompatible uses; maintain a viable agricultural base to support agricultural processing and service industries; reduce costs of providing services to scattered non-farm uses; promulgate orderly urban growth; implement the provisions of the County Farmland Preservation Plan when adopted and periodically revised; and comply with the provisions of the Farmland Preservation Law to permit eligible landowners to receive tax credits under Subchapter IX of Chapter 71, Wis. Stats.

(b) Application. This district is generally intended to apply to lands which include all classes of soils in the County that are in productive agricultural use including, but not limited to, land demonstrated to be productive for forestry, dairy, livestock raising and grazing; lands historically farmed which are integral parts of farm operations; lands for the production of specialty crops; and lands that are potentially productive if given improvements such as irrigation or drainage.

(c) Authorized Uses.

1. Residential.
 - a. Pre-existing residences located in areas subject to zoning under this chapter may be continued in residential use and shall not be subject to any limitations imposed or authorized under s. 17.04(4). Such pre-existing residences may be structurally altered and repaired, replaced, or rebuilt if destroyed but are subject to setback, height and other dimensional requirements. If a pre-existing residence is removed, destroyed, or not occupied for a period of 12 consecutive months, it cannot be replaced or re-occupied and all future use of the property must conform to the provisions of this chapter. Pre-existing residences that are to be rebuilt, must meet the provisions of 17.05(5)(c)1.b.i or ii. Pre-existing residences shall be used as principal residences.

(139-15/16)

b. The owner of a Base Farm Tract (BFT) may be allowed to file a zoning petition to rezone to the Rural District up to 3% of a BFT for farm and/or non-farm residences. Said petition shall designate 1 contiguous area for rezoning which includes all necessary public utilities. A zoning petition to rezone to the Rural District shall not be allowed on a BFT which has been issued a Conditional Use Permit for a residential use on a BFT. The approval of a 3% rezone shall be subject to recording of deed restrictions that shall apply to the balance of the BFT. The deed restrictions shall prohibit any additional residences, subdivision of land or non-agricultural development on the remainder of the BFT. A 3% rezone petition for residential development cannot do any of the following:

i. Convert prime farmland from agricultural use or convert land previously used as cropland, other than a woodlot, from agricultural use if on the farm there is a reasonable alternative location or size for a farm residential parcel or farm residence.

ii. Significantly impair or limit the current or future agricultural use of other protected farmland.

c. Parking or storage of 1 semi-tractor and/or semi-trailer. Semi-tractors must be licensed and operable. Semi-trailers must be roadworthy.

d. Upon establishment of a farm residential dwelling, additional uses are authorized as listed in s. 17.05(1)(a) and that also meet the definition of an accessory use under s. 91.01(1), Wis. Stats.

2. Agricultural

a. Agricultural uses except for poultry operations involving more than 10,000 birds and feedlots holding more than 500 animal units.

b. Agricultural accessory uses, except for those that would otherwise require a conditional use permit.

(d) Conditional Uses.

1. Residential.

a. A Conditional Use Permit may be granted for up to 1 farm residence for every 35 acres of land included in the Base Farm Tract (BFT). A maximum of 5 farm residences are allowed. Two family dwellings are allowed but will count as 2 residences. Existing farm residences at the time of adoption of this chapter are counted against the number of farm residences allowed. If any portion of the BFT has been previously rezoned to the Rural District for residential use, farm residences cannot be authorized by a Conditional Use Permit. The approval of a Conditional Use Permit to establish a residence shall be subject to recording of deed restrictions that shall apply to the residence and to the balance of 35 acres or 1/5 of the BFT, whichever is greater, of the BFT. The deed restrictions shall prohibit any additional residences, subdivision of land or non-agricultural development on the remainder of the 35 acres identified in the legal description. An Administrative Conditional Use Permit may be issued by the Department without Committee approval under this subsection provided that the provisions of s. 17.05(5)(d)1.a.ii. are met. Residences authorized by the above can be used as primary, transient or temporary residences.

i. If the owner of a parcel, currently within a farmland preservation zoning district, has purchased additional contiguous acreage within a farmland preservation zoning district, which, in combination with the existing parcel, meets or exceeds the minimum area requirements for a BFT, the boundaries of the BFT can be modified or created as part of the application for a conditional use permit for residential use. If a BFT boundary is modified after the effective date of this ordinance, residential development can only occur through the approval of a conditional use permit on all BFTs created by the boundary modification.

ii. A parcel for a farm residence authorized by an Administrative Conditional Use Permit cannot do any of the following:

(140-15/16)

(i) Convert prime farmland from agricultural use or convert land previously used as cropland, other than a woodlot, from agricultural use if on the farm there is a reasonable alternative location or size for a farm residential parcel or farm residence.

(ii) Significantly impair or limit the current or future agricultural use of other protected farmland.

- b. Temporary housing for seasonal farm laborers.
- c. Manufactured homes to be used as farm residences only.
- d. Any recreational vehicle, trailer or other similar transportation device, if the wheels have been removed or if otherwise temporarily fixed to the ground or attached to something having a temporary location on the ground.
- e. Group homes.
- f. Home occupations, including nursery schools, day nurseries, daycare centers, or child care centers for more than 8 children, and professional offices other than those defined under ss. 17.03(45) and 17.03(70), provided the occupation meets the requirements of s. 91.01(1), Wis. Stats. See ss. 17.04(1)(g) and 17.04(1)(h).
- g. Governmental, religious, or nonprofit community uses that qualify under §91.46(5), Wis. Stats.
- h. Community Based Residential Facilities for more than 8 residents, meeting 60.63(5).
- i. Transient Residential Uses. (See (d)1a above)
- j. Bed and Breakfast.
- k. Cabins for transient or temporary residential uses of the landowner.

2. Agricultural.

- a. Fur Farms when located not less than 400 feet from any residential building other than that of the owner of the premises, their agent or their employee, and not less than 200 feet from the right-of-way line of any federal, state, county trunk highway or town road.
- b. Feedlots when more than 500 animal units.
- c. Poultry operations when more than 10,000 birds.
- d. Sawmills when located on the premises for more than 30 days.
- e. Dams and flowages.
- f. Agriculturally related business uses that meet the requirements of s. 91.01(3), Wis. Stats.
- g. Agriculture accessory uses that meet the requirements of §91.01(1)(d), Wis. Stats.
- h. Commercial transport trailers or containers to be placed and used for agricultural storage. The wheels of any recreational vehicle, trailer or other similar transportation device shall not be removed or otherwise temporarily or permanently fixed to the ground or attached to something having a temporary or permanent location on the ground by any person in any manner unless a Conditional Use Permit is granted.

3. Other.

- a. Cemeteries and related faith based buildings or structures found by the Committee and County Board to meet the requirements of s. 91.46(5), Wis. Stats.
- b. Commercial animal establishments meeting the requirements of s. 91.01(1)(d), Wis. Stats.
- c. Livestock veterinary services and hospitals.

(141-15/16)

d. Commercial mineral extraction generating less than 200 vehicle trips per day found by the Committee and County Board to meet the requirements of s. 91.46(6), Wis. Stats.

(e) Dimensional Standards.

1. The following dimensional standards shall apply to the principal residential structure:

- a. Height. There shall be a maximum height of 35 feet.
- b. Setback. Highway setback lines as provided in s. 17.06 or as established on a recorded subdivision plat or right-of-way plat.
- c. Side yard. There shall be a side yard on each side of the structure. The sum of the widths of the required side yard shall not be less than 20 feet and no single side yard shall be less than 8 feet in width.
- d. Rear yard. There shall be a rear yard having a minimum depth of 25 feet.
- e. Lot area. There shall be a minimum lot area of 20,000 square feet for each 1 family dwelling and 25,000 for each two-family dwelling.
- f. Lot width. There shall be a minimum lot width of 100 feet measured at the Highway or front yard setback line.

2. Accessory Buildings. Residential accessory buildings shall meet the dimensional standards as provided by the Table in s. 17.14(1) unless this requirement is waived for an existing rural accessory building by the Committee. Upon waiver by the Committee, the square footage and number of buildings of all accessory structures, including the rural accessory building on said parcel, shall be included in future determinations by the department as provided by the Table in s. 17.14(1).

(f) Standards for Rezoning.

1. The Department of Agriculture, Trade and Consumer Protection shall be notified of all rezoning out of the farmland preservation district by March 1 of each year.

2. Decisions on zoning petitions for rezoning areas within a farmland preservation district shall be based on the following findings:

- a. The land is better suited for a use not allowed in the farmland preservation zoning district.
- b. The rezoning is consistent with any applicable comprehensive plan.
- c. The rezoning is substantially consistent with the county certified farmland preservation plan.
- d. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
- e. Adequate public facilities to serve the development are present or will be provided.
- f. Provision of these facilities will not be an unreasonable burden to local government.
- g. Development will not cause unreasonable air and water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas.
- h. The need of the proposed development in an agricultural area.
- i. The availability of alternate locations.
- j. The productivity of the agricultural land involved.

(g) Provisions which apply to a Conditional Use Permit for feedlots.

(142-15/16)

1. Pursuant to s. 93.90, Wis. Stats., the County of La Crosse hereby adopts and incorporates the provisions of s. 93.90, Wis. Stats., and Wisconsin Administrative Code, ATCP 51.

2. Expansion. A Conditional Use Permit is required for the expansion of an existing or previously approved livestock facility if the number of animal units kept at the expanded livestock facility will exceed all of the following:

- a. Five hundred animal units.
- b. A number that is 20% higher than the number

kept on May 1, 2006. This 20% requirement shall not apply to expansions that occurred prior to May 1, 2006.

3. Provisions related to waste storage and runoff management facilities.

a. A Conditional Use Permit application, which contains plan modifications to facilities which must meet waste storage and run off management requirements pursuant to Wisconsin Administrative Code, ATCP 51, shall contain plan modifications certified by a professional engineer or agricultural engineering practitioner in accordance with Wisconsin Administrative Code, ATCP 51, or a person with the appropriate engineering job approval according to Natural Resources Conservation Service (NRCS) standards meeting the requirements of Wisconsin Administrative Code, ATCP 51.18 and 51.20.

b. The applicant shall submit as-built plans of constructed facilities, which shall be prepared by a professional engineer or agricultural engineering practitioner or a person with appropriate engineering job approval according to NRCS standards as required for plan modifications by this subsection.

(6) General Agricultural District. In the General Agricultural District no building or premises shall be used and no building shall hereafter be erected or structurally altered unless otherwise provided in this chapter.

(a) Purpose. The purpose of the General Agricultural District is to provide for a buffer between the Exclusive Agricultural District and areas planned for eventual urban development.

(b) Authorized Uses.

1. Residential. Any use authorized in the Exclusive Agricultural District. See s. 17.05(5)(c)1.

2. Agricultural. Any use authorized in the Exclusive Agricultural District. See s. 17.05(5)(c)2.

(c) Conditional Uses. As authorized and regulated in the Exclusive Agricultural District except feedlots for more than 1,000 animal units. See s. 17.05(5)(d).

(d) Dimensional Standards. As authorized and regulated in the Exclusive Agricultural District. See s. 17.05(5)(e).

(e) Standards for Rezoning. As authorized and regulated in the Exclusive Agricultural District. See s. 17.05(5)(f).

(f) Provisions which apply to a Conditional Use Permit for feedlots. As authorized and regulated in the Exclusive Agricultural District except feedlots for more than 1,000 animal units. See s. 17.05(5)(g).

(7) Recreational and Natural Resource District. In the Recreational and Natural Resource District no building or premises shall be used and no building shall hereafter be erected or structurally altered unless otherwise provided in this chapter.

(a) Authorized Uses.

1. Natural Resource Uses.

a. Forest preserves, forestry and the production of forest products.

b. The harvesting of any wild crops such as marsh hay, ferns, moss, berries, nuts or seeds.

c. Plant greenhouses and nurseries.

d. Grazing.

(143-15/16)

e. Commercial animal establishments.
f. Fur and animal farms.
g. Mines, quarries and gravel pits.
h. Processing of natural resources.
i. Dams, flowages and hydroelectric power and flood control dams, dikes or other structures.

j. Telephone, electric and cable transmission lines and related buildings or structures.

k. Aircraft landing fields, basins and hangers.

l. Fire control structures.

2. Recreational Uses.

a. Public parks, private parks and playgrounds.

b. Campgrounds.

c. Hunting, fishing and trapping cabins.

i. Cannot be used as Principal Residences.

ii. Cabins are subject to dimensional

requirements of a minimum lot size of 20,000 square feet for the first cabin and 5,000 for each additional.

d. Boat liveries and bait shops.

e. Golf Courses & Driving Ranges.

3. Residential Uses. Existing residences located in areas

subject to zoning under this chapter may be continued in principal residential use and shall not be subject to any limitations imposed or authorized under s. 17.04(4). Such residences may be structurally altered and repaired, replaced, or rebuilt if destroyed but are subject to setback, height and other dimensional requirements.

(b) Conditional Uses.

1. One single family dwelling for a watchman, caretaker or supervisor employed on the premises and used as a principal or transient residence.

2. Hotels and motels.

3. Riding, shooting and hunting clubs.

4. Off road vehicle clubs.

5. Any use generating more than 200 vehicle trips per day.

(c) Dimensional Standards. The following dimensional standards shall apply to structures:

1. Height. The maximum height for the principal residential structure shall be 35 feet.

2. Setback. Highway setback lines as provided in s. 17.06 or as established on a recorded subdivision plat or right-of-way plat.

3. Side yard. There shall be a side yard on each side of the structure as follows:

a. The sum of the widths of the required side yard for the principal residential structure shall not be less than 20 feet and no single side yard shall be less than 8 feet in width.

b. There shall be a minimum side yard on both sides for all other structures of 25 feet.

4. Rear yard. There shall be a rear yard having a minimum depth of 25 feet.

5. Lot Area. There shall be a minimum lot area as follows:

a. One single family dwelling for a watchman, caretaker or supervisor employed on the premises shall have a minimum lot area of 20,000 square feet.

b. Campgrounds shall be a minimum of 5 acres in size and shall provide a minimum lot area of 1,000 square feet per recreational vehicle.

(144-15/16)

6. Lot Width. There shall be a minimum lot width for the principal residential structure of 100 feet measured at the Highway or front yard setback line.

(8) Commercial District. In the Commercial District no building or premises shall be used and no building shall be hereafter erected or structurally altered unless otherwise provided in this chapter. When a property with commercial zoning is being used for both commercial and residential uses, the height, side yard, lot area and lot width shall be regulated by the principal use of the property.

(a) Authorized Uses.

1. Residential. Any use authorized in Residential District "C". See s. 17.05(3)(a).

2. Commercial.

a. Retail businesses.

b. Wholesale businesses.

c. Offices.

d. Service industry businesses.

e. Warehouses under 100,000 square feet not to

exceed 2 stories in height.

f. Commercial animal establishments.

g. Any other uses similar in character and the processing or treatment of products clearly incidental to the conduct of any of the above uses on the premises.

h. Bed and Breakfast.

i. Transient Residential Uses.

(b) Conditional Uses.

1. Light manufacturing and assembly.

2. Distribution businesses.

3. Warehouses over 100,000 square feet.

4. Truck terminals and freight houses.

5. Commercial transport trailers or containers to be placed and used for business related storage.

6. One detached accessory residential dwelling unit on the same parcel or lot subject to the Table in s. 17.14(1). The lot area must be twice the minimum as specified in s. 17.05(3)(c)5.

(c) Dimensional Standards. The following dimensional standards shall apply to structures:

1. Residential. As authorized and regulated in Residential District "C". See s. 17.05(3)(c).

2. Non-residential. For non-residential structures the following shall apply:

a. Height. There shall be a maximum height of 45 feet.

b. Setback. Highway setback lines as provided in s. 17.06 or as established on a recorded subdivision plat or right-of-way plat.

c. Side yard. There shall be a minimum side yard on both sides of the structure of 25 feet.

d. Rear yard. There shall be a rear yard having a minimum depth of 25 feet.

e. Lot Coverage. The total ground floor of every building or part of a building hereafter erected or structurally altered shall not exceed 35% of the total lot area.

(9) Light Industrial District. In the Light Industrial District no building or premises shall be used and no building hereafter shall be erected or structurally altered unless as provided in this chapter. Authorized uses and/or approved conditional uses shall not produce odors, noise, vibration, glare or heat of such nature or quantity

(145-15/16)

as to be obnoxious or unhealthful outside the premises. The guide for determining measurement and control shall be standards set in the Wisconsin Administrative Code.

(a) Authorized Uses.

1. Any use as authorized in the Commercial District except new residential uses. See s. 17.05(8)(a). However, residential structures existing on the date of adoption of this chapter shall not be subject to any limitations imposed or authorized for non-conforming structures or uses under s. 17.04(4) but can be used as principal residences. Such residences may be structurally altered and repaired, replaced, or rebuilt if destroyed but are subject to setback, height and other dimensional requirements. An increase in density of residential use is not authorized under this section.

2. Light manufacturing and assembly.

3. Distribution businesses.

4. Warehouses.

5. Truck terminals and freight houses.

6. Any other uses similar in character and the processing or treatment of products clearly incidental to the conduct of any of the above uses on the premises.

(b) Conditional Uses.

1. Manufacturing and assembly businesses.

2. Commercial transport trailers or containers to be placed and used for business related storage.

(c) Dimensional Standards. As authorized and regulated in the Commercial District. See s. 17.05(8)(c)2.

(10) Industrial District. In the Industrial District no building or premises shall be used and no building hereafter shall be erected or structurally altered unless as provided in this chapter. Authorized uses and/or approved conditional uses may produce odors, noise, vibration, glare or heat on the premises.

(a) Authorized Uses.

1. Any use authorized in the Light Industrial District. See s. 17.05(9)(a).

2. Manufacturing and assembly businesses.

3. Commercial transport trailers or containers to be placed and used for business related storage.

4. Any other uses similar in character and the processing or treatment of products clearly incidental to the conduct of any of the above uses on the premises.

(b) Conditional Uses.

1. Abattoirs, except for the slaughter of poultry.

2. Acid manufacturing.

3. Cement, lime, gypsum or plaster of paris manufacturing.

4. Distillation of Bones.

5. Explosives manufacturing or storage.

6. Fat rendering.

7. Fertilizer manufacturing.

8. Garbage, rubbish, offal or dead animal reduction or dumping.

9. Garbage, trash or recycling transfer stations or facilities.

10. Glue manufacturing.

11. Junk or salvage yards. See s. 17.04(6).

12. Petroleum refining.

13. Smelting of tin, copper, zinc or iron ores.

14. Stockyards.

15. Asphalt or concrete plants.

(146-15/16)

16. Any use generating more than 200 vehicle trips per day.

17. Mines, Quarry and Gravel Pits.

(c) Dimensional Standards. The following dimensional standards shall apply to structures:

1. Height. There shall be a maximum height of 60 feet in height.

2. Setback. Highway setback lines as provided in s. 17.06 or as established on a recorded subdivision plat or right-of-way plat.

3. Side yard. There shall be a minimum side yard on both sides of the structure of 10 feet.

4. Rear yard. There shall be a rear yard having a minimum depth of 25 feet.

(11) Manufactured Home Community District. In the Manufactured Home Community District no building or premises shall be used and no building shall hereafter be erected or structurally altered unless otherwise provided in this chapter.

(a) Manufactured Home Community Plan. All newly created Manufactured Home Communities and expansions of existing communities after adoption of this chapter must meet the following permit requirements and standards. After submission and approval of a Manufactured Community Plan, the Department shall issue a permit. A Manufactured Community Plan must address the following:

1. Delineates all utilities such as, but not limited to, stormwater, sanitary, electrical, cable, telephone and water.

2. Delineates locations of all proposed utility buildings and other structures incidental to the park operation such as, but not limited to, well houses, laundry facilities, community shelters, sanitary facilities, and storage buildings.

3. Delineates and defines all roadways within the community.

4. Delineates the foundation envelope for each Manufactured Home Site.

5. Delineates all Manufactured Home Site boundaries by corner markers or other adequate monumentation methods.

6. Delineates all private roadways and/or highway right-of-ways and identifies the appropriate setbacks.

7. Delineates all parking areas.

8. Delineates all property topography with a minimum of 5 foot contours.

9. Delineates all shoreland district boundaries, navigable waters, drainage patterns and floodplain.

10. Delineates a Manufactured Home Site boundary for a Manufactured Home greater than 20 feet in width to be twice the area limit minimum as outlined as provided in s. 17.05(11)(d)7. All other dimensional standards shall remain the same.

(b) Authorized Uses.

1. Manufactured homes as defined in s. 101.91(2), Wis. Stats. for any type of residential use (Principal, Transient or Temporary).

2. Mobile homes for any type of residential use (Principal, Transient or Temporary).

3. Occasional sales of privately owned manufactured or mobile homes.

4. Professional offices. See s. 17.04(1)(g).

5. Home occupations. See s. 17.04(1)(h).

6. Barber shops. See s. 17.04(1)(g).

7. Beauty parlors. See s. 17.04(1)(g).

(147-15/16)

8. Nursery schools, day nurseries, daycare centers, and child care centers for 8 or less children.

9. Additions to a principal dwelling in compliance with the provisions of this code and written approval from the park manager.

10. One detached accessory building per Manufactured Home Site with a maximum size of 144 square feet and written approval from the park manager.

11. Utility and accessory buildings incidental to the Manufactured Home Community operations.

12. Park office.

13. Storage units for manufactured home community residents.

(c) Conditional Uses.

1. Storage units for persons other than Manufactured Home Community residents.

2. Professional offices. See s. 17.04(1)(g).

3. Home occupations. See s. 17.04(1)(h).

4. Nursery schools, day nurseries, daycare centers, or child care centers for 8 or less children.

(d) Dimensional Standards. The following dimensional standards shall apply:

1. Height.

a. All manufactured homes and detached accessory building shall have a maximum height of 15 feet.

b. All other buildings and structures, including the park office, incidental to the Manufactured Home Community operations shall have a maximum height of 35 feet.

2. Setback. All buildings, structures, manufactured homes and additions thereto must meet the applicable Highway setback lines as provided in s. 17.06.

3. Perimeter Setback. All buildings, structures, manufactured homes and additions thereto must meet a minimum 25 foot setback from the boundary of the Manufactured Home Community.

4. Roadway. All buildings, structures, manufactured homes and additions thereto must meet a minimum 20 foot setback from any roadway within the Manufactured Home Community.

5. Side yard.

a. All manufactured homes and additions thereto must meet a minimum combined side yard of 20 feet with a minimum of 8 feet on 1 side from the boundary of the Manufactured Home Site.

b. All detached accessory buildings must meet a minimum side yard of 3 feet from the boundary of the Manufactured Home Site.

6. Rear yard.

a. All manufactured homes and additions thereto must meet a minimum 20 foot rear yard from the boundary of the Manufactured Home Site.

b. All detached accessory buildings must meet a minimum rear yard of 3 feet from the boundary of the Manufactured Home Site.

7. Lot Area. All Manufactured Home Communities must be a minimum of 5 acres in size. All Manufactured Home Sites must provide a minimum of 5,000 square feet per dwelling unit.

8. Lot Width. All manufactured home sites must be a minimum of 50 feet wide along the frontage of any roadway or site access.

(e) General Provisions.

1. Manufactured home sales other than resale of existing homes within the park are prohibited.

(148-15/16)

2. Manufactured Home Communities must provide at least 5% of the Manufactured Home Community area to be used and dedicated for public recreational uses.

3. All Manufactured Home Communities must provide an on-site park office.

(12) Public Facilities and Institutional District. In the Public Facilities and Institutional District no building or premises shall be used and no building hereafter shall be erected or structurally altered unless as provided in this chapter.

(a) Authorized Uses.

1. Faith based buildings or structures.

a. One Single Family Residence is allowed as an accessory use on the same parcel, or an adjacent parcel, but is subject to the dimensional requirements of 17.05(1). Said residence must be occupied by a family associated with the faith based use and shall be owned by the same owner as the faith based building or structure and be used as a principal residence.

2. Schools.

3. Libraries.

4. Colleges and dormitories.

5. Municipal buildings, structures, and parking facilities.

6. Recreational and community centers.

7. Cemeteries.

8. Public airports.

9. Utility type structures & facilities (Water towers, transformers, sub-stations, etc.).

(b) Conditional Uses.

1. Sewage treatment facilities.

2. Municipal solid waste facilities.

3. Garbage, trash or recycling transfer stations or facilities.

4. Correctional facilities.

5. Private aircraft landing fields, basins and hangers.

(c) Dimensional Standards. The following dimensional standards shall apply to buildings and structures:

1. Height. There shall be a maximum height of 60 feet.

2. Setback. Highway setback lines as provided in s. 17.06 or as established on a recorded subdivision plat or right-of-way plat.

3. Side yard. There shall be a minimum side yard on both sides of the structure of 25 feet.

4. Rear yard. There shall be a rear yard having a minimum depth of 25 feet.

5. Lot Coverage. The total ground floor of every building or part of a building hereafter erected or structurally altered shall not exceed 35% of the total lot area.

17.06 HIGHWAY SETBACK LINES.

(1) Setback Lines Established. In order to promote the public safety, general welfare and convenience, it is necessary that highway setback lines be established in La Crosse County outside the limits of incorporated cities and villages.

(a) Setback lines are hereby established along all public highways, at the intersections of highways with highways and highways with railways as hereafter provided.

(b) Where a highway is located on a city or village boundary, this section is not intended to be effective on the side within the city or village.

(c) Where a highway is located along the boundary with another county, this section is not intended to be effective on the side within the adjacent county.

(2) Classes of Highways.

(149-15/16)

- (a) Class 1 Highway. Improved or unimproved Town Roads or other public roads not identified as a Class 2 or 3 Highway.
- (b) Class 2 Highway. Improved or unimproved County Roads.
- (c) Class 3 Highway. Improved or unimproved State or Federal Roads.

(3) Setback Distances.

(a) Whenever a highway is improved to a classification requiring a greater setback distance than what is required by this chapter prior to such improvement, the setback distance of the latter classification shall be applicable.

(b) Recorded subdivision plats or right-of-way plans may require a different setback than what is listed in this chapter. The setback lines established by such plat or plan will be enforced even if such setback is less restrictive than this chapter.

(c) In cases where the provisions of this section may be interpreted to provide for different setback distances, the greater setback distance shall be enforced.

(d) The setback distances for the respective highway classes shall be as follows:

1. Class 1 Highway. Sixty feet from the centerline but not less than 25 feet from the highway right-of-way line.

2. Class 2 and 3 Highway. Eighty feet from the centerline but not less than 50 feet from the highway right-of-way line.

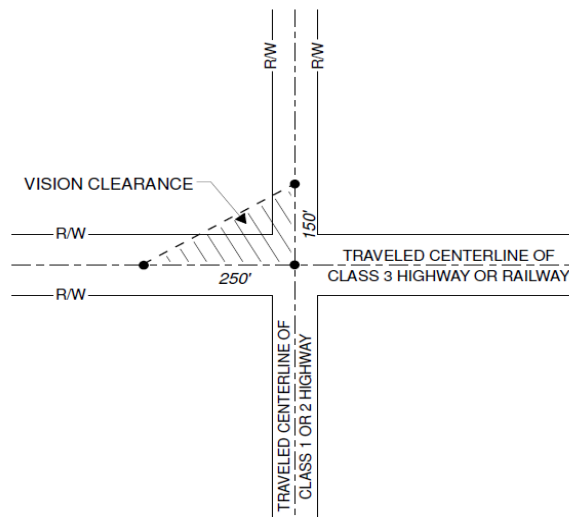
3. For a parcel which does not abut a Class 1, 2, or 3 Highway, a 25 foot front yard setback shall apply.

(4) Vision Clearance. There shall be an area of vision clearance at all highway and railway intersections. The vision clearance shall be an area calculated by connecting the endpoints of line segments which begin at the vertex of an intersection thence along the traveled centerlines away from the vertex for a measured distance of:

(a) One hundred and fifty feet along the traveled centerline of a Class 1 and 2 Highway.

(b) Two hundred and fifty feet along the traveled centerline of a Class 3 Highway and the centerline of a railway.

(c) Typical Vision Clearance Diagram.



(5) Structures Allowed Within Highway Setbacks. The following may be placed between the setback lines but shall not be placed within the highway right-of-way.

- (a) Open fences.
- (b) Parking lots.
- (c) Utility transmission lines & power poles.

(150-15/16)

(d) Utility structures not exceeding 64 square feet in size and 5 feet in height. Provided however that such structure is not placed within the vision clearance area.

(e) Underground structures provided that they are not capable of being used as foundations for future prohibited structures.

(f) The planting of shrubs, trees or other ornamental vegetation and the planting and harvesting of field crops, provided however that such planting does not occur within the vision clearance area.

(g) Other landscaping or ornamental features which do not exceed 16 square feet in area and 6 feet in height.

(h) Retaining walls that do not obstruct vision.

(i) Structures for public use such as bus shelters, salt boxes, drinking fountains, etc.

(6) Structures Prohibited within Highway Setbacks.

(a) No new building or structure or part thereof shall be placed within the setback, except as otherwise provided in this chapter. Buildings, signs or structures existing between the established setback lines on the adoption date of this chapter shall be considered non-conforming and therefore subject to s. 17.04(4) of this chapter.

(b) Solid fences.

17.07 BOARD OF ADJUSTMENT PROVISIONS.

(1) Establishment.

(a) The Board of Adjustment shall consist of 3 members appointed by the Chairperson of the County Board with the approval of the County Board for terms of 3 years, beginning July 1. The incumbent members shall continue to serve until their terms expire. Members of the Board and alternate members to the Board shall all reside within the county and outside the limits of any incorporated cities and villages within the county, provided however that no 2 members shall be from the same town. One member of the Board may be a member of the County Board. The County Board may allow the same compensation for members of the Board as is allowed County Board members for attendance at committee meetings. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. The Board shall choose its own Chair.

(b) The County Board Chairperson shall appoint 2 alternate members to the Board who are subject to the approval of the County Board. Annually, the Chairperson of the County Board shall designate 1 of the alternate members as the first alternate and the other as the second alternate. The first alternate shall act, with full power, only when a member of the Board refuses to vote because of a conflict of interest or when a member is absent. The second alternate shall act only when the first alternate refuses to vote because of a conflict of interest or is absent, or if more than 1 member of the Board refuses to vote because of a conflict of interest or are absent.

(2) Rules and Procedures. The Board shall adopt rules for the conduct of business of the Board. The Board may adopt further rules as necessary to carry into effect the regulations of the County Board. Meetings shall be held at the call of the Chairperson and at such times as the Board may determine. The Chairperson, or in his or her absence, the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member on each question, or, if absent or failing to vote, indicating such fact. All records of the Board shall be immediately filed with the office of the Board and shall be a public record.

(3) Appeals.

(a) An appeal to the Board may be taken by any aggrieved person, or by any officer, department, board or bureau of the municipality affected by any decision of the Administrator. Such appeal shall be taken within a reasonable time period, as provided by the rules of the Board, by filing with the Administrator and with the Board, a notice of appeal in writing, specifying the grounds thereof. The Administrator shall then transmit to the Board all the papers constituting the records upon which the action appealed

(151-15/16)

from was taken. The Chairperson shall fix a date for hearing the appeal and cause notice thereof to all parties in interest as provided by the rules of the Board.

(b) Any person appealing to the Board from the determination of the Administrator shall pay an application fee. If the appeal is made for a variance after construction has commenced, the variance shall be considered after-the-fact.

(4) Powers. The Board shall have the following powers:

(a) To hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made by the Administrator.

(b) To authorize upon appeal in specific cases, such variance to the terms of this chapter ordinance, as will not be contrary to the public interest, where, owing to special conditions peculiar to a specific lot or tract of land, a literal enforcement will result in an unnecessary hardship, and so that the spirit of this chapter shall be observed and substantial justice done. In every case where a variance from these regulations has been granted by the Board, the minutes of the Board shall affirmatively show that an unnecessary hardship exists and the records of the Board shall clearly show in what particular and specific respects an unnecessary hardship is created.

(c) To grant special exceptions and variances for renewable energy resource systems. If the Board denies an application for a special exception or variances for such a system, the Board shall provide a written statement of the reasons for denying the application.

(d) To reverse or affirm wholly or in part or modify any order requirement, determination or decision appealed from and shall make such order, requirement, decision or determination as ought to be made on the premises and to that end shall have all the powers of the Administrator. The concurring vote of 2 members of the Board shall be necessary to reverse any action appealed from or to decide in favor of the applicant on any matter on which it is required to pass or to effect any variation in the requirements of this chapter.

(e) To call on any other county department or official for assistance in the performance of its duties, and it shall be the duty of each other department and official to render such assistance as may be reasonably required.

(f) No action of the Board shall have the effect of permitting in any district uses prohibited in that district.

(g) In exercising any of the foregoing powers, the Board may, in appropriate cases establish suitable conditions and safeguards in harmony with the general purpose and intent of this chapter.

17.08 ADMINISTRATION AND ENFORCEMENT. This chapter shall be enforced by the Administrator. The Administrator shall have the following duties in connection with the enforcement of this chapter:

(1) Keep records of all violations to the terms of this chapter and report such violations to the respective property owner for resolution.

(2) Issue citations for forfeitures for violations of this chapter when necessary.

(3) Post stop work orders for any activity that has commenced prior to the issuance of a required Zoning/Occupancy Permit.

(4) Keep records of all existing non-conforming structures or buildings as established by this chapter. Such record shall be kept current and shall show any such buildings or structures that are removed if damaged to the extent that their reconstruction will be contrary to this chapter. These records are to include:

(a) The distance of said structure or building from the centerline and/or property line.

(b) The size of said structure or building.

(c) The type of construction and use.

(d) The location and quarter section of said structure or building.

(e) Names and addresses of the owners and/or occupant(s) and the date on which the record is made.

(5) Issue Zoning/Occupancy Permits. The Administrator shall issue Zoning/Occupancy Permits prior to construction activities such as, but not limited to, the

(152-15/16)

construction or erection of any new building or structure, the change in use of any existing building or structure, or the structural alteration or addition to any existing building or structure.

(a) If the Administrator finds that the proposed Zoning/Occupancy Permit Application will not be in violation of this or any other ordinance, the Administrator shall issue a Zoning/Occupancy Permit. The Administrator shall retain one copy of the permit and any pertinent application materials and return any other documents and an approved permit to the applicant.

(b) If the Administrator finds that the proposed Zoning/Occupancy Permit Application is not in compliance with the provisions of this Chapter, the Administrator will deny such application and inform the applicant of the reasons for denial.

(c) Zoning/Occupancy Permit Applications shall be issued or the application shall be denied within 10 days after receipt of the application.

(d) A Zoning/Occupancy Permit shall not be issued without prior issuance of any other applicable permit, such as but not limited to: Sanitary Permit, Well Permit, Erosion Control Permit, Stormwater Permit, Driveway Permit or Conditional Use Permit.

(e) A Zoning/Occupancy Permit is not required for agricultural buildings constructed on a farm. The Administrator shall provide forms, which the property owner shall submit to the Department, certifying that an existing or proposed structure will be used solely for agricultural purposes.

(f) A Zoning/Occupancy Permit is not required for accessory buildings 100 square feet or less. All lots and accessory buildings shall meet the requirements as specified in the Table in s. 17.14(1).

(g) A separate Zoning/Occupancy Permit is required for each unit within a Condominium Plat where the units are not connected to one another.

(h) A separate Zoning/Occupancy Permit is required for each building within a Planned Unit Development (PUD).

(i) If activity has commenced prior to the issuance of a Zoning/Occupancy Permit, any Zoning/Occupancy Permit issued for said activity will be considered an after-the-fact permit.

(j) Zoning/Occupancy Permits issued after the effective date of this ordinance shall expire 24 months from the date of issuance.

17.09 ZONING/OCCUPANCY PERMIT APPLICATIONS.

(1) Zoning/Occupancy Permit Applications shall be made on forms provided by the Department and all applications shall include:

- (a) A map in duplicate, drawn to scale showing:
1. The location, shape and dimensions of the parcel or lot to be built on.
 2. The location and dimensions of all existing and proposed construction.
 3. The dimensions necessary to determine the exact location of the proposed building or structure on the parcel or lot.
 4. The location of all existing or proposed septic systems and private wells.
- (b) The proposed use of any existing or proposed buildings or structures.
- (c) The height of all existing and proposed buildings or structures.
- (d) The estimated cost of any new construction activity.
- (e) Any other information deemed necessary to ensure compliance with this chapter.

(f) Application fee. See s. 17.13.

(2) Signed applications that are made under oath and any willfully false statement in the application shall subject the person making the application to the penalties of this chapter, in addition to other penalties for false swearing.

(153-15/16)

(3) A Zoning/Occupancy Placard shall be posted on the premises so as to be visible from the highway at all times until such construction has been completed.

17.10 PUBLIC HEARING PROCEDURES. Text and map amendments, conditional use permits and special exception permits are subject to the following procedures:

(1) Applications for text or map amendments, conditional use permits and special exception permits shall be made in accordance with the procedures provided in s. 59.69(5)(e)1., Wis. Stats. In addition to the procedures provided for public hearings by s. 59.69(5)(e)2., Wis. Stats., the County shall notify adjoining property owners in writing of the date and place of a public hearing of the requested zoning amendment. Adjoining owners are all owners of property adjacent to the entire parcel owned by the Petitioner, whether or not the entire parcel or a portion of the property is sought to be rezoned.

(2) If activities or uses relating to a text or map amendment, conditional use permit or special exception permit have commenced prior to application for said amendment, conditional use permit or special exception permit, the application shall be considered after-the-fact.

(3) After an application for a text or map amendment or conditional use permit has been heard and denied, no other petition or application affecting the same property or portion thereof requesting the same change may be filed and heard for a period of 1 year from the date of said denial.

(4) Once a public hearing is held on a text or map amendment or conditional use permit, the amendment or application cannot be withdrawn unless a majority vote of the Committee approves such withdrawal at said public hearing.

(5) Applications shall be made on forms furnished by the Department and shall include the following:

(a) A map in duplicate, drawn to a minimum scale of 1" to 100' showing:

1. The parcel boundaries and its legal description.
2. The legal description of the area affected.
3. The location of all structures, existing and proposed on the property, all roads, wells, sanitary sewers, stormwater drainage and any other pertinent information.
4. The ordinary high-water mark of any navigable waters within 300 feet of parcel boundaries.

(b) Application fee. See s. 17.13. Any costs incurred by the Department in obtaining legal, planning, engineering and/or other technical and professional assistance in connection with the review of a text or map amendment, conditional use permit or special exception permit and preparation of conditions to be imposed on such uses shall be charged to the applicant. If required by the Department, a fee covering such costs shall accompany the application fee.

(c) An impact statement summarizing the impacts of the proposed application to the property and its surrounding properties.

(d) Any additional information deemed necessary to ensure compliance with this chapter.

(6) Upon submittal of an application a public hearing shall be held at a regular meeting of the Committee.

(7) If the Committee determines that an application is not complete and postpones the public hearing, the applicant shall be required to pay an additional application fee.

(8) Except for conditional uses approved under 17.05 (5)(D)(2b) and La Crosse County Code of Ordinances Chapter 28, which require only County Board approval, all other conditional use permits require both Town Board and County Board approval.

17.11 VIOLATIONS AND PENALTIES.

(1) Any person, firm or corporation who violates, disobeys, neglects, omits or refuses to comply with or who resists the enforcement of any provisions of this chapter, shall, upon conviction or order for removal by a court, remove any structure or part thereof which violates the terms of this chapter within 30 days of such conviction or order. Upon failing to do so, the county may remove or request the appropriate Town to remove such

(154-15/16)

structure or part thereof which violates the terms of this chapter and the cost of such removal shall become a lien or special assessment upon the property.

(2) Any person, firm or corporation who violates, disobeys, neglects, omits or refuses to comply with or who resists the enforcement of any provisions of this chapter may also be required, upon conviction, to forfeit not less than \$100, nor more than \$500 for each offense, together with the costs of prosecution. Failure to pay said forfeiture may result in imprisonment in the county jail until such forfeiture and costs are paid, but not to exceed 30 days.

(3) Each day that a violation exists or continues may be considered a separate offense.

17.12 VALIDITY. Should any section, clause or provision of this chapter be declared invalid, the same shall not affect the validity of the chapter or any part thereof, other than the part so declared invalid.

17.13 DEPARTMENT FEES. The fees under this chapter shall be determined by the County Board.

17.14 ORDINANCE TABLES

(1) Accessory Buildings. Accessory buildings shall comply with the requirements of the following table. These standards may not apply in certain situations where the lot is within a Shoreland Zoning District. See Chapter 20 of the La Crosse County Code of Ordinances for Shoreland Zoning.

LOT SIZE	0 - 7,500 S.F.	7,501 S.F. - 1 AC.	1.01 - 3 AC.	3.01 - 5 AC.	5.01 - 10 AC.	10.01+ AC.
HEIGHT	17'	17'	17'	17'	21'	40'
AREA S.F.	576	768	1,008	1,500	3,200	5,000
FRONT YARD	See 17.06 Highway Setback Lines					
SIDE YARD	3'	3'	3'	5'	5'	10'
REAR YARD	3'	3'	3'	5'	5'	10'
NUMBER OF BUILDINGS	1	2	2	3	3	3

(2) Original date of adoption of farmland preservation zoning by towns. These dates shall be used when determining if a residence is defined as pre-existing under 17.03(58) and 17.05(5)(c)1.a.

<u>Town</u>	<u>Original Date of Adoption</u>
Bangor	August 19, 1982
Barre	November 11, 1980
Burns	July 21, 1983
Campbell	Did not adopt
Farmington	November 12, 1980
Greenfield	November 12, 1980
Hamilton	November 18, 1982
Holland	September 19, 1985
Medary	Did not adopt
Onalaska	November 19, 1980
Shelby	November 17, 1980
Washington	November 12, 1980

(3) Dates of towns adoption of 1/30/12 Comprehensive Revision of this Code.

<u>Town</u>	<u>Original Date of Adoption</u>
Banger	December 18, 2012
Barre	November 30, 2012

(155-15/16)

Burns	Did Not Adopt
Campbell	Did Not Adopt
Farmington	September 7, 2012
Greenfield	December 21, 2012
Hamilton	December 12, 2012
Holland	May 18, 2012
Medary	November 16, 2012
Onalaska	January 10, 2013
Shelby	September 27, 2012
Washington	June 15, 2012

Section 2. This Ordinance shall take effect 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 28 ayes, 1 absent - K. Rosa.

RESOLUTION NO. 46-11/15 RE: APPROVAL OF TOWN OF CAMPBELL ZONING AMENDMENT

WHEREAS, the Town of Campbell has adopted a zoning ordinance, which ordinance was approved by the La Crosse County Board by Resolution #52-1/13 on January 17, 2013; and, **WHEREAS**, The Town of Campbell intends to meet the statutory consistency requirements with a future Town Comprehensive Plan Amendment; and, **WHEREAS**, Wis. Stat. s. 60.62(3) states that no zoning ordinance or amendment to a zoning ordinance may be adopted by the town unless approved by the county board; and, **WHEREAS**, after a public hearing on October 6, 2015, the Town of Campbell approved a petition by Daniel Nelson to rezone parcel #4-859-1, located at 131 and 133 Clinton Street, from the Rural Residential District to the Commercial District, for the purpose of operating a restaurant and marina; and, **WHEREAS**, the Planning, Resources and Development Committee, after receiving input from Zoning, Planning and Land Information Department staff, recommend approval of the proposed zoning amendment. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby approves the amendment to the zoning district of the Town of Campbell zoning ordinance regarding parcel #4-859-1 approved by the Town of Campbell on October 6, 2015 in accordance with Wis. Stat. s. 60.62(3). **FISCAL NOTE:** No fiscal impact to La Crosse County.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/J. Schroeder to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

RESOLUTION NO. 47-11/15 RE: SUPPORT OF REPEALING PARAGRAPH 23 OF MOTION NUMBER 520 OF THE 2015-2017 STATE BUDGET BILL (2015 WISCONSIN ACT 55)

WHEREAS, the State of Wisconsin has adopted NR 115 of the Wisconsin Administrative Code relating to Shoreland Zoning Standards and La Crosse County has adopted and administered the requirements of said standards since prior to 1971; and, **WHEREAS**, La Crosse County counts numerous rivers, streams, tributaries, backwaters, wetlands and flowages as its water resources including the Mississippi, Black, and La Crosse Rivers and Lakes Onalaska and Neshonoc; and, **WHEREAS**, the La Crosse County Zoning, Planning & Land Information Department, along with other county and state agencies, is charged with administering and enforcing County and State regulations to protect water resources and educate the public in shoreland and wetland zoning and long-range planning; and, **WHEREAS**, the Joint Finance Committee for the State's 2015-2017 biennial budget process has passed paragraph 23 of Motion Number 520 which significantly changes the standards for regulation of structures in

(156-15/16)

shoreland areas contrary to the adopted standards of NR115; and, **WHEREAS**, these new rules take away local control of the County's waterways with no input from the general public; and, **WHEREAS**, the application of these new rules to structures in the shoreland areas has caused much confusion for local officials and the general public with little or no direction from the state with the potential of placing a significant burden (financial, construction delays etc.) on shoreland property owners attempting to maintain compliance with these new rules; and, **WHEREAS**, neighboring property owners and the general public may be negatively impacted, specifically as it relates to decreased property values, erosion, substandard sanitary impacts, increased flooding issues, aesthetics and overall enjoyment of the County's waterways; and, **WHEREAS**, state organizations including the Wisconsin Counties Association, Wisconsin County Code Administrators, Wisconsin Land and Water Conservation Association and Wisconsin County Planning and Zoning Directors have gone on record supporting the repeal of paragraph 23 of Motion Number 520 of the 2015-2017 Budget Bill, and request that proposed amendments be addressed through the normal legislative process to allow for important input from the general public regarding managing development activity around Wisconsin waterways. **NOW, THEREFORE, BE IT RESOLVED** that the La Crosse County Board of Supervisors supports repealing paragraph 23 of Motion Number 520 of the 2015-2017 State Budget Bill (2015 Wisconsin Act 55), and requests that any amendments to NR 115 be made through the normal legislative process to allow for open public discussion and input. **BE IT FURTHER RESOLVED** that copies of this resolution be sent to members of the State's Joint Finance Committee, the Governor of the State of Wisconsin, State Senators and Representatives serving La Crosse County constituents and the Wisconsin Counties Association. **FISCAL NOTE:** No fiscal impact to La Crosse County.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/D. Holtze to approve. Discussion ensued. The motion to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

RESOLUTION NO. 48-11/15 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 for 4 parcels no later than 12:00 PM on October 21, 2015, and opened by the County Treasurer on October 21, 2015 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. **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, interest and penalty. Any surplus funds in excess of taxes, interest and penalty shall be deposited in Org. 1065 Treasurer, Account 56020 Foreclosure Revenue.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/L. Pfaff to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

RESOLUTION NO. 49-11/15 RE: APPROVAL OF PARTICIPATION IN COUNTY CONSERVATION AIDS PROGRAM FOR GOOSE ISLAND SHORELINE IMPROVEMENTS

WHEREAS, La Crosse County desires to participate in county fish and game projects pursuant to the provisions of s. 23.09(12), Wis. Stats.; and, **WHEREAS**, the Facilities Department desires to undertake the financial aid available for the Goose Island Rip Rap West and North Shoreline Project ('Project'), which consists of installation of rip rap, incorporating limestone slabs to protect eroding bank along the north and west shores of Goose Island County Park;

(157-15/16)

and, **WHEREAS**, the Wisconsin Department of Natural Resources (WDNR) has grant funding available through the County Conservation Aids program specifically for the installation of fish and game projects under s. 23.09(12), Wis. Stats., which will assist with payment of the Project costs; and, **WHEREAS**, La Crosse County has budgeted an amount in its budget equal to the local share of project costs or land acquisition. **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby authorizes the Facilities Director to act on behalf of La Crosse County to sign and submit an application to the Wisconsin Department of Natural Resources (WDNR) for any financial aid that may be available under the County Conservation Aids Program, and submit to the WDNR reimbursement claims along with necessary supporting documentation within one (1) year of project end date; and take all other necessary steps to complete the Project. **BE IT FURTHER RESOLVED** that La Crosse County will comply with all state and federal laws related to the County Conservation Aids programs and will obtain approval in writing from the WDNR before any change is made in the use of the Project site. **FISCAL NOTE:** Project costs budgeted in Org 1132 Capital Improvements, Acct 87034 Park and Campgrounds; State grant amount is \$1,251.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/R. Geary to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

RESOLUTION NO. 50-11/15 RE: APPROVAL OF OFFER TO PURCHASE VACANT LAND NEAR LAKEVIEW BUSINESS PARK

WHEREAS, La Crosse County has received an Offer to Purchase 3.84 acres, more or less, located south of East Garland Street in the Village of West Salem, County of La Crosse from James Finch; and,

WHEREAS, the Offer to Purchase includes the following terms:

- Purchase price of \$140,000
- Down payment of \$1,000
- Closing date no later than December 1, 2015
- No financing contingency
- County provide title commitment
- Condition of property sold in "as is" condition
- Offer is contingent on County providing map of property prepared by a land surveyor and County terminating any lease with the Village of West Salem concerning the property prior to closing; and,

WHEREAS, the proposed use of the property is for business condominiums, office and warehouse uses as authorized by the zoning designation of the property; and, **WHEREAS**, it is in the best interests of La Crosse County to accept the Offer to Purchase described in this resolution. **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby approves acceptance of the Offer to Purchase of the approximately 3.8 acres, more or less, from James Finch in accordance with the terms outlined in this resolution. **BE IT FURTHER RESOLVED** that the La Crosse County Board Chair and County Clerk are hereby authorized to sign any documents necessary to effectuate this resolution and the sale of the property, after approval by Corporation Counsel. **FISCAL NOTE:** Net proceeds equal \$140,000 purchase price minus 7% realtor fees paid to realtor Chuck Olson, title insurance costs and any other deductions for filing fees and closing costs that would be the responsibility of La Crosse County. Funds shall be deposited in Org. 1064, Account 56015.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/L. Pfaff to approve. Discussion ensued. Facilities Director Jim Speropulos and Administrator O'Malley responded to questions from the board. Brian Fukuda responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

RESOLUTION NO. 51-11/15 RE: APPROVAL OF SALE OF EXCESS HIGHWAY PROPERTY TO BLUSKE CUSTOM BUILDERS

WHEREAS, La Crosse County acquired certain property in 1996 for storm water retention

(158-15/16)

purposes for a McHugh Road highway project; and, **WHEREAS**, the La Crosse County Highway Department reviewed the capacity of the existing storm water retention basin and found that certain excess property could be surveyed to split off a portion for sale; and, **WHEREAS**, the parcel advertised consists of a lot of approximately 41,401 square feet or approximately .95 acres, more or less; and, **WHEREAS**, the property was appraised by Kimberly K. Witte of Midwest Professional Appraisal on or about October 14, 2015, and determined to have a fair market value of \$90,000; and, **WHEREAS**, La Crosse County has advertised by Class 3 notice the property along McHugh Road (CTH MH) for sale by sealed bids; and, **WHEREAS**, after advertising the property for sale, the highest bid submitted was by Bluske Custom Builders, LLC for \$56,300, which is significantly higher than the other bids received (see bids submitted on attached Exhibit "A"); and, **WHEREAS**, it is in the best interests of La Crosse County to accept the bid and sell the property to Bluske Custom Builders, LLC. **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby approves the sale of the excess property from the McHugh Road project to Bluske Custom Builders, LLC for the sum of \$56,300, which property is legally described as follows: Lot 1 of La Crosse County Certified Survey Map Volume 16, Page 102-102A on file at the La Crosse County Register of Deeds office. **BE IT FURTHER RESOLVED** that the La Crosse County Board Chair and County Clerk are hereby authorized to execute any documents necessary to effectuate the sale of property, after approval by Corporation Counsel. **FISCAL NOTE:** The County will receive \$56,300 from the sale of the property, minus any required closing costs. Proceeds from the sale shall be deposited in Org. 3021, Account 56015.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by M. Freedland/P. Barlow to approve. Discussion ensued. Finance Director Sharon Davidson responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

RESOLUTION NO. 52-11/15 RE: DISALLOWANCE OF CLAIM OF KEN AYERS

WHEREAS, Ken Ayers has filed a claim alleging that on or about July 10, 2015 while he was camping at Goose Island Campground, a tree limb fell on his truck breaking the rear window and frame of his topper, resulting in damages claimed of \$507.37; and, **WHEREAS**, Wisconsin Municipal Mutual Insurance Company has reviewed the information, investigated the facts and determined that La Crosse County has no liability for this claim, and recommends formal disallowance of the claim by the County Board; and, **WHEREAS**, the above stated claim does not appear to be meritorious and should be disallowed. **NOW, THEREFORE BE IT RESOLVED**, that the claim of Ken Ayers against La Crosse County, its officers, officials, employees, and agents is hereby disallowed and further be it required that notice of disallowance of this claim shall be served on the claimant by registered or certified mail and the receipts therefore, signed by the claimant, or the returned registered letter, shall be proof of service. **BE IT FURTHER RESOLVED**, that the claimant shall be notified that no action on the claim against La Crosse County, nor against any of its officers, officials, agents, or employees, may be brought after 6 months from the date of service of this notice of disallowance. **FISCAL NOTE:** The cost to La Crosse County for sending certified mail/restricted delivery to the claimant is approximately \$12.

EXECUTIVE COMMITTEE

Motion by S. Hampson/T. Wehrs to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

RESOLUTION NO. 53-11/15 RE: TERMINATE COVERAGE WITH LGPIF AND ELECT PROPERTY INSURANCE COVERAGE FROM THE NEW MUNICIPAL PROPERTY INSURANCE COMPANY (MPIC)

WHEREAS, in 1987, the Wisconsin Municipal Mutual Insurance Company was created to help local municipalities effectively handle the costs of general liability insurance and for the past 28 years, WMMIC has helped control costs for its members and provided general liability coverage and claims administration; and, **WHEREAS**, as the latest state budget proposed to eliminate the Local Government Property Insurance Fund, which has ultimately indicated that

it would continue until July of 2019, with increased premiums of up to 85% of current rates; and, **WHEREAS**, WMMIC has again looked to provide a viable option for local municipalities by partnering with Cities and Villages Mutual Insurance Corporations (CVMIC) and the League of Wisconsin Municipalities Mutual Insurance Corporation (LWMMI) to create a new stock insurance company, Municipal Property Insurance Company (MPIC); and, **WHEREAS**, the three mutual entities have each provided a startup fund of three million dollars, have hired an executive director, and are eligible to issue insurance policies on October 1, 2015; and, **WHEREAS**, with more than 400 municipalities of these three entities currently insured with the Local Government Property Insurance Fund, MPIC expects to have a new insurance pool of more members that cannot be equaled in the State of Wisconsin; and, **WHEREAS**, all information from LGPIF can be transferred to MPIC, so no application is necessary; and, **WHEREAS**, after doing due diligence in checking market comparable alternatives, it is evident that MPIC is the best alternative for La Crosse County to administer the County's property insurance fund; and, **WHEREAS**, pursuant to requirements of section 605.21(3), Wis. Stats., to withdraw from the Local Government Property Insurance Fund, the local municipality must provide certified notice to LGPIF by majority vote that they have elected to withdraw from the fund. **NOW THEREFORE BE IT RESOLVED** that pursuant to section 605.21(3) of the Wisconsin Statutes, the La Crosse County Board elects to withdraw from the Local Government Property Insurance Fund on January 1, 2016. **BE IT FURTHER RESOLVED** that the County of La Crosse hereby elects to become part of the Municipal Property Insurance Company (MPIC) effective on January 1, 2016. **BE IT FURTHER RESOLVED** that a certified notice of this resolution be sent to the Local Government Property Insurance Fund and the appropriate forms be completed and signed by the County Board Chair, after review by Corporation Counsel. **FISCAL NOTE:** The 2016 premium from MPIC for property insurance (\$1000 deductible) and auto physical damage (\$2,500 deductible – comprehensive only) is \$187,820. The premium from the Local Government Property Insurance Fund for 2016 is \$247,259 for the same coverage except for \$500 deductible for auto damage. Funds are paid from Org. 1025 Insurance, Account 72060 Property Insurance. Sufficient funds are budgeted within the 2016 budget.

EXECUTIVE COMMITTEE

Motion by S. Hampson/P. Jerome to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

Chair Johnson acknowledged Supervisors Schroder, Giese, Ebert, Keil, and Berg for their service in the military as Veteran's Day is approaching.

RECESS: Motion by H. Hoffman/D. Holtze to recess at 8:01 PM until 9:00 AM Tuesday, November 10, 2015 passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

**LA CROSSE COUNTY BOARD OF SUPERVISORS ANNUAL MEETING
PROCEEDINGS; TUESDAY, NOVEMBER 10, 2015**

The La Crosse County Board of Supervisors Annual Meeting was reconvened on Tuesday, November 10, 2015 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 28 supervisors were present when Chair Tara Johnson called the meeting to order at 9:00 A.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

(160-15/16)

5	Rosa, Keyla	Absent
6	Plesha, Roger	Present
7	Hampson, Sharon	Present
8	Jerome, Peg	Present
9	Caucutt, Nancy	Excused at 11:53 AM
10	Cable, Kim	Present
11	Scheller, Patrick	Present
12	Holtze, Dave	Present
13	Logue, Brian	Present
14	Schroeder, Jeffrey	Present
15	Kruse, Monica	Present
16	Ferries, Dan	Present
17	Giese, Mike	Present
18	Berg, Laurence	Present
19	Hoffman, Hubert	Present
20	Doyle, Steve	Present
21	Burke, Vicki	Present
22	Barlow, Patrick	Present
23	Nikolay, Matt	Present
24	Pfaff, Leon	Present
25	Ebert, Ray	Present
26	Hesse, Dan	Present
27	Wehrs, Tina	Present
28	Keil, Robert	Excused at 09:41 AM
29	Johnson, Tara	Present

RESOLUTION NO. 54-11/15 RE: AUTHORIZING THE APPROVAL OF MODIFICATION TO CERTAIN LA CROSSE COUNTY PERMITS, FEES, AND CHARGES FOR 2016

WHEREAS, the 2016 budget includes certain fee increases for various revenue accounts commencing January 1, 2016 for various departments; and, **WHEREAS**, the fees in each of the departments have been identified in the 2016 County Administrator Recommended Budget document entitled "La Crosse County Proposed Charges for Services and Permit Revenues for 2016" and "La Crosse County Human Services Department 2016 Fees"; 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 "La Crosse County Proposed Charges for Services and Permit Revenues for 2016" and "La Crosse County Human Services Department 2016 Fees" to be effective commencing January 1, 2016. **FISCAL NOTE:** The proposed fees, charges and permit fees for 2016 have been included in the proposed 2016 Budget.

EXECUTIVE COMMITTEE

Motion by S. Hampson/J. Veenstra to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

(161-15/16)

RESOLUTION NO. 55-11/15 RE: MODIFICATION OF COMPENSATION PLAN FOR NON-UNION EMPLOYEES FOR 2016

WHEREAS, the County Administrator and Personnel Director recommend modifications to the present County Compensation Plans for non-bargaining employees covered by the following Classifications and Pay Grades designated as B, CE, FA, HV, JLS, LS, LV, NA, NH, NL, NS, TL, TLS, and UW; and, **WHEREAS**, upon consideration of the union contract settlement for Deputy Sheriff for 2016 and the recommended settlements for the other union contracts for 2016, the Consumer Price Index, budget, and internal compensation equity, the County Administrator and Personnel Director recommend setting the pay rates for the Non-Bargaining Pay Schedules consistent with the bargaining units; and, **NOW THEREFORE BE IT RESOLVED**, that those employees covered by the non-bargaining pay schedules referenced above have pay set for 2016 reflecting an across-the-board increase of 1.5% effective January 1, 2016. Minimum wage positions will remain indexed to minimum wage and certain grant-funded positions with a specific rate will not be increased. **BE IT FURTHER RESOLVED**, that the Finance Department and the Personnel Department are authorized to take the necessary action to implement these changes. **FISCAL NOTE:** The 2016 budget contains funding in salary contingency and other accounts. The estimated increase of salary, WRS, FICA and Medicare for all non-bargaining employees for 2016 is \$513,856. There are approximately 795 employees covered by this resolution.

EXECUTIVE COMMITTEE

Motion by S. Hampson/M. Kruse to approve passed on a voice vote with 27 ayes, 1 abstention - P. Barlow, 1 absent - K. Rosa.

RESOLUTION NO. 56-11/15 RE: ADOPTION OF CONTRACTS FOR AFSCME UNION EMPLOYEES FOR 2016

WHEREAS, La Crosse County and the representatives of AFSCME Unions representing Para-Professional Employees, Professional Employees, Highway, and Jailers have concluded collective bargaining negotiations; and, **WHEREAS**, the parties have reached a tentative agreement, pending union vote of the bargaining units, for base wage contracts for 2016 through collective bargaining. **NOW THEREFORE BE IT RESOLVED**, that the tentative base wage agreements of the parties, a summary of which is attached hereto, are within the requirements of Act 10 which identify the applicable across the board wage increase to a one year collective bargaining agreement of 0.73% for all groups with the term beginning on January 1, 2016, to be ratified as the new collective bargaining agreement between La Crosse County and the four AFSCME locals, effective for all those employed in such units on the date of this resolution. **BE IT FURTHER RESOLVED**, that the County Board Chair, County Administrator and Personnel Director are authorized to sign the Base Wage Collective Bargaining Agreements upon approval of the Corporation Counsel. **BE IT FURTHER RESOLVED**, that to maintain internal equity with the 1.5% union contract settlement for Deputy Sheriff's for 2016, the 1.5% recommended pay adjustment for Non-Union employees and to remain competitive in areas of recruitment and retention, the County Board Supervisors approve a pay scale supplemental pay adjustment of 0.77% for each of the four collective bargaining units effective January 1, 2016. **BE IT FURTHER RESOLVED**, that the Personnel and Finance departments are authorized and directed to take such action as is necessary to implement the action approved and carry out the intent of this resolution. **FISCAL NOTE:** The estimated increase in cost of wage, WRS, FICA and Medicare for 2016 is \$349,945. The number of employees in each group is approximately: Para-Professional Employees 235, Professional Employees 133, Highway 58, and Jailers 56.

EXECUTIVE COMMITTEE

Motion by S. Hampson/K. Cable to approve passed on a voice vote with 27 ayes, 1 abstention - P. Barlow, 1 absent - K. Rosa.

RESOLUTION NO. 57-11/15 RE: CHANGES IN POSITIONS FUNDED BY OUTSIDE SOURCES (NON-TAX LEVY) FOR 2016

WHEREAS, the County Administrator's 2016 budget includes changes in positions that are fully funded by outside sources; and, **WHEREAS**, new positions of 3.10 FTE are the result of

(162-15/16)

increased grant revenues and other outside sources. **NOW THEREFORE BE IT RESOLVED**, that the following position modifications be approved for inclusion in the 2016 La Crosse County budget, reflecting a net increase of 3.10 FTE with \$0 levy impact.

	<u>Net Increase/ Decrease FTE</u>	<u>Annual Cost Salary & Fringe</u>	<u>Net Levy Impact</u>
<u>Health Department</u>			
+0.10 Lab Technologist I	0.10	\$6,030	\$0
<u>Human Services</u>			
+2.00 Social Worker I (ISRS-CCS)	2.00	\$137,830	\$0
+1.00 ISRS Assistant Manager	1.00	\$88,649	\$0
Net Change/Totals	3.10	\$232,509	\$0

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:** These figures reflect 2015 pay scales, which do not include the 1.5% increase that is included in the County Administrator's 2016 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/M. Kruse to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

RESOLUTION NO. 58-11/15 RE: CHANGES IN GENERAL OPERATING LEVY POSITIONS AND HOURS FOR 2016 BUDGET

WHEREAS, based on input from the departments, the County Administrator's 2016 budget includes a total decrease of 1.2967 Full Time Equivalents (FTE) and an increase of 1.9534 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 2016 La Crosse County budget, reflecting a net increase of 0.6567 FTE with a net increase of \$21,387 in the 2016 Tax Levy.

	<u>Net Increase/ Decrease FTE</u>	<u>Annual Cost Salary & Fringe</u>	<u>Net Levy Impact</u>
<u>Aging</u>			
-0.4667 Site Manager	(0.4667)	(\$11,724)	(\$11,724)
<u>Library</u>			
+0.4534 Asst. Youth Services Coordinator	0.4534	\$24,896	\$24,896
<u>Veteran's Services</u>			
+0.20 Clerk	0.20	\$7,365	\$7,365
<u>Health</u>			
+0.10 Interpreter	0.10	\$4,986	\$4,986
<u>Human Services</u>			

(163-15/16)

+1.00 Fiscal Analyst	1.00	\$62,318	\$20,773
+0.20 Account Clerk, Sr.	0.20	\$8,064	\$6,453

District Attorney

-0.60 Clerk, Sr.	(0.60)	(\$21,609)	(\$21,609)
-0.23 Investigator-DA	(0.23)	(\$9,753)	(\$9,753)

Net Change/Totals 0.6567 \$64,543 \$21,387

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:** These figures reflect 2015 pay scales, which do not include the 1.5% increase that is included in the County Administrator's 2016 budget.

EXECUTIVE COMMITTEE

Motion by S. Hampson/P. Scheller to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

RESOLUTION NO. 59-11/15 RE: CHANGES IN POSITIONS AT LAKEVIEW HEALTH CENTER CAMPUS FOR 2016

WHEREAS, the County Administrator's 2016 budget includes changes in positions as a result of construction of the new neighborhood based Lakeview campus and decreasing the total client capacity from 136 to 102; and, **WHEREAS**, the Lakeview Administrator has been authorized by the Veterans Aging and Long Term Care Committee (VALTC) to reduce the number of licensed nursing home beds from 99 down to 50 by the fall of 2016; and **WHEREAS**, the anticipated staffing changes will decrease the total number of positions by at least 19.15 FTE in the nursing home, while increasing up to 13.05 FTE serving the other Lakeview Entities: Regent Manor, Ravenwood, Monarch Manor, Maplewood Community Based Residential Facility (CBRF) and the new second CBRF; and **WHEREAS**, decreases in positions have begun to be implemented through staff attrition in 2015 in response to decreasing the number of licensed nursing home beds, while affecting a variety of position classifications to increase staffing efficiencies and duties. **NOW THEREFORE BE IT RESOLVED**, that the County Administrator and Lakeview Administrator are authorized to make modifications to the total number of allocated positions for the Lakeview campus implementing a total decrease in full time equivalent positions of 6.10 by the fall of 2016. **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:** Decrease of salary and fringe costs in the amount of \$969,860 are included in the Administrator's Proposed 2016 Budget for the nursing home and an increase of \$315,522 in salary and fringe are included for the other Lakeview entities. These position changes are fully funded by outside sources and will not impact the tax levy.

EXECUTIVE COMMITTEE

Motion by S. Hampson/R. Plesha to approve passed on a unanimous voice vote with 28 ayes, 1 absent - K. Rosa.

RESOLUTION NO. 60-11/15 RE: COMPENSATION FOR LA CROSSE COUNTY BOARD 2016 – 2018 TERM

WHEREAS, La Crosse County is a self-organized County pursuant to s. 59.10(1), Wis. Stats., and s. 2.01(1)(a) of the General Code of La Crosse County; and, **WHEREAS**, the method of compensation of Supervisors shall be determined by the County Board by resolution regulating such compensation prior to the earliest time for filing nomination papers for the office of Supervisor; and, **WHEREAS**, the Supervisor's current compensation is \$411 per month and the County Board Chair's current compensation is \$1270 per month. **NOW**,

(164-15/16)

THEREFORE BE IT RESOLVED, that the monthly compensation for the County Board Supervisors shall be increased 1.5% each year of the term to \$417 per month for the term commencing in April, 2016, and \$424 per month commencing in April, 2017; and **BE IT FURTHER RESOLVED**, that the County Board Chair's monthly compensation shall be increased 1.5% each year of the term to \$1,289 per month for the term commencing in April, 2016, and \$1,308 per month commencing in April, 2017; and **BE IT FURTHER RESOLVED**, that the County Administrator, Finance Director, Personnel Director and Corporation Counsel shall take all necessary steps to carry out the intent of this resolution. **FISCAL NOTE:** The total annual compensation for the next 2 year term for County Board Supervisors shall be \$145,116 for the year commencing April, 2016, and \$147,552 for the year commencing April, 2017 and for the County Board Chair an amount of \$15,469 for the year commencing April, 2016, and \$15,697 for the year commencing April, 2017.

EXECUTIVE COMMITTEE

Motion by S. Hampson/V. Burke to approve. Discussion ensued. Administrator O'Malley, Finance Director Sharon Davidson and Corporation Counsel David Lange responded to questions from the Board. **Motion** by H. Hoffman/L. Berg to postpone indefinitely. Discussion ensued. County Clerk Dankmeyer and Corporation Counsel David Lange responded to questions from the Board. The motion failed on a roll call vote with 27 nays, 1 aye - H. Hoffman, 1 absent - K. Rosa. **Motion** by H. Hoffman/D. Ferries to eliminate the 1.5% increase each year of the term and replace \$417 with \$411 per month for the term and replace \$1289 with \$1270 per month for the term for the Chair's salary. Fiscal note will corrected to \$143,028 for Supervisors total annual compensation and \$15,240 for the Chair. Discussion ensued. Administrator O'Malley and Finance Director Sharon Davidson responded to questions from the Board. The **motion** to amend passed on a roll call vote with 21 ayes, 6 nays - V. Burke, S. Doyle, S. Hampson, D. Holtze, T. Johnson and R. Keil, 1 abstention - P. Barlow, 1 absent - K. Rosa. The **motion** to approve as amended passed on a roll call vote with 26 ayes, 1 nay - S. Hampson, 1 abstention - P. Barlow, 1 absent - K. Rosa.

APPROVAL OF THE 2016 ADMINISTRATOR'S RECOMMENDED BUDGET

EXECUTIVE COMMITTEE

Motion by S. Hampson/M. Kruse to approve. **Motion** by S. Hampson/P. Jerome to amend by approving the Executive Committee 2016 Budget Changes/Corrections passed on a unanimous voice vote with 27 ayes, 1 absent - K. Rosa, and 1 excused - R. Keil. **CHAIR CHANGE:** 1st Vice Chair S. Hampson took the chair. **Motion** by T. Johnson/N. Caucutt to amend by amending Org 1059 – newly created org called Neighborhood Revitalization, by adding revenue of \$1,400,000 coming from the sale of land formerly the Schroeder Property and adjacent partials immediately east of this property along Hwy 16. Proposal is to return \$385,000 to Excess Sales Tax Reserve and the remainder of \$1,015,000 to be spent on Economic Development and Neighborhood Revitalization Initiatives in priority neighborhoods in the City of La Crosse. A new account 79063 called Neighborhood Revitalization will be set up as the expense. Lengthy discussion ensued. Administrator O'Malley responded to questions from the Board. The **motion** to amend passed on a roll call vote with 19 ayes, 8 nays - L. Berg, R. Ebert, D. Ferries, D. Hesse, H. Hoffman, B. Logue, J. Schroeder and T. Wehrs, 1 absent - K. Rosa, 1 excused - R. Keil. **CHAIR CHANGE:** Chair T. Johnson resumed the chair. **Motion** by S. Hampson/M. Freedland to amend by using Park Plaza Proceeds, \$50,000 to Org 1069, to a new expense account 83056 - City Pledge to fund part of the improvements for the Powell Park Autism Project – from Org 1069, account 99943 – Park Plaza Balance. Discussion ensued. **Motion** by M. Freedland/D. Holtze to refer back to committee. Discussion ensued. Finance Director Sharon Davidson responded to questions from the Board. The **motion** passed on a voice vote with 26 ayes, 1 abstention - P. Jerome, 1 absent - K. Rosa, 1 excused - R. Keil. **Motion** by P. Barlow/M. Nikolay to amend by redirecting \$100,000 from Org 1068 Badger Coulee, line 79243 Special Energy Project to be applied to a new account 83059 – Holmen Community Center to help fund outdoor greenspace and activity field needs of the project. Discussion ensued. Facilities Director Jim Speropulos responded to questions from the Board.

(165-15/16)

RECESS: Motion by S. Doyle/J. Schroeder to recess at 10:55 AM for 15 minutes. There were no objections. Chair Johnson called the meeting back to order at 11:12 AM.

Motion by P. Barlow/R. Geary to table Supervisor Barlow's amendment passed on a unanimous voice vote with 27 ayes, 1 absent - K. Rosa, 1 excused - R. Keil. **Motion** by S. Doyle/V. Burke to amend and redirect \$150,000 from Org 1068, line item 87034 Capital Improvements Parks, to the Holmen Community Center for outdoor green space. New account 83059 will be set up for this expense and apply \$150,000 to Org 1069 Parks Plaza to new line item 87034 Capital Improvements Parks & Campgrounds. Discussion ensued. Administrator O'Malley responded to questions from the Board. The **motion** to amend passed on a roll call vote with 22 ayes, 5 nays - M. Giese, S. Hampson, D. Hesse, B. Logue and T. Wehrs, 1 absent - K. Rosa, 1 excused - R. Keil. **Motion** by B. Logue/R. Ebert to amend Org 1059 – Neighborhood Revitalization, deleting line 79062 – Housing Projects by \$200,000 and deleting 99905 Excess Sales Tax; and reducing the borrowing for Highway Roads, line 99906 by \$200,000 by applying Excess Sales Tax. Discussion ensued. Administrator O'Malley responded to questions from the Board. **Motion** by R. Geary/M. Giese to amend Supervisor Logue's amendment by reducing Org 1069 – Park Plaza Proceeds, line 99943 – Park Plaza Balance by \$200,000 and applying to Org 3001- Highway, account 99906 – From Borrowing. Discussion ensued. Administrator O'Malley responded to questions from the Board. The **motion** to amend failed on a roll call vote with 14 nays, 12 ayes - S. Doyle, D. Ferries, R. Geary, M. Giese, D. Hesse, P. Jerome, B. Logue, M. Nikolay, R. Plesha, P. Scheller, J. Schroeder and J. Veenstra, 1 absent - K. Rosa, 2 excused - N. Caucutt and R. Keil. The **motion** to amend by Supervisor Logue failed on a roll call vote with 18 nays, 8 ayes - L. Berg, R. Ebert, D. Ferries, D. Hesse, H. Hoffman, B. Logue, J. Schroeder and T. Wehrs, 1 absent - K. Rosa, 2 excused - N. Caucutt and R. Keil. **Motion** by T. Wehrs/D. Hesse to amend and move \$200,000 from Org 1069, acct 99943 to Org 3001, acct 94104 for needed shoulder repair projects. Discussion ensued. Highway Commissioner Ron Chamberlain responded to questions from the Board. Finance Director Sharon Davidson and Administrator O'Malley responded to questions from the Board. The **motion** to amend passed on a roll call vote with 22 ayes, 4 nays - S. Hampson, P. Jerome, T. Johnson and M. Kruse, 1 absent - K. Rosa, 2 excused - N. Caucutt and R. Keil.

RECESS: Motion by V. Burke/J. Schroeder to recess at 12:12 PM for 20 minutes. There were no objections. Chair Johnson called the meeting back to order at 12:30 PM.

The motion to approve the Administrator's Recommended 2016 Budget as amended four times passed on a voice vote with 24 ayes, 2 nays - D. Hesse and H. Hoffman, 1 absent - K. Rosa, 2 excused - N. Caucutt and R. Keil.

RESOLUTION NO. 61-11/15 RE: ADOPTION OF THE 2016 BUDGET AND TAX LEVY
WHEREAS, the County Administrator has worked with all County departments and has prepared the La Crosse County 2016 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 2016 with total expenditures of \$169,019,584, total revenues of \$111,646,101 and other funding sources of \$24,696,509 and a total La Crosse County tax levy of \$32,676,974 to be divided and levied as follows: County Tax of \$25,654,017 to be levied upon all the taxable property of the County; and, Debt Levy Tax of \$5,211,969 to be levied upon all the taxable property of the County; and, County Library Tax of \$1,810,988 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 \$1,479,484 and State Special Charges of \$171 be levied upon all the taxable property of the County as certified by the State Department of Administration. **BE IT FURTHER RESOLVED**, that the 2016 budget is adopted and approved at the department level of detail as contained in the budget document. **BE IT FURTHER RESOLVED**, that the County

(166-15/16)

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/R. Plesha to approve passed on a voice vote with 25 ayes, 1 nay - H. Hoffman, 1 absent - K. Rosa, 2 excused - N. Caucutt and R. Keil.

SUGGESTIONS FOR FUTURE AGENDA TOPICS

- Supervisor Schroeder announced the Veteran's Day Breakfast at UWL Stadium - Veteran's Hall. There will be a service followed by a breakfast.
- Administrator O'Malley announced the open house at Coulecap 700 3rd Street N.

ADJOURN

Motion by K. Cable to adjourn at 12:39 PM passed on a unanimous voice vote with 26 ayes, 1 absent - K. Rosa, 2 excused - N. Caucutt and R. Keil.

STATE OF WISCONSIN)

COUNTY OF LA CROSSE)

I, Ginny Dankmeyer, La Crosse County Clerk, in and for the County of La Crosse, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the La Crosse County Board of Supervisors at the La Crosse County Board of Supervisors Public Hearing and Annual Meeting held Monday, November 09, 2015 and Tuesday, November 10, 2015 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 24 OF NOVEMBER 2015.