

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING
PROCEEDINGS; THURSDAY, OCTOBER 15, 2015**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, October 15, 2015 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 26 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	Excused
5 Rosa, Keyla	Present
6 Plesha, Roger	Present
7 Hampson, Sharon	Present
8 Jerome, Peg	Present
9 Caucutt, Nancy	Present
10 Cable, Kim	Present
11 Scheller, Patrick	Absent
12 Holtze, Dave	Present
13 Logue, Brian	Present
14 Schroeder, Jeffrey	Excused at 7:01 PM
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	Excused
24 Pfaff, Leon	Present
25 Ebert, Ray	Present
26 Hesse, Dan	Present
27 Wehrs, Tina	Present
28 Keil, Robert	Present
29 Johnson, Tara	Present

PLEDGE OF ALLEGIANCE

COMMUNICATIONS AND ANNOUNCEMENTS:

County Board Chair Report - Tara Johnson

- WCA Recognition of Jane Klekamp – Chair Johnson announced the presentation to Jane Klekamp for an award from the WCA for a Friend in County Government.
- Supervisor Conference Reports
 - Supervisor Burke announced on Monday, October 19th at 6 PM at the Pump House, there will be a conversation with local artist on how to be a more supportive community for artist. There will also be a tourism conversation and hospitality job fair on December 3rd.

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- Supervisor Hampson asked all attendees of the WCA conference to make a small statement about what you learned at the WCA conference. Oktoberfest in the Capital doesn't have many people going and is encouraging Supervisors to sign up. This will take place on October 21st. Supervisor Doyle and Supervisor Holtze also encouraged Supervisors to attend as it is a great opportunity to speak with legislators and a lot of other people. The assembly will be in session on that date as well.
- Supervisor Kruse attended a Public Health Legislative Hearing on issues that impact public health.
- Supervisor Schroeder announced the Freedom Honor Flight this Saturday with the plane leaving at 7AM and return at 10PM.
- Supervisor Hoffman mentioned that an invasive species, water lettuce, was found in Lake Onalaska. Several Volunteers have been working to remove it.

Administrator Report - Steve O'Malley

- Summary of Benefits - Administrator O'Malley noted that Supervisors received a packet with benefits for employees that they do not qualify for but La Crosse County is required by law to provide to you.
- Overview of High Deductible Health & Dental Plans
 - Recommended premium increase: The County has absorbed the increase over and above the plan changes. There will be small changes in contribution, small premium increase, and HRA changes are necessary to offset the costs.
 - There have been no premium increase for 5 years. Premiums for January 2016 (2% increase); \$735/single and \$1800/family. 88% of premium paid by County and 12% paid by employees. Single contribution will be \$44.10/check and \$108/check for family contribution. In-network deductible will be \$1250/single and \$2500/family. The HRA fund will receive \$250/single and \$500 family plus \$100 for participation in Health Assessment. In-network deductible will then be \$900/single and \$1900/family. 2015 HRA decreased by half and Health Assessment decreased from \$250 to \$100. There are no plan changes for 2016. Max out of pocket will be \$1900/single and \$3900/family.
 - Potential changes in the future include HRA contribution based on wellness outcomes, pharmacy network may be revised to reflect a limited network and/or removal of certain pharmacies, select formulary for pharmacy to restrict selection to ensure costs effective use, and specialty pharmacy copay may need to increase.
 - We need to continue to plan for Healthcare Reform compliance and plan design modification to avoid Cadillac Tax. All money (including HRA) contributed by the employer and employee count for the Cadillac Tax.
 - There will be a small increase in dental premiums but benefits will remain the same. Total premiums will be \$36/single and \$105/family or \$3.96/paycheck for single and \$23.10/paycheck for family.
- Neighborhood Revitalization Initiative - 2016 Budget Initiatives to enhance Community Development
 - All La Crosse County taxpayers have a vested interest in reversing the stagnating residential tax values in the City of La Crosse. City of La Crosse residential property is declining as a share of County Property Tax Levy and the disproportional demand for services in our most challenged neighborhoods is not solely supported by the values in those areas.
 - La Crosse's residential tax base is the single largest tax base component of La Crosse County and represents more tax base than every other La Crosse County municipality (other than the total value of all property in the City of Onalaska). If the "Total Tax Base" was considered a "Stock Portfolio" we would conclude that City of La Crosse Residential Property is under-performing compared to most any other investment per capita. City of La Crosse share of

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- County Tax goes down each year yet Human Services and Criminal Justice demands are highest in the City of La Crosse.
- 2016 Budget Initiatives include to propose two new competitive grant programs for targeted neighborhoods, beginning with Powell-Poage-Hamilton Neighborhood.
 - Disposal Tipping Fee Grant (up to \$10,000 each). \$50,000 has been budgeted in the Solid Waste Department budget.
 - Demolition or Acquisition Grant (up to \$25,000). \$200,000 for the Neighborhood Revitalization Program.
 - Property tax growth on a single property could be 167% on a \$60,000 valued house increasing to \$160,000. 14% value growth in Powell-Poage-Hamilton by revitalizing only 64 homes.

APPOINTMENT

Motion by T. Johnson/J. Veenstra to appoint Michael J. Miller to the La Crosse County Housing Authority as a resident commissioner to replace Arlene Schroeder for the remainder of a term to expire December 31, 2019 passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder.

CONSENT AGENDA

Motion by R. Plesha/D. Hesse to approve the minutes of the La Crosse County Board of Supervisors Planning meeting held September 1, 2015 and the Monthly meeting held September 17, 2015 and the claims list for \$3,835,625.84 passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder.

RESOLUTION NO. 41-10/15 RE: ADOPTION OF RATES FOR THE HIGH DEDUCTIBLE 2016 HEALTH PLAN AND DENTAL PLAN

WHEREAS, it is necessary to establish the premium for County health and dental insurance for those eligible non-union and union employees and continued compliance with the Affordable Health Care Act; and, **WHEREAS**, it is necessary to confirm TPAs for the County health and dental plans and to establish the County's portion of contribution to health and dental rates for those eligible non-union and union employees, and to fund the health and dental benefit plan at appropriate levels considering the recommendations of insurance advisors; and, **WHEREAS**, Mayo Medical Systems Inc. (MMSI), Gundersen Health Plan and Delta Dental qualify as sole source TPA vendors pursuant to s. 4.06(7) (g) of the Code due to their ability to deliver a unique service, their technical expertise and qualifications, their ability to deliver services at a particular time, and their ability to fulfill the needs of La Crosse County as Third Party Administrators for the La Crosse County health and dental insurance plans; and, **WHEREAS**, the County is authorized under law, past practice and precedent and the requirements of good fiscal management to establish plan design for cost efficient health programs for county employees, and the health benefit is a major cost item in the County budget. **NOW THEREFORE BE IT RESOLVED**, that effective 1/1/2016 the active contributory employee High Deductible Health Plan continues with in-network coverage at a deductible of \$1,250 for single and \$2,500 for family; with a maximum out of pocket expense of \$2,250 single and \$4,500 family; and with structure for 2016 funding levels as recommended by TPA insurance actuaries and the County's insurance advisors. **BE IT FURTHER RESOLVED**, that a Health Reimbursement Account (HRA) program is established effective 1/1/2014; and should continue in 2016; and a wellness benefit is provided for employees enrolled in the County health insurance and participating in the 2015 Health Risk Appraisal, in consultation with the County's Health insurance advisors as a consideration in the 2016 rates. **BE IT FURTHER RESOLVED**, that in 2016 for those employees enrolled in health insurance, the County shall deposit \$250 for a single or \$500 for a family plan (divided into four equal quarterly deposit payments). If the employee participates in the Healics Health Appraisal (HA) (in 2015 for 2016 deposit) they shall receive a deposit of an additional \$100 to the HRA. **BE IT FURTHER RESOLVED**, that effective 1/1/2014 and continuing in 2016 the Health and Dental insurance will be offered only to those employees working 30 or more hours per week. **BE IT FURTHER RESOLVED**, that the La Crosse County Board does hereby

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approve the contract with MMSI for Third Party Administration of the County's Mayo Clinic Health Systems PPO; and with Gundersen Health Plan for Third Party Administration of the County's Gundersen PPO; and with Delta Dental for the dental plan, for the calendar year 2016. **BE IT FURTHER RESOLVED**, that the La Crosse County Board does hereby approve the contract with MMSI for Third Party Administration of the County's Mayo Clinic Health Systems PPO; and with Gundersen Health Plan for Third Party Administration of the County's Gundersen PPO; and with Delta Dental for the dental plan, for the calendar year 2016. **BE IT FURTHER RESOLVED**, that the La Crosse County Board does hereby adopt 2016 funding levels after consideration of recommendations by TPA insurance actuaries and insurance advisors which insurance rates are provided in the County Administrator's budget as follows:

<u>GHP PPO PLAN</u>		<u>MCHS PPO PLAN</u>		<u>DENTAL</u>	
Single	Family	Single	Family	Single	Family
\$735.00	\$1800.00	\$735.00	\$1800.00	\$36.00	\$105.00

BE IT FURTHER RESOLVED, that the La Crosse County Board does hereby adopt the following rates as the County's share of the above funding levels, for all eligible employees effective with the December premium for January 1, 2016 coverage.

<u>GHP PPO PLAN</u>		<u>MCHS PPO PLAN</u>		<u>DENTAL</u>		
Single	Family	Family	Family	Single	Family	Single Family
\$646.80	\$1584.00	\$646.80	\$1584.00	\$28.08	\$81.90	
Deputies & Law Enforcement Supervisory Staff	\$661.50 \$1630.00	\$661.50 \$1630.00		\$28.08	\$81.90	

BE IT FURTHER RESOLVED, the employees share shall be 12%, (excluding Deputy Sheriff's per Union Contract, Law Enforcement Supervisors, Law Enforcement Investigators, Sheriff, Law Enforcement Captains and Chief Deputy shall be 10%) of the total health premium and 22% of the total dental rate effective with the December premium for January 1, 2016 coverage as provided.

<u>GHP PPO PLAN</u>		<u>MCHS PPO PLAN</u>		<u>DENTAL</u>	
Single	Family	Single	Family	Single	Family
\$88.20	\$216.00	\$88.20	\$216.00	\$7.92	\$23.10
Deputies & Law Enforcement Supervisory Staff	\$73.50 \$180.00	\$73.50 \$180.00		\$7.92	\$23.10

BE IT FURTHER RESOLVED, that effective 1/1/2016 the retiree health plan, which is fully funded by retirees, and is a High Deductible Health Plan for all new retirees, shall have a premium of \$735.00 for single and \$1800.00 for family. **BE IT FURTHER RESOLVED**, that County Board Supervisors who currently purchase Health Insurance shall be permitted to continue coverage grandfathered until the end of the month of their current term which ends in April, 2016 paying 55% of the premium. **BE IT FURTHER RESOLVED**, that the County Administrator, the County Clerk and the County Personnel Director are hereby authorized to sign any and all necessary documents for effectuating the above plans for 2016 on behalf of La Crosse County. **FISCAL NOTE:** There are sufficient funds budgeted in the 2016 budget to cover all of the changes listed above.

EXECUTIVE COMMITTEE

Supervisor Hampson yielded the floor to Supervisor Veenstra. Motion by J. Veenstra/K. Cable to approve. Motion by J. Veenstra/K. Cable to amend by deleting the 5th Be It Further Resolved as it is a duplicate passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder. Discussion ensued. Administrator O'Malley and Corporation Counsel David Lange responded to questions from the Board. Motion by B. Logue/L. Berg to amend by changing Supervisors premium from 55% to 100%. Discussion ensued. Finance Director Sharon Davidson, Personnel Director Mary Marco, and Corporation Counsel David Lange responded to questions from the Board.

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The motion to amend failed on a roll call vote with 12 nays, 7 ayes - L. Berg, R. Ebert, D. Hesse, H. Hoffman, D. Holtze, R. Keil and B. Logue, 6 abstentions - V. Burke, D. Ferries, R. Geary, M. Giese, S. Hampson and R. Plesha, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder. The motion to approve as amended passed on a roll call vote with 17 ayes, 1 nay - D. Hesse, 6 abstentions - V. Burke, D. Ferries, R. Geary, S. Hampson, H. Hoffman and R. Plesha, 1 absent - P. Scheller, 4 excused - M. Freedland, M. Nikolay, J. Schroeder and T. Wehrs.

RESOLUTION NO. 42-10/15 RE: AUTHORIZATION FOR CASH BALANCE TRANSFERS BETWEEN LAKEVIEW CAMPUS FUNDS AT YEAR END

WHEREAS, La Crosse County entered into an Intergovernmental Cooperation Agreement with 12 other counties to create the Mississippi Valley Health Services Commission (MVHS) to fund and operate the nursing home beds serving residents with specialized physical and mental health needs at Lakeview Health Center; and, **WHEREAS**, the Lakeview Health Center Campus consists of multiple services, including the (MVHS) nursing home, 2 community based residential facilities (CBRF), an adult family home, a "state only" licensed nursing home, and another CBRF currently under construction as part of the campus construction project; and, **WHEREAS**, these entities and MVHS were developed to maximize local, state, and federal funding while also providing the means to distribute a share of administrative costs among the multiple services and revenue streams; and **WHEREAS**, La Crosse County has a committed Lakeview Capital fund that is reserved for capital improvements at the Lakeview campus funded by land sales from the old Lakeview farm and a Lakeview Facility Fund which accounts for the fixed assets of Lakeview Health Center; and, **WHEREAS**, when closing year end financials, it is best to review all of the entities cash balances which are accounted for within separate funds, in order to determine if any cash transfers need to be made to keep each of the funds in a positive cash position for audit purposes. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board authorizes the County Administrator, Finance Director and Lakeview Administrator, to approve transfers between funds for the Lakeview entities, MVHS, and Lakeview Capital at year end closeout of the financial statements, and that a report is presented to the Executive Committee each year showing any transfers that were executed, effective beginning with the fiscal year ending December 31, 2015. **FISCAL NOTE:** The balance in the Lakeview Capital fund is currently \$855,041.01, and the combined fund balances of MVHS and the other Lakeview entities as of 12-31-14 was \$3,944,302.

EXECUTIVE COMMITTEE

Motion by S. Hampson/P. Jerome to approve. Discussion ensued. Motion by R. Ebert/H. Hoffman to amend by replacing Executive Committee with County Board in the Now Therefore Be It Resolved. Discussion ensued. The motion to amend failed on a roll call vote with 15 nays, 10 ayes - P. Barlow, L. Berg, V. Burke, R. Ebert, D. Ferries, R. Geary, D. Hesse, H. Hoffman, R. Keil and B. Logue, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder. Administrator O'Malley responded to questions from the Board. The motion to approve passed on a unanimous roll call vote with 25 ayes, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder.

RESOLUTION NO. 43-10/15 RE: AUTHORIZATION TO TRANSFER ECONOMIC SUPPORT RESERVE TO MISSISSIPPI VALLEY HEALTH SERVICES COMMISSION

WHEREAS, La Crosse County entered into an Intergovernmental Cooperation Agreement with 12 other counties to create the Mississippi Valley Health Services Commission (MVHS) to fund and operate the nursing home beds serving residents with specialized physical and mental health needs at Lakeview Health Center; and, **WHEREAS**, Resolution 24-8/12 authorized replacement of Lakeview Health Center with small neighborhood facilities, including reducing the number of nursing home beds from 120 to 50 on the new campus, which are nursing home beds licensed under the MVHS Commission; and **WHEREAS**, Resolution 68-2/15 accepted bids for construction of the new campus including 50 nursing home beds, which is anticipated to be ready for occupancy in the fall of 2016; and **WHEREAS**, the process of reducing client census through relocation and attrition began earlier this year which will reduce revenues, while the reduction of total staffing will not fully offset the loss of

revenues during the downsizing, so that the nursing home is projected to experience a net income loss for 2015 and 2016, but is expected to become more self-sustaining in 2017 with periodic adjustments of the MVHS per diem, while absorbing debt service payments; and **WHEREAS**, these projected losses are due to the downsizing and also because of the inadequacy of Medicaid reimbursement for the care of low income clientele, and cannot be fully offset by an increase in the per diem charged to MVHS member counties, which generated \$2.44 million in 2014, with roughly 66% paid by La Crosse County Human Services for La Crosse residents; and **WHEREAS**, the projected losses will be partially reduced through shifting cash from other Lakeview entities and the Lakeview Capital fund; and **WHEREAS**, County staff has considered all other reserve funds and options for offsetting the anticipated losses and recommends that the balance of the remaining economic support reserve is the most logical source, since it will protect the Human Services budget from additional costs for the care of clients at Lakeview; and **WHEREAS**, in 1999 La Crosse County received \$1,351,325 from the State of Wisconsin of unrestricted W-2 "profit" as a result of excess State funds, which the County could have used for any purpose, which the County designated for economic support purposes; and, **WHEREAS**, the County has used \$776,414.70 of these funds to offset previous year economic support budgets, with a remaining balance of \$574,910.30; and, **WHEREAS**, the economic support programs became regionalized in 2012, and the County no longer administers the W-2 program or the Food Share Employment Training program, which was the original program source of the funding. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board authorizes the transfer of \$574,910.30 to the MVHS Commission and the Finance Director is authorized to take the actions necessary to effectuate the purposes of this resolution. **FISCAL NOTE:** The balance in Account 900-33302 Fund Balance Reserve is \$574,910.30.

EXECUTIVE COMMITTEE

Motion by S. Hampson/K. Rosa to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. The motion to approve passed on a roll call vote with 24 ayes, 1 nay - B. Logue, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder.

ORDINANCE NO. NO. 145-10/15 TO AMEND S.11.45(2) ENTITLED "DEFINITIONS" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

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

Section 1. Section 11.45(2) entitled "Definition" is amended to read:

11.45 LA CROSSE COUNTY SMOKE FREE AIR ACT.

(2) **DEFINITIONS.** For application to County-owned, leased or rented property as provided in subsection (3), the following definition shall apply. For all other property included by adoption of Wis. Stat. §101.123, the statutory definition of smoking contained in Wis. Stat. §101.123(1)(h), or any amendments thereto, shall apply.

(a) "Smoking" shall mean inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. "Smoking" shall include the use of an electronic delivery device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

(b) "Electronic Delivery Device" shall mean any product containing or delivering nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. "Electronic Delivery Device" shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

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

TARA JOHNSON, COUNTY BOARD CHAIR
GINNY DANKMEYER, COUNTY CLERK

HEALTH AND HUMAN SERVICES BOARD

Motion by M. Kruse/A. Richmond to approve. Discussion ensued. Corporation Counsel David Lange responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder.

ORDINANCE NO. 146-10/15 TO CREATE S.3.04(4) OF CHAPTER 3 ENTITLED "PROHIBITION OF SMOKING AND THE USE OF SMOKELESS TOBACCO BY EMPLOYEES" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

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

Section 1. Section 3.04(4) is created to read:

3.04 STANDARDS OF CONDUCT.

(4) PROHIBITION OF SMOKING AND THE USE OF SMOKELESS TOBACCO BY EMPLOYEES.

(a) County employees are prohibited from smoking and the use of smokeless tobacco in personal vehicles while transporting persons on County business and in all County buildings, vehicles, park shelters, and within 20 feet of County building doorways.

(b) The following definitions apply to this prohibition:

1. "Smoking" shall mean inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. "Smoking" shall include the use of an electronic delivery device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

2. "Electronic Delivery Device" shall mean any product containing or delivering nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. "Electronic Delivery Device" shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

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

TARA JOHNSON, COUNTY BOARD CHAIR
GINNY DANKMEYER, COUNTY CLERK

HEALTH AND HUMAN SERVICES BOARD

Motion by M. Kruse/K. Cable to approve. Discussion ensued. Corporation Counsel David Lange responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder.

FIRST CONSIDERATION OF ORDINANCE

ORDINANCE NO. 144 TO AMEND CHAPTER 7 ENTITLED "TRAFFIC CODE" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN. Motion by P. Barlow to move the first reading. Discussion ensued. Corporation Counsel David Lange and Highway Commissioner Ron Chamberlain responded to questions from the Board. The ordinance will be held over for 30 days and is on file and open for public inspection in the office of the County Clerk and on the La Crosse County web site at: www.co.la-crosse.wi.us. Upon adoption and publication it will be incorporated into the La Crosse County General Code of Ordinances.

FIRST CONSIDERATION OF ORDINANCE

ORDINANCE NO. 142 TO AMEND CHAPTER 17 ENTITLED "ZONING CODE" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN. Motion by T. Wehrs to move the first reading. Discussion ensued. Planner Charlie Handy responded to questions from the Board. The ordinance will be held over for 30 days and is on file and open for public inspection in the office of the County Clerk and on the La Crosse County web site at: www.co.la-crosse.wi.us.

Upon adoption and publication it will be incorporated into the La Crosse County General Code of Ordinances.

CONDITIONAL USE PERMIT NO. 959 FILED BY SHANE BEGLEY OF BEGLEY WIRELESS CONSULTING SERVICES, LLC, SITING AGENT FOR VERIZON WIRELESS ACTING O/B/O D&G SERVAIS JOINT REVOCABLE TRUST TO CONSTRUCT A 199-FT MULTI-TENANT SERVICE SUPPORT STRUCTURE (CELLULAR COMMUNICATIONS TOWER), TOGETHER WITH AN EQUIPMENT SHED AND ASSOCIATED HARDWARE ON A 60-FT X 90-FT LEASED AREA ZONED GENERAL AGRICULTURE DISTRICT IN THE TOWN OF SHELBY

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by Shane Begley of Begley Wireless Consulting Services, LLC, 14114 S Country Circle, Gordon, WI, 54838, siting agent for Verizon Wireless acting o/b/o D&G Servais Joint Revocable Trust, W5050 Knobloch Rd, La Crosse, WI, 54601 and having held a public hearing on the 28th day of September, 2015 for a Conditional Use Permit to construct a 199-ft multi-tenant service support structure (cellular communications tower), together with an equipment shed and associated hardware on a 60-ft x 90-ft leased area zoned General Agriculture District in the Town of Shelby and described as follows: Located in part of the NW/NW of Section 12, T15N, R7W. Tax parcel 11-1053-0. Town of Shelby. And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 91.48(1), Wis. Stats., along with the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to: By a vote of seven (7) in favor, and zero (0) no, the committee recommended approval of Conditional Use Permit No. 959 subject to the following seventeen (17) conditions:

1. Shane Begley for SBA and Verizon Wireless, and acting o/b/o D&G Servais Joint Revocable Trust is granted a Conditional Use Permit for one 199-ft self supported mobile service support structure with related equipment sheds and associated hardware;
2. The tower will be designed to handle at least two (2) additional carriers for future co-locations for wireless phone, data and internet service;
3. Construction is allowed from 6:00 a.m. to 6:00 p.m., Monday through Saturday;
4. The applicant or applicant's agent shall complete a Telecommunications Facility Information Report as required under s.28.07 of the La Crosse County Code of Ordinances and within 45 days of County Board approval of this permit;
5. A copy of an FAA report indicating findings that no hazards exist shall be submitted to La Crosse County Zoning Department prior to this conditional use permit becoming valid. No Zoning/Occupancy Permit authorizing construction of a support structure shall be issued until after this report is filed;
6. A security fence seven (7) feet in height with barbed wire shall be constructed as depicted in the construction plans submitted. Existing vegetation may be used for landscaping and screening;
7. The owner of the mobile service support structure shall completely remove the structure, including subsurface structures, and restore the site to its pre-construction state when the structure is no longer in use;
8. No hazardous materials shall be stored except things normally found at such facilities such as batteries or propane;
9. This permit is transferable;
10. The access easement shall be of dimensions specified in the application and construction plans, and shall be kept clean and open in the event of an emergency;
11. No advertising allowed on the support structure;
12. A sign shall be attached to the fence with contact information including phone numbers in case of an emergency;

13. Any applicable erosion control and stormwater permits are required before a Zoning/Occupancy Permit may be issued for the structure;
14. Findings of compliance with Section 106 of the National Historic Preservation Act shall be submitted to the La Crosse County Zoning Department and is required prior to issuance of a Zoning/Occupancy Permit authorizing construction;
15. Proof of liability coverage shall be provided prior to issuance of a Zoning/Occupancy Permit as required under s.28.05(9)g of the La Crosse County Code of Ordinances;
16. A bond, irrevocable letter of credit, or other suitable financial guarantee shall be filed with the La Crosse County Zoning, Planning & Land Information Department in the amount of \$20,000 to assure financial resources are available in the event of abandonment. A lapse in coverage by the instrument chosen will result in rehearing for possible revocation of this permit and citations issued to the support structure owner. This guarantee shall be filed prior to issuance of a Zoning/Occupancy Permit; and

17. Abandonment is considered discontinuance of use for 24 consecutive months or longer. **THE COUNTY BOARD** took the following action this 15th day of October, 2015. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/H. Hoffman to approve. Discussion ensued. Planner Charlie Handy responded to questions from the Board. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder.

ZONING ORDINANCE NO. Z353-10/15 RE: PETITION NO. 1967 FILED BY JEFF OSGOOD, O/B/O MARCUS P AND SARAH A SCHMITZ, TO REZONE 5.45 ACRES OF A 23.02 ACRE PARCEL FROM THE EXCLUSIVE AGRICULTURE DISTRICT TO THE RURAL DISTRICT FOR A SINGLE FAMILY RESIDENCE IN THE TOWN OF BARRE

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1967 to amend the La Crosse County Zoning Ordinance filed by Jeff Osgood, W7953 Tulip Ln, Holmen, WI 54636 o/b/o Marcus P and Sarah A Schmitz, 127 Griswold Ave, West Salem, WI 54669 and having held a public hearing on the 28th day of September 2015 for a petition to rezone 5.45 acres of a 23.02 acre parcel from the Exclusive Agriculture District to the Rural District for a single family residence in the Town of Barre and described as follows: Part of the SE/SE of Section 20, T16N, R6W. Tax Parcel 2-173-0. Town of Barre. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of seven (7) in favor, and zero (0) no, the committee recommended approval of Zoning Petition No. 1967 with no conditions. (If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) The County Board, under s.59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. **The County Board** took the following action this 15th day of October, 2015. Approved the petition as submitted, becomes an ordinance.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/D. Holtze to approve as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder.

CONDITIONAL USE PERMIT NO. 962 FILED BY GRAHAM PACKER AND ALEX NOVAK OF NOVATION GROUP CONSULTING, LTD, TOGETHER WITH SBA TOWERS LLC AND VERIZON WIRELESS, ACTING O/B/O EIDE & BROWN, LLC, TO CONSTRUCT A 150-FT MONOPOLE SUPPORT STRUCTURE (CELLULAR COMMUNICATION TOWER) WITH AN

APPROXIMATELY 12-FT X 25-FT EQUIPMENT BUILDING AND ASSOCIATED HARDWARE ALL ON A PROPOSED 1,851 SQ. FT. LEASE AREA WITH A 20-FT WIDE ACCESS EASEMENT ON PROPERTY ZONED COMMERCIAL DISTRICT IN THE TOWN OF MEDARY

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by Graham Packer and Alex Novak of Novation Group Consulting, LTD, 6103 S Rawson Bridge Rd, Cary, IL, 60013-1453 together with SBA Towers LLC and Verizon Wireless, 8051 Congress Ave, Boca Raton, FL, 33487, acting o/b/o Eide & Brown, LLC, 2520 Losey Ct, La Crosse, WI 54601 and having held a public hearing on the 28th day of September, 2015 for a Conditional Use Permit to construct a 150-ft monopole support structure (cellular communication tower) with an approximately 12-ft x 25-ft equipment building and associated hardware all on a proposed 1,851 sq. ft. lease area with a 20-ft wide access easement on property zoned Commercial District in the Town of Medary and described as follows: Part of the N ½ of the SE ¼, Section 28, T16N, R7W. Tax Parcel 9-1311-0. Property address N3020 State Rd 16. Town of Medary. And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 91.48(1), Wis. Stats., along with the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to: By a vote of seven (7) in favor, and zero (0) no, the committee recommended approval of Conditional Use Permit No. 962 subject to the following seventeen (17) conditions:

1. Graham Packer for SBA and Verizon Wireless, and acting o/b/o Eide & Brown, LLC is granted a Conditional Use Permit for one 150-ft self-supported mobile service support structure with related equipment sheds and associated hardware to be located at N3020 State Road 16;
2. The tower will be designed to handle at least two (2) additional carriers for future co-locations for wireless phone, data and internet service;
3. Construction is allowed from 6:00 a.m. to 6:00 p.m., Monday through Saturday;
4. The applicant or applicant's agent shall complete a Telecommunications Facility Information Report as required under s.28.07 of the La Crosse County Code of Ordinances and within 45 days of County Board approval of this permit;
5. A security fence shall be constructed as depicted in the construction plans submitted. Existing vegetation shall be used for landscaping and screening;
6. The owner of the mobile service support structure shall completely remove the structure, including subsurface structures, and restore the site to its pre-construction state when the structure is no longer in use;
7. No hazardous materials shall be stored except things normally found at such facilities such as batteries or propane;
8. This permit is transferable;
9. The access easement shall be as specified in the application and construction plans;
10. No advertising allowed on the support structure;
11. A sign shall be attached to the fence with contact information including phone numbers in case of an emergency;
12. A new 911 address number shall be issued for the tower;
13. Any applicable erosion control and stormwater permits are required before a Zoning/Occupancy Permit may be issued for the structure;
14. Findings of compliance with Section 106 of the National Historic Preservation Act shall be submitted to the La Crosse County Zoning Department and is required prior to issuance of a Zoning/Occupancy Permit authorizing construction;
15. Proof of liability coverage shall be provided prior to issuance of a Zoning/Occupancy Permit as required under s.28.05(9)g of the La Crosse County Code of Ordinances;
16. A bond, irrevocable letter of credit, or other suitable financial guarantee shall be filed with the La Crosse County Zoning, Planning & Land Information Department in the amount of \$20,000 to assure financial resources are available in the event of

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abandonment. A lapse in coverage by the instrument chosen will result in rehearing for possible revocation of this permit and citations issued to the support structure owner. This guarantee shall be filed prior to issuance of a Zoning/Occupancy Permit; and

17. Abandonment is considered discontinuance of use for 24 consecutive months or longer. **THE COUNTY BOARD** took the following action this 15th day of October, 2015. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/D. Hesse to approve as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder.

CONDITIONAL USE PERMIT NO. 963 FILED BY KENNETH E NASH OF COULEE REGION MODELERS, INC., O/B/O DAVID M HANSEN AND ILONA HANSEN REVOCABLE TRUSTS, FOR AN APPROXIMATELY 600-FT X 100-FT AREA USED FOR FLYING MODEL AIRCRAFT BY SAID ORGANIZATION'S MEMBERS ON LAND ZONED EXCLUSIVE AGRICULTURE DISTRICT IN THE TOWN OF GREENFIELD

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by Kenneth E Nash of Coulee Region Modelers, Inc., W2776 Schams Ave, La Crosse, WI 54601 o/b/o David M Hansen and Ilona Hansen Revocable Trusts, W2975 State Rd 33, La Crosse, WI 54601 and having held a public hearing on the 28th day of September, 2015 for a Conditional Use Permit for an approximately 600-ft x 100-ft area used for flying model aircraft by said organization's members on land zoned Exclusive Agriculture District in the Town of Greenfield and described as follows: Part of the NE/NE of Section 14, T15N, R6W. Tax Parcel 6-366-0. Property address W2975 State Rd 33. Town of Greenfield. And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 91.48(1), Wis. Stats., along with the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to:

By a vote of seven (7) in favor, and zero (0) no, the committee recommended approval of Conditional Use Permit No. 963 subject to the following twelve (12) conditions:

1. This permit is granted exclusively to Kenneth Nash of Coulee Region Modelers, Inc., acting on behalf of David M Hansen and Ilona Hansen Revocable Trusts, W2975 State Rd 33, La Crosse, WI 54601 for an approximately 600-ft x 100-ft area used for flying model aircraft by said organization's members on land zoned Exclusive Agriculture at the property address of W2975 State Rd 33;
2. Members of Coulee Region Modelers, Inc. are the only individuals authorized to use this site for model aircraft flying;
3. Parking on State Road 33 by members or spectators is not allowed. Access to the site shall be from Schwartz Road only;
4. Hours of operation are from 9 a.m. to 7 p.m. daily;
5. Flying of model aircraft only;
6. Coulee Region Modelers, Inc. shall provide liability coverage as described in the application in the amount of \$2.5 million for the site owners through the Academy of Model Aeronautics Liability Insurance Program or other qualified carrier and shall be maintained in good standing for as long as this site is used;
7. No flying of model aircraft over State Road 33 and no flying north and west of the "no fly zone" depicted on the site plan submitted with the application. No flying of model aircraft over any lots used for residential purposes;
8. The Academy of Model Aeronautics National Model Aircraft safety code submitted with the application shall be followed;

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9. Safety rules for this specific site shall be developed by the applicant, provided to the Zoning Department for the file, and shall be considered conditions of this permit;
10. This property is within a farmland preservation zoning district. Any proposed structures shall require a Zoning/Occupancy Permit and shall either be removed or changed to a solely agricultural use when this site is no longer used for model aircraft flying. Post land-use can only be agricultural;
11. This permit is not transferable to another individual, club or another property owner; and
12. This site is temporary as indicated in the applicant's impact statement and this permit will terminate automatically without hearing when the club is successful in obtaining approval for another site.

THE COUNTY BOARD took the following action this 15th day of October, 2015. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/M. Giese to approve as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder.

RESOLUTION NO. 44-10/15 RE: APPROVAL OF UTILITY EASEMENT TO THE VILLAGE OF ROCKLAND

WHEREAS, the Village of Rockland is requesting a 20' wide utility easement on property owned by La Crosse County in Meadow Park Estates subdivision in the Village of Rockland to be used for a Village water main; and, **WHEREAS**, the main is needed for the looping of an existing water system to improve Village water services and fire protection; and, **WHEREAS**, the water main will also be a critical connection between a new water tower on property north of certain railroad property and Village lands south of the railroad and bike trail; and, **WHEREAS**, it is in the best interests of La Crosse County to grant a non-exclusive perpetual easement to the Village of Rockland for the water main. **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board does hereby approve the granting of a 20' non-exclusive perpetual easement to the Village of Rockland for a water main on County property, which easement is described as follows: The east 20 feet of Lot 17, Block 8, Meadow Park Estates, located in the NE ¼ of the SE ¼ of Section 36, Township 17 North, Range 5 West, Village of Rockland, in La Crosse County, Wisconsin. **BE IT FURTHER RESOLVED**, that the County Board Chair is authorized to sign any documents necessary to effectuate this resolution, after approval by Corporation Counsel. **FISCAL NOTE:** Village of Rockland will pay recording fees.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by R. Geary/D. Hesse to approve passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder.

SUGGESTIONS FOR FUTURE AGENDA ITEMS

- Supervisor Ebert asked for a report on sales tax and how it is spent and fits into the budget and the Lakeview TIF.
- Supervisor Hoffman inquired about the southside doors for meetings this winter.

ADJOURN

Motion by D. Ferries to adjourn at 8:36 PM passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 3 excused - M. Freedland, M. Nikolay and J. Schroeder.

(112-15/16)

STATE OF WISCONSIN)

COUNTY OF LA CROSSE)

I, Ginny Dankmeyer , La Crosse County Clerk, in and for the County of La Crosse, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the La Crosse County Board of Supervisors at the La Crosse County Board of Supervisors Monthly Meeting held Thursday, October 15, 2015 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 19 OF OCTOBER 2015.