LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING PROCEEDINGS; THURSDAY, JUNE 15, 2017

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, June 15, 2017 in the Administrative Center, Room 1700. The County Clerk, Ginny Dankmeyer, took attendance. 24 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 | Weidenbach, Doug | Present |
| 4 | Freedland, Maureen | Present |
| 5 | Rosa, Keyla | Excused |
| 6 | Plesha, Roger | Present |
| 7 | Hampson, Sharon | Present |
| 8 | Jerome, Peg | Present |
| 9 | Gundersen, Jerome | Present |
| 10 | Cable, Kim | Excused |
| 11 | Scheller, Patrick | Present |
| 12 | Holtze, Dave | Present |
| 13 | Tryggestad, Tina | Present |
| 14 | Larson, Margaret | Present |
| 15 | Kruse, Monica | Excused |
| 16 | Ferries, Dan | Present |
| 17 | Giese, Mike | Present |
| 18 | Berg, Laurence | Present |
| 19 | Cornforth, Rick | Excused |
| 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 | Tyser, Kathie | Excused |
| 29 | Johnson, Tara | Present |

PLEDGE OF ALLEGIANCE

COMMUNICATIONS AND ANNOUNCEMENTS: County Board Chair Report - Tara Johnson

- County Board Annual Picnic Supervisors are interested in continuing an annual picnic. The Board decided on Friday, September 22, 2017 at noon.
- PRAT Update Supervisor Doyle noted there was not a lot to report. Senator Shilling met with Governor Walker who has said he would sign it if it passed and included a provision for a binding referendum.
- Supervisor Conference Reports

- o Supervisor Weidenbach noted the art that is on display in the halls of the Administrative Center. There should be new art each quarter.
- Supervisor Pfaff and Geary attended the County Highway Road School on June 6th and 7th. Much of the discussion was on road funding needs.
- o Supervisor Hampson noted the ADRC brought in former Governor Schreiber to talk about issues on aging and his book on his personal experience with caregiving.
- Supervisor Holtze is on the WCA committee for Shoreland Zoning review and something they are against may make it into the budget.
- Supervisor Ebert acknowledged the two State Baseball Champions that the area has with Aquinas High School for Division 3 and West Salem High School in Division 2.

Administrator Report - Steve O'Malley

- Construction Project Finance Update
 - The La Crosse County construction projects have been the most cost effective, sustainable solution, and on time and under budget. The County Board selected the lowest cost option for the County; remodel Associated Bank Building and addition to HHS. This enabled one of the largest public-private real estate transactions in the region to date, repurposing the old Administrative Center and Lot C into taxable uses. The original resolution was for \$22.995 million, \$4.6 million to purchase Associated Bank Building, \$.5 million for 40 spaces on Belle Square, \$.406 million for bond issuance costs for an actual construction cost of \$17.489 million. The Construction Committee chose underground filtration system as most sustainable option for Lot D paving which leaves \$101,000 left for allowances for signage, asphalt patch on Pine St, alleyway, artwork, etc.
 - Lakeview Health Care Campus has an original resolution of \$17.75 million for a 50 bed nursing home for developmentally disabled, 2-15 bed community based residential facilities, and 10 beds for behavioral health. \$302,000 is remaining, including allowance of \$77,000 for signage, duct work, and several small projects. This leaves a balance of \$225,000 to go to the debt service account to assist with loan retirement.

CHAIR CHANGE

1st Vice Chair Hampson took the chair.

APPOINTMENTS

Motion by T. Johnson/L. Pfaff to appoint Gibran Augustine to the Economic Development Fund Board to replace Dirk Gasterland; reappoint Steve Mader to the Ethics Board for a three year term to expire April 30, 2020 passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

CHAIR CHANGE

Chair T. Johnson resumed the chair.

CONSENT AGENDA

Motion by R. Plesha/D. Hesse to approve the minutes of the La Crosse County Board of Supervisors Monthly meeting held May 18, 2017 and the claims list for \$1,994,062.45 passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

ORDINANCE NO. 161-6/17 TO AMEND CHAPTER 1 ENTITLED "GENERAL GOVERNMENT" 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:

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Section 2 GENERAL PROVISIONS AS TO OFFICIALS

1.02 APPOINTED OFFICIALS. The following shall be appointed officials: APPOINTING AUTHORITY

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

Section 3. APPOINTED COUNTY OFFICIALS

- 1.16 AGING DIRECTOR. Duties.
- The Aging and Disability Resource Center Manager shall also be the Aging Director as required by s. 46.82, Wis. Stats.

- (2) The Aging Director shall be responsible for planning, coordinating and implementing programs and services that address an array of needs of senior citizens. Activities will be in accordance with federal and state laws and regulations. Included responsibilities are personnel and fiscal management of the Department.
 - (3) Applicable Statute pursuant to s. 46.82, Wis. Stats.

Section 4. STANDING COMMITTEES, BOARDS AND COMMISSIONS

- 1.43 HEALTH & HUMAN SERVICES BOARD.
 - (1) Membership.
- (a) The Health & Human Services Board shall be composed of 9 members appointed by the County Administrator and subject to the confirmation by the County Board including 6 Supervisors and 3 citizen members who are not Supervisors or employees of the County.
- (b) The citizen members shall have a demonstrated interest or competence in human services, public health or community health and at least 1 of the 3 citizen members shall be an individual who receives or has received human services or shall be a family member of such an individual.
- (c) A good faith effort shall be made to appoint a registered nurse and a physician and the Health & Human Services Board shall reflect the diversity of the community.
- (d) No public or private provider of services may be appointed to the Health & Human Services Board.
- (e) The above membership provisions are required by ss. 46.23(4)(a) and 251.03(1), Wis. Stats.
 - (2) Terms.
- (a) Members of the Health & Human Services Board shall serve for 3 year staggered terms.
- (b) Vacancies shall be filled in the same manner as the original appointments.
- (c) A Health & Human Services Board member may be removed from office for the following reasons:
- 1. For cause, by a 2/3 vote of the County Board, on due notice in writing and hearing of the charges against the member.
- 2. If the member when appointed was a member of the County Board and was not reelected to that office, on due notice in writing.
- (3) The Committee shall act as the policy oversight committee for the following departments:
 - (a) Human Services; and
 - (b) Health.
 - (4) Duties and Powers of the Health & Human Services Board:
- (a) Functions as the county human services board and is responsible for providing program oversight of the Human Services Department pursuant to ss. 46.23(3)(b)2.c. and 46.23(5), Wis. Stats., and s. 11.01(4) of this Code.
- (b) Responsible for developing policies and authorizing direction and planning for the delivery of all human services and 51.42/51/437 services that meet the physical and mental health, social and economic needs of individuals and families within the County; reviews the coordinated plan and budget; sets priorities on program operations within the funding mechanisms provided by federal, state, and county governments.
- (c) Functions as the county board of health and is responsible for the program oversight of the Health Department pursuant to s. 11.19 of this Code. The Board also assesses the health status of the people of La Crosse County and recommends policies that will improve the health status and assure that needed health services are provided in the County.
- (5) Special Committees, Boards and Commissions. The Health & Human Services Board acts as a liaison to the County Board for the following: Social Justice Coalition, Aging and Disability Resource Center Advisory Committee and Couleecap, Inc.

Section 5. STANDING COMMITTEES, BOARDS AND COMMISSIONS

1.46 VETERANS, AGING & LONG TERM CARE COMMITTEE

- (1) Membership. The Veterans, Aging and Long Term Care Committee shall be composed of 5 Supervisors appointed by the County Board Chair.
- (2) The Committee shall act as the policy oversight committee for the following departments:
 - (a) Hillview Health Care Center;
 - (b) Hillview Terrace;
 - (c) Carroll Heights;
 - (d) Lakeview Health Center; and
 - (e) Veterans' Services.
- (3) Duties and Powers of the Veterans, Aging and Long Term Care Committee.
- (a) Functions as the board of trustees in managing the county institutions including Hillview Health Care Center, Hillview Terrace, Carroll Heights Apartments, and Lakeview Health Center pursuant to s. 46.18, Wis. Stats.
- (b) Responsible for developing policies and procedures adequate to the mission of the institutions.
- (c) Responsible for developing and implementing health programs and budgets within the funding sources available to the institutions.
- (d) Audits all claims against the County incurred on behalf of the institutions at least once a month.
- (e) Exercises policy making and legislative authority over the county institutions.
- (4) Special Committees, Boards, and Commissions. The Veterans, Aging and Long Term Care Committee acts as a liaison for the Veterans' Services Commission.

Section 6. SPECIAL COMMITTEES, BOARDS AND COMMISSIONS

- 1.54 AGING AND DISABILITY RESOURCE CENTER ADVISORY COMMITTEE. The Aging and Disability Resource Center Advisory Committee constitutes the Commission on Aging as required under s. 46.82(4), Wis Stats., the Resource Center Governing Board as required by s. 46.283(6), Wis. Stats. and the Transportation Coordination Committee as required by s. 85.21, Wis. Stats. The committee shall be an advisory committee to the Health and Human Services Board.
- (1) Membership. Pursuant to s. 46.82(4) and s. 46.283(6), Wis. Stats., the Aging and Disability Resource Center Advisory Committee shall be appointed by the County Administrator subject to the confirmation of the County Board. The Committee shall be composed of 8 members, 4 of whom must be over 60 years of age, 1-2 of whom will represent people with developmental disabilities, 1 of whom will represent people with physical disabilities and 1-2 of whom shall be County Board Supervisors, whom are also members of the Health and Human Services Board. County Board Supervisor shall not serve as one of the members of the Committee representing target groups. The committee members representing one of the target groups must either by an individual belonging to that ADRC client group or be the family member, guardian or other advocate for an individual belonging to that ADRC client group. Members shall serve for 3 year staggered terms. No member may serve more than 2 consecutive 3 year terms.
 - (2) Duties and Responsibilities:
- (a) Compiles and distributes information regarding older people, people having developmental disabilities and people having physical disabilities.
- (b) Serves as a point of contact for information, assistance, and referral.
- (c) Provides leadership in the development of a comprehensive, coordinated community system of care and support services.
- (d) Monitors the nutrition program and other programs provided by the department.
- (e) Pursuant to applicable statutes, provides operational, advocacy and outreach duties and identifies unmet needs.
- **SECTION 7.** This Ordinance shall take effect the day after passage and publication as required by law.

Tara Johnson, County Board Chair Ginny Dankmeyer, County Clerk

VETERANS, AGING, AND LONG TERM CARE COMMITTEE HEALTH AND HUMAN SERVICES BOARD

Motion by M. Giese/P. Jerome to approve passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

RESOLUTION NO. 12-6/17 RE: APPROVE RETAINING PROPERTY OBTAINED THROUGH TAX FORECLOSURE FOR THE PURPOSE OF COUNTY STORAGE NEEDS INCLUDING THE LA CROSSE DIVE RESCUE UNIT

WHEREAS, the County obtained .172 total acres of property and a building at 317 Kertrzman Place in the City of La Crosse through tax foreclosure due to unpaid taxes since 2011 for a total of \$14,294 which had an Assessed Value of \$61,800; and, WHEREAS, the County is not obligated to sell tax forfeited property, but may choose to retain the property if there is another public purpose or identified need; and, WHEREAS, the County has a need for relocating storage space from buildings on the Hillview Health Center Campus, including equipment used by the La Crosse County Dive Rescue Unit and the County is unlikely to find a similar property for a similar cost of forgoing \$14,294 in back taxes; and, WHEREAS, the Dive Rescue Unit is a volunteer organization under the direction of the Sheriff operating with very limited County funding, mainly financed by donations and has been seeking funding to obtain a new location close to the Mississippi River for several years. **NOW THEREFORE BE** IT RESOLVED, that the La Crosse County Board approves retaining the property at 317 Kertzman Place adjacent to the La Plume Slough in the City of La Crosse for meeting County storage needs, including those of the La Crosse County Dive Rescue Unit. BE IT FURTHER RESOLVED, that a Memorandum of Understanding between the Dive Rescue Unit and La Crosse County be prepared for use and improvement of the property with minimal cost to the County, to be executed by the Board Chair and Sheriff, as approved by the Corporation Counsel. FISCAL NOTE: If the property is retained, the General Fund would forgo at least the \$14,294 in back taxes, and the County will not receive the County share of \$247 per year of the total \$2144 in annual property taxes at the current assessed value.

EXECUTIVE COMMITTEE JUDICIARY AND LAW COMMITTEE

Motion by D. Holtze/M. Larson to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. Sheriff Steve Helgeson addressed the Board. The motion to approve passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

ORDINANCE NO. 162-6/17 TO AMEND CHAPTER 33 ENTITLED "REGULATION OF OUTDOOR ADVERTISING" OF THE GENERAL CODE OF THE LA CROSSE COUNTY, WISCONSIN

The County Board of supervisors of the County of La Crosse does hereby ordain as follows: **Section 1**.

CHAPTER 33 REGULATION OF OUTDOOR ADVERTISING

| 33.01 | Purpose, Findings and Applicability |
|-------|---|
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| 33.03 | Permits Required |
| 33.04 | General Provisions |
| 33.05 | Residential District A, B, and C, Rural, and Manufactured Home |
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| 33.06 | Exclusive Agricultural, General Agricultural, Recreational & |
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- 33.10 Severability
- 33.11 Enforcement and Penalties
- 33.12 Fees
- 33.01 Purpose, Findings and Applicability.
 - (1) Purpose. The purpose of this section is to:
 - (a) Establish minimum standards to safeguard life and property and to promote public welfare and community aesthetics by regulating the appearance, construction, location and maintenance of all signs, awnings, canopies and billboards. The provisions herein contained shall be binding upon every owner of a building, every lessee and every person in charge or responsible for or who causes the construction, repair, relocation or alteration of any outdoor sign and other advertising structures in La Crosse County.
 - (b) Further the responsibility of the County of La Crosse as an Eco-Municipality to lead in accordance with the principles of sustainability that meet the needs of the present while minimizing negative impact on future generations.
 - (2) Findings.
 - (a) Signs can create safety hazards that threaten the public health, safety or welfare. Such a safety threat is particularly great for signs that are structurally inadequate, or that may confuse or distract drivers or pedestrians, or that may interfere with official directional or warning signs.
 - (b) Signs can also threaten the public welfare by creating aesthetic concerns and detriments to property values. Such aesthetic concerns and detriments to property values are particularly great when an accumulation of signs results in visual clutter, or when one or more signs spoil vistas or views, or when one or more signs add or increase commercialism in noncommercial areas.
 - With respect to electronic changeable copy, electronic graphic (c) display and video display signs these signs are highly visible from long distances and at very wide viewing angles both day and night and are designed to catch the eye of persons in their vicinity for extended periods of time. If left uncontrolled these electronic signs constitute a serious traffic safety threat. Studies conducted by the Federal Highway Administration (FHWA), Research Review of Potential Effects of Electronic Billboards on Driver Attention and Distraction, Sept. 11, 2001; the University of North Carolina Highway Safety Research Center, Distractions in Everyday Driving, May 2003; the Wisconsin Department of Transportation, Synthesis Report of Electronic Billboards and Highway Safety, June 10, 2003; the Municipal Research and Services Center of Washington, Sign Control Provisions, Jan. 2006; and the Veridan Group, Video Signs in Seattle, Gerald Wachtel, May 2001 reveal that electronics signs are highly distracting to drivers and the driver distraction continues to be a significant underlying cause of traffic accidents.
 - (d) Signs are an invaluable marketing tool for businesses and organizations as well as a vital component of way-finding for residents and visitors alike.
 - (3) Authorization and Applicability. This chapter is created pursuant to s. 59.70(22), Wis. Stats. This chapter shall not apply within cities, villages and towns which have enacted ordinances regulating the same subject matter. The provisions of s. 84.30, Wis. Stats., and Wisconsin Administrative Code, Trans 201 are adopted and incorporated herein as part of this chapter for regulating signs along and adjacent to any system

of interstate, defense, federal primary or federal secondary highways in unincorporated areas of La Crosse County. The regulations in this section shall also apply to the aforementioned highways.

33.02 Definitions.

- (1) Administrator. The County Zoning Supervisor, or designee of the County Zoning Supervisor, empowered to enforce the rules and provisions of this chapter.
- (2) Canopy Sign. Any shelter combined with a sign which is attached to or associated with a structure.
- (3) Class 1 Highway. Improved or unimproved Town Roads or other public roads not identified as Class 2 or 3 Highway.
- (4) Class 2 Highway. Improved or unimproved County Roads.
- (5) Class 3 Highway. Improved or unimproved State or Federal Roads, except class 4 highways.
- (6) Class 4 Highway. Controlled access highway, freeway or interstate roads.
- (7) 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 this Code.
- (8) Department. The La Crosse County Zoning, Planning and Land Information Department.
- (9) Digital Billboard. An off-premises sign capable of displaying multiple static images controlled by electronic communications.
- (10) Electronic Message Unit. Any on-premise sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.
- (11) Flag. Official flags of government jurisdiction
- (12) Flashing Sign. Any directly or indirectly illuminated sign on which artificial light is not maintained stationary and constant in intensity and color at all times when in use.
- (13) Frame Effects. Any visual effect on an electronic message unit applied to a single frame to transition from 1 message to the next. Such effects may include but will not be limited to scrolling, fading, dissolving, etc.
- (14) Freestanding Sign. Any ground, monument, pole or other sign which is supported by structures or supports in or upon the ground and independent of support from any building.
- (15) Frontage. That portion of a parcel abutting a highway or other approved access.
- (16) Fronting on a Class 4 Highway. Any parcel which is adjacent to a class 4 highway.
- (17) Illuminated Sign. Any sign that has characters, letters, figures, designs or outlines illuminated by electric lights, luminous tubes, or any other artificial means as part of the sign.
- (18) Interactive Sign. An electronic message unit that is capable of being programmed or manipulated by anyone other than the sign owner or an authorized agent of the sign owner.
- (19) Intersection. The point upon which 2 highway centerlines or a highway centerline and the center of a railway right-of-way converge.
- (20) Lot Lines. The lines bounding a parcel.
- (21) Manual Message Unit. Any sign whose message may be changed by manual process. Manual Message Units typically have slots or grooves with hooks or brackets, or magnets for the individual letters and symbols to be attached to the sign face to create a message.
- (22) Monument Sign. A free standing sign where the base of the sign structure is on the ground, rather than attached to a pole or pylon that is attached to the ground.

- (23) Moving Sign. A sign or any portion of a sign that physically moves, such as rotating or spinning, rocking, going up or down, etc. or that uses lights or other elements to simulate movement including scrolling (up and down), twinkling, fading, bouncing, rotating, pulsing, or in any other manner create the effect of movement.
- (24) Non-Conforming Sign. Any sign which existed prior to the effective date of this chapter and does not conform to the regulations within.
- (25) Off-Premise Sign. Any sign that is not appurtenant to the use of the property, a product sold, or the sale or lease of the property on which it is displayed.
- (26) Off-Premise Static Sign. An off-premise sign that is not capable of displaying multiple static images controlled by electronic communications and not including directional signs.
- (27) Official Sign. Any sign required by a government jurisdiction or by a public or private utility to assist in providing a service to the public.
- (28) On-Premise Sign. Any sign that is appurtenant to the use of the property, a product sold, or the sale or lease of the property on which it is displayed.
- (29) Parcel. One piece of land owned by a single entity which may or may not coincide with a lot of record.
- (30) Projecting Sign. Any sign extending more than 18 inches but less than 4 feet from the face of a wall or building.
- (31) RPA District Line. A line delineating certain zoning districts pursuant to Chapter 17 of the Code of Ordinances, which include any districts zoned Residential A, B, C, Rural, Manufactured Home Community, or other designated residential districts, Exclusive Agricultural, General Agricultural, or other designated agricultural district, and Public Facilities and Institutional.
- (32) 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.
- (33) Roof Sign. Any sign erected upon or over the roof or parapet of any building.
- (34) Sensitive Area. An area defined and delineated as floodway on the "Official Floodplain Zoning Map", adopted and made part of the La Crosse County Floodplain Zoning Ordinance and as approved by the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA).
- (35) Sign. A sign shall include anything that promotes, calls attention to or invites patronage to a business, location or product.
- (36) Sign, Area Of. The area is the dimension of the face of the sign, but excluding the necessary supports or uprights on which the sign may be placed unless they are designed as part of the sign. If the sign consists of more than 1 side, all areas will be totaled unless stated otherwise
- (37) Sign Tracking Technology. Any electronic or other automatic device used to track or otherwise monitor the behavior, demographics or other features of motor vehicles, drivers, passengers, or other passersby.
- (38) Temporary Portable Sign. Any sign not permanently attached to the ground which is intended to be displayed for no longer than 30 days per year, including real estate signs, construction site signs, banners, commander boards, decorative-type displays, signs which are designed to be easily moved from 1 location to another, or anything similar to the aforementioned.

- (39) 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 [see s. 17.06(4) of the General Code of Ordinances].
- (40) Wall Sign. Any sign attached to, erected on or painted on a wall of a building or structure and projecting 18 inches or less from such wall.
- (41) Window Sign. Any sign located completely within an enclosed building and visible from a public way.
- (42) Wi-Fi Sign. A sign that is capable of communicating with personal portable wireless devices, such as cell phones, electronic navigation devices or portable computers, sending an advertising or other message to those devices.

33.03 Permits Required. Except as otherwise specified in this section, no sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, concerted or structurally altered, including converted to electronic message, without the issuance of a sign permit and without being in conformity with the provisions of this chapter. The sign shall also meet all other structural requirements of other applicable state, federal and local rules and ordinances. Signs shall not be erected or altered until a sign permit has been issued by the Department.

33.04 General Provisions.

- (1) Setback and Dimensional Requirements. The following setbacks and heights shall apply to all signs including all features of said signs, unless otherwise stated.
 - (a) For signs 0 to 64 square feet per side, there shall be a 5 foot setback from all lot lines from any feature of the sign.
 - (b) For signs greater than 64 square feet per side, there shall be a 10 foot setback from all lot lines from any feature of the sign.
 - (c) Freestanding sign(s) shall be separated from other structures by a minimum of 10 feet, measured from edge of roof overhang to the closest part of the sign.
 - (d) The maximum height of any on-premises freestanding sign shall be 20 feet above ground level at the site of the sign but in no event shall the maximum height exceed 50 feet above the adjacent road centerline.
 - (e) The maximum height of any sign that fronts on a class 4 highway shall be 50 feet above the average elevation at the site of the sign, or above the elevation of the adjacent road center line, whichever is higher.
 - (f) Sign area or size shall be measured as the entire area within a single continuous perimeter enclosing an individual sign or group of signs, including the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. An electronic message unit sign cannot exceed the maximum allowable square footage, but can be included within a larger sign of another type if it does not exceed 50% of said sign area. The sign area will not include the base, apron, supports, structural members, framework, poles, roof, embellishments or decorative base when such area meets the other regulations of this ordinance.
 - (g) Distance Between Freestanding Signs. The distance between freestanding signs requiring a sign permit on the same parcel of land shall be a minimum of 200 feet throughout the street frontage, unless the street frontage is under 200 feet, where 1 freestanding sign shall be allowed.

- (2) Number of Signs Allowed. No more than 2 signs of any type that require a permit shall be allowed per street frontage on any parcel.
- (3) Signs on Public Rights-of-Way. Signs shall not be allowed on public rights-of-way, except for official signs.
- (4) Dangerous and Abandoned Signs. All signs shall be removed by the owner or lessee of the premises upon which the sign is located when a business which it advertises has not been conducted for a period of 6 months or when, in the judgment of the Department, such sign is dilapidated, in disrepair, dangerous, or unsafe. If the owner or lessee fails to remove it, the Department may take appropriate enforcement action following adequate written notice. The owner may appeal the Department's administrative decision pursuant to s. 33.09.
- (5) Prohibited Signs. The following signs are prohibited unless they comply with 33.04(8) of this chapter.
 - (a) Signs facing a Residential District. Any sign greater than 32 square feet per side shall not be allowed within 100 feet of such district boundary for non-illuminated signs and within 300 feet of such district boundary if the sign is an illuminated sign.
 - (b) Traffic Interference. Signs shall not resemble, imitate or approximate railroad or traffic signs, signals or devices by their shape, size, form or color. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals or devices or the safe flow of traffic. No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape.
 - (c) Moving or Flashing Signs.
 - (d) Temporary Portable Manual Message Units, whether mounted on a trailer or on legs.
 - (e) Signs that cast light onto any public right-of-way or on adjoining properties such that the effect creates a safety hazard or a private nuisance.
 - (f) No sign shall be placed within the Vision Clearance except for official traffic control and highway signs.
 - (g) Roof Signs
- (6) Construction and Maintenance Regulations.
 - (a) All signs shall be properly secured, supported and braced and shall be kept in reasonable structural condition and shall be kept clean and well painted at all times. Required_landscaping shall be weed-free and appropriately trimmed or clipped. Signs shall be constructed and maintained in a safe structural manner in accordance with the National Building Code, the National Electrical Code, the Wisconsin Administrative Code and Wisconsin State Statutes.
 - (b) Normal maintenance and repair includes preparing surfaces for painting repair or replacement of fasteners such as nails, screws or bolts, replacement of lighting components and associated fixtures, fastening broken pieces of a sign back together with glues or fasteners or in general bringing an existing sign back up to its original condition. Normal maintenance does not include the use of different materials for any replacement or addition of any structural elements such as posts, poles, braces or guy wires, frames, crossbeams, or sign faces.
- (7) Legal Non-Conforming Signs.
 - (a) Any existing sign on the effective date of this chapter which does not conform with the provisions of this chapter is considered a legal nonconforming sign, provided that it meets the following requirements:

- 1. The sign was allowed by a sign permit prior to the effective date of this chapter.
- 2. If no sign permit was required under the applicable law for the sign in question and the sign was in compliance with the applicable county ordinances, state and federal laws on the effective date of this chapter.
- (b) Nothing in this chapter shall relieve the owner or user of a legal non conforming sign or the owner of the property on which the sign is located from the provisions of this chapter regarding safety, maintenance and repair of signs.
- (c) All legal non-conforming signs shall be kept clean and well painted at all times and normal maintenance and repair is permitted, however it must remain substantially the same as it was on the effective date of this ordinance and it shall not be moved, enlarged, raised, improved, or altered.
- (d) Legal non-conforming signs are permitted normal maintenance and repair of the sign, including a change of advertising message. A change of advertising message shall not include the replacement of the existing sign face with any new materials or structures, such as the replacement with a vinyl face, or an Electronic Message Unit.
- (e) Loss of legal non-conforming status. A sign will lose legal nonconforming status if 1 or more of the following occurs:
 - 1. If said sign is damaged or structurally altered, except for normal maintenance and repair, the sign shall be reconstructed and used as before the damage or alteration, if it is reconstructed within 3 months after such damage or alteration, provided that the cost to reconstruct the sign is 50% or less of its fair market value per event; if the sign fails to conform to the County requirements regarding maintenance and repair, abandonment or dangerously defective signs.
 - 2. The sign is relocated so as to comply with all appropriate regulations.
- (f) On the date of occurrence of any of the above, the sign shall be immediately brought into compliance with this chapter and a sign permit shall be issued or the sign shall be removed.
- (g) All signs that are exterior illuminated require shielded light fixtures that will direct light at the sign, so as not to cast light onto any public right-of-way or on adjoining properties.
- (9) Illuminated Signs and Electronic Message Units.
 - (a) All illuminated signs or electronic message units shall be required to obtain a permit.
 - (b) On-premise electronic message units shall be allowed subject to the following:
 - 1. Number of electronic message units per site. One electronic message units is allowed per site street frontage. Two sides of such sign are considered 1 electronic message unit. This unit shall count as one of the total number of signs allowed per parcel as referenced in s. 33.04(2).
 - 2. On premises fronting class 4 highways, the electronic portion of the sign fronting class 4 highways shall not exceed 100 square feet per side and a total of 200 square feet on both sides.
 - 3. May not be located within 300 feet of a Residential or Public District Line.

- 4. Distance Between Electronic Message Unit Signs. The distance between electronic message signs requiring a Sign Permit shall be a minimum of 200 feet throughout the street frontage, unless the street frontage is under 200 feet, where 1 electronic message unit sign shall be allowed.
- 5. Types of messages permitted. On-premise illuminated and electronic message units may be used only to advertise activities conducted on the premises or to present public service information; no off-premises advertising is allowed.
- 6. Hours of operations. The electronic message unit shall only be illuminated between the hours of 6:00 am to 12:00 midnight, except during the hours of operation of the business or entity if the hours of operation exceed such times.
- Length of Messages. Each message change shall be accomplished in 1 second or less, and each message shall remain in a fixed position for a minimum of 8 seconds. Only frame effects of fading and dissolving shall be allowed.
- (c) Design standards.
 - An illuminated sign or electronic message unit design plan shall be submitted as part of the permit application. The illuminated sign or electronic message unit design must be architecturally compatible with the building design, utilizing similar materials and established style as found in the principal structure.
 - 2. A landscape plan shall be submitted as part of the permit application for all freestanding signs. The landscaping shall address the area within 6 feet of the sign, utilizing plantings that are complimentary to the sign base, appearance, and location of the sign.
 - 3. No electronic message unit shall be illuminated to a degree of brightness greater than necessary for adequate visibility or a maximum of 500 nits (candelas per square meter) between dusk and dawn, 5,000 nits during daylight hours, or the minimum standards set by the Federal Highway Administration, whichever is more restrictive. All electronic message units shall come equipped with automatic dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient light conditions. Signs found to be too bright will be adjusted to meet these standards after notification by the County.
 - 4. Prior to issuance of a permit the applicant shall submit a signed letter from the manufacturer certifying that the sign has the ability to be programmed to comply with the above requirements to the satisfaction of the Department.
- (d) Compliance with ordinance upon ordinance adoption.
 - 1. All electronic message units that are in operation on the date of the adoption of this ordinance that are capable of being re-programmed by an owner or other operator shall comply with the programming and lighting standards of this ordinance within 90 days.

(40-17/18)

- 2. Requirement of periodic review. Rapidly evolving sign technology will necessitate periodic review of this ordinance, and shall be undertaken by the County Department on a schedule to be established from time to time. New technology that can be adapted to minimize harmful effects of illuminated signs may be required and otherwise regulated during the life of the sign.
- 3. The County shall as part of the permit process provide the sign holder with a current copy of existing state, federal and county ordinances regarding electronic signs including current regulations pertaining to degree of illumination, and also definitions and restrictions on flashing lights, moving lights, traveling lights, etc.
- 33.05 Residential District A, B, and C, Rural, and Manufactured Home Community District.
 - (1) Signs Not Requiring a Sign Permit. The following signs shall not require a sign permit, provided that they are on-premises signs or directional signs, and shall comply with the regulations of this chapter.
 - (a) Signs not exceeding 8 square feet.
 - (b) Flags
 - (c) Official signs.
 - (d) Temporary portable signs shall not exceed 8 square feet and shall not be Electronic or Manual Message Units.
 - (2) Signs Requiring a Sign Permit. The following signs shall be allowed after issuance of a sign permit by the Department and shall comply with the regulations of this chapter.
 - (a) Signs greater than 8 square feet but not to exceed 16 square feet.
 - (b) Temporary portable signs greater than 8 square feet but not to exceed 16 square feet. Such signs shall not be Electronic or Manual Message Units.
- 33.06 Exclusive Agricultural, General Agricultural, Recreational & Natural Resource, and Public Facilities and Institutional Districts.
 - (1) Signs Not Requiring a Sign Permit. The following signs shall not require a sign permit, provided that they are on-premises signs or directional signs, and shall comply with the regulations of this chapter.
 - (a) Signs not exceeding 16 square feet.
 - (b) Flags.
 - (c) Official signs.
 - (d) Temporary portable signs less than 16 square feet. Such sign shall not be Electronic or Manual Message Units.
 - (2) Signs Requiring a Sign Permit. The following signs shall be allowed after issuance of a sign permit by the Department and shall comply with the regulations of this chapter.
 - (a) Signs greater than 16 square feet but not to exceed 32 square feet.
 - (b) On-Premise Electronic Message Unit Signs adjacent to a class 1 or class 2 highway shall not exceed 16 square feet, or adjacent to a class 3 highway shall not exceed 32 square feet.
 - 33.07 Commercial, Light Industrial and Industrial Districts.
 - (1) Signs Not Requiring a Sign Permit. The following signs shall not require a sign permit, provided that they are on-premises signs, directional signs, and shall comply with the regulations of this chapter.
 - (a) Signs not exceeding 16 square feet.
 - (b) Flags.
 - (c) Official signs.

- (d) Window signs shall be placed only on the inside of commercial buildings and shall not exceed 75% of the glass area of the pane upon which the sign is displayed.
- (e) Temporary portable signs not exceeding 32 square feet. Such sign shall not be Electronic or Manual Message Units.
- (2) Signs Requiring a Sign Permit. The following signs shall be allowed after issuance of a sign permit by the Department and shall comply with the regulations of this chapter.
 - (a) Signs greater than 16 square feet.
 - (b) On Premise Freestanding signs shall not exceed 20 feet in height above the centerline street grade from which access to the parcel is obtained. Freestanding signs shall not exceed 200 square feet on 1 side or 400 square feet on all sides for any 1 parcel.
 - (c) Projecting signs fastened to, suspended from or supported by structures shall not exceed 100 square feet in area for any 1 parcel, shall not exceed a height of 20 feet above the centerline street grade, shall not be more than 20 feet and not be less than 15 feet above a driveway. If the sign is only above a sidewalk, it shall not be more than 15 feet and not less than 10 feet from the ground. Projecting signs shall not extend above the roof line.
 - (d) Wall signs placed against the exterior walls of buildings shall not exceed 200 square feet in area or 40% of the wall surface, whichever is less, per wall for any 1 parcel, shall not exceed the height of the wall for which it is displayed and shall not extend above the roof line.
 - (e) Canopy signs shall not exceed 100 square feet per street frontage or 20% of the fascia of the canopy, whichever is greater.
 - (f) Manual Message Units shall not exceed 64 square feet and 20 feet in height.
 - (g) On-Premise Electronic Message Unit Signs adjacent to a class 1 or class 2 highway shall not exceed 24 square feet, or adjacent to a class 3 highway shall not exceed 40 square feet.
 - (h) Off-premise static signs, subject to the following:
 - 1. Shall be a minimum of 300 feet for non-illuminated signs and 900 feet for illuminated signs from a zoned RPA District line and from sensitive areas.
 - 2. Shall be a minimum of 300 feet from an intersection.
 - 3. Any off-premise static sign constructed after the effective date of this chapter shall be a minimum of 600 feet from another off-premise sign.
 - 4. Shall be erected in a freestanding design. No back bracing or guy wires are allowed.
 - 5. Shall meet all federal, state and local requirements prior to issuance of permit.
 - 6. Shall not exceed 300 square feet per side of the sign structure, except shall not exceed 672 square feet per side of the sign structure along class 4 highways.
 - 7. Shall not exceed the height of 30 feet above ground level at the site of the sign, except the maximum height shall be 50 feet above ground level at the sign site if located along class 4 highways, but in no event shall the maximum height exceed 50 feet above the adjacent road centerline.

- (i) Off-premise Digital Billboard Signs shall be allowed subject to the following:
 - Only off-premises signs existing as of the date of passage of this ordinance may be converted to digital billboards so long as such signs comply with all applicable provisions of this Chapter and subject to the following:
 - a. Before a sign permit for any conversion of an existing off premises sign to a digital billboard is granted, a public hearing shall be held before the Planning, Resources and Development Committee subject to the following:
 - i. Notice of the hearing shall be provided to all County Board Supervisors, the media, the town where the sign is located, and property owners within 1,000 feet of the sign.
 - ii. Prior to the hearing, the applicant for the permit shall complete a site specific review, which will include a traffic safety study and the impact of the conversion on the environment, including neighborhoods, planned future development in the area and existing conditions.
 - iii. The Committee shall only have authority to determine if a permit should be denied even if the applicant meets all of the requirements for a digital billboard pursuant to this ordinance. The Committee shall consider the factors addressed in the site specific review and any other factors deemed relevant by the Committee to the public health, safety and welfare of the County.
 - 2. Digital billboards shall display static images for a period of at least 7.5 seconds before instantaneously transitioning to another static image.
 - 3. Animation, frame effects, flashing and the appearance of movement whatsoever, interactive signs, video display signs, sign tracking technology, Wi-Fi signs and signs that emit any visible matter other than light shall be explicitly prohibited.
 - 4. All digital billboards shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with natural ambient light conditions.
 - 5. No digital billboard shall exceed a brightness level of 5,000 nits (candelas per square meter) during daylight hours and 500 nits between dusk and dawn, or the minimum standards set by the Federal Highway Administration, whichever is more restrictive. Signs found to exceed these standards shall be adjusted to meet these standards after notification by the County.
 - 6. Prior to issuance of a permit the applicant shall submit a signed letter from the manufacturer certifying that the billboard has the ability to be programmed to comply with the above requirements to the satisfaction of the Department, subsections (2.) through (5.) above.

- 7. A digital billboard shall be only located on a Federal-aid primary highway system (FAP) with traffic counts greater than 20,000 vehicles per day.
- 8. Shall be located a minimum of 1,320 feet from a zoned Residential and Public Facilities and Institutional District Line or sensitive area adjacent to a class 4 highway and 1500 feet from an RPA District Line and sensitive area adjacent to all other highways.
- 9. A digital billboard shall be separated from another digital billboard by a minimum distance of 2,500 feet.
- 10. Shall not exceed the height of 30 feet above ground level at the site of the sign, except the maximum height shall be 50 feet above ground level at the sign site if located along class 4 highways, but in no event shall the maximum height exceed 50 feet above the adjacent road centerline.
- 11. Each conversion shall require the applicant to take down or eliminate the equivalent of 2 square feet of off-premise static signs for every 1 square foot of area converted to a digital billboard.
- 33.08 Administration. 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 sign 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 permit.
 - (4) Issue Permits. The Administrator shall issue a permit, where required, prior to the construction or erection of any new sign and any alteration or addition to any existing sign.
 - (a) If the Administrator finds that the permit application will not be in violation of this or any other ordinance, the Administrator shall issue a permit. The Administrator shall retain 1 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 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) Complete permit applications shall be issued or the application shall be denied within 10 days after receipt of the application.
 - (d) If activity has commenced prior to the issuance of a permit, any permit issued for said activity will be considered an after-the-fact permit.
- 33.09 Appeals. Any person or entity aggrieved by a decision of the Department shall have the right to appeal pursuant to Chapter 68 of the Wisconsin Statutes. The impartial decision maker under s. 68.11, Wis. Stats., shall be the Planning, Resource and Development Committee. The Committee shall either affirm, reverse or modify the decision.
- 33.10 Severability. If any portion of this Code is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Code shall not be affected.

 33.11 Enforcement and Penalties.
 - (1) Any person, firm, company or corporation who violates, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this chapter shall be subject to a forfeiture of not less than

- \$100 and not more than \$500 for a first offense and a forfeiture of not less than \$200 and not more than \$1000 for a second or greater offense. Each day of violation shall constitute a separate offense.
- (2) Violations. All signs constructed or maintained in violation of any of the provisions of this chapter are hereby declared public nuisances within the meaning of this chapter. In addition to any penalty provisions for violation of this chapter, the Administrator may bring an action to abate the nuisance and seek injunctive relief in a court of competent jurisdiction.

33.12 Fees. The fees under this chapter shall be determined by the County Board. **Section 2.** This Ordinance shall take effect the day after passage and publication as required by law.

Tara Johnson, County Board Chair Ginny Dankmeyer, County Clerk

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/M. Nikolay to approve passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

FIRST CONSIDERATION OF ORDINANCE

ORDINANCE NO. 163 TO AMEND CHAPTER 21 ENTITLED "EROSION CONTROL/LAND DISTURBANCE" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

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

ZONING ORDINANCE NO. Z377-6/17 RE: PETITION NO. 1991 FILED BY PAUL E KUNERT, TO REZONE A 21.26 ACRE PARCEL FROM THE EXCLUSIVE AGRICULTURE DISTRICT TO THE RESIDENTIAL DISTRICT FOR A SINGLE FAMILY RESIDENTIAL SUBDIVISION IN THE TOWN OF SHELBY

No. 1991 filed by Paul E Kunert, W4525 U.S. Highway 14/61, La Crosse, WI, 54601 and having held a public hearing on the 30th day of May 2017 for a petition to rezone a 21.26 acre parcel from the Exclusive Agriculture District to the Residential District for a single family residential subdivision in the Town of Shelby and described as follows: Part of the SE/SE all in Section 19, T15N, R6W. Tax parcel 11-85-1 and part of tax parcel 11-124-0. Town of Shelby. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of six (6) in favor, zero (0) no, and one (1) excused (Cornforth), the committee recommended approval of Zoning Petition No. 1991 subject to no conditions. (If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) The County Board, under s.59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. The County Board took the following action this 15th day of June, 2017. Approved the petition as submitted, becomes an ordinance.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/P. Scheller to approve as recommended by the Committee passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

ZONING ORDINANCE NO. Z378-6/17 RE: PETITION NO. 1993 FILED BY LA CROSSE COUNTY HIGHWAY COMMISSIONER RON CHAMBERLAIN O/B/O GARRY J BAHR TO REZONE 27.59 ACRES FROM THE EXCLUSIVE AGRICULTURE DISTRICT TO THE PUBLIC FACILITIES AND INSTITUTIONAL DISTRICT FOR A COUNTY HIGHWAY SHOP IN THE TOWN OF GREENFIELD

No. 1993 filed by La Crosse County Highway Commissioner Ron Chamberlain o/b/o Garry J Bahr, 301 Carlson Rd, West Salem, WI, 54669-9332 and having held a public hearing on the 30th day of May 2017 for a petition to rezone a 27.59 acres from the Exclusive Agriculture District to the Public Facilities and Institutional District for a county highway shop including interior and outside storage of road construction and maintenance equipment and materials, offices, and equipment maintenance garage, resulting in the consolidation of two existing outlying shops into one in the Town of Greenfield and described as follows: Part of the SE/SE of Section 10 and part of the SW/SW of Section 11, all in T15N, R6W. Tax parcel 6-223-0 and part of tax parcel 6-208-0. Town of Greenfield. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of six (6) in favor, zero (0) no, and one (1) excused (Cornforth), the committee recommended approval of Zoning Petition No. 1993 subject to no conditions. (If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) The County Board, under s.59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. The County Board took the following action this 15th day of June, 2017. Approved the petition as submitted, becomes an ordinance.

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 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

CONDITIONAL USE PERMIT NO. 1018 FILED BY ANDY MARINELLI, WORKING FOR AND ACTING O/B/O MATHY CONSTRUCTION TO OPERATE A TEMPORARY PORTABLE ASPHALT PLANT ON APPROXIMATELY 4 ACRES WITHIN AN EXISTING LIMESTONE QUARRY ON LANDS ZONED RECREATION AND NATURAL RESOURCE DISTRICT IN THE TOWN OF WASHINGTON

No. 1018 filed by Andy Marinelli, working for and acting o/b/o Mathy Construction, 920 10th Ave N, Onalaska, WI, 54650 and having held a public hearing on the 30th day of May, 2017 for a Conditional Use Permit to operate a temporary portable asphalt plant on approximately 4 acres within an existing limestone quarry on lands zoned Recreation and Natural Resource District in the Town of Washington and described as follows: Part of the SE/NE and SW/NE of Section 7, T15N, R5W. Part of tax parcels 12-148-0 and 12-144-1. Town of Washington. And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 91.48(1), Wis. Stats., along with the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to: By a vote of six (6) in favor, zero (0) no, and one (1)

excused (Cornforth), the committee recommended approval of Conditional Use Permit No. 1018 subject to the following four (4) conditions:

- 1. This permit is granted specifically to Andy Marinelli on behalf of Mathy Construction, 920 10th Ave N, Onalaska, WI, 54650, to operate a temporary portable asphalt plant on approximately 4 acres within an existing limestone quarry on lands zoned Recreation and Natural Resources District on property described as Part of the SE/NE and SW/NE of Section 7, T15N, R5W;
- 2. Hours of operation are from 6:00 a.m. to 7:00 p.m. Monday through Saturday;
- 3. It is the responsibility of the applicant that all waste generated shall be disposed in accordance with applicable laws; and
- 4. This permit automatically terminates May 31, 2018.

THE COUNTY BOARD took the following action this 15th day of June, 2017. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/M. Nikolay to approve as recommended by the Committee passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

ZONING ORDINANCE NO. Z379-6/17 RE: PETITION NO. 1994 FILED BY EUGENE LINSE TO REZONE A 2.0 ACRE PARCEL FROM THE GENERAL AGRICULTURE DISTRICT TO THE COMMERCIAL DISTRICT FOR FUTURE COMMERCIAL USE IN THE TOWN OF HAMILTON

No. 1994 to amend the La Crosse County Zoning Ordinance filed by Eugene Linse,

712 Cliffwood Ln, La Crosse, WI, 54601 and having held a public hearing on the 30th day of May 2017 for a petition to rezone a 2.0 acre parcel from the General Agriculture District to the Commercial District for future commercial use in the Town of Hamilton and described as follows: Lot 4 of a proposed Certified Survey Map prepared by La Crosse Engineering & Surveying Co., Inc. Part of tax parcel 7-31-0. Property address W2916 County Rd B. Town of Hamilton. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of six (6) in favor, zero (0) no, and one (1) excused (Cornforth), the committee recommended approval of Zoning Petition No. 1994 subject to no conditions. (If this petition is approved as a conditional zoning, deed restrictions must be recorded before zoning takes effect.) The County Board, under s.59.69(5)(e)5 Wis. Stats., has the authority to effectuate the petition by ordinance or to disapprove it. The County Board took the following action this 15th day of June, 2017. Approved the petition as submitted, becomes an ordinance.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/P. Scheller to approve as recommended by the Committee passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

CONDITIONAL USE PERMIT NO. 1019 FILED BY THOMAS M BROWN O/B/O THOMAS M THE BROWN TRUST AND CHRISTINE L THE BROWN TRUST D/B/A TOM'S BOBCAT AND SNOWPLOWING, INC. TO AMEND CERTAIN CONDITIONS IN PREVIOUSLY APPROVED CONDITIONAL USE PERMIT NO. 503 AS FOLLOWS: CONSTRUCT A 900 SQ. FT. OFFICE AND BATHROOM ADDITION TO THE EXISTING 60-FT X 90-FT POLE BARN, INCREASE THE NUMBER OF EMPLOYEES FROM 15 TO 17 YEAR-LONG EMPLOYEES RESULTING IN 3 INSTEAD OF 1 NON-FAMILY MEMBER EMPLOYEE, INCREASE THE NUMBER OF STORED VEHICLES FROM 5 TO 8, ESTABLISH OPERATING HOURS FROM 7:30 AM TO 6:30 PM MONDAY TO SATURDAY ALLOWING

OPERATION OUTSIDE OF THESE HOURS IN EVENT OF EMERGENCY; AND TO MAKE CUP 1019 NON-TRANSFERABLE EXCEPT TO IMMEDIATE FAMILY ON LAND ZONED RURAL DISTRICT IN THE TOWN OF MEDARY

No. 1019 by Thomas M Brown o/b/o Thomas M The Brown Trust and Christine L The Brown Trust, N3620 Smith Valley Rd, La Crosse, WI, 54601

d/b/a Tom's Bobcat and Snowplowing, Inc. and having held a public hearing on the 30th day of May, 2017 for a Conditional Use Permit to amend certain conditions in previously approved Conditional Use Permit No. 503 as follows: construct a 900 sq. ft. office and bathroom addition to the existing 60-ft x 90-ft pole barn, increase the number of employees from 15 to 17 yearlong employees resulting in 3 instead of 1 non-family member employee, increase the number of stored vehicles from 5 to 8, establish operating hours from 7:30 am to 6:30 pm Monday to Saturday allowing operation outside of these hours in event of emergency; and to make CUP 1019 non-transferable except to immediate family on land zoned Rural District in the Town of Medary and described as follows: Part of the NW/NE and NE/NW of Section 23, T16N, R7W. Tax parcel 9-1118-0. Property address N3620 Smith Valley Rd. 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 six (6) in favor, zero (0) no, and one (1) excused (Cornforth), the committee recommended approval of Conditional Use Permit No. 1019 subject to the following twelve (12) conditions:

- 1. This permit is approved specifically for Thomas M Brown o/b/o Thomas M The Brown Trust and Christine L the Brown Trust, N3620 Smith Valley Rd, La Crosse, WI, 54601 d/b/a Tom's Bobcat and Snowplowing, Inc., at N3620 Smith Valley Rd, Town of Medary to allow storage of snow removal and landscape business equipment and operation of the business:
- 2. Inside storage is allowed within a 60-ft x 90-ft pole building and a 900-sq ft. addition to the building for office and restroom use is authorized in accordance with the La Crosse County Zoning and Sanitary Ordinances;
- 3. Topsoil, sand, gravel, rock, and wood chips (other than treated) may be stored on the hilltop outside of public view. Cold mix and UPM are also allowed;
- 4. Vehicle equipment and attachments may be stored on the hilltop and eight operable vehicles at a time; vehicles may be stored here for a period of not more than 30 days;
- 5. Hours of operation are as follows: May through September 7:30 a.m. to 6:30 p.m. and allowing to respond to emergencies outside of these hours to guarantee service to the Town of Medary. October through April are weather based 24/7;
- 6. Up to seventeen employees from October through April. Three employees, other than family, from May through September;
- 7. Off-street parking for employees shall be provided;
- 8. No on-site sales or retail;
- 9. No outdoor signage except as authorized by Chapter 33 of the La Crosse County Code of Ordinances;
- 10. All personal property must be reported to the local assessor annually;
- 11. This permit is non-transferrable other than to immediate family; and
- 12. All previous Conditional Use Permits specific to this parcel are terminated in their entirety and replaced by CUP No. 1019.

THE COUNTY BOARD took the following action this 15th day of June, 2017. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/D. Holtze to approve as recommended by the Committee passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

CONDITIONAL USE PERMIT NO. 1020 FILED BY SHANE BEGLEY, FOR PARALLEL INFRASTRUCTURE/VERIZON WIRELESS, AND ACTING O/B/O MARK ROESLER AND ROESLER CREEKSIDE ADDITION, LLC, FOR A 170-FT TALL MOBILE SERVICE SUPPORT STRUCTURE (CELL TOWER) INCLUDING AN EQUIPMENT PLATFORM, GENERATOR, ANTENNAE, AND ASSOCIATED EQUIPMENT ON LAND ZONED EXCLUSIVE AGRICULTURE DISTRICT IN THE TOWN OF SHELBY

No. 1020 filed by Shane Begley, 14114 S Country Circle, Gordon, WI, 54838, for Parallel Infrastructure/Verizon Wireless, and acting o/b/o Mark Roesler and Roesler Creekside Addition, LLC, W5556 Us Highway 14/61, La Crosse, WI, 54601 and having held a public hearing on the 30th day of May, 2017 for a Conditional Use Permit for a 170-ft tall mobile service support structure (cell tower) including an equipment platform, generator, antennae, and associated equipment on land zoned Exclusive Agriculture District in the Town of Shelby and described as follows: Part of the NE/NW of Section 23, T15N, R7W. Part of tax parcel 11-1767-0. Property address W5556 US HWY 14/61. 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 six (6) in favor, zero (0) no, and one (1) excused (Cornforth), the committee recommended approval of Conditional Use Permit No. 1020

- Shane Begley for Verizon Wireless, for Parallel Infrastructure/Verizon Wireless, and acting o/b/o Mark Roesler and Roesler Creekside Addition, LLC, W5556 US Highway 14/61, La Crosse, WI, 54601, is granted a Conditional Use Permit for a 170-ft tall mobile service support structure (cell tower) including an equipment platform, generator, antennae, and associated equipment on land zoned Exclusive Agriculture District;
- 2. The tower will be designed to handle at least two (2) additional carriers for future colocations 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 issuance of a Zoning/Occupancy Permit authorizing construction of the tower;
- 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 to 3-ft below pre-construction grade, 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 material normally found at such facilities such as batteries or propane;
- 9. This permit is transferable;
- 10. The access shall be as specified in the application and construction plans, and shall be kept open in the event of an emergency. Access approval if required shall be obtained from the Wi DOT prior to construction;
- 11. No advertising allowed on the support structure;

subject to the following seventeen (17) conditions:

- 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 permits are required before a Zoning/Occupancy Permit may be issued;

- 14. Findings of compliance with Section 106 of the National Historic Preservation Act, if necessary, shall be submitted to the La Crosse County Zoning Department and made part of this file;
- 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 June, 2017. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by T. Wehrs/J. Gundersen to approve as recommended by the Committee passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

RESOLUTION NO. 13-6/17 RE: APPROVAL OF 2017 DEER MITIGATION AND HANDICAPPED HUNT AT LA CROSSE COUNTY LANDFILL

WHEREAS, there has been growing concern at the La Crosse County Landfill site regarding the concentration of deer in the area; and, WHEREAS, a managed deer hunt at the La Crosse County Landfill site will reduce excessive browsing and destruction of newly planted trees and native habitat for landfill restoration; and, WHEREAS, a managed deer hunt will also help control the risk of spreading disease and help reduce erosion on trails caused by continuous deer use; and, WHEREAS, a managed deer hunt coordinated with the Wisconsin Department of Natural Resources, the North American Squirrel Association (NASA), and the city of Onalaska will also help physically challenged and elderly persons enjoy the hunting experience; and, WHEREAS, all hunters will be accompanied by a mentor appointed by NASA during the hunt and will participate in a safety meeting each day of hunt; and, WHEREAS, hunts are tentatively proposed for the dates of September 2nd, 3rd, 9th, and 10th, 2017 with 5 hunters and 5 mentors for each day of the hunt. WHEREAS, hunts are tentatively proposed for the dates of December 2nd and 3rd, 2017 with 5 hunters and 5 mentors for each day of the hunt. NOW, THEREFORE BE IT RESOLVED, that the La Crosse County Board does hereby authorize NASA to conduct a managed and handicapped deer hunt at the landfill in accordance with the terms outlined in this resolution and with approval of the Wisconsin DNR and the City of Onalaska. BE IT FURTHER RESOLVED, the County Board Chair is authorized to sign any permits or other documents required by the state and federal agencies in order to hold this hunt, after review and approval by Corporation Counsel. FISCAL NOTE: No cost to La Crosse County.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by R. Geary/L. Pfaff to approve passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

RESOLUTION NO. 14-6/17 RE: APPROVAL OF BIDS FOR THE SALE OF PROPERTY TAKEN BY TAX FORECLOSURE

WHEREAS, La Crosse County has advertised for the sale of 8 separate parcels of property which were the subject of a prior tax foreclosure action; and, WHEREAS, sealed bids were received for 6 parcels no later than 12:00 PM on May 17, 2017 and opened by the County Treasurer on May 17, 2017 at 1:00 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 for 5 of the parcels; and,

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. 145 Treasurer, Account 48309.00 Foreclosure Revenue.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by R. Geary/A. Richmond to approve. Motion by R. Geary/A. Richmond to amend by deleting the 5th "Whereas" clause and deleting parcel #7-1679-0 from the list of property bids passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser. The motion to approve as amended passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

RESOLUTION NO. 15-6/17 RE: APPROVING PAYMENT OF ONE MILLION PLUS INTEREST TO CITY OF LA CROSSE TOWARD COST OF THIRD AND VINE PARKING STRUCTURE

WHEREAS, La Crosse County and the City of La Crosse entered into a Memorandum of Understanding (MOU) February 24, 2015 to formulate a cooperative strategy for meeting and financing the parking needs necessitated by the development project known as Belle Square; and, WHEREAS, under the terms of the MOU, the County agreed to contribute the \$1 million proceeds from the sale of Lot C to the City plus interest upon approval of plans that meet the County's needs for 85 parking spaces to serve public employees; and, WHEREAS, the City has provided County staff with plans for the availability of 85 permitted parking spaces licensed on a month-to-month basis from 6am to 6pm at the rate of \$40 per month, consistent with similar parking at other City parking structures as set by the City Parking Utility; and, WHEREAS, the plan is to provide the permitted spaces available through the County facilities department to employees by utilizing the registration technology for recognition of license plates in identified areas of the ramp for permitted parking beginning in August of 2017. NOW THEREFORE BE IT RESOLVED, that the La Crosse County Board approves the payment of \$1 million plus interest as documented by the County Finance Director to the City of La Crosse. BE IT FURTHER RESOLVED, that the Facilities Director and County Administrator are directed to provide a recommendation to the County Board on the revision of employee parking fees that consider the County investment in providing parking and the market for downtown parking spaces. FISCAL NOTE: Under the terms of the MOU, the County reserved the \$1 million since the sale of Lot C and it has generated \$3,373.79 in interest through May 31, 2017, so the resulting payment to the City will be \$1,003,373.79 plus any additional accrued interest until payment date.

EXECUTIVE COMMITTEE

Motion by S. Hampson/P. Scheller to approve passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

SUGGESTIONS FOR FUTURE AGENDA TOPICS

Chair Johnson suggested inviting a WCA representative to a Planning meeting.

ADJOURN

Motion by T. Tryggestad/D. Ferries to adjourn at 7:00 PM passed on a unanimous voice vote with 24 ayes, 5 excused - K. Cable, R. Cornforth, M. Kruse, K. Rosa and K. Tyser.

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, June 15, 2017 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 JUNE 2017.