

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING  
PROCEEDINGS; THURSDAY, SEPTEMBER 21, 2017**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, September 21, 2017 in the Administrative Center, Room 1700. The County Clerk, Ginny Dankmeyer, took attendance. 25 supervisors were present when Chair Tara Johnson called the meeting to order at 6:00 P.M. and those otherwise present, excused or absent are noted in the roll call detail:

<b>District Name</b>	<b>Attendance</b>
1 Richmond, Andrea	Present
2 Geary, Ralph	Present
3 Weidenbach, Doug	Present
4 Freedland, Maureen	Present
5 Vacant	
6 Plesha, Roger	Present
7 Hampson, Sharon	Present
8 Jerome, Peg	Present
9 Gundersen, Jerome	Present
10 Cable, Kim	Present
11 Scheller, Patrick	Present
12 Holtze, Dave	Excused
13 Tryggestad, Tina	Present
14 Larson, Margaret	Excused
15 Kruse, Monica	Present
16 Ferries, Dan	Present
17 Giese, Mike	Present
18 Berg, Laurence	Present
19 Cornforth, Rick	Present at 06:15 PM
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	Present
29 Johnson, Tara	Present

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

**County Board Chair Report - Tara Johnson**

- County Board Picnic – Friday, September 22, 2017
- Special Election Meeting – November 20, 2017
- Supervisor Conference Reports
  - Chair Johnson reminded Supervisors to check their mailboxes after the meeting tonight as it will include materials for the WCA conference.

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- A sign-up sheet was passed around for the Hmong New Year being held October 14<sup>th</sup> and 15<sup>th</sup> where a County booth will be displayed.
- A sign-up sheet was passed around for the Economic Indicators.
- Supervisor Kruse attended the Downtown Mainstreet Inc meeting where an award was presented to the County.

#### **Administrator Report - Steve O'Malley**

- Overview of 2018 County Administrator's Budget
  - 2018 gross expenditures are \$161,324 million and a tax levy of \$34.325 million, an increase of 2.02%. 2018 county Administrator's priorities include budget limits, internal service changes, programs and services, and public good.
  - 2018 budget decisions: jail population and Board of Prisoners, Lakeview and Hillview consolidation, reduced vector control, transition of Gifted Hands consignment store, UW Extension proposal to the State, Personnel Resolutions (net reduction of -4.76 FTE funded by levy and 6.45 FTE net increase on non-tax levy), and fees and charges resolution including parking increase. 2018 recommended budget operating levy of \$26.552 million and a \$3.75 mill rate per thousand, down from 3.89 last year.
  - Committee review of department's budgets in October cycle. Special Executive meeting on October 16 at 4pm. Changes by committees to Executive Committee and/or full board in November. Resolutions for changes to fees and personnel positions at November 6th Planning meeting after action by Executive Committee. Public hearing November 13<sup>th</sup> and Annual meeting November 14th.
- Review of Debt Service
  - Moody's bond rating for La Crosse County is Aa1. We are in the 3<sup>rd</sup> year of a three year plan for project needs, management practices, local economic condition and comparison. Major management initiatives are on track. Highest increase in equalized value since 2001 with 6.10%. Compared to all Aa1 counties, La Crosse still has one of the lowest tax rates. General Obligation debt went up slightly due to Lakeview Project. Debt rate will drop in value for 2018.

#### **APPOINTMENTS**

Motion by T. Johnson/T. Tryggestad to appoint Rhonda Staats to the Aging and Disability Resource Center Advisory Committee to replace Sherry Fontaine for the remainder of a three year term to expire July 31, 2020; appoint Cindy Jensen to the Aging and Disability Resource Center Advisory Committee to replace Kathy Lucey for the remainder of a three year term to expire July 31, 2020; appoint Lewis Kuhlman to the Solid Waste Policy Board as a City Representative to replace Dale Hexom for the remainder of a term to expire April 30, 2018; reappoint Peg Jerome to the CDBG - Southwest Wisconsin Housing Region for a two year term to expire September 30, 2019 passed on a unanimous voice vote with 26 ayes, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

#### **CONSENT AGENDA**

Motion by R. Plesha/P. Scheller to approve the minutes of the La Crosse County Board of Supervisors Planning meeting held August 7, 2017 and the Monthly meeting held August 17, 2017 and the claims list for \$3,648,295.04 passed on a unanimous voice vote with 26 ayes, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

#### **RESOLUTION NO. 25-9/17 RE: INTERGOVERNMENTAL AGREEMENT FOR LA CROSSE COUNTY HAZARDOUS MATERIALS PROGRAM**

**WHEREAS**, since 2003 La Crosse County has operated a Household Hazardous Materials Facility Program in cooperation with the municipalities in La Crosse County and to the mutual benefit of all the citizens of La Crosse County; and **WHEREAS**, since 2002, the County and

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the participating municipalities have entered into Agreements, which have been extended since that time, where the municipality has agreed to contribute to the cost of the operation and maintenance of the Program; and **WHEREAS**, the County and the participating municipalities desire to extend the Agreement for an additional ten years to 2027 with the following terms:

1. The participating municipalities will help pay for the operation and maintenance of the County Household Hazardous Materials Program by contributing \$1.30 per capita per annum by February 1<sup>st</sup> of each year, commencing in the year 2018. This payment will increase at a rate of \$0.05/capita each year until 2022, at which time the payment will be \$1.50/capita. Beginning in 2023 the payment will increase at a rate of 2% per year. The calculation of the per capita payment shall be adjusted each year according to population estimates.

2. The participating municipalities will assist the County in educating residents regarding the Program and its services and will direct their residents to use the Household Hazardous Materials Program rather than collecting household hazardous waste at their own municipal facility.

**WHEREAS**, it is in the best interests of the County to enter into such an agreement; **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board authorizes the County Board Chair to execute the Intergovernmental Agreement for La Crosse County Household Hazardous Materials Program in accordance with the above terms and after approval by Corporation Counsel. **FISCAL NOTE:** The County contribution will match the total per capita per annum of all the municipalities, starting at \$1.30 per capita in 2018; increasing at the same rate of \$0.05/capita each year until 2022; then increasing at the same rate of 2% per annum until 2027. Funding will be provided for in the 2018 budget.

#### **PUBLIC WORKS AND INFRASTRUCTURE EXECUTIVE COMMITTEE**

Motion by R. Geary/L. Pfaff to approve passed on a unanimous voice vote with 26 ayes, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

#### **RESOLUTION NO. 26-9/17 RE: APPROVAL OF AMENDMENT NO. 2 EXTENDING THE SOLID WASTE DISPOSAL AGREEMENT BETWEEN LA CROSSE COUNTY AND SURROUNDING COMMUNITIES**

**WHEREAS**, on January 19, 2017, the La Crosse County Board of Supervisors approved the extension of the Solid Waste Disposal Agreement with Xcel Energy until 2030 with the option, if both parties agree, to extend the agreement for two additional five-year terms; and, **WHEREAS**, part of the continued success of the Solid Waste Disposal Agreement relies on the agreements with surrounding communities to provide waste to the facility; and **WHEREAS**, the La Crosse County Solid Waste Department, the Solid Waste Policy Board and the surrounding communities have agreed to the extension terms contained on the attached "Amendment No. 2 to Solid Waste Disposal Agreement"; and **WHEREAS**, it is in the best interests of the County to enter into such an amendment; **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby approves extension of the Solid Waste Disposal Agreements between La Crosse County and surrounding communities and authorizes the County Board Chair to execute Amendment No. 2 to the Solid Waste Disposal Service Agreement in accordance with the above terms and after approval by Corporation Counsel. **FISCAL NOTE:** No additional cost to the County.

#### **PUBLIC WORKS AND INFRASTRUCTURE EXECUTIVE COMMITTEE**

Motion by R. Geary/S. Doyle to approve passed on a unanimous voice vote with 26 ayes, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

#### **RESOLUTION NO. 27-9/17 RE: APPROVAL OF EXTENSION OF REAL ESTATE BROKERAGE SERVICES FOR COUNTY PROPERTIES**

**WHEREAS**, following a competitive Request For Proposal process, a single proposal was received and the La Crosse County Board approved Resolution #30-8/14 entering into a three year contract with Coldwell Banker River Valley Realty for brokerage services for the sale of

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miscellaneous County properties that ends in September 2017; and **WHEREAS**, under the terms of that agreement several La Crosse County properties have been sold with the assistance of Coldwell Banker River Valley Realty; and **WHEREAS**, the terms of the original contract remain the same and include an agreement to develop strategies and marketing plans to sell referred properties; to provide site tours and to handle all customary services associated with real estate transactions for the property; and, **WHEREAS**, the realtor will provide the services for a commission fee of 6%, including a 2.4% offer of compensation to cooperating brokers/buyer's agents on residential listings and for a commission of 7% of the contracted sales price, including a 2.8% offer of compensation to cooperating brokers/buyer's agents for commercial listings; **WHEREAS**, it is in the best interest of the County to extend the current contract; **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby approves a two year extension of the current listing contract with Coldwell Banker River Valley Realty to September of 2019, as well as an additional two year extension to 2021 if the terms of the agreement remain the same and staff recommendation is to continue the agreement; and, **BE IT FURTHER RESOLVED** that the County Board Chair is hereby authorized to execute any documents to effectuate the purposes of this resolution, after approval by Corporation Counsel. **FISCAL NOTE:** The commission will be paid from the sale of the property. No tax levy dollars will be used.

**PUBLIC WORKS AND INFRASTRUCTURE  
EXECUTIVE COMMITTEE**

Motion by R. Geary/R. Ebert to approve passed on a voice vote with 25 ayes, 1 abstention - J. Gundersen, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

**FIRST CONSIDERATION OF ORDINANCE**

ORDINANCE NO. 167 TO AMEND S. 7.04 ENTITLED "SPEED LIMITS" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

**PUBLIC WORKS AND INFRASTRUCTURE**

Motion by R. Geary/K. Tyser 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](http://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. 168 TO AMEND S. 7.08 ENTITLED "ALL TERRAIN VEHICLES" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

**PUBLIC WORKS AND INFRASTRUCTURE**

Motion by R. Geary/L. Pfaff to move the first reading. 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](http://www.co.la-crosse.wi.us). Upon adoption and publication it will be incorporated into the La Crosse County General Code of Ordinances.

**ORDINANCE NO. 166-9/17 TO AMEND S. 2.01(2) ENTITLED "SUPERVISORY DISTRICTS" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN**

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

**Section 1.** Section 2.01(2) is amended to read:

2.01 COUNTY BOARD ORGANIZATION AND DUTIES.

(1) Governing Body. The governing body of La Crosse County shall be known as the "La Crosse County Board of Supervisors". The County Board shall be composed of 29 Supervisors with 1 Supervisor to be elected from each of the 29 Supervisory districts.

(a) Self Organized. Pursuant to s. 59.10(1), Wis. Stats., La Crosse County hereby elects to become a self-organized county as that term is used in law.

(b) Compensation. Compensation of Supervisors shall be as set forth in La Crosse County resolutions regulating such compensation.

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(2) Supervisory Districts. The County Board adopts the "La Crosse County Final Supervisory District Plan" that creates 29 supervisory districts and is illustrated by a certified map of the same title that shall be permanently on file with the County Clerk. The Supervisory Districts of La Crosse County shall be numbered and bound as follows:

1. FIRST SUPERVISORY DISTRICT  
City of La Crosse – Wards 1 and 2, together with the properties annexed by the City of La Crosse, Ordinance No. 4800, adopted March 13, 2014; Ordinance No. 4817, adopted May 8, 2014; Ordinance No. 4933, adopted June 9, 2016; Ordinance No. 4956, adopted October 13, 2016; Ordinance No. 5007, adopted July 13, 2017 and Ordinance No. 5011, adopted August 10, 2017.
2. SECOND SUPERVISORY DISTRICT  
City of La Crosse – Wards 3 and 5, together with the property annexed by the City of La Crosse, Parcels B, C, D, E, F, G and H, Ordinance No. 4880, adopted July 9, 2015.
3. THIRD SUPERVISORY DISTRICT  
City of La Crosse - Wards 4 and 6, together with the property annexed by the City of La Crosse, Parcel I, Ordinance No. 4880, adopted July 9, 2015.
4. FOURTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 9 and 12, together with the property annexed by the City of La Crosse, Ordinance #4727, adopted January 10, 2013, together with the property annexed by the City of La Crosse, Parcels J, K and L, Ordinance No. 4880, adopted July 9, 2015.
5. FIFTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 8 and 11.
6. SIXTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 7 and 10.
7. SEVENTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 19 and 21, together with the property annexed by the City of La Crosse, Parcel M, Ordinance No. 4880, adopted July 9, 2015.
8. EIGHTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 13, 15, 17, and 18.
9. NINTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 14 and 16.
10. TENTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 20, 23, and 24.
11. ELEVENTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 22 and 27.
12. TWELFTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 25 and 26.
13. THIRTEENTH SUPERVISORY DISTRICT  
City of La Crosse – Wards 28 and 29, together with the property annexed by the City of La Crosse, Parcels N, O and P, Ordinance No. 4880, adopted July 9, 2015.

**Section 2.** Initial applicability: This ordinance shall be first applied to the election to be held on the first Tuesday in April, 2018, any spring primary required for such election, and each subsequent election.

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

**EXECUTIVE COMMITTEE**

Motion by S. Hampson/J. Gundersen to approve passed on a unanimous voice vote with 26 ayes, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

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**RESOLUTION NO. 28-9/17 RE: ACKNOWLEDGE "THE BEST OF PUBLIC SERVICE"**  
**WHEREAS**, the following employees have been a faithful part in providing "The Best of Public Service" to La Crosse County:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>YEARS</u>
Kelly J. McClintock	Hillview	39+
Donna M. Johnson	Human Services	37+
Thomas A. Mackey	Sheriff	35+
Sara J. Stuber	Library	32+
David P. Erickson	Highway	31+
Dean C. Ruppert	Human Services	31+
Primitiva N. McCabe	Hillview	29+
Mark D. Yehle	Sheriff	24+
James I. Bottcher	Highway	21+
Gerald W. Severson	Facilities	17+
Jill A. Wirsing	Hillview	16+
Kimberly L. Olson	Hillview	13+

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

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

#### **EXECUTIVE COMMITTEE**

Motion by S. Hampson/V. Burke to approve passed on a unanimous voice vote with 26 ayes, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

#### **RESOLUTION NO. 29-9/17 RE: DISALLOWANCE OF CLAIM OF BRENT AND JANA KNIGHTS**

**WHEREAS**, Brent and Jana Knights have filed a claim alleging that on or about June 21, 2017, while traveling on US Hwy 53 their vehicle was damaged by debris kicked up by a lawn mower operated by La Crosse County employee John Hollis resulting in damages claimed of \$5,237.94; and, **WHEREAS**, Wisconsin Municipal Mutual Insurance Company has reviewed the information, investigated the facts and determined that La Crosse County has no liability for this claim, and recommends formal disallowance of the claim by the County Board; and, **WHEREAS**, the above stated claim does not appear to be meritorious and should be disallowed. **NOW, THEREFORE BE IT RESOLVED**, that the claim of Brent and Jana Knights, against La Crosse County, its officers, officials, employees, and agents is hereby disallowed and further be it required that notice of disallowance of this claim shall be served on the claimant by registered or certified mail and the receipts therefore, signed by the claimant, or the returned registered letter, shall be proof of service. **BE IT FURTHER RESOLVED**, that the claimant shall be notified that no action on the claim against La Crosse County, nor against any of its officers, officials, agents, or employees, may be brought after 6 months from the date of service of this notice of disallowance. **FISCAL NOTE:** The cost to La Crosse County for sending certified mail/restricted delivery to the claimant is approximately \$12.

#### **EXECUTIVE COMMITTEE**

Motion by S. Hampson/M. Giese to approve passed on a unanimous voice vote with 26 ayes, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

#### **RESOLUTION NO. 30-9/17 RE: DISALLOWANCE OF CLAIM OF ERIC BRODHAGEN**

**WHEREAS**, Eric Brodhagen has filed a claim alleging that on or about June 20, 2017, he was traveling on Highway 16 and encountered a tar spill that he could not avoid resulting in tar

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splatter to his vehicle and \$300 in property damage ; and, **WHEREAS**, Wisconsin Municipal Mutual Insurance Company has reviewed the information, investigated the facts and determined that La Crosse County has no liability for this claim, and recommends formal disallowance of the claim by the County Board; and, **WHEREAS**, the above stated claim does not appear to be meritorious and should be disallowed. **NOW, THEREFORE BE IT RESOLVED**, that the claim of Eric Brodhagen, against La Crosse County, its officers, officials, employees, and agents is hereby disallowed and further be it required that notice of disallowance of this claim shall be served on the claimant by registered or certified mail and the receipts therefore, signed by the claimant, or the returned registered letter, shall be proof of service. **BE IT FURTHER RESOLVED**, that the claimant shall be notified that no action on the claim against La Crosse County, nor against any of its officers, officials, agents, or employees, may be brought after 6 months from the date of service of this notice of disallowance. **FISCAL NOTE:** The cost to La Crosse County for sending certified mail/restricted delivery to the claimant is approximately \$12.

#### **EXECUTIVE COMMITTEE**

Motion by S. Hampson/M. Kruse to approve passed on a voice vote with 25 ayes, 1 abstention - M. Nikolay, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

#### **RESOLUTION NO. 31-9/17 RE: AUTHORIZATION TO SUBMIT APPLICATION TO WISCONSIN ECONOMIC DEVELOPMENT CORPORATION (WEDC) FOR COMMUNITY DEVELOPMENT INVESTMENT GRANT FOR DAHL AUTOMOTIVE MICHEL BREWERY BUILDING RENOVATION**

**WHEREAS**, the Wisconsin Economic Development Corporation (WEDC) has grant funds available for projects to support local initiatives for downtown community development through the Community Development Investment Grant Program; and **WHEREAS**, La Crosse County has been approached by Dahl Automotive with regards to a plan to redevelop the old Michel Brewery bottling house at the corner of 2<sup>nd</sup> and Division Streets in La Crosse as a mixed-used development with the intention to provide business offices, a restaurant and co-working space; and **WHEREAS**, this will be an approximate \$5.5 million project that fits the eligibility requirements of the grant program in that it will rehabilitate and reuse a landmark building as a mixed-use development; and, **WHEREAS**, application for an acceptance of the above grants would not require the hiring of any new County staff nor the expenditure of any non-budgeted funds; **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby approves submission of a Community Development Investment grant application to the Wisconsin Economic Development Corporation (WEDC) to obtain funds for said purpose; **BE IT FURTHER RESOLVED**, that the County Board Chair or County Administrator is designated as the official representative of La Crosse County to act in connection with such grant and that either the County Board Chair or County Administrator are authorized to sign any documents required by the State relating to the application and acceptance of such grant funds, including the assurances that the County will comply with the grant requirements. **FISCAL NOTE:** No direct fiscal impact. Staff will handle any additional responsibilities related to grant application and distribution.

#### **EXECUTIVE COMMITTEE**

Motion by S. Hampson/R. Cornforth to approve. Discussion ensued. Community Development Specialist Brian Fukuda responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 26 ayes, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

#### **RESOLUTION NO. 32-9/17 RE: APPROVING PAYMENT OF \$500,000 TO WEBER HOLDINGS, LLC FOR PARKING CONDOMINIUM UNITS ON BELLE SQUARE LOT**

**WHEREAS**, La Crosse County and Weber Holdings, LLC entered into a Memorandum of Understanding – Long Term Parking Agreement (Agreement) on February 26, 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 Agreement, the County agreed to purchase 40 parking spaces in the Belle Square lot as

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Parking Condominium Units for the price of \$500,000; and, **WHEREAS**, Weber Holdings, LLC has advised the County that the development and construction of the Parking Condominium Units is now complete and has given notice that they are prepared to move forward with a closing date for the sale of the 40 Parking Condominium Units; **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board approves the payment of \$500,000 to Weber Holdings, LLC for the 40 Parking Condominium Units in Belle Square lot; **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 \$500,000 is budgeted in account 400.170.2080-80140.00 Downtown Campus – Major Capital Improvements, with funding coming from General Fund Balance.

#### **EXECUTIVE COMMITTEE**

Motion by S. Hampson/L. Berg to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 26 ayes, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

#### **AFTER-THE-FACT CONDITIONAL USE PERMIT NO. 8-9/17 NO. 1030 FILED BY BEN SPRAIN, ACTING AS HALINGDAL RIDGE, LLC. FOR A BUILDING PREVIOUSLY CERTIFIED FOR SOLELY AGRICULTURAL USE NOW CONVERTED TO A RESIDENTIAL USE AND SITUATED ON CLASS I AND II SOILS ON LAND ZONED EXCLUSIVE AGRICULTURE DISTRICT IN THE TOWN OF ONALASKA**

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by: Ben Sprain, 943 Garland St. E, West Salem, WI, 54669, acting as Halingdal Ridge, LLC. W19021 Cote Rd, Galesville, WI, 54630 and having held a public hearing on the 5<sup>th</sup> day of September, 2017 for an after the fact Conditional Use Permit for a building previously certified for solely agricultural use now converted to a residential use and situated on Class I and II soils on land zoned Exclusive Agriculture District in the Town of Onalaska and described as follows: Part of the NE/NW of Section 34, T18N, R7W. Tax parcel 10-1354-0. Property address W5930 M Johnson Rd. Town of Onalaska. And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 91.48(1), Wis. Stats., along with the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to: By a vote of three (3) in favor (Wehrs, Nikolay, Gundersen), one (1) no (Holtze), and three (3) excused (Scheller, Hesse, Cornforth), the committee recommended approval of after the fact Conditional Use Permit No. 1030 subject to the following five (5) conditions:

1. This conditional use permit is specifically granted to Ben Sprain, 943 Garland St. E, West Salem, WI, 54669, acting as Halingdal Ridge, LLC. W19021 Cote Rd, Galesville, WI, 54630, for after the fact residential occupancy of a building previously certified for solely agricultural use and situated on Class I and II soils;
2. Deed restrictions shall be recorded over the entire Base Farm Tract indicating that future residential development is authorized by conditional use only at density allowed by the La Crosse County Zoning Ordinance;
3. Deed restrictions shall be recorded over 1/5 of the Base Farm Tract, or a minimum of 66.376 acres indicating future agricultural uses are authorized only with no further residential development. The area to be deed restricted must include the area occupied by the residence;
4. This permit is transferrable; and
5. These conditions can be lifted or amended by the La Crosse County Board of Supervisors only.

**THE COUNTY BOARD** took the following action this 21<sup>st</sup> day of September, 2017. Approved subject to conditions as outlined.



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**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by T. Wehrs/M. Nikolay to approve. Discussion ensued. Planner Charlie Handy and Corporation Counsel Megan DeVore responded to questions from the Board. The motion to approve as recommended by the committee passed on a roll call vote with 19 ayes, 7 nays - P. Barlow, V. Burke, R. Cornforth, M. Freedland, R. Geary, M. Giese and S. Hampson, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

**ZONING ORDINANCE NO. Z383-9/17 RE: PETITION NO. 1999 FILED BY JEFFREY D MEYER, TO REZONE FROM THE PUBLIC FACILITIES AND INSTITUTIONAL DISTRICT AND COMMERCIAL DISTRICT TO THE INDUSTRIAL DISTRICT FOR SELF-STORAGE, WAREHOUSING, AGRICULTURE AND FORESTRY EQUIPMENT DISTRIBUTION, BUSINESS OFFICE SPACE, EQUIPMENT RENTAL, AND; OUTDOOR STORAGE INCLUDING THE USE OF COMMERCIAL TRANSPORT TRAILERS AND OUTDOOR PARKING OF SEMI TRACTORS AND TRAILERS IN THE TOWN OF FARMINGTON**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1999 to amend the La Crosse County Zoning Ordinance filed by: Jeffrey D Meyer, N8048 County Rd W, Holmen, WI, 54636 and having held a public hearing on the 5<sup>th</sup> day of September 2017 for a petition to rezone from the Public Facilities and Institutional District and Commercial District to the Industrial District for self-storage, warehousing, agriculture and forestry equipment distribution, business office space, equipment rental, and; outdoor storage including the use of commercial transport trailers and outdoor parking of semi tractors and trailers in the Town of Farmington and described as follows: A proposed 1.85 acre Certified Survey Map prepared by High Cliff Consulting, LLC and being part of the SE/NW of Section 21, T18N, R6W. Tax parcels 5-895-0, 5-896-0 and 5-898-0. Property address N8381 County Rd C. Town of Farmington. 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 four (4) in favor, zero (0) no, and three (3) excused (Scheller, Hesse, Cornforth), the committee recommended approval of Zoning Petition No. 1999 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 21<sup>st</sup> day of September, 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 26 ayes, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

**CONDITIONAL USE PERMIT NO. 1028 FILED BY DARREN S. SNODGRASS OF TNG WIRELESS, AGENT FOR BUG TUSSEL WIRELESS, ACTING O/B/O DARRELL R OELKE, TO CONSTRUCT A 245-FT TALL WITH 5-FT LIGHTNING ROD MOBILE SERVICE SUPPORT STRUCTURE INCLUDING EQUIPMENT PLATFORMS, CABINETS, AND OTHER ASSOCIATED EQUIPMENT ON LAND ZONED GENERAL AGRICULTURE DISTRICT IN THE TOWN OF SHELBY**

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by: Darren S. Snodgrass Of TNG Wireless, 1829 Fortner Dr, Indianapolis, IN, 46231, agent for Bug Tussel Wireless, 130 E Walnut St, Green Bay, WI, 54301, acting o/b/o Darrell R Oelke, W5625 Skyline Dr, Coon Valley, WI, 54623 and having held a public hearing on the 5<sup>th</sup> day of September, 2017 for a Conditional Use Permit to construct a 245-ft tall with 5-ft lightning rod mobile service support structure including equipment platforms, cabinets, and other associated equipment on land zoned General Agriculture District in the

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Town of Shelby and described as follows: Part of the NW/NW of Section 35, T15N, R7W. Tax parcel 11-2331-0. 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 three (3) in favor (Holtze, Nikolay, Gundersen), one (1) no (Wehrs), and three (3) excused (Scheller, Hesse, Cornforth), the committee recommended approval of Conditional Use Permit No. 1028 subject to the following seventeen (17) conditions:

1. This conditional use permit is approved specifically for Darren S. Snodgrass of TNG Wireless, 1829 Fortner Dr, Indianapolis, IN, 46231, agent for Bug Tussel Wireless, 130 E Walnut St, Green Bay, WI, 54301, acting o/b/o Darrell R Oelke, W5625 Skyline Dr, Coon Valley, WI, 54623 to construct a 245-ft tall with 5-ft lightning rod mobile service support structure including equipment platforms, cabinets, and other associated equipment on land zoned General Agriculture District in accordance with the application on file;
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 issuance of a Zoning/Occupancy Permit authorizing construction of the tower;
6. A security fence with overall height of seven (7) feet 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 materials 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;
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

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17. Abandonment is considered discontinuance of use for 24 consecutive months or longer. **THE COUNTY BOARD** took the following action this 21<sup>st</sup> day of September, 2017. Approved subject to conditions as outlined.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Supervisor Wehrs yielded the floor to Supervisor Nikolay. Motion by M. Nikolay/J. Gundersen to approve. Discussion ensued. The motion to approve as recommended by the Committee passed on a voice vote with 24 ayes, 2 nays - T. Johnson and T. Wehrs, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

**CONDITIONAL USE PERMIT NO. 1035 FILED BY JON HOLTHAUS, ET. AL. OF COUNTRY BOOM, LLC, , ACTING O/B/O R AND S DEVELOPMENT, LLC, MAPLE GROVE COUNTRY CLUB, INC, AND, JUDITH I MCHUGH REVOCABLE TRUST, AND A1-PUMPING SERVICES, TO OPERATE A COUNTRY MUSIC FESTIVAL CALLED COUNTRY BOOM HOSTING 20 ARTISTS FROM 12 NOON TO 1:00 A.M. JULY 13 AND 14, 2018 WITH EXPECTED GATE ATTENDANCE OF 20,000 TO 30,000 PEOPLE AND PROVIDING FOOD, BEVERAGES, PARKING, AND OVERNIGHT CAMPING ON LANDS ZONED RECREATION AND NATURAL RESOURCES, RURAL, COMMERCIAL, RESIDENTIAL "C", AND EXCLUSIVE AGRICULTURE DISTRICTS IN THE TOWN OF HAMILTON**

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by: Jon Holthaus, et. al. of Country Boom, LLC, 100 Harborview Plaza, Ste C4, La Crosse, WI, 54601, acting o/b/o R and S Development, LLC, 4535 Mormon Coulee Rd #5, La Crosse, WI, 54601; Maple Grove Country Club, Inc, 409 Neitzel Dr, Holmen, WI, 54636-9682; and, Judith I McHugh Revocable Trust, 1900 Old Highway 93, Holmen, WI, 54636, and A1-Pumping Services, N4314 County Rd M, West Salem, WI, 54669 and having held a public hearing on the 5<sup>th</sup> day of September, 2017 for a Conditional Use Permit to operate a country music festival called Country Boom hosting 20 artists from 12 noon to 1:00 a.m. July 13 and 14, 2018 with expected gate attendance of 20,000 to 30,000 people and providing food, beverages, parking, and overnight camping on lands zoned Recreation and Natural Resources, Rural, Commercial, Residential "C", and Exclusive Agriculture Districts in the Town of Hamilton and described as follows: Part of the SW/SE, SE/SE, NE/SE, and SE/NE all in Section 8, T16N, R6W; Part of Government Lots 1,2,5,6 and 7 in Section 8, T16N, R6W; Lots 10,11, 31, 34, 35, 36 Scenic Valley Addition; and for potential off-site parking part of the SE/NE, S½ of the SE/NW, SW/NE, part of NW/SW, part of the SW/SW, part of the SW/NW, part of the NE/SW, and part of the SE/SW all in Section 9, T16N, R6W, and; Outlot 1 of Certified Survey Map No. 95 in Volume 10. Tax parcels 7-1620-0, 7-1621-0, 7-1644-0, 7-1645-0, 7-1646-0, 7-1641-0, 7-238-1, 7-228-0, 7-228-1, 7-232-0, 7-232-1, 7-234-0, 7-234-1, 7-215-0, 7-218-0, 7-225-1, 7-230-0, 7-231-0, 7-231-1, 7-214-1, 7-230-1, 7-251-0, 7-255-2, 7-255-4, 7-250-0, 7-258-0, 7-259-0, 7-254-0, 7-257-0, and 7-260-0. Town of Hamilton. 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 four (4) in favor, zero (0) no, and three (3) excused (Scheller, Hesse, Cornforth), the committee recommended approval of Conditional Use Permit No. 1035 subject to the following fourteen (14) conditions:

1. This permit is granted specifically to Country Boom, LLC, 100 Harborview Plaza, Ste C4, La Crosse, WI, 54601, acting o/b/o R and S Development, LLC, 4535 Mormon Coulee Rd #5, La Crosse, WI, 54601; Maple Grove Country Club, Inc., 409 Neitzel Dr, Holmen, WI, 54636-9682; and, Judith I McHugh Revocable Trust, 1900 Old Highway 93, Holmen, WI, 54636, and A1-Pumping Services, N4314 County Rd M, West Salem, WI, 54669; for a Conditional Use Permit to operate a country music festival called Country Boom hosting 20 artists from 12 noon to 1:00 a.m. This will be a 3 day event, starting sometime after July 1<sup>st</sup>, 2018; with expected gate attendance of 20,000 to

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- 30,000 people and providing food, beverages, parking, and overnight camping on lands zoned Recreation and Natural Resources, Rural, Commercial, Residential "C", and Exclusive Agriculture Districts;
2. This permit is not transferrable, however members of Country Boom, LLC may change from time to time;
  3. All findings of a forth-coming Traffic Impact Analysis (TIA) and amendments thereto required by the Town of Hamilton, La Crosse County Highway Commissioner, and Wisconsin DOT shall be adhered to;
  4. All conditions required by the Town of Hamilton shall be made part of this conditional use permit;
  5. All lands zoned Exclusive or General Agriculture District shall revert back to an accepted agricultural use following the event;
  6. All requirements of s.13.03 of the La Crosse County Code of Ordinances shall be met prior to the event as required by said ordinance. All bonding and insurance requirements are a part of s.13.03;
  7. Food and sanitation requirements shall meet all La Crosse County Health Department codes and as listed in s.13.03 for large assemblies;
  8. No alcoholic beverages shall be sold or made available for off-sales outside the event area. This allows for use in those areas designated for camping;
  9. Separation with sufficient barriers between recreational vehicle camping and tent campers shall be maintained so that accidents such as carbon monoxide poisoning or vehicle caused injuries are avoided;
  10. A number of potential parking sites were provided by the applicant. Only those identified for use in the Traffic Impact Analysis can be used;
  11. A post-event critique shall be conducted within 60 days of the end of the event at a regularly scheduled Planning, Resources and Development Committee meeting. Results of the critique may be incorporated into an amended conditional use permit if required by said committee, or may be a basis for termination of this permit for failure to meet conditions;
  12. Additional days to be scheduled or alternate sites/parcels to be used for future events shall require amendment to this conditional use permit, unless excepted for in condition number 1;
  13. Failure to obtain all other required permits and licenses prior to the event will result in termination of this conditional use permit and will require reapplication once said license/permits are obtained; and
  14. Any damage to private property as a result of holding this event or by attendees shall be addressed by the applicant and the property restored to its pre-damage condition within 30 days of the damage. Documentation that any such damage occurred is the responsibility of the private property owner.

**THE COUNTY BOARD** took the following action this 21<sup>st</sup> day of September, 2017. Approved subject to conditions as outlined.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by T. Wehrs/R. Ebert to approve. Discussion ensued. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 26 ayes, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

**SUGGESTIONS FOR FUTURE AGENDA TOPICS** – none offered.

**ADJOURN**

Motion by D. Hesse/D. Weidenbach to adjourn at 7:43 PM passed on a unanimous voice vote with 26 ayes, 2 excused - D. Holtze and M. Larson, 1 vacant – District 5.

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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, September 21, 2017 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 28 OF SEPTEMBER 2017.