

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING
PROCEEDINGS; THURSDAY, MAY 16, 2019**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, May 16, 2019 in the Administrative Center, Room 1700. The County Clerk, Ginny Dankmeyer, took attendance. 23 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 Tahiri, Isaac	Present
6 Plesha, Roger	Present
7 Hampson, Sharon	Present
8 Isola, Peg	Present
9 Gundersen, Jerome	Present
10 Cable, Kim	Excused
11 Scheller, Patrick	Present
12 Holtze, Dave	Excused
13 Tryggestad, Tina	Present
14 Larson, Margaret	Present
15 Kruse, Monica	Present
16 Ferries, Dan	Excused
17 Giese, Mike	Present
18 Vacant	
19 Cornforth, Rick	Excused
20 Doyle, Steve	Present
21 Burke, Vicki	Present
22 Barlow, Patrick	Present
23 Nikolay, Matt	Present
24 Hoyer, Kevin	Present
25 Ebert, Ray	Present
26 Hesse, Dan	Excused
27 Jacobs, Thomas	Present
28 Keil-Arellano, Karen	Present
29 Johnson, Tara	Present

MOMENT OF SILENCE

A moment of silence was held for past Board Supervisors Sally Oswalt and Hank Kienahs, who passed away recently. Sally was on the Board from 1974-1976, 1984-1990, and 1992-1994 and Hank was on the Board from 1988-1990.

PLEDGE OF ALLEGIANCE

COMMUNICATIONS AND ANNOUNCEMENTS:

County Board Chair Report - Tara Johnson

- Chair Johnson announced the resignation of Supervisor Laurence Berg from District 18, effective immediately.

(39-19/20)

- Supervisor Conference Reports
 - Supervisor Jacobs attended the Child Maltreatment Conference sponsored by Mayo and a conference on the Circle of Security.
 - Supervisor Ebert introduced his son Michael, who is an Air Force Academy graduate and an Air Force instructor pilot at Tinker Air Force Base flying T-6's in Oklahoma.

Administrator Report - Steve O'Malley

- Wisconsin Counties Human Services Association Distinguished Service Award - Human Services Deputy Director Audra Martine presented the Human Services Director, Jason Witt, with this award.
- Report on consideration of applying to construct and operate a Secure Residential Care Center for Children and Youth (SRCCCY) – Jason Witt
 - Why is La Crosse County at the table and why is La Crosse County not planning to submit an application? There are two state run correctional facilities currently; Lincoln Hills for boys and Copper Lake for girls. Recently there have been numerous lawsuits on abuse, neglect and excessive use of force. There is also a declining county use which drove daily rates to unbearable levels. The Juvenile Corrections Reform Act 185 will close the two facilities in January 2021 and replace with two smaller state operated facilities for the most severe offenders. There will also be county operated secured residential care centers for children and youth (SRCCCY's).
 - La Crosse County has been "at the table" because of our success with current facility, motivating factors of deteriorating and outdated physical structures, the current reform allows for changes, strong pre-existing regional partnership, and a long and rich history of state collaboration and strong partnership with the State of Wisconsin. Other things that intrigued us were a successful corrections alternative. La Crosse County has not placed a youth at Lincoln Hills or Copper Lake in approximately 5 years. Concerns about juvenile corrections provided a strong incentive to do something different and La Crosse County has seen the benefits.
 - La Crosse County is not planning to apply for many reasons. Many of the concepts which were intriguing early on have changed and now appear final. The current dynamic is to close Lincoln Hills and Copper Lake and require counties choosing to become a juvenile correction provider (SRCCCY) to replace their 365 day program and operate under a new intensive regulatory regime. La Crosse County does not have an urgent need to operate a SRCCCY and this may only be viable for large counties who have a current high level of correction placements and more economies of scale.

CONSENT AGENDA

Motion by R. Plesha/M. Nikolay to approve the minutes of the La Crosse County Board of Supervisors Planning meeting held April 8, 2019 and the Re-organizational meeting held April 16, 2019 and the claims list for \$1,474,007.76 passed on a unanimous voice vote with 23 ayes, 5 excused - K. Cable, R. Cornforth, D. Ferries, D. Hesse and D. Holtze, 1 vacant – District 18.

ZONING ORDINANCE NO. Z399-5/19 RE: PETITION NO. 2016 FILED BY JAMES AND REBECCA IVERSON, TO REZONE FROM THE EXCLUSIVE AGRICULTURE AND RECREATIONAL AND NATURAL RESOURCES DISTRICTS TO THE RURAL DISTRICT 15.43 ACRES FOR ONE SINGLE FAMILY CONTINUED RESIDENTIAL USE AND ONE ADDITIONAL FUTURE RESIDENTIAL USE IN THE TOWN OF FARMINGTON

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 2016 to amend the La Crosse County Zoning Ordinance filed by: James and Rebecca Iverson, N9629 County Rd VV, Mindoro, WI, 54644 and having held a public hearing on the 29th day of April 2019 for a petition to rezone from the Exclusive Agriculture and Recreational And Natural Resources Districts to the Rural District 15.43 acres for one single

family continued residential use and one additional future residential use in the Town of Farmington and described as follows: Part of the fractional NW/NW and SW/NW of Section 4, and part of the SE of the fractional NE of Section 5, all in T18N, R6W. Tax parcels 5-533-1 and 5-547-1. 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 five (5) in favor, zero (0) no, and two (2) excused (Keil, Isola), the committee voted to approve Zoning Petition No. 2016 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 16th day of May, 2019. Approved the petition as submitted, becomes an ordinance.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by P. Scheller/J. Gundersen to approve as recommended by the Committee passed on a unanimous voice vote with 23 ayes, 5 excused - K. Cable, R. Cornforth, D. Ferries, D. Hesse and D. Holtze, 1 vacant – District 18.

ZONING ORDINANCE NO. Z400-5/19 RE: PETITION NO. 2020 FILED BY JAY T CLARK REVOCABLE TRUST UA AND PAMELA S CLARK REVOCABLE TRUST UA, TO REZONE 6.77 ACRES FROM THE GENERAL AGRICULTURE DISTRICT CONDITIONS NOT RECORDED TO THE RURAL DISTRICT FOR ONE EXISTING AND ONE FUTURE SINGLE FAMILY RESIDENTIAL LOT IN THE TOWN OF HOLLAND

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 2020 to amend the La Crosse County Zoning Ordinance filed by: Jay T Clark Revocable Trust UA and Pamela S Clark Revocable Trust UA, W7312 Sylvester Rd, Holmen, WI, 54636 and having held a public hearing on the 29th day of April 2019 for a petition to rezone 6.77 acres from the General Agriculture District Conditions Not Recorded to the Rural District for one existing and one future single family residential lot in the Town of Holland and described as follows: Part of the NE/SE of Section 13, T18N, R8W. Tax parcel 8-956-0. Town of Holland. 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 five (5) in favor, zero (0) no, and two (2) excused (Keil, Isola), the committee voted to approve Zoning Petition No. 2020 subject to the following four (4) conditions.

1. Only two single family residential lots are authorized;
2. Only one single family residence is authorized per lot;
3. If Zoning Petition No. 2020 is approved, these deed restriction shall be recorded within 30 days of the date of La Crosse County Board of Supervisors action or approval of this petition is voided; and
4. These deed restrictions can only be changed, amended, or lifted by the La Crosse County Board of Supervisors.

(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 16th day of May, 2019. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by P. Scheller/K. Keil-Arellano to approve as recommended by the Committee passed on a unanimous voice vote with 23 ayes, 5 excused - K. Cable, R. Cornforth, D. Ferries, D. Hesse and D. Holtze, 1 vacant – District 18.

CONDITIONAL USE PERMIT NO. 1029 FILED BY CHRIS HENSHUE WORKING FOR CLOUD 1, LLC, ACTING O/B/O GREGORY P AND CHRISTINE P CHRISTEN, TO CONSTRUCT A 195-FT TALL MOBILE SERVICE SUPPORT STRUCTURE (CELL TOWER) TO SUPPORT BROADBAND INTERNET SERVICES, EXPAND THE FEDERAL GOVERNMENT'S FIRSTNET FIRST RESPONDERS NETWORK, AND SUPPORT AT&T'S COMMERCIAL MOBILE PHONE NETWORK ON LAND ZONED GENERAL AGRICULTURE DISTRICT IN THE TOWN OF HOLLAND

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by: Chris Henshue Working For Cloud 1, LLC, 417 Pine St, Green Bay, WI, 54301, acting o/b/o Gregory P and Christine P Christen, N6141 County Rd SN, Onalaska, WI, 54650 and having held a public hearing on the 29th day of April, 2019 for a Conditional Use Permit to construct a 195-ft tall mobile service support structure (cell tower) to support broadband internet services, expand the federal government's FIRSTNET first responders network, and support AT&T's commercial mobile phone network on land zoned General Agriculture District in the Town of Holland and described as follows: Part of the W½ of the NE¼ of Section 12, T18N, R8W. Part of tax parcel 8-907-1. Town of Holland. 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 five (5) in favor, zero (0) no, and two (2) excused (Keil, Isola), the committee recommended approval of Conditional Use Permit No. 1029 subject to the following thirteen (13) conditions:

1. This approval is granted specifically to Chris Henshue working for Cloud 1, 417 Pine St, Green Bay, WI, 54305, acting o/b/o Gregory P and Christine P Christen, N6141 County Rd SN, Onalaska, WI, 54650, to construct a 195-ft tall mobile service support structure (cell tower) to support broadband internet services, expand the federal government's FIRSTNET first responders network, and support AT&T's commercial mobile phone network on land zoned General Agriculture District and described as being part of the W½ of the NE¼ of Section 12, T18N, R8W. Part of tax parcel 8-907-1. Town of Holland;
2. If not already submitted, an information report as required under s.28.07 of the La Crosse County Code of Ordinances shall be submitted by the applicant to the La Crosse County Zoning, Planning & Land Information Department within 45 days of county board approval;
3. If not already submitted, a copy of the FAA report indicating findings that no hazards exist shall be submitted to the La Crosse County Zoning Department prior to issuance of a Zoning/Occupancy Permit authorizing construction. All other conditions listed under s.28.05(9) shall be met before construction may commence;
4. If not already submitted, the results of the Section 106 filing once completed shall be submitted to La Crosse County Zoning, Planning & Land Information office for inclusion in this file;
5. The applicant shall obtain any required Erosion Control and/or stormwater permits through La Crosse County Land Conservation Department before a Zoning/Occupancy Permit can be issued;
6. A driveway permit under Chapter 8 Public Works of the La Crosse County Code of Ordinances is required for access from County Road T;
7. The tower shall be designed and constructed to accommodate a minimum of four (4) wireless carriers;

(42-19/20)

8. A minimum setback distance equal to or greater than the fall zone listed in the engineering certification shall be maintained from all property boundaries and road right of ways;
 9. The tower shall be removed and the site restored at the expense of the tower owner as required under s.28.08(1);
 10. A bond or other acceptable instrument in the amount of \$20,000 shall be provided to La Crosse County and maintained without lapsing over the life of the tower to guarantee removal of the support structure as required in s.28.08(2);
 11. No advertising is allowed on the support structure or fenced compound except for a sign attached to the fence shall be required with contact information and phone numbers in case of an emergency;
 12. Abandonment is considered discontinuance of use for 24 consecutive months or longer; and
 13. This permit is transferrable, but acceptable financial guarantee for abandonment shall be received by La Crosse County from the new owner within 60 days of transfer.
- THE COUNTY BOARD took the following action this 16th day of May, 2019. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by P. Scheller/P. Isola to approve as recommended by the Committee passed on a unanimous voice vote with 23 ayes, 5 excused - K. Cable, R. Cornforth, D. Ferries, D. Hesse and D. Holtze, 1 vacant – District 18.

ZONING ORDINANCE NO. Z401-5/19 RE: PETITION NO. 2021 FILED BY DAVID L YELICK, ACTING O/B/O JUDITH I MCHUGH REVOCABLE TRUST, TO REZONE FROM THE EXCLUSIVE AGRICULTURE DISTRICT TO THE RURAL DISTRICT FOR RESIDENTIAL USE, A 0.33 ACRE PARCEL SHOWN ON A PLAT OF SURVEY PREPARED BY THE COULEE REGION LAND SURVEYORS, LLC. LOCATED IN THE TOWN OF HAMILTON

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 2021 to amend the La Crosse County Zoning Ordinance filed by: David L Yellick, W3908 A Marking Rd, West Salem, WI, 54669, acting o/b/o Judith I McHugh Revocable Trust, 1900 Old Highway 93, Holmen, WI, 54636 and having held a public hearing on the 29th day of April 2019 for a petition to rezone from the Exclusive Agriculture District to the Rural District for residential use, a 0.33 acre parcel shown on a plat of survey prepared by the Coulee Region Land Surveyors, LLC. located in the Town of Hamilton and described as follows: The SE/SW of Section 9, T16N, R6W. Part of tax parcel 7-260-0. 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 five (5) in favor, zero (0) no, and two (2) excused (Keil, Isola), the committee voted to approve Zoning Petition No. 2021 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 16th day of May, 2019. Approved the petition as submitted, becomes an ordinance.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by P. Scheller/R. Ebert to approve as recommended by the Committee passed on a unanimous voice vote with 23 ayes, 5 excused - K. Cable, R. Cornforth, D. Ferries, D. Hesse and D. Holtze, 1 vacant – District 18.

RESOLUTION NO. 3-5/19 RE: APPROVAL OF LA CROSSE COUNTY OUTDOOR RECREATION PLAN 2019-2024

WHEREAS, outdoor recreation is an integral part of the human environment; and, **WHEREAS**, the first outdoor recreation plan for La Crosse County was developed in 1970 and subsequent outdoor recreation plans were developed in 1972, 1978, 1992, 1998, and 2006; and, **WHEREAS**, the La Crosse County Outdoor Recreation Plan has been developed and will be utilized to improve, enhance and expand the outdoor recreational opportunities available in La Crosse County; and, **WHEREAS**, this plan makes local units of government eligible for the state’s stewardship local assistance grant program known as the Knowles-Nelson Stewardship Program and the federal Land and Water Conservation (LWCF) grant program; and, **WHEREAS**, this plan has been developed to be consistent with Wisconsin’s Comprehensive Planning Law and aid La Crosse County in meeting several of the state requirements in the Agricultural, Natural, and Cultural Resources Element of the County’s Comprehensive Plan; **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby authorizes the La Crosse County Outdoor Recreation Plan 2019-2024; **FISCAL NOTE:** The implementation steps necessary to implement this plan will be authorized individually within the Facilities and Bluffland Coalition Budgets of the years 2019 - 2024.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by P. Barlow/M. Nikolay to approve passed on a unanimous voice vote with 23 ayes, 5 excused - K. Cable, R. Cornforth, D. Ferries, D. Hesse and D. Holtze, 1 vacant – District 18.

RESOLUTION NO. 4-5/19 RE: APPROVAL OF BIDS FOR THE SALE OF PROPERTY TAKEN BY TAX FORECLOSURE

WHEREAS, La Crosse County has advertised for the sale of 5 separate parcels of property which were the subject of a prior tax foreclosure action; and, **WHEREAS**, sealed bids were received for 2 parcels no later than 12:00 PM on April 24, 2019 and opened by the County Treasurer on April 24, 2019 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. 1065 Treasurer, Account 56020 Foreclosure Revenue.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by P. Barlow/R. Geary to approve passed on a unanimous voice vote with 23 ayes, 5 excused - K. Cable, R. Cornforth, D. Ferries, D. Hesse and D. Holtze, 1 vacant – District 18.

SUGGESTIONS FOR FUTURE AGENDAT TOPICS – none offered.

ADJOURN

Motion by I. Tahiri/M. Larson to adjourn at 6:55 PM passed on a unanimous voice vote with 23 ayes, 5 excused - K. Cable, R. Cornforth, D. Ferries, D. Hesse and D. Holtze, 1 vacant – District 18.

STATE OF WISCONSIN)

COUNTY OF LA CROSSE)

(44-19/20)

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, May 16, 2019 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 17 OF MAY 2019.