

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING  
PROCEEDINGS; THURSDAY, MAY 19, 2011**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, May 19, 2011 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 31 supervisors were present when Chair Steven Doyle 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 Feehan, Bill	Present
4 Johnson, Jai	Excused
5 Konkell, Bradley	Present at 06:09 PM
6 Billings, Jill	Present at 06:31 PM
7 Plesha, Roger	Present
8 Freedland, Maureen	Present
9 Hampson, Sharon	Present
10 Wood, Margaret	Present
11 Kader, Audrey	Present
12 Flood, Bridget	Present at 06:17 PM
13 Brockmiller, Bill	Present
14 Medinger, John	Present
15 Mach, Beverly	Present
16 Sebranek, Gerald	Present
17 Meyer, Donald	Present
18 Johnson, Tara	Present
19 Keil, Robert	Present
20 Bina, Donald	Present
21 Manthei, Dennis	Present
22 Ebert, Ray	Present
23 Gamroth, Tammy	Present
24 Pfaff, Leon	Present
25 Schroeder, Jeffrey	Present
26 Burke, Vicki	Present
27 Pedretti, Marilyn	Present
28 Doyle, Steve	Present
29 Kruse, Monica	Present
30 Spiker, Charles	Present
31 Ferries, Dan	Present
32 Benrud, Arlene	Present
33 Berns, Jim	Present
34 Wehrs, Tina	Present
35 Bilskemper, Joe	Present

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

**County Board Chair Report – Steven Doyle**

**CHAIR CHANGE**

Vice Chair T. Johnson took the chair.

**APPOINTMENT**

Appoint Karin Johnson as County Board Supervisor for District 5 for the remainder of the term to expire April 17, 2012 to fill the vacancy created by the resignation of Brad Konkell. Chair Doyle spoke of how very impressive of a young lady she is. She had a great resume and a great interview. Karin was very well prepared for the interview and if she is that thorough and well prepared for a meeting then she will be a fantastic County Board Supervisor.

Motion by S. Doyle/Brockmiller to approve. Discussion ensued. The motion to approve passed on an unanimous voice vote with 31 ayes, 1 absent – B. Konkell, 3 excused – J. Billings, B. Flood, and J. Johnson.

**CHAIR CHANGE**

Chair S. Doyle resumed the chair.

- Reminder to supervisors to attend committee meetings if you request a resolution to be drafted:
  - Occasionally, a person will have a resolution brought to the Executive Committee and there are a lot of questions. If you have something to be considered for any committee, please be there so members can ask questions they may have.
- Western Wisconsin Cares Report – Tara Johnson
  - Chair Doyle asked for unanimous consent to forgo the report at this time. There were no objections.
- Supervisor Conference Reports
  - Supervisor Pedretti attended the Joint Council Extension Professionals Conference where three of the UW Extension agents received awards: Steve Hantzicker received the Achievement Award from the Wisconsin Association of County Agriculture Agents, Robert Matysik recognized for 25 years of service by the Wisconsin Extension Association 4-H Youth Development Professionals, and Mary Meehan-Straub received Administrative Leadership Award from the Wisconsin Chapter Epsilon Sigma Phi.
  - Supervisor Feehan reported on the progress on working with Senator Kapanke in protecting the jobs for the local income maintenance workers. He spoke with Dan's Chief of Staff on Tuesday and it appears that the proposal the Administrator O'Malley and Jason Witt or something very similar is moving ahead. It appears that we will get something close to what we are asking for.
  - Supervisor Benrud attended the Wisconsin County Highway Association meeting last week where they are planning their 100<sup>th</sup> Anniversary in the Wisconsin Dells in June. Also, she rode with the Highway Commissioner Ron Chamberlain, so she is saving the County even more money.

**Administrator Report - Steve O'Malley**

**PROCLAMATION RE: "Older Americans: Connecting the Community" May 2011 Older Americans Month & May 17, 2011 Older Americans Day**

**WHEREAS**, the older adults in La Crosse County are the roots from which our community grows, who bestow gifts of wisdom and insight upon younger generations, and strengthen

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the bonds between neighbors to create a better place to live; and **WHEREAS**, the more than 20,000 county residents over 60 years old are diverse, respected people who should be commended for their contribution to our nation's social and economic well-being; and **WHEREAS**, our community can provide that recognition and respect by enriching the quality of life for older Americans by:

Increasing their opportunities to remain in their communities as active and engaged citizens

Providing services, technologies, and support systems that allow seniors to foster and maintain connections within the community

Emphasizing the value of elders by publically recognizing their contributions to the diversity, strength, and unity of our community

**NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board, on behalf of the residents of La Crosse County, does hereby proclaim **May 2011** to be Older Americans Month and does further proclaim **May 17, 2011** as Older Americans Day in La Crosse County, and urge all citizens to honor older adults during May and throughout the year. Our recognition of older Americans and their involvement in our lives can help us achieve stronger and more meaningful connections with each other and enrich our community's quality of life. Dated this 19<sup>th</sup> day of May in the year Two Thousand Eleven.

Motion by M. Wood/V. Burke/D. Meyer to approve passed on a unanimous voice vote with 31 ayes, 1 absent - B. Konkel, 3 excused - J. Billings, B. Flood and J. Johnson.

- Recognition of Supervisors for Years of Service:
  - Supervisor T. Johnson came forward to help recognize three supervisors for years of service. Ralph Geary joined the Board of Supervisors in 1976, 35 years of dedicated service to the La Crosse County Board of Supervisors. Roger Plesha joined the Board of Supervisors in 1986, 25 years of dedicated service to the La Crosse County Board of Supervisors. Chairman Steve Doyle also joined in 1986, and was recognized for 25 years of dedicated service to the La Crosse County Board of Supervisors. Supervisor Benrud joined Supervisor T. Johnson in a special recognition on his recent election to the assembly.
- Reminder on WCA Resolution deadline June 27, 2011: If you have items to submit in relation to the Wisconsin Counties platform, please give enough notice so we can work on that.
- NACO Steering Committee nominations: If you are interested, contact Administrator O'Malley and he will provide you with more information. This can be a very demanding task.
- Green Tier Presentation and Gas To Energy Groundbreaking June 1<sup>st</sup> 2011: The DNR Secretary will be here for the presentation for Green Tier, we are one of the first in the state to receive this designation. Also will be the ceremonial ground breaking for the Gas To Energy project.
- Administrator O'Malley read a letter from an observer during the recount of the Justice of the Supreme Court. The observer acknowledged the diligence and thoroughness done by the recount committee. The County Clerk was certain to make sure all observers were aware of what was transpiring. Observers were being sent to La Crosse County to observe before being sent to more problematic counties.

#### **CHAIR CHANGE**

Vice Chair T. Johnson took the chair.

#### **APPOINTMENTS**

Re-appoint Loren Kannenberg to the Health and Human Services Board for a three year term to expire April 30, 2014; Appoint Sharon Hampson to replace Brad Konkel on the Sustainable La Crosse Commission for a term to expire September 20, 2011; Re-appoint Steve Mader to the Ethics Board as 1st alternate for a three year term to expire April 30, 2014.

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Motion by S. Doyle/D. Meyer to approve passed on a unanimous voice vote with 32 ayes, 3 excused - J. Billings, B. Flood and J. Johnson.

#### **CHAIR CHANGE**

Chair S. Doyle resumed the chair.

#### **CONSENT AGENDA**

Motion by R. Plesha/G. Sebranek to approve the minutes of the County Board of Supervisors Planning Meeting held April 11, 2011 and the Reorganizational Meeting held April 19, 2011 and approval of the claims list for \$7,535,004.91 passed on a unanimous voice vote with 32 ayes, 3 excused - J. Billings, B. Flood and J. Johnson.

**AGENDA ORDER:** Chair Doyle asked for unanimous consent to take agenda item #5-18, Resolution Re: Approve a Temporary Moratorium on Certain Types of Outdoor Advertising, out of order. There were no objections.

#### **RESOLUTION NO. 20-5/11 RE: RE: APPROVE A TEMPORARY MORATORIUM ON CERTAIN TYPES OF OUTDOOR ADVERTISING**

**WHEREAS**, La Crosse County is a beautiful county of rivers lakes, marshes, bluffs, hills and prairies with cities, villages and towns whose residents and businesses have made significant financial and other investments in their homes, businesses, institutions, infrastructure and natural resources; and, **WHEREAS**, La Crosse County is committed to utilizing available tools and resources to promote the preservation and improvement of the health, welfare, and public safety of the citizens of La Crosse County; and, **WHEREAS**, La Crosse County is committed to protecting the health and welfare of its citizens through the regulation of outdoor advertising and preventing driving distractions, visual clutter and other harmful effects of improperly or poorly regulated signs, including off-premises signs (billboards) and on-premises signs; and, **WHEREAS**, Wisconsin Statute s. 84.30 and Trans 201 based on 23 Code of Federal Regulations (FCR) Title 23 – Highways - Part 750 Highway Beautification allow the erection and maintenance of new off-premises signs (billboards) and new on-premises signs, including Commercial Electronic Variable Message Signs (CEVMS) adjacent to Interstates and Federal Aid Primary (FAP) highways [now National Highway System (NHS) roads]; and, **WHEREAS**, proposed La Crosse County Ordinance 17.14 REGULATION OF OUTDOOR ADVERTISING adopts state laws and regulations which allow for the erection and maintenance of new billboards on land that is zoned commercial or industrial as well as the erection and maintenance of new electronic variable message billboards, the conversion of existing billboards to electronic variable message billboards, as well as the erection and maintenance of new CEVMS; and, **WHEREAS**, proposed La Crosse County Ordinance s. 17.14 "REGULATION OF OUTDOOR ADVERTISING" addresses "signs along and adjacent to any system of interstate, defense, federal primary or federal secondary highways" and defers all license and permits for such signs to the Wisconsin Department of Transportation (WisDOT); and, **WHEREAS**, WisDOT currently has some 267 outdoor advertising signs in their inventory of La Crosse County, with about 100 within the jurisdiction of La Crosse County; and **WHEREAS**, once a billboard or CEVMS is erected it cannot be ordered to be reduced in size, height or illumination, moved on that parcel or to another parcel, or removed entirely without just compensation, a process that can be long and expensive and amount to payments of tens of thousands or hundreds of thousands of dollars, thus it is likely to remain for decades and hinder or block future development that increases tax base and jobs; and, **WHEREAS**, billboards are leasehold property not real property and thus subject only to personal property tax; and, **WHEREAS**, billboards derive their value for rental solely from the volume of traffic on the adjacent public street, road or highway, and the personal property taxes paid providing very little tax base in proportion to the benefits provided; and, **WHEREAS**, during the Comprehensive Plan process in 2006, a random survey was sent to the residents of the County with an above average rate of return and response, with the results that "Respondents were not in favor of new billboards along highways, or altering community character"; and, **WHEREAS**, La Crosse County Board

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adopted a Comprehensive Plan on March 20, 2008 that called for updating of the zoning ordinance with "Sign Regulations: Local governments may adopt regulations, such as sign ordinances, to limit the height and other dimensional characteristics of advertising and identification signs. The purpose of these regulations is to promote the well-being of the community by establishing standards that assure the provision of signs adequate to meet essential communication needs while safeguarding the rights of the people in the community to a safe, healthful, and attractive environment"; and, **WHEREAS**, the La Crosse County Board believes it is in the best interest of the citizens of La Crosse County to provide for the reasonable, proper and balanced regulations and controls of outdoor advertising, including billboards, CEVMS and all other signs adjacent to all public streets, roads and highways; and, **WHEREAS**, the La Crosse County Board intends to undertake a comprehensive review and revision of the portions of the County's regulation and control of outdoor advertising, including billboards, CEVMS and all other signs adjacent to all public streets, roads and highways in conjunction with its planning department, legal counsel and the public. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby place a temporary moratorium on the erection and maintenance of any new billboards and CEVMS within the unincorporated areas of La Crosse County, including the conversion of existing billboards to electronic variable message billboards, for six (6) months, or until the approval of a revised regulations and controls on outdoor advertising via a sign ordinance or sign standards in a zoning ordinance, whichever occurs first. Any person, corporation, or entity that violates the conditions of this moratorium shall be subject to a forfeiture of \$500/day, plus costs of removal. **BE IT FURTHER RESOLVED**, that this resolution and temporary moratorium shall become effective upon its passage and publication. **FISCAL NOTE:** The Zoning, Planning & Land Information Department indicates it is difficult to estimate the amount of the administration and enforcement costs for the moratorium on billboards.

#### **PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by M. Pedretti/M. Freedland to approve. Discussion ensued. Supervisor Freedland spoke to the resolution that she proposed. Zoning, Planning & Land Information Director Jeff Bluske responded to questions from the board and read a letter from the DOT. Motion by T. Wehrs/R. Ebert to amend the "Now Therefore Be It Resolved", from a six month moratorium to a one moratorium. Clarification on the amendment was made by Supervisor Wehrs. Zoning, Planning & Land Information Director Jeff Bluske responded to questions from the board. Lengthy discussion continued. Motion by G. Sebranek/B. Konkel to limit debate to each supervisor only speaking twice. The motion passed on a roll call vote with 21 ayes, 13 nays - J. Berns, J. Billings, V. Burke, R. Ebert, M. Freedland, T. Gamroth, S. Hampson, T. Johnson, M. Pedretti, R. Plesha, C. Spiker, T. Wehrs and M. Wood, 1 excused - J. Johnson. Motion by A. Benrud/B. Konkel to call the questions/close debate passed on a voice vote with 27 ayes, 7 nays - J. Berns, R. Ebert, D. Ferries, M. Freedland, M. Pedretti, T. Wehrs and M. Wood, 1 excused - J. Johnson. The motion to amend failed on a roll call vote with 19 nays, 15 ayes - A. Benrud, J. Berns, J. Billings, J. Bilskemper, D. Bina, R. Ebert, B. Feehan, D. Ferries, R. Geary, B. Konkel, D. Manthel, D. Meyer, J. Schroeder, G. Sebranek and T. Wehrs, 1 excused - J. Johnson. Further discussion ensued. Zoning, Planning & Land Information Director Jeff Bluske, County Clerk Dankmeyer, and Corporation Counsel William Shepherd responded to questions from the board. The motion to approve, as originally presented, passed on a roll call vote with 23 ayes, 10 nays - A. Benrud, J. Berns, J. Bilskemper, S. Doyle, R. Ebert, B. Feehan, D. Manthel, J. Schroeder, G. Sebranek and C. Spiker, 1 abstention - B. Konkel, 1 excused - J. Johnson.

#### **FIRST CONSIDERATION OF ORDINANCE**

ORDINANCE NO. 86 TO CREATE S. 30.79 ENTITLED "WATERWAY MARKERS AND REGULATORY SIGNAGE REGULATIONS" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN. 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.

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**RESOLUTION NO. 21-5/11 RE: CLAIM OF JOYCE JOSTAD AND WISCONSIN MUTUAL INSURANCE COMPANY**

**WHEREAS**, Joyce Jostad and her insurance company, Wisconsin Mutual Insurance Company, have filed a claim alleging that on December 14, 2010 a La Crosse County Highway Department snow plow backed into Ms. Jostad's car on Hwy 16 resulting in damage to her vehicle in the total amount of \$3,556.31; and, **WHEREAS**, Wisconsin Municipal Mutual Insurance Company (WMMIC) 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 claims do not appear to be meritorious and should be disallowed. **NOW, THEREFORE BE IT RESOLVED**, that the claim of Joyce Jostad and Wisconsin Mutual Insurance Company 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 claimants by registered or certified mail and the receipts therefore, signed by the claimants, or the returned registered letters, shall be proof of service. **BE IT FURTHER RESOLVED**, that the claimants are 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 claimants is \$20.18.

**EXECUTIVE COMMITTEE**

Motion by T. Johnson/B. Brockmiller to approve passed on a unanimous voice vote with 32 ayes, 3 excused - J. Bilskemper, R. Ebert and J. Johnson.

**RESOLUTION NO. 22-5/11 RE: CLAIM OF ROBERT BAILEY AND STATE FARM INSURANCE COMPANY**

**WHEREAS**, Robert Bailey and his insurance company, State Farm Insurance Company, have filed a claim alleging that while Mr. Bailey was traveling south in the left lane on the Mormon Coulee Road Overhead on October 13, 2010, a sign owned by the County rolled into traffic and Mr. Bailey could not swerve out of the way and hit the traffic sign resulting in damage to his vehicle in the total amount of \$1,516.17; and, **WHEREAS**, Wisconsin Municipal Mutual Insurance Company (WMMIC) has reviewed the information, investigated the facts and has determined that La Crosse County has no liability for this claim and therefore recommends formal disallowance of this 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 Robert Bailey and State Farm Insurance Company against La Crosse County, its officers, officials, employees, and agents is hereby disallowed and further be it required that notice of disallowance of these claims shall be served on the claimants by registered or certified mail and the receipts therefore, signed by the claimants, or the returned registered letters, shall be proof of service. **BE IT FURTHER RESOLVED**, that the claimants are notified that no action on these claims 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 claimants is \$20.18.

**EXECUTIVE COMMITTEE**

Motion by T. Johnson/R. Keil to approve. Discussion ensued. The motion to approve passed on a unanimous voice vote with 34 ayes, 1 excused - J. Johnson.

**RESOLUTION NO. 23-5/11 RE: AUTHORIZING CREATION OF A JOINT CITY-COUNTY HOUSING TASK FORCE**

**WHEREAS**, 7,000 housing units within the City of La Crosse have an assessed value of less than \$100,000 and 14% of these are valued between \$30,000 and \$50,000, depicting the depth of the challenging conditions presented for an adequate tax base to fund vital public services; and **WHEREAS**, the City of La Crosse and La Crosse County recognize the current

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trends of declining housing stock, continued neighborhood deterioration and the increasing property tax burden in the City of La Crosse affects the economic health of the City, County and entire region; and **WHEREAS**, an informal group of community leaders including realtors, bankers, housing developers, housing providers, and City and County staff have been working on these issues and recognize that one means to address the current trends is to create a Joint City and County Housing Task Force, which would acknowledge our mutual interests and develop a comprehensive report of action steps that will reverse the negative impact of the declining housing stock and neighborhood deterioration. **NOW, THEREFORE, BE IT RESOLVED** that the Common Council of the City of La Crosse and the La Crosse County Board create a City-County Joint Housing Task Force, and that the charge to the task force is to prepare a report to be presented within 180 days, identifying the most cost effective recommendations to reverse the current housing trends in the City, including but not limited to:

- Effective program examples from other communities that have met similar challenges to address deteriorating housing stock, aging housing stock, neighborhood deterioration, housing rehabilitation, new housing replacement.
- Zoning & regulatory options, such as student district zoning and occupancy limits
- Practices to stimulate private investment, such as the best uses for Tax Increment Financing
- Inspection code enforcement priorities to enhance the highest property values
- Capital priorities that best contribute to reinvestment and redevelopment

**BE IT FURTHER RESOLVED** that the City-County Housing Task Force will be supported by City and County staff and members to be appointed by the Mayor and Board Chair as follows: the Mayor or designee; the Board Chair or designee; two Common Council Members; two County Supervisors; Council President Audrey Kader of the City Community Block Grant Development Committee member; Citizen member-Richard Staff; UW-L member - Kathleen Enz Finken; a representative of Coulee Cap - Todd Mandel; housing developer- Marvin Wanders; Realtors Jay Hoeschler/Nancy Gerrard; an area employer Gunderson Lutheran Mike Richards; a landlord – Steve Nicoli; and Banker-Wayne Oliver.

**Fiscal Note:** There will be little cost of supporting the work of the task force, however the benefits of providing effective recommendations could help to reverse declining tax base in the City of La Crosse.

#### **EXECUTIVE COMMITTEE**

Motion by T. Johnson/A. Kader to approve. Discussion ensued. Administrator Steve O'Malley responded to questions from the board. The motion to approve passed on a unanimous voice vote with 34 ayes, 1 excused - J. Johnson.

Supervisor T. Johnson yielded the floor to Supervisor Hampson for reading of this resolution.

#### **RESOLUTION NO. 24-5/11 RE: ECONOMIC SUPPORT CHANGE/CALL CENTER CONTINUATION**

**WHEREAS**, in April 2010 the La Crosse County Board of Supervisors authorized via Resolution #3-4/10 the Human Services Department to hire five limited term employees to provide certain Economic Support (ES) services to La Crosse County citizens and to citizens of seven other partner counties (Buffalo, Clark, Jackson, Monroe, Pepin, Trempealeau and Vernon) on a "shared" basis through La Crosse County's change/call center under a one-year pilot project (July 1, 2010 – June 30, 2011) funded by the State of Wisconsin; and, **WHEREAS**, the five limited term employees are currently scheduled to sunset on June 30, 2011, which is the date State seed money for the pilot project expires; and, **WHEREAS**, the change/call center pilot project has proven successful in delivering quality services in a cost efficient manner, and as of July 1, 2011 at least six of the original seven partner counties will be continuing the partnership and sharing the costs of the ES change/call center until December 31, 2011; and, **WHEREAS**, considering the uncertainties in the 2011-13 State of Wisconsin Biennial Budget with regards to Economic Support Services, while it is advantageous to La Crosse and its partner counties to continue the shared change/call

center, it would be premature to create and hire permanent positions to deliver these services. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board of Supervisors authorize continuation of up to four of the five LTE positions through December 31, 2011 and authorize the Finance Department to make any appropriate account transfers necessary for continued change center operation. **FISCAL NOTE:** There is no impact on the county tax levy. Expenditures for the LTEs and other Change Center goods/services will be entirely offset with revenue received from partner counties.

**HEALTHY & HUMAN SERVICES BOARD  
EXECUTIVE COMMITTEE**

Motion by S. Hampson/J. Billings to approve. Discussion ensued. Lorie Graff responded to questions from the board. The motion to approve passed on a unanimous voice vote with 32 ayes, 3 excused - B. Brockmiller, J. Johnson and A. Kader.

**RESOLUTION NO. 25-5/11 RE: TEMPORARY PAY EQUITY ADJUSTMENT TO ALL NON-UNION STAFF IMPACTED BY WISCONSIN ACT 10 "THE BUDGET REPAIR BILL" APPROXIMATELY EQUAL TO COMPENSATION IN 2011 UNION CONTRACTS**

**WHEREAS**, Wisconsin Act 10 "The Budget Repair Bill" requires all WRS eligible employees not covered by a current contract to contribute 50% of the required WRS contribution rate, effective with the 1<sup>st</sup> pay period after the bill is published; and, **WHEREAS**, Resolution 83-3/11 approved contracts with all County unions affected by the budget repair bill, effectively delaying the 50% contribution requirement for all union staff until January 1, 2012; and, **WHEREAS**, once the bill is published, 361 non-union staff will be impacted immediately and the WRS contribution will be deducted from their next paycheck; and, **WHEREAS**, La Crosse County has a long history of treating union and non-union staff the same in most pay and benefits, but an inequity will exist if non-union staff are required to make a WRS contribution that union staff are not required to make; and, **WHEREAS**, the cost of a one-time, temporary pay equity adjustment of 5%, payable over the remaining pay periods of 2011 for non-union staff, would have no increased cost to the 2011 budget, when offset by the 50% pension contribution, but would alleviate most of the cost burden for non-union staff in 2011. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby authorize a one time, temporary pay equity adjustment of 5%, payable over the remaining pay periods of 2011 to all non-union staff who are required to participate in WRS and impacted by the new requirement to contribute 50% of the WRS contribution imposed by Wisconsin Act 10, or similar action by the State legislature. **BE IT FURTHER RESOLVED**, that this temporary pay equity adjustment does not become effective until such time as the 50% mandatory pension contribution required by Wisconsin Act 10, or other legislative action takes effect. **BE IT FURTHER RESOLVED**, that this temporary pay equity adjustment expires effective with the last pay day of 2011 (General pay day is Dec 30, 2011, Hillview/Lakeview pay day Dec 23, 2011.) **FISCAL NOTE:** The pay equity adjustment does not apply to Elected Officials, Union employees, and employees not eligible for WRS. Estimated cost of a 5% pay adjustment for 6 months is \$458,079, offset by WRS contributions to be paid by 361 employees of approximately \$462,793. Net budget savings of \$4,714.

**EXECUTIVE COMMITTEE**

Motion by T. Johnson/V. Burke to approve. Discussion ensued. Finance Director Gary Ingvalson further explained the resolution and responded to questions from the board. The motion to approve passed on a voice vote with 30 ayes, 3 nays - D. Bina, B. Feehan and C. Spiker, 2 excused - J. Johnson and J. Schroeder.

**CONDITIONAL USE PERMIT NO. 826 FILED BY EDWARD & DIANE ROHMEYER, W7218 REMUS RD, ONALASKA, WI 54650 TO OPERATE A COMPUTER REPAIR BUSINESS FROM THEIR HOME ON LAND ZONED AGRICULTURE DISTRICT "A" IN THE TOWN OF ONALASKA**

The La Crosse County Planning, Resources and Development Committee, having considered to application filed by Edward & Diane Rohmeyer, W7218 Remus Rd, Onalaska, WI 54650



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and having held a public hearing on the 2<sup>nd</sup> day of MAY, 2011 for a Conditional Use Permit to operate a computer repair business from their home and in an office in a detached accessory building at W7218 Remus Rd, on land zoned Agriculture District "A" in the Town(s) of Onalaska on land described as follows: Part of the Frac. SW-SW of Section 18, T17N, R7W, described in tax parcel 10-393-0. 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: **Approve**. By a vote of six (6) in favor, one (1) excused (Meyer), the Committee recommended approval of Conditional Use Permit No. 826 subject to the following seven (7) conditions:

1. This permit is granted to operate a computer repair business known as Prairie Computer Repair at W7218 Remus Rd in the home and a detached accessory building;
2. Hours of operation: 8 am – 5 pm – Monday through Friday;
3. Employees: one (1), the owner;
4. A tax ID number is required to report income;
5. A Zoning/Occupancy Permit is required for the change in occupancy of the shed;
6. One (1) unlighted on premise sign is allowed – maximum size is eight (8) square feet; and
7. This permit is non-transferable.

**The County Board** took the following action this 19<sup>th</sup> of MAY, 2011. Approved subject to conditions as outlined.

#### **PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by M. Pedretti/D. Meyer to approve. Discussion ensued. Zoning, Planning & Land Information Director Jeff Bluske responded to questions from the board. Corporation Counsel William Shepherd and Chairman Doyle gave explanation on whether the sign is affected by a previous moratorium that was passed. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 33 ayes, 2 excused - R. Ebert and J. Johnson.

#### **ZONING ORDINANCE NO. Z259-5/11 RE: PETITION NO. 1864 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY ROB BURGMEIER; ACTING ON BEHALF OF HOT-LINE TRUCKLOAD SERVICES, LLC, PO BOX 205, WEST SALEM, WI 54669 TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT AND AGRICULTURE DISTRICT "A" TO COMMERCIAL DISTRICT "B" IN THE TOWN OF BANGOR**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1864 to amend the La Crosse County Zoning Ordinance filed by Rob Burgmeier; Acting On Behalf Of Hot-Line Truckload Services, LLC, PO Box 205, West Salem, WI 54669 and having held a public hearing on the 2<sup>nd</sup> day of MAY, 2011 to rezone from Exclusive Agriculture District and Agriculture District "A" to Commercial District "B" the following described land in the Town(s) of Bangor. Part of the NE-SE of Section 6, T16N, R5W; Commencing at the SE corner of the SE-SE, N26°40'31"W 2891.55' to POB, S89°43'00"E 279.05', S44°37'56"E 70.61', S00°29'59"W 100', S63°52'14"E 143.12', S00°29'59"W 251.19', S88°37'14"E 33', N00°29'59"E to the South R/W of County Road B, N81°54'52"W 100.88' along said R/W, S89°55'02"W 395.02' along said R/W, S00°29'59"W to POB. except that portion which is currently zoned Commercial District "B". Town of Bangor. 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

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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: **Approve**. By a vote of five (5) in favor, two (2) excused (Meyer & Bina) the Committee recommended approval of the rezone to Commercial District "B". (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 19<sup>th</sup> day of MAY, 2011. Approved the petition as submitted, becomes an ordinance.

#### **PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by M. Pedretti/D. Meyer to approve as recommended by the Committee passed on a unanimous voice vote with 34 ayes, 1 excused - J. Johnson.

#### **RESOLUTION NO. 26-5/11 RE: COUNTY HIGHWAY DEPARTMENT COOPERATIVE AGREEMENTS**

**WHEREAS**, few Wisconsin Counties can afford to own all of their own road construction equipment and therefore, utilizing equipment from other counties as needed saves costs; and, **WHEREAS**, when utilizing equipment from another county, a county will accept the appropriate manpower with that equipment; and, **WHEREAS**, in the event of large projects, the County will consider utilizing the workforce of an adjacent county in addition to its own workforce; and, **WHEREAS**, charges for equipment and labor that are cooperatively shared between counties will be charged in compliance with State Accounting Practices and Collective Bargaining Agreements; and, **WHEREAS**, cooperative purchasing of specialty equipment, sharing bid results and sharing specialty equipment with adjacent counties to utilize such equipment as much as possible will further reduce the County's project costs; and, **WHEREAS**, it is best interest of La Crosse County to enter into cooperative agreements with adjacent county highway departments to share manpower and equipment and to agree to cooperatively purchase materials, equipment and supplies as ways to reduce the cost of highway projects. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does authorize Cooperative Agreements between the La Crosse County Highway Department and highway departments of adjacent counties. **BE IT FURTHER RESOLVED**, that the County Highway Commissioner shall determine what cooperative agreements with adjacent counties are in the best interest of La Crosse County and the La Crosse County Board Chair is authorized to sign any such agreements upon approval of the agreements by the Corporation Counsel. **FISCAL NOTE**: the cost savings in entering into cooperative agreements with the adjacent counties is undetermined at this time.

#### **PUBLIC WORKS AND INFRASTRUCTURE**

Motion by J. Berns/J. Schroeder to approve. Discussion ensued. Highway Commissioner Ron Chamberlain responded to questions from the board. The motion to approve passed on a unanimous voice vote with 32 ayes, 3 excused - J. Johnson, J. Medinger and T. Wehrs.

#### **RESOLUTION NO. 27-5/11 RE: APPROVE STORANDT REQUEST FOR ACCESS EASEMENT**

**WHEREAS**, Jeffrey D. and Marsha R. Thurston, d/b/a EMJAY Enterprises, LLC, previously owned a gas station and bait shop business on Wisconsin Highway 16 near West Salem and adjacent to property owned by La Crosse County at the Swarthout-Neshonoc Park; and, **WHEREAS**, upon authority of the County Board, Jeffrey D. and Marsha R. Thurston were granted on or about March 19, 2009, an access easement for ingress and egress from his business to Highway 16 over the County owned property; and, **WHEREAS**, the easement provided that it shall terminate with any change in ownership and renewal of the easement shall be obtained from La Crosse County by any new owner of the business; and, **WHEREAS**, Scott J. Storandt and his wife, Tricia A. Storandt, d/b/a SKYTIME Investments, LLC, are purchasing the business known as Neshonoc Sports from Jeffrey D. and Marsha R. Thurston and will continue to operate the business as a sport and bait shop including the sale of gas, food, and beverages; and, **WHEREAS**, the Public Works and Infrastructure Committee determines that granting of the easement will not be detrimental to the public

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interest and recommends that an access easement across county property be granted to Scott J. Storandt and Tricia A. Storandt. **NOW THEREFORE BE IT RESOLVED**, that the County Board Chair and County Clerk after approval of the Corporation Counsel are authorized to sign an Access Easement Agreement between La Crosse County and Scott J. Storandt and his wife, Tricia A. Storandt, d/b/a SKYTIME Investments, LLC, providing an easement for ingress and egress from the Storandt's business to State Highway 16. **BE IT FURTHER RESOLVED**, that this easement shall terminate with any change in ownership of the business and renewal of the easement shall be obtained from La Crosse County by any new owner. **FISCAL NOTE:** This grant of easement has no fiscal impact to La Crosse County.

#### **PUBLIC WORKS AND INFRASTRUCTURE**

Motion by J. Berns/R. Ebert to approve passed on a unanimous voice vote with 33 ayes, 2 excused - J. Johnson and T. Wehrs.

#### **RESOLUTION NO. 28-5/11 RE: APPROVE NAME FOR THE ASSISTED LIVING FACILITY AT HILLVIEW HEALTH CARE CENTER**

**WHEREAS**, the Assisted Living Facility at Hillview Health Care Center is currently under construction; and, **WHEREAS**, this Facility will require its own name to differentiate it from the nursing home facility and independent living facility that are currently located on the Hillview Campus; and, **WHEREAS**, the Hillview staff and current residents have provided input to the Aging & Long Term Care Committee as to a fit and proper name for the Assisted Living Facility; and **WHEREAS**, the Aging & Long Term Care Committee has reviewed the names suggested for this Facility and recommends that the Facility be named as follows: Hillview Terrace. **NOW, THEREFORE, BE IT RESOLVED** that the La Crosse County Board does hereby determine that the Assisted Living Facility at Hillview Health Care Center shall be named Hillview Terrace. **BE IT FURTHER RESOLVED**, that the County Administrator and the Hillview Administrator shall carry out the intent of this resolution in naming this facility **FISCAL NOTE:** There should not be any significant fiscal impact.

#### **PUBLIC WORKS & INFRASTRUCTURE COMMITTEE AGING AND LONG TERM CARE COMMITTEE**

Motion by R. Plesha/M. Kruse to approve passed on a unanimous voice vote with 34 ayes, 1 excused - J. Johnson.

A short recess was taken and the meeting was reconvened at 8:25 pm.

#### **RESOLUTION NO. 29-5/11 RE: APPROVAL OF 2011 TENTATIVE COUNTY SUPERVISORY DISTRICT PLAN**

**WHEREAS**, on March 21, 2011, the La Crosse County Clerk received the official results of the 2010 Federal Decennial Census of Population for the La Crosse County from the State of Wisconsin, Legislative Reference Bureau; and, **WHEREAS**, the La Crosse County Board is required to adopt a tentative county supervisory district plan in accordance with Wis. Stats. s. 59.10(3)(b)1, Wis. Stats, within 60 days of receiving this data; and, **WHEREAS**, pursuant to s. 59.10(3)(a)1, Wis. Stats., counties with the population of less than 500,000 but at least 100,000 shall have no more than 47 supervisors; and, **WHEREAS**, the 2010 Federal Decennial Census Data established a total County population of 114,638; and, **WHEREAS**, the La Crosse County Redistricting Committee has solicited and received suggestions from municipalities concerning the development of an appropriate plan; and, **WHEREAS**, the Redistricting Committee has recommended a 2011 Tentative County Supervisory District Plan consisting of 29 supervisory districts; and, **WHEREAS**, under a 29 supervisory district plan, the ideal population of each district is 3,957 resulting in 13 supervisory districts in the City of La Crosse and 16 supervisory districts in the remainder of the County; and, **WHEREAS**, in the 29 supervisory district plan each district will be represented by one supervisor and all districts are substantially equal in population; and, **WHEREAS**, in this tentative plan, the supervisory district with the largest population

exceeds the ideal population by 1% and the district with the lowest population is 1% less than the ideal population; and, **WHEREAS**, the tentative plan, whenever possible, places whole contiguous municipalities or contiguous parts of the same municipality within the same district; and, **WHEREAS**, the supervisory districts in the tentative plan are compact, protect communities of interest and preserve political subdivisions; and, **WHEREAS**, the City of La Crosse is required by s. 5.15(2)(b)2, Wis. Stats., to create wards ranging in population from 800 to 3200; and, **WHEREAS**, the 29 supervisory district plan with an ideal population of 3957 per district allows the City of La Crosse to preserve the coterminous boundaries between the county supervisory districts and the City aldermanic districts if the City reduces its number of aldermanic districts to 13 and creates at least 2 wards within the population range specified by law thereby reducing voter confusion; and, **WHEREAS**, on May 16, 2011, a public hearing was held before the County Board on the proposed tentative plan; and, **WHEREAS**, the 2011 Tentative County Supervisory District Plan consisting of 29 supervisory districts complies with federal and state law for the creation of supervisory districts and is in the best interest of the citizens of La Crosse County for the reasons stated above. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board has solicited suggestions on the tentative plan from both the public and the municipalities located within La Crosse County at the public hearing held before the Board on May 16, 2011 and at various meetings of the Redistricting Committee. **FURTHER BE IT RESOLVED**, after giving due consideration to the public comment and suggestions by the municipalities, the La Crosse County Board does hereby adopt the 2011 Tentative County Supervisory District Plan dividing La Crosse County into 29 supervisory districts and hereby authorizes the County Clerk to transmit the 2011 tentative plan to each municipal governing body in the County and request that each municipality create its wards in accordance with Wis. Stats. s. 5.15 within the time required by law. **FISCAL NOTE:** The average annual cost per supervisor is as follows: Wage/Fringe benefits = \$5,688; Travel & Other Miscellaneous Expenses = \$1,031; Total Average Cost/Supervisor = \$6,719. Therefore, a reduction of 6 supervisors would save the County approximately \$40,314/year (6 X \$6,719). However, the costs of elections paid by the County Clerk's office may increase in an undetermined amount because of a greater number of ballot styles required for elections resulting from the greater number of wards in the City of La Crosse and the possibility that the City Aldermanic Districts will not be coterminous with the County Supervisory Districts.

#### **REDISTRICTING COMMITTEE**

Motion by T. Johnson/J. Schroeder to approve. Discussion ensued. Corporation Counsel William Shepherd responded to questions from the board. He gave clarification on what needed to be passed tonight and how much change would be allowed to the adopted plan. Motion by A. Kader/J. Medinger to amend the County 29 plan to substitute the City of La Crosse proposed 13 Supervisory District plan. Discussion ensued. Supervisor Kader further explained the proposed amendment by the City of La Crosse to the City of La Crosse 13 districts. Supervisor Medinger asked for unanimous consent to withdraw his second on the amendment. Supervisor Kader objected. Motion by J. Medinger/B. Konkel to withdraw Supervisor Medinger's second passed on a unanimous voice vote with 34 ayes, 1 excused - J. Johnson. Supervisor Burke offered a second to the amendment. Motion by J. Medinger to call the question/close debate. There were two objections. With no further discussion, a vote on the amendment was taken. The motion to amend failed on a voice vote with 33 nays, 1 aye - A. Kader, 1 excused - J. Johnson. Lengthy discussion continued. Zoning, Planning & Land Information Director Jeff Bluske and Corporation Counsel William Shepherd responded to further questions from the board. Motion by B. Konkel to call the question was ruled out of order since there were people who still wanted to speak. The motion to approve, as originally presented, passed on a roll call vote with 26 ayes, 7 nays - J. Bilskemper, D. Bina, D. Ferries, A. Kader, R. Keil, G. Sebranek and T. Wehrs, 1 abstention - A. Benrud, 1 excused - J. Johnson.

#### **SUGGESTIONS FOR FUTURE AGENDA TOPICS**

Supervisor Ebert asked to add the Historical Society Funds being distributed to a future agenda.

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**ADJOURN**

Motion by G. Sebranek/B. Brockmiller to adjourn at 9:22 PM passed on a unanimous voice vote with 34 ayes, 1 excused - J. Johnson.

**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, May 19, 2011 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 6 OF JUNE 2011.**