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**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING
PROCEEDINGS; THURSDAY, OCTOBER 20, 2011**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, October 20, 2011 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 31 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 Feehan, Bill	Present
4 Johnson, Jai	Present
5 Johnson, Karin	Present
6 Billings, Jill	Present
7 Plesha, Roger	Present
8 Freedland, Maureen	Present
9 Hampson, Sharon	Present
10 Wood, Margaret	Present
11 Kader, Audrey	Excused
12 Flood, Bridget	Present
13 Brockmiller, Bill	Excused
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 at 08:05 PM
29 Kruse, Monica	Present
30 Spiker, Charles	Present
31 Ferries, Dan	Present
32 Benrud, Arlene	Present
33 Berns, Jim	Excused
34 Wehrs, Tina	Present
35 Bilskemper, Joe	Present

PLEDGE OF ALLEGIANCE

COMMUNICATIONS AND ANNOUNCEMENTS:

County Board Chair Report - Tara Johnson

- Chair T. Johnson along with 60 others from the La Crosse area participated in Oktoberfest in the Capital sponsored by LADCO, the Visitors of Convention Bureau, and the Chamber of Commerce. Every single legislature received a visit from the teams attending.
- Supervisor Conference Reports
 - Supervisor Benrud attended the Wisconsin County Highway Association Board of Directors at Chula Vista in Wisconsin Dells. At the meeting they discussed Department of Transportation initiatives, pothole liability, transportation related to legislators, and planning for the Highway Conference in January at Chula Vista. Arlene rode with Highway Commissioner Ron Chamberlain to save the county money.
 - Supervisor Schroeder attended the Veterans Stand Down presented by Veterans Service Officer Jim Gausmann. Approximately 300 to 400 vets were fed and serviced.

Administrator Report - Steve O'Malley

AGENDA ORDER: Administrator O'Malley asked for unanimous consent to suspend the rules and take agenda addendum item #10-24 out of order. Hearing no objection, Chair T. Johnson moved to addendum item #10-24, Re: Appointment of Dave Lange to Corporation Counsel to replace William Shepherd, effective January 3, 2012.

APPOINTMENT OF DAVE LANGE TO CORPORATION COUNSEL TO REPLACE WILLIAM SHEPHERD, EFFECTIVE JANUARY 3, 2012

Administrator O'Malley has the pleasure to appoint department heads and recommends the appointment of Dave Lange to Corporation Counsel effective January 3, 2012 due to Bill Shepherd's retirement. Dave Lange has served the County for well over 20 years and knows all of the ins and outs of the Corporation Counsel office. The Executive Committee members did sit in on Dave's interview. Dave thanked the Board for appointing him to succeed Bill and hopes to carry on the standard of excellence that Bill has set for this office. He is looking forward to working with the Board and to meet the challenges ahead.

Motion by J. Billings/R. Ebert to approve the appointment of Dave Lange to Corporation Counsel. Discussion ensued. The motion passed on a unanimous voice vote with 31 ayes, 4 excused - J. Berns, B. Brockmiller, S. Doyle and A. Kader.

PROCLAMATION RE: OCTOBER 16-22, 2011 - NATIONAL HEALTH EDUCATION WEEK

WHEREAS, health literacy has been defined as the ability to "obtain, process and understand basic health information and services needed to make appropriate health decisions"; and **WHEREAS**, nearly 9 out of 10 adults have problems finding and using health information and the cost to our nation of poor health literacy is estimated to be between \$100 and \$200 billion U.S. dollars (USD) annually; and **WHEREAS**, improving health literacy skills require a comprehensive set of strategies, including the use of plain language techniques, culturally and linguistically appropriate communication, participatory design, field-tested materials, policy change, and advocacy; and **WHEREAS**, the Health and Human Services Board is committed to addressing low health literacy as a public health problem and reducing the incidence of limited health literacy among Americans by bringing health education ideas and principles into the legislative and public arenas; and **WHEREAS**, in celebration of National Health Education Week, government, schools, healthcare providers, libraries, organizations and communities are essential to support the 2011 National Health Education Week focus on advancing health literacy through the theme,

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"Healthy Literacy: Gateway to Improving the Public's Health"; **NOW THEREFORE, BE IT RESOLVED** THAT the week of October 16-22, 2011 is hereby proclaimed as National Health Education Week and individuals, organizations, and communities are urged to implement at least one strategy designed to raise awareness of health literacy and promote organizational and institutional changes to improve health literacy during National Health Education Week.

Motion by M. Wood/S. Hampson to approve passed on a unanimous voice vote with 31 ayes, 4 excused - J. Berns, B. Brockmiller, S. Doyle and A. Kader.

2012 Budget Status Update

- A brief review of the budget status was done. Each one of the governing committees has gone through their areas. Planning, Resource and Development is the only committee that hasn't done their budget reviews yet, because their agenda was so full. They will be doing this on October 31st. The Executive Committee will be conducting their first discussion of the budget beyond departments that they oversee on Monday, October 24, 2011, at 4:00 PM. Any supervisor is invited to attend. Also, if any supervisor has ideas, suggestions, questions, or motions that need to be prepared for the November budget, or to cut or add an item, please contact Administrator O'Malley or Finance Director Gary Ingvalson to help you. Two resolutions that are budget related are being brought to the Board. Item #10-11 is the resolution on the position changes for 2012. Human Services Director Jason Witt will give an overview on regionalization of Income Maintenance, and Item #10-12 deals with that. He will present information on what's changing and how La Crosse will be the lead on a number of items.
- November meeting schedule
 - A November schedule has been provided as a reminder of the upcoming dates. At the November 7th Planning Meeting, we will be setting the stage for the County Board public hearing on November 14th and the County Board debate and adoption of the annual budget on November 15th.
- Report on Regional Income Maintenance Consortium - Jason Witt
 - The Income Maintenance anticipated changes as of January 1, 2012 are administrative changes, staff impact, fiscal and workflow challenges, and client impact. The focus of Income Maintenance is service delivery - timely, accurate and good customer service. Currently for 2011, the State of Wisconsin provides an Income Maintenance allocation and contracts with 72 counties throughout the State. In our region, a separate contract goes to eight of the counties, including La Crosse. All of these counties have separate fiscal, administrative, supervision, and service structure. However, we are somewhat ahead of the game with having the joint call change center here in La Crosse. All of this changes in January 2012. The eight counties - Buffalo, Clark, Jackson, La Crosse, Trempealeau, Monroe, Pepin, and Vernon - have applied to join a regional consortium that will be forming. Instead of eight contracts, there will be one contract with La Crosse County that will accept Income Maintenance funds and act as the administrative lead. Income Maintenance services in this region will have a new name - Western Region for Economic Assistance (WREA). This will have one administrative structure, one supervision structure, one joint supervisory team and one service structure. It is a joint and equal partnership at will and everything needs to work for all counties. There will be a unified leadership team with one manager, Lorie Graff, who will oversee the supervisory team from the other counties. There will be six separate managers, and all except two will be dedicated to Income Maintenance. Overall in our eight counties in the consortium, we currently have 52.32 Economic Support (ES) workers and 6.25 Economic Support supervisors (ESS). Next year, we will go to 44 workers and 5 supervisors. This is a 16% reduction. There will be some shifts as part of the workload model. Economic support clerks are still being determined. We will add a supervisor in La Crosse. ESS workers will remain

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the same. ES will add one clerk. Clerical lobby services will add two clerk positions due to the contract with the state. For 2011, the amount of funds in our region is \$5.2 million for Income Maintenance. In 2012, the tax levy will stay the same. The amount of state and federal revenue is a 16% overall cut with the tax levy. Under the budget bill, the functions at the state level can only take on a few cases and will close. This will increase the overall workload in the region by 20%. As funding and positions decrease, the workload is going up. State and federal funding is a 31% decrease, the number of ESS workers is down 16%, and the caseload is going up 20%. There are four parts to the workflow efficiencies: Access – screening, intake – application process, ongoing – regular review and report on case, and change processing – updates based on client. Currently, access is handled by the local ES staff or clerical workers or a combination; intake and ongoing is handled by ES workers under assigned case; and the change processing is done by the central unit in La Crosse. With WREA, access will be done by the central unit; the intake will be handled by the local workers; ongoing will be handled by local workers and pooled cases; and change processing will continue with the central call center unit. This helps us to maximize the capacity of workers. Currently, the case loads vary significantly, and with the new model, this levels the caseload for all workers across the region. In terms of the client service changes, there won't be a lot of significant changes. Human Services Director Jason Witt responded to questions from the Board.

- WCA has two educational seminars coming up. One seminar is on Mining in Wisconsin on Monday, November 14th in Stevens Point. The second one is on Workplace Issues for County Government on December 12th in Stevens Point. If you are interested in attending, contact Margaret in the Chair's office.

CONSENT AGENDA

Motion by R. Plesha/G. Sebranek to approve the minutes of the County Board of Supervisors Planning Meeting held September 12, 2011 and the Monthly Meeting held September 15, 2011, and approval of the Claims List for \$12,739,809.90 passed on a unanimous voice vote with 31 ayes, 4 excused - J. Berns, B. Brockmiller, S. Doyle and A. Kader.

CHAIR CHANGE

Vice Chair Burke took the chair.

APPOINTMENTS

Appoint **Vickie Crews, Kyara Tollan, Jeanne Stevermer, Amy Atchison, Sherry Bell, Pam Bendel, Sue Anderson, Nicole Mooney, Monica Kruse, Sharon Hampson, Mary Dahlby, Va Thao, Jane Latshaw, Beth Novak, Alicia Oliver, Chris Neumeister, Kristine Buehler, Jen Timm, Donna Christianson, Shelly Skau, and Christin Skolnik** to the Mental Health Recovery Services Advisory Council for a two year term to expire April 16, 2013.

Motion by V. Burke/J. Medinger to approve the appointments. Discussion ensued. The motion passed on a unanimous voice vote with 31 ayes, 4 excused - J. Berns, B. Brockmiller, S. Doyle and A. Kader.

CHAIR CHANGE

Chair T. Johnson resumed the chair.

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RESOLUTION NO. 54-10/11 RE: AUTHORIZATION TO CONTRACT FOR ADDITIONAL REPAIRS TO HILLVIEW ROOF AND TRANSFER FUNDS FROM HILLVIEW UNRESTRICTED FUND BALANCE

WHEREAS, Hillview sustained severe hail damage on April 10, 2011 requiring a total roof replacement; and, **WHEREAS**, a claim for the loss was submitted to Local Government Property Insurance fund and a check has been received in the amount of \$316,318.37; and, **WHEREAS**, Resolution 47-8/11 awarded a contract to Interstate Roofing for replacement of the Hillview roof in the amount of \$360,950; and, **WHEREAS**, during the process of replacing the roof, additional water damage, which was not due to the hail damage, was found requiring replacement of a substantial amount of plywood sheeting; and, **WHEREAS**, Interstate Roofing provided a quote not to exceed \$79,628.00 for repair of the additional damage, based on quantity of roof edge and alternate bid amount per foot in original bid. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby authorizes the Facility Department to contract with Interstate Roofing for the additional repairs which were not due to hail damage for a cost not to exceed \$79,628.00 **BE IT FURTHER RESOLVED**, that the Finance Department be hereby authorized to transfer funds from Hillview's Unrestricted Fund Balance to cover the cost of these additional repairs. **FISCAL NOTE:** A total up to \$79,628.00 to be transferred from the Hillview Unrestricted Fund Balance, Fund 350, Account 39100.

EXECUTIVE COMMITTEE

AGING AND LONG TERM CARE COMMITTEE

Motion by R. Plesha/A. Richmond to approve. Discussion ensued. The motion to approve passed on a unanimous roll call vote with 31 ayes, 4 excused - J. Berns, B. Brockmiller, S. Doyle and A. Kader.

RESOLUTION NO. 55-10/11 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>
Harold J. Grosland	Human Services Department	39+
Helen E. Rach	Aging Department	36+
Linda C. Lusk	Clerk of Courts Department	22+
Brayer K. Amble	Human Services Department	14+

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 V. Burke/K. Johnson to approve passed on a unanimous voice vote with 31 ayes, 4 excused - J. Berns, B. Brockmiller, S. Doyle and A. Kader.

SECOND CONSIDERATION OF ORDINANCE NO. 97-10/11 TO CREATE SS. 3.08(1)(r), 3.085, AND 19.035 AND AMEND 19.03 OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN RELATING TO THE CONCEALED OR OPEN CARRY OF WEAPONS OR FIREARMS

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

Section 1. Section 3.08(1)(r) of the County Code is created to read:

(r) Violation of county ordinances or policies governing the open or concealed carry of a firearm or weapon.

Section 2. Section 3.085 of the County Code is created to read:

3.085 Prohibition on open or concealed carry of weapons or firearms by employees.

(1) County employees are prohibited from the open carry or concealed carry of weapons or firearms in the course of the employee's employment or during any part of the employee's employment.

(2) The prohibition under par. (1) does not apply to the following:

(a) A person who is a law enforcement officer acting in the discharge of his or her official duties.

(b) An employee who carries a concealed weapon and/or ammunition or stores a weapon and/or ammunition in the employee's own motor vehicle, regardless of whether the motor vehicle is used in the course of employment or whether the motor vehicle is driven or parked on property used by the County.

Section 3. The title to Chapter 19 is amended to read: "County Parks, Buildings and Grounds".

Section 4. Section 19.03(1) of the County Code is amended to read as follows:

19.03 Firearms, Hunting, Target Practice, and Deer Feeding in County Parks.

(1) A person who complies with state law regarding the possession of firearms may have in his or her possession or under his/her control a firearm in County Parks unless there is a special event as defined by Wis. Stat. s. 943(1e)(h) and the person has been notified not to enter or remain at the special event in the County Park while carrying a firearm.

Section 5. Section 19.035 of the County Code is created to read:

19.035 Firearms or Weapons Prohibited in County Buildings.

(1) No person carrying a firearm or weapon as defined by state law shall enter any building owned, operated, or controlled by La Crosse County where the building is posted in accordance with state law by the Facilities Director and/or his or her designee that the person shall not enter or remain in the building while carrying a firearm.

(2) The prohibition under par. (1) does not apply to any of the following:

(a) A law enforcement officer

(b) A weapon in a courthouse or courtroom if a judge who is a licensee as defined in Wis. Stat. s. 175.60(1)(d) is carrying the weapon or if another licensee, whom a judge has permitted in writing to carry a weapon, is carrying the weapon.

(c) A weapon in a courthouse or courtroom if a district attorney, or an assistant district attorney, who is a licensee as defined in Wis. Stat. s. 175.60(1)(d) is carrying the weapon.

(3) It is unlawful for person carrying a firearm or weapon except a law enforcement officer to enter or remain at any special event on land owned by La Crosse County where the organizers of the special event have notified the person not to enter or remain at the special event while carrying a firearm. This provision does not apply if the firearm or weapon is in a vehicle driven or parked in the parking facility to any part of the special event grounds used as a parking facility.

(4) All buildings and land affected by this ordinance shall be posted by the Facilities Director or by a person designated by the Facilities Director with signs that are at least 5 inches by 7 inches that notify a person that firearms or weapons in said building or on said property are prohibited.

Section 6. This Ordinance shall take effect on November 1, 2011 after passage and publication as required by law.

TARA JOHNSON, County Board Chair

GINNY DANKMEYER, County Clerk

EXECUTIVE COMMITTEE

Motion by V. Burke/J. Schroeder to approve. Discussion ensued. Corporation Counsel William Shepherd, Facilities Director Jim Speropulos, and District Attorney Tim Gruenke responded to questions from the Board. The motion to approve passed on a roll call vote

with 27 ayes, 4 nays - D. Bina, R. Ebert, B. Feehan and J. Medinger, 4 excused - J. Berns, B. Brockmiller, S. Doyle and A. Kader.

RESOLUTION NO. 56-10/11 RE: RESOLUTION CONFIRMING THE SALE, DETERMINING RATES OF INTEREST AND OTHER DETAILS AND LEVYING TAXES IN CONNECTION WITH THE ISSUANCE OF \$1,640,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2011-A, OF THE COUNTY OF LA CROSSE, WISCONSIN

WHEREAS, counties are authorized by the provisions of Section 67.12(12), *Wisconsin Statutes*, as supplemented and amended (the "*Statute*"), to issue promissory notes for any public purpose and to refund any municipal obligations, including interest on them; and, **WHEREAS**, the term "*public purpose*" is defined in the Statute as "the performance of any power or duty of the issuing municipality;" and, **WHEREAS**, counties are empowered by the *Wisconsin Statutes*, as supplemented and amended, to construct highways and highway improvements; and, **WHEREAS**, the County of La Crosse, Wisconsin (the "*County*") now wishes to construct highways and highway improvements; and, **WHEREAS**, it is considered necessary and desirable by the County Board of Supervisors of the County that the County borrow \$1,640,000 for the purposes aforesaid and that the County issue its General Obligation Promissory Notes, Series 2011-A (the "*Notes*") to evidence the indebtedness thereby incurred; and, **WHEREAS**, sealed bids for the Notes were received at the offices of the financial consultant in the County in St. Paul, Minnesota, until 10:00 o'clock A.M., C.T., on October 20, 2011 which bids are as follows:

NAME OF BIDDER	TRUE INTEREST COST
Bankers' Bank	1.1406%
Robert W. Baird & Co., Incorporated	1.1641
UMB Bank, National Association	1.1900
M&I Marshall & Isley Bank	1.2870

; and, **WHEREAS**, the bid of Bankers' Bank of Madison, Wisconsin, and associates, at a price of \$1,635,900 plus accrued interest to the date of delivery was the best bid submitted for the Notes, which bid is as follows:

(Attach bid here)

See next page for bid

NOW THEREFORE BE IT RESOLVED, by the County Board of Supervisors of the County of La Crosse, Wisconsin, as follows:

Section 1. Definitions. For all purposes of this Resolution, except as otherwise expressly provided or unless the context otherwise requires, the terms defined in this Section 1 shall have the meanings set forth below, and shall include the plural as well as the singular.

"*Code*" shall mean the Internal Revenue Code of 1986, as amended.

"*County*" shall mean the County of La Crosse, Wisconsin, and any successor to the duties or functions of the County.

"*Governing Body*" shall mean the County Board of Supervisors of the County, or such other council, board, commission or body, by whatever name known, which shall succeed to its powers.

"*Note*" or "*Notes*" shall mean one or more of the General Obligation Promissory Notes, Series 2011-A, authorized to be issued by the terms of this Resolution.

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"*Note Register*" shall mean the books of the County kept by the Note Registrar to evidence the registration and transfer of the Notes.

"*Note Registrar*" shall mean Wells Fargo Bank, National Association, of Minneapolis Minnesota, or a successor designated as Note Registrar under this Resolution.

"*Resolution*" shall mean this resolution as adopted by the Governing Body of the County.

"*Statute*" shall mean Chapter 67 of the *Wisconsin Statutes*, as supplemented and amended.

Section 2. Authorization. The issuance of \$1,640,000 aggregate principal amount of promissory notes is hereby authorized for the purpose of providing funds in the amount of \$1,640,000 for the public purpose consisting of the construction of highways and highway improvements.

The Notes shall be designated "General Obligation Promissory Notes, Series 2011-A," shall be dated November 1, 2011, and shall also bear the date of authentication thereof, shall be in fully registered form, shall be in denominations of \$5,000 each and integral multiples thereof (but no single Note shall represent installments of principal maturing on more than one date), shall be appropriately lettered and numbered, and shall mature serially on October 1 of each of the years 2012 to 2016, inclusive, and bear interest at the rates per annum as follows:

YEAR	AMOUNT	INTEREST RATE
2012	\$120,000	0.50%
2013	375,000	0.70
2014	380,000	0.90
2015	380,000	1.10
2016	385,000	1.30

Section 3. Interest; Payment Provisions. The Notes shall bear interest from their date or from the most recent interest payment date to which interest has been paid or duly provided for, at the respective rates set out above, such interest (computed upon the basis of a 360-day year consisting of twelve 30-day months) being payable on the first days of April and October of each year, commencing on April 1, 2012. Interest on each Note shall be paid by check or draft of the Note Registrar to the person in whose name such Note is registered at the close of business on the fifteenth day of the calendar month next preceding the applicable interest payment date. The principal of the Notes shall be payable in lawful money of the United States of America only at the principal corporate trust office of the Note Registrar.

Section 4. Execution; Authentication. The Notes shall be executed on behalf of the County with the manual or facsimile signature of the Chairperson of the County and with the manual or facsimile signature of the County Clerk of the County, and sealed with the official seal of the County or a printed facsimile thereof. In case any officer whose signature shall appear on any Note shall cease to be such officer before the delivery of such Note, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

All Notes shall have thereon a certificate of authentication substantially in the form hereinafter set forth duly executed by the Note Registrar as authenticating agent of the

County and showing the date of authentication. No Note shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Resolution unless and until such certificate of authentication shall have been duly executed by the Note Registrar by manual signature, and such certificate of authentication upon any such Note shall be conclusive evidence that such Note has been authenticated and delivered under this Resolution. The certificate of authentication on any Note shall be deemed to have been executed by the Note Registrar if signed by an authorized officer of the Note Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Notes issued under this Resolution.

Section 5. Registration of Notes; Persons Treated as Owners. The County shall cause books (the "Note Register") for the registration and for the transfer of the Notes as provided in this Resolution to be kept at the principal corporate trust office of the Note Registrar, which is hereby constituted and appointed the registrar of the County.

Upon surrender for transfer of any Note at the principal corporate trust office of the Note Registrar duly endorsed by, or accompanied by a written instrument or instruments of transfer in form satisfactory to the Note Registrar duly executed by, the registered owner or his attorney duly authorized in writing, the County shall execute and the Note Registrar shall authenticate, date and deliver in the name of the transferee or transferees a new fully registered Note or Notes of the same maturity and interest rate of authorized denominations, for a like aggregate principal amount. Any fully registered Note or Notes may be exchanged at said office of the Note Registrar for a like aggregate principal amount of Note or Notes of the same maturity and interest rate of other authorized denominations. The execution by the County of any fully registered Note shall constitute full and due authorization of such Note and the Note Registrar shall thereby be authorized to authenticate, date and deliver such Note.

The Note Registrar shall not be required to transfer or exchange any Note during the period of fifteen (15) days next preceding any interest payment date on such Note.

The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal or interest on any Note shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Notes, but the County or the Note Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Notes, except in the case of the issuance of a Note or Notes for the unpaid portion of a Note surrendered for prepayment.

Section 6. No Prepayment. The Notes shall not be subject to prepayment at the option of the County.

Section 7. Form of Notes. The Notes, the certificate of authentication to be endorsed thereon and the form of assignment are all to be in substantially the following forms with necessary and appropriate variations, omissions and insertions as permitted or required by this Resolution.

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UNITED STATES OF AMERICA

STATE OF WISCONSIN

COUNTY OF LA CROSSE

GENERAL OBLIGATION PROMISSORY NOTE, SERIES 2011-A

No. R- _____ \$ _____

DATED DATE MATURITY DATE RATE OF INTEREST CUSIP No.

November 1, 2011 October 1, _____ %

Registered Owner:

Principal Amount:

KNOW ALL MEN BY THESE PRESENTS: That the County of La Crosse in the State of Wisconsin (the "*County*"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner hereinabove identified, or registered assigns as hereinafter provided, on the Maturity Date hereinabove identified, the Principal Amount hereinabove identified and to pay interest (computed on the basis of a 360-day year consisting of twelve 30-day months) on said Principal Amount from the Dated Date hereinabove identified or from the most recent interest payment date to which interest has been paid at the Rate of Interest per annum hereinabove identified, payable on the first days of April and October of each year, commencing on April 1, 2012, until said Principal Amount is paid.

The principal of this Note is payable in lawful money of the United States of America only at the principal corporate trust office of Wells Fargo Bank, National Association, Minneapolis, Minnesota, as note registrar and paying agent, and its successors (the "*Note Registrar*"). Payment of each installment of interest shall be made to the Registered Owner hereof who shall appear on the registration books of the County maintained by the Note Registrar at the close of business on the fifteenth day of the calendar month next preceding the interest payment date, and shall be paid by check or draft of the Note Registrar mailed to such Registered Owner at his address as it appears on such registration books or at such other address as may be furnished in writing by such Registered Owner to the Note Registrar.

Reference is hereby made to the further provisions of this Note set forth on the reverse side hereof and such further provisions shall for all purposes have the same effect as if set forth on the front side of this Note.

It is hereby certified, recited and declared that all acts, conditions and things required to be done, exist, happen and be performed precedent to and in the issuance of this Note have been done, have existed, have happened and have been performed in regular form and manner as required by the Constitution and the laws of the State of Wisconsin; that this Note, together with all other indebtedness of the County, does not exceed any limitation prescribed by law; and that the County has levied a direct annual irrepealable tax sufficient to pay the interest hereon when it falls due and also to pay and discharge the principal hereof at maturity.

hereof and interest due hereon and for all other purposes, and neither the County nor the Note Registrar shall be affected by any notice to the contrary.

* * * *

The following abbreviations, when used in the inscription on the face of the within Note, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM - as tenants in common	UNIF GIFT/TRANS MIN ACT- _____Custodian_____ (Cust) (Minor)
TEN ENT- as tenants by the entirety	under Uniform Gifts/Trans to Minors
JT TEN- as joint tenants with right of survivorship and not as tenants in common	Act _____ (State)

Additional abbreviations may also be used though not listed above.

(ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

(Name and Address of Assignee)

the within Note and does hereby irrevocably constitute and appoint _____

attorney, to transfer the said Note on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

Signature guaranteed:

NOTICE: Signature(s) must be guaranteed by an "eligible guarantor institution" meeting the requirements of the bond registrar, which requirements include membership or participation in STAMP or such other "signature guarantee program" as may be determined by the bond registrar in addition to or in substitution for STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.

Section 8. Sale of Notes. The sale of the Notes to Bankers' Bank of Madison, Wisconsin, and associates, at a price of \$1,635,900 and accrued interest to the date of delivery thereof, is hereby confirmed, the same being the best bid submitted.

Section 9. Levy of Taxes. In order to provide for the collection of a direct annual tax sufficient to pay the interest on the Notes and to pay and discharge the principal thereof at maturity, there is hereby levied upon all taxable property in the County of La Crosse, Wisconsin, a direct annual tax in an amount sufficient for that purpose, and there is hereby levied upon all of said taxable property in the County the following direct annual tax in each of the years and amounts as follows:

YEAR OF LEVY	AMOUNT FOR INTEREST AND PRINCIPAL
2012	\$134,510.83
2013	390,230.00
2014	392,605.00
2015	389,185.00
2016	390,005.00

In each of said years 2011 to 2015, inclusive, the direct annual tax above levied shall be extended upon the tax rolls of the County and collected by the officers of the County in the same manner and at the same time as taxes for general County purposes for such years are extended and collected, and when so collected, the proceeds of said taxes shall be used solely for paying the principal of and interest on the Notes so long as any of the Notes remain outstanding.

Interest on or principal of the Notes falling due at any time when there shall be on hand insufficient funds from the proceeds of the above tax levy for the payment of such interest or principal shall be paid promptly when due from other funds of the County, which funds shall be reimbursed therefor out of the proceeds of the taxes above levied when such taxes shall have been collected.

Section 10. Debt Service Fund. There has been ordered to be established in the County Treasury a fund separate and distinct from all other funds of the County to be designated the "Debt Service Fund," which fund shall be used solely for the purpose of

paying principal of, premium, if any, and interest on municipal obligations issued pursuant to Chapter 67, *Wisconsin Statutes*, as supplemented and amended. There is hereby created, and there shall be deposited in, an account known as the "Series 2011-A Promissory Note Account," to be held as a part of the Debt Service Fund, all money raised by taxation pursuant to Section 9 hereof, and such other sums as may be necessary to pay interest on the Notes when the same shall become due and to retire the Notes at their respective maturity dates.

Section 11. Use of Proceeds; Notes to Remain in Registered Form; Compliance with Federal Law; Execution of Tax Exemption Certificate and Agreement. The principal proceeds of the Notes shall be deposited in a special fund and used solely for the purposes for which the Notes are hereby authorized.

The County recognizes that the purchasers and owners of the Notes will have accepted them on, and paid therefor a price which reflects, the understanding that the interest thereon is excludible from Federal gross income of the owners thereof under laws in force at the time the Notes shall have been delivered. In this connection, the County agrees that it shall take no action which may render the interest on any of the Notes includible in Federal gross income of the owners thereof. The County agrees that, to the extent possible under state law, it will comply with whatever Federal law is adopted in the future which applies to the Notes and affects the tax-exempt status of the interest on the Notes.

The Chairperson, the County Clerk, the Finance Director and the County Treasurer of the County, or any of them, are hereby authorized to execute on behalf of the County a Tax Exemption Certificate and Agreement (the "*Tax Exemption Certificate*") to assure the purchasers and owners of the Notes that the proceeds of the Notes are not expected to be used in a manner which would or might result in the Notes being "reimbursement bonds" in contravention of Section 1.103-18 of the United States Treasury Department Regulations (the "*Regulations*") or "arbitrage bonds" under Section 148 of the Code, or the Regulations currently in effect or proposed. Such Tax Exemption Certificate shall constitute a representation, certification and agreement of the County, and shall be incorporated herein by reference, and no investment of Note proceeds or of moneys accumulated to pay the Notes herein authorized shall be made in violation of the expectations prescribed by said Tax Exemption Certificate. Such Tax Exemption Certificate shall constitute an agreement of the County to follow certain covenants which may require the County to take certain actions (including the payment of certain amounts to the United States Treasury) or which may prohibit certain actions (including the establishment of certain funds) under certain conditions as specified in such Tax Exemption Certificate.

The County further recognizes that Section 149(a) of the Code requires the Notes to be issued and to remain in fully registered form in order that the interest thereon is excludible from Federal gross income of the owners thereof under laws in force at the time the Notes are delivered. In this connection, the County agrees that it will not take any action to permit the Notes to be issued in, or converted into, bearer or coupon form.

Section 12. Duties of Note Registrar. If requested by the Note Registrar, the Chairperson of the County is authorized to execute and the County Clerk of the County is authorized to attest the Note Registrar's standard form of agreement between the County and the Note Registrar with respect to the obligations and duties of the Note Registrar hereunder which may include the following:

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(a) to act as note registrar, authenticating agent, paying agent and transfer agent as provided herein;

(b) to cancel and destroy Notes which have been paid at maturity or submitted for exchange or transfer;

(c) to furnish the County at least annually a certificate of destruction with respect to Notes cancelled and destroyed; and

(d) to furnish the County at least annually an audit confirmation of Notes paid, Notes outstanding and payments made with respect to interest on the Notes.

The County Clerk of the County is hereby directed to file a certified copy of this Resolution with the Note Registrar.

The County covenants that it shall at all times retain a Note Registrar with respect to the Notes, that it will maintain at the designated office of such Note Registrar a place or places where Notes may be presented for payment or registration of transfer or exchange, and that it shall require that the Note Registrar properly maintain the Note Register and perform the other duties and obligations imposed upon it by this Resolution in a manner consistent with the standards, customs and practices of the municipal securities industry.

The Note Registrar shall signify its acceptance of the duties and obligations imposed upon it by this Resolution by executing the certificate of authentication on any Note, and by such execution the Note Registrar, shall be deemed to have certified to the County that it has all requisite power to accept and has accepted such duties and obligations. The Note Registrar is the agent of the County, and shall not be liable in connection with the performance of its duties, except for its own negligence or willful wrongdoing. The Note Registrar shall, however, be responsible for any representation in its certificate of authentication on the Notes.

The County may remove the Note Registrar at any time. In case at any time the Note Registrar shall resign, shall be removed, shall become incapable of acting, or shall be adjudged as bankrupt or insolvent, or if a receiver, liquidator or conservator of the Note Registrar, or of the property thereof, shall be appointed, or if any public office shall take charge or control of the Note Registrar, or of the property or affairs thereof, the County covenants and agrees that it will thereupon appoint a successor Note Registrar. The County shall mail notice of any such appointment made by it to each registered owner of any Note within twenty (20) days after such appointment. Any Note Registrar appointed under the provisions of this Section 12 shall be a County officer or a bank, trust company or national banking association.

The County and/or the Note Registrar may enter into an agreement with a securities depository registered under Section 17A of the Securities Exchange Act of 1934, as amended (the

"Securities Depository"), including without limitation The Depository Trust Company, which is the record owner of the Notes, to establish procedures with respect to Notes owned by such Securities Depository. Such agreement may impose additional requirements on the Note Registrar with respect to the Notes.

Section 13. Continuing Disclosure Undertaking. The Chairperson, the County Clerk, the Finance Director and the County Treasurer of the County, or any of them, are hereby authorized to execute and deliver on behalf of the County a continuing disclosure undertaking with respect to the Notes (the *"Continuing Disclosure Undertaking"*). When the Continuing Disclosure Undertaking shall be executed and delivered on behalf of the County as contemplated herein, it shall be binding on the County, and all officers, employees and agents of the County are hereby authorized, empowered and directed to do all such acts

and things and to execute all such documents as may be necessary to carry out and comply with the terms and provisions of the Continuing Disclosure Undertaking. Notwithstanding any other provision of this Resolution to the contrary, the sole remedy for the failure to comply with the Continuing Disclosure Undertaking shall be the ability of the beneficial owners of the Notes to seek mandamus or specific performance.

Section 14. Other Documents. The Chairperson, the County Clerk, the County Treasurer, the Finance Director and all other officers of the County are hereby authorized to execute all documents and certificates necessary in connection with the authorization and delivery of the Notes, including without limitation an official statement describing the Notes and the County.

Section 15. Severability. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability or such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 16. Ordinances, Resolutions Superseded. All ordinances and resolutions in conflict herewith are hereby superseded to the extent of such conflict, and this Resolution shall take effect from and after its passage.

FISCAL NOTE: Debt Service Funding will be provided for in the 2012 County Budget.

EXECUTIVE COMMITTEE (VICKI BURKE)

Motion by V. Burke/B. Flood to approve. Discussion ensued. Finance Director Gary Ingvalson further explained the resolution and Joe Murray from Springsted further explained the bids. Administrator O'Malley responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 30 ayes, 5 excused - J. Berns, B. Brockmiller, S. Doyle, A. Kader and J. Medinger.

RESOLUTION NO. 57-10/11 RE: CHANGES IN POSITIONS FOR 2012

WHEREAS, based on input from the departments, the County Administrator's 2012 budget includes a total decrease of 8.41 Full Time Equivalents (FTE) in position allocation and an increase of 3.33 FTE for departments partly supported by local property tax levy; and, **NOW THEREFORE BE IT RESOLVED**, that the following new hours/positions and reductions be approved for inclusion in the 2012 La Crosse County budget, reflecting a net decrease of 5.08 Full Time Equivalents (FTE).

		<u>Net Increase/ Decrease FTE</u>	<u>Total Annual Cost Salary & Fringe</u>	<u>Net Levy Impact</u>
<u>Health Dept.</u>				
- 0.4	Nursing Supervisor-Home Health	-0.4	<\$41,721>	<\$41,721>
- 0.3	Medical Records Tech	-0.3	<\$22,285>	<\$22,285>
- 0.47	Community Health Aide	-0.47	<\$35,490>	<\$35,490>
- 0.54	Community Health Nurse II (vacant)	-0.54	<\$32,790>	<\$32,790>
- 0.44	Community Health Aide (vacant)	-0.44	<\$15,396>	<\$15,396>
- 0.1	Community Health Nurse III	-0.1	<\$6,350>	<\$6,350>
- 0.1	Community Health Nurse II	-0.1	<\$5,956>	<\$5,956>
- 1.0	Epidemiologist (vacant)	-1.0	<\$66,552>	<\$66,552>
+ 0.33	Community Health Aide	+0.33	\$25,860	0
<u>Human Services Dept.</u>				
+2.0	Social Service Specialist	+2.0	\$104,208	\$36,473
-2.0	Clerk, ES Clerk, Secretary	-2.0	<\$104,209>	<\$36,474>

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Solid Waste Dept.

+1.0	Scale Attendant	+1.0	\$55,692	0
-0.36	Hazardous Waste Worker-Seasonal	-0.36	<\$10,968>	0

Highway Dept.

- 1.00	Heavy Equipment Operator (vacant)	-1.00	<\$68,724>	<\$68,724>
- 1.00	Utility Worker (vacant)	-1.00	<\$65,988>	<65,988>

Sheriff's Dept.

-0.50	Patrol Deputy (thru 7/1/2012)	-0.50	<\$28,854>	<\$28,854>
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Finance Dept.

-0.20	Purchasing Coordinator (eff. 7/1/2012)	-0.20	<\$5,563>	<\$5,563>
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Net Change/Totals **-5.08** **<\$325,086>** **<\$395,670>**

BE IT FURTHER RESOLVED, that any position addition reliant on non-tax-levy funding will be deleted if outside funding ends; and, **BE IT FURTHER RESOLVED**, that the Finance Department is authorized to make the necessary changes to the budget and the Personnel Department is authorized to make necessary changes to the County pay plan. **FISCAL NOTE:** The net cost of additions and deletions, which will be part of the tax levy for 2012, is a reduction of \$395,670.

EXECUTIVE COMMITTEE (VICKI BURKE)

Motion by V. Burke/D. Meyer to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 31 ayes, 4 excused - J. Berns, B. Brockmiller, S. Doyle and A. Kader.

RESOLUTION NO. 58-10/11 RE: CREATING POSITIONS NECESSARY FOR OPERATION OF REGIONAL INCOME MAINTENANCE CONSORTIUM

WHEREAS, Act 32 (the State of Wisconsin's 2011-13 Biennial Budget) requires all counties to organize into no more than 10 multi-county consortia for purposes of administering Income Maintenance programs as collaborative ventures beginning January 1, 2012; and, **WHEREAS**, La Crosse County has joined an Income Maintenance consortium with seven other counties (Buffalo, Clark, Jackson, Monroe, Pepin, Trempealeau, Vernon), with La Crosse County acting as the Administrative Lead for the consortium; and, **WHEREAS**, to gain the efficiencies necessary for the consortium to operate effectively with significantly reduced State and Federal funding, certain functions (such as those relating to client changes, registration, and administrative oversight) would be centralized in La Crosse County; and **WHEREAS**, the workload involved with La Crosse County taking on these functions necessitates increasing the number of Income Maintenance related positions; and, **WHEREAS**, the increased costs associated with the new positions would be completely covered by State and Federal dollars allocated toward the operation of the consortium. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board of Supervisors authorize the creation of 1.0 FTE Economic Support Supervisor position, 1.0 FTE Economic Support Clerk position, and 2.0 FTE Clerk positions, effective January 1, 2012, and authorize the Finance Department to make any appropriate account transfers necessary related to the funding of these positions and centralizing regional consortium funding. **FISCAL NOTE:** There is no impact on the County tax levy. ES Supervisor: salary \$44,948; fringe \$24,900. Economic Support Clerk: salary \$29,679; fringe \$22,635. Clerk (2 positions): salary \$55,380; fringe \$44,680. Total Salary & Fringe: \$222,222.

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EXECUTIVE COMMITTEE (VICKI BURKE)

Motion by V. Burke/M. Wood to approve passed on a unanimous voice vote with 31 ayes, 4 excused - J. Berns, B. Brockmiller, S. Doyle and A. Kader.

FIRST CONSIDERATION OF ORDINANCE

ORDINANCE NO. 99 TO AMEND S. 13.03 OF CHAPTER 13 OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN ENTITLED "REGULATIONS AND LICENSING OF LARGE ASSEMBLIES"

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 website at: www.co.la-crosse.wi.us. Upon adoption and publication, it will be incorporated into the La Crosse County General Code of Ordinances.

TERMINATION OF CONDITIONAL USE PERMIT NO. 401 - TERMINATION NO. 78 FILED BY LA CROSSE COUNTY ZONING, PLANNING AND LAND INFORMATION DEPARTMENT TO TERMINATE CONDITIONAL USE PERMIT NO. 401 ISSUED TO JOHN MCRAE D/B/A SUNRAY DAIRY LLP, TO CONSTRUCT AND OPERATE THREE (3) BARNs FOR A FEEDLOT FOR REPLACEMENT HEIFERS FOR THEIR DAIRY FARM ON LAND ZONED EXCLUSIVE AGRICULTURE DISTRICT IN THE TOWN OF FARMINGTON BECAUSE THE PERMIT IS NO LONGER NEEDED AS A SALE TO A FAMILY MEMBER, TIMOTHY & SHELLY KUNES, HAS HAPPENED

The La Crosse County Planning, Resources and Development Committee, having considered the application filed by: La Crosse County Zoning, Planning and Land Information Department 400 4th St N – Room 3170 La Crosse WI 54601 and having held a public hearing on the 3rd day of October, 2011 on a petition to terminate Conditional Use Permit No. 401 issued to John McRae d/b/a SunRay Dairy LLP, 9092 County Road VV, Mindoro, WI 54644 and passed by the County Board in May of 1997 to construct and operate three (3) barns for a feedlot for replacement heifers for their dairy farm on land zoned Exclusive Agriculture District in the Town of Farmington. **Reason for terminating** – the permit is no longer needed as a sale to a family member, Timothy & Shelly Kunes, has happened. Land described as: Part SW-NE, NW-SE, SE-NW & NE-SW Section 9, T18N, R6W lying Easterly of County Road VV in the Town of Farmington. 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 unanimous vote, the Committee recommended approval of the Termination of Conditional Use Permit No. 401 because the farm has been sold and the current owners no longer have a feedlot. The County Board took the following action this 20th day of October, 2011: Approved termination.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Meyer/D. Manthei to approve as recommended by the Committee passed on a unanimous voice vote with 29 ayes, 6 excused - J. Berns, B. Brockmiller, S. Doyle, B. Feehan, M. Freedland and A. Kader.

CONDITIONAL USE PERMIT NO. 843 FILED BY THOMAS M BROWN TO OPERATE A SNOW REMOVAL AND LANDSCAPING BUSINESS IN AN EXISTING 60-FT X 60-FT POLE BUILDING ON 1.31 ACRES OF LAND ZONED AGRICULTURE DISTRICT "A" IN THE TOWN OF MEDARY

The La Crosse County Planning, Resources and Development Committee, having considered to application filed by: Thomas M Brown, N3620 Smith Valley Rd, La Crosse, WI 54601 and having held a public hearing on the 3rd day of October, 2011 for a Conditional Use Permit to operate a snow removal and landscaping business in an existing 60-ft X 60-ft pole building

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on 1.31 acres of land zoned Agriculture District "A" in the Town(s) of Medary on land described as follows: Lot 1 of Certified Survey Map No. 117, Volume 4. Town of Medary. And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 91.48(1), Wis. Stats., along with the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to: By unanimous vote, the Committee recommended approval of Conditional Use Permit No. 843 subject to the following eleven (11) conditions:

1. Recommended approval for a permit to operate snow removal and landscaping business at N3119 Smith Valley Rd;
2. The existing 60-ft X 60-ft pole building can be used for storage of equipment related to the business only;
3. No outside storage of any kind other than ten (10) employee vehicles;
4. No outside signage;
5. No onsite sales or customers;
6. Hours of operation: October – April are weather based 24/7. May – September 7:30 AM to 6:30 PM Monday – Saturday. No Sunday work;
7. Up to fifteen (15) employees during the winter months; and, one (1) employee not including family members April to September;
8. Onalaska Fire Department shall be contacted for compliance;
9. This permit is non-transferable other than to immediate family;
10. All personal property must be reported yearly to the local assessor; and
11. This Conditional Use Permit replaces and terminates Conditional Use Permit No. 296 in its entirety.

THE COUNTY BOARD took the following action this 20th of October, 2011: Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Meyer/R. Keil to approve. Motion by J. Schroeder/R. Geary to amend by removing condition #6. Discussion ensued. The motion to amend was withdrawn with no objections. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 31 ayes, 4 excused - J. Berns, B. Brockmiller, S. Doyle and A. Kader.

CONDITIONAL USE PERMIT NO. 844 FILED BY JUSTIN PETERSON D/B/A CREAMERY CREEK HOLSTEINS, LLC ACTING ON BEHALF OF JOHN J & DONNA L HANSEN FOR A LIVESTOCK FACILITY EXPANSION IN ORDER TO EXPAND THE NUMBER OF ANIMAL UNITS TO A MAXIMUM OF 683 ON 265 ACRES OF LAND ZONED EXCLUSIVE AGRICULTURE DISTRICT IN THE TOWN OF BANGOR AND THE TOWN OF BURNS

The La Crosse County Planning, Resources and Development Committee, having considered to application filed by: Justin Peterson d/b/a Creamery Creek Holsteins, LLC, W1250 County Road U, Bangor, WI 54614; acting on behalf of John J & Donna L Hansen, 3420 Kinney Coulee Rd S, Onalaska, WI 54650 and having held a public hearing on the 3rd day of October, 2011 for a Conditional Use Permit for a livestock facility expansion which includes a free-stall barn addition, a special needs barn, a manure transfer system and substantial barnyard run-off control practices in order to expand the number of animal units to a maximum of 683 on 265 acres of land zoned Exclusive Agriculture District in the Town of Bangor and the Town of Burns land described as follows: That part of the NW ¼ of Section 3, T16N, R5W lying north of County Road U described in tax parcels 1-49-0; 1-50-0; 1-51-0 and 1-54-0, and that part of the NE-NE of Section 4, T16N, R5W, described in tax parcel 1-67-0 in the Town of Bangor; and Government Lots 7 & 8 in Section 33, T17N, R5W, described in tax parcels 3-702-0 & 3-704-0, and the SW-SW of Section 34, T17N, R5W in

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tax parcel 3-718-0 in the Town of Burns. 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 unanimous vote, the Committee recommended approval of Conditional Use Permit No. 844 in accordance with the completed Wisconsin Department of Agriculture, Trade and Consumer Protection Chapter 51 application for a maximum of six hundred eighty-three (683) animal units. **THE COUNTY BOARD** took the following action this 20th of October, 2011: Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE (DON MEYER)

Motion by D. Meyer/D. Bina to approve as recommended by the Committee. Discussion ensued. Zoning, Planning & Land Information Director Jeff Bluske responded to questions from the Board. The motion passed on a unanimous voice vote with 31 ayes, 4 excused - J. Berns, B. Brockmiller, S. Doyle and A. Kader.

ZONING PETITION NO. Z271-10/11 RE: PETITION NO. 1877 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY KATHRYN D SCHMIDT, ATTY, ACTING ON BEHALF OF SUSIE KNEIFL AND HOWARD & SUSIE KNEIFL FAMILY TRUST TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO AGRICULTURE DISTRICT "A" 25.63 ACRES OF LAND IN THE TOWN OF BURNS

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1877 to amend the La Crosse County Zoning Ordinance filed by: Kathryn D Schmidt, Atty, PO Box 420, Sparta, WI 54656; acting on behalf of Susie Kneifl and Howard & Susie Kneifl Family Trust, N7115 County Road DE, Bangor, WI 54614 and having held a public hearing on the 3rd day of October, 2011 for a petition to rezone from Exclusive Agriculture District to Agriculture District "A" 25.63 acres of land for continued single family residential use in the Town(s) of Burns. Part of the SW-NE of Section 6, T17N, R5W lying westerly of County Road DE, EXCEPT Lot 1 of Certified Survey Map No. 128, Volume 12 & EXCEPT part taken for road. Town of Burns. 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 unanimous vote, the Committee recommended approval of this rezoning to Agriculture District "A" subject to the recording of deed restrictions indicating the following:

1. Only one single-family residence is allowed on the 25.63 acres; and
2. No further subdividing of this parcel until these restrictions are amended by the County Board.

(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 20th day of October, 2011: Approved the petition with conditions, becomes an ordinance, after recording conditions.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by D. Meyer/D. Manthei to approve as recommended by the Committee. Discussion ensued. Zoning, Planning & Land Information Director Jeff Bluske responded to questions

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from the Board. The motion passed on a unanimous voice vote with 31 ayes, 4 excused - J. Berns, B. Brockmiller, S. Doyle and A. Kader.

RESOLUTION NO. 59-10/11 RE: APPROVAL OF THE LA CROSSE COUNTY LAND AND WATER RESOURCE MANAGEMENT PLAN 2012-2017

WHEREAS, Wis. Stat., s. 92.10 created a county land and water resource management program in Wisconsin; and, **WHEREAS**, the planning program requires counties to develop land and water resource management plans that identify soil and water resource concerns and the methods to protect and enhance those soil and water resources; and, **WHEREAS**, the La Crosse County Land and Water Resource Management Plan 2012-2017 has been developed as the implementation document to protect the County's soil and water resources and to fulfill statutory requirements which will allow the Department of Land Conservation to receive implementation grants from the State of Wisconsin; and, **WHEREAS**, the Planning Resources and Development Committee held a public hearing on the Land and Water Resource Management Plan on September 20, 2011 and recommends the approval of such Plan as being in the best interests of La Crosse County. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby approve the La Crosse County Land and Water Resource Management Plan 2012-2017. **FISCAL NOTE:** The cost of implementing this Plan is included in the Land Conservation Budget.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by M. Pedretti/L. Pfaff to approve passed on a unanimous voice vote with 31 ayes, 4 excused - J. Berns, B. Brockmiller, S. Doyle and A. Kader.

RESOLUTION RE: INFORMATION REQUEST CONCERNING THE CAPX2020 APPLICATION FOR A 345 KV TRANSMISSION LINE

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by M. Pedretti/T. Wehrs to approve. Motion by M. Pedretti/T. Wehrs to table item #10-19. The motion to table passed on a voice vote with 26 ayes, 5 nays – J. Bilskemper, V. Burke, R. Geary, J. Schroeder, and M. Wood, 4 excused – J. Berns, B. Brockmiller, S. Doyle, and A. Kader.

RESOLUTION RE: INFORMATION REQUEST CONCERNING AMERICAN TRANSMISSION COMPANY'S 345 KV TRANSMISSION LINE OPTION

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by M. Pedretti/J. Johnson to approve. Motion by M. Pedretti/D. Meyer to table item #10-20 passed on a unanimous voice vote with 31 ayes, 4 excused - J. Berns, B. Brockmiller, S. Doyle and A. Kader.

FIRST CONSIDERATION OF ORDINANCE

ORDINANCE NO. 95 TO AMEND CHAPTER 16 OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN ENTITLED "FLOODPLAIN ZONING"

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 website at www.co.la-crosse.wi.us. Upon adoption and publication it will be incorporated into the La Crosse County General Code of Ordinances.

RESOLUTION NO. 60-10/11 RE: APPROVE AN EXTENSION TO THE 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

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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 Beatification 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 33 “REGULATION OF OUTDOOR ADVERTISING is very close to completion in drafting and will be available soon for public comment; 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, **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 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 complete within 3 months 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 unincorporated areas of La Crosse County. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby extend the 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 3 months from the expiration of the 6 month moratorium imposed by resolution #20-5/11, 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/T. Wehrs to approve. Discussion ensued. Zoning, Planning & Land Information Director Jeff Bluske and Deputy Corporation Counsel Dave Lange responded to questions. Motion by A. Richmond/J. Bilskemper to call the question/close debate passed on a voice vote with 27 ayes, 5 nays - R. Ebert, B. Feehan, M. Freedland, R. Geary and T. Wehrs, 3 excused - J. Berns, B. Brockmiller and A. Kader. The motion to approve passed on

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a roll call vote with 27 ayes, 5 nays - R. Ebert, B. Feehan, D. Ferries, R. Geary and C. Spiker, 3 excused - J. Berns, B. Brockmiller and A. Kader.

SUGGESTIONS FOR FUTURE AGENDA TOPICS

Supervisor Medinger asked Corporation Counsel to give clarification in writing on public hearing from the book.

Supervisor Ebert would like clarification on the public information. He would like the difference between public hearing and public information.

Supervisor Geary asked that the new County Board structure come in as a resolution. If committees change time, it should be with a resolution.

Supervisor Wood asked for presentation of the known information about the sign ordinance.

ADJOURN

Motion by G. Sebranek/D. Manthei to adjourn at 8:28 PM passed on a unanimous voice vote with 32 ayes, 3 excused - J. Berns, B. Brockmiller, and A. Kader.

STATE OF WISCONSIN)

COUNTY OF LA CROSSE)

I, Ginny Dankmeyer, La Crosse County Clerk, in and for the County of La Crosse, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the La Crosse County Board of Supervisors at the La Crosse County Board of Supervisors Monthly Meeting held Thursday, October 20, 2011 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 31 OF OCTOBER 2011.