

**LA CROSSE COUNTY BOARD OF SUPERVISORS PUBLIC HEARING AND ANNUAL MEETING PROCEEDINGS; MONDAY, NOVEMBER 14, 2011**

The La Crosse County Board of Supervisors Public Hearing and Annual Meeting was held on Monday, November 14, 2011 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 33 supervisors were present when Chair Tara Johnson called the meeting to order at 6:00 P.M. and those otherwise present, excused or absent are noted in the roll call detail:

<b>District Name</b>	<b>Attendance</b>
1 Richmond, Andrea	Present
2 Geary, Ralph	Present
3 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, Excused at 07:14 PM
10 Wood, Margaret	Present
11 Kader, Audrey	Present
12 Flood, Bridget	Present
13 Brockmiller, Bill	Present
14 Medinger, John	Present
15 Mach, Beverly	Present
16 Sebranek, Gerald	Excused
17 Meyer, Donald	Present
18 Johnson, Tara	Present
19 Keil, Robert	Present
20 Bina, Donald	Present
21 Manthei, Dennis	Excused
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**

### **OUTLINE OF COUNTY ADMINISTRATOR'S RECOMMENDED BUDGET**

Administrator O'Malley presented his 9<sup>th</sup> budget to the Board. The most important thing is that our total gross budget is a "hold the line budget", \$134 million, a 0.33% increase. After two consecutive years with a 0% operating levy, it has been matched for a third year in a row. The tax rate rises slightly due to the decrease in equalized value. Nearly every department shows a decrease in levy. There will be a decrease reliance on fund balance which puts us in a position to preserve our fiscal position in relation to anticipated cuts from the federal government. The County did not take the opportunity that the legislation allowed us to do, which was to increase the property tax by the value of new construction. The shifting of the cost of Wisconsin Retirement to employees helped; however, only 59% contributed to the net property tax levy savings. It did not make up the entire budget problems for this year. The impact is spread across all departments although not equally. La Crosse County started with a \$3 million gap, about \$1.4 million is from state cuts, and \$1.6 million is from other revenue losses not caused by the state. It has been replaced by the shift of Wisconsin Retirement to employees, other program changes and decreases, position decreases and some higher revenue in small areas. The County will continue to use short-term highway debt this year and accelerate our payoff of the total debt that is outstanding. It positions the County to deal with major capital issues in the next several years and prepares for future capital needs at Lakeview, the Administrative Center, and our road system. Mississippi Valley Health Services will continue to generate about \$1 million per year to pay for clients from other counties that stay here in La Crosse County. There will be a net decrease of 5 full-time equivalent positions, excluding Economic Support Regionalization. The 2012 budget will show the lowest increase at 0%. The entire \$134 million dollar budget is spread out over many different areas. The property tax levy is dominated by state managed and state required services. The County Board budget continues to lead in reducing the cost of providing County representation through the County Board. With a decrease in County Board Supervisors next year, it will save \$30,000 a year even with a 2% increase in salary. The County Board also has made significant changes in the participation of health insurance for County Board supervisors. From 2005 to 2011, the actual premium cost for the County Board budget has dropped by 77%. In 2005, the County paid about \$93,000 for Supervisor premiums, and in 2011 the County paid about \$21,000. These are significant changes that have been built over time to help control the cost of providing representative service to the community through the County Board budget. By the end of 2012, our debt will be down to \$61.5 million. The County continues to be in the middle of all counties in total debt levy per capita. At the end of 2012, we will owe approximately as much as we borrowed to construct the new LEC addition and continue to pay it off rapidly. In 2013, our debt rate will be \$0.52, which is well under our average. We continue to have a strong bond rating in the state. Only five counties rank higher than us.

**PUBLIC HEARING COMMENCED AT 6:00 P.M;** Chair Johnson called the speakers to the podium and informed the speakers they would have about three minutes to speak.

#### **PUBLIC SPEAKERS:**

- Joe Gow, UW-La Crosse Chancellor; Josh Whittman UW-La Crosse Athletic Director; and Al Trapp UWL Foundation President: in favor of the \$25,000 donation to the Veteran's Memorial Field Complex.
- Dave Clements, Executive Director of the La Crosse Area Conventions Bureau: in favor of the \$10,000 donation to the French Island Visitor's Bureau.
- Al Schultz: in favor of higher taxes and borrowing more money.
- Mike Desmond – Executive Director of the Boys and Girls Club of Greater La Crosse Area: in favor of continuing donations for the Boys and Girls Club.

**PUBLIC HEARING CLOSED:** With no one else requesting to speak, the Public Hearing was closed.

**COMMUNICATIONS AND ANNOUNCEMENTS:**

**County Board Chair Report - Tara Johnson**

- Chair T. Johnson congratulated Supervisor Billings for winning her election to the 95<sup>th</sup> Assembly District.
- Supervisors are asked to take a look at their lockers and clean them out if needed. Supervisors are also reminded to clean up their space and log off their computers after the meetings. If you will not be in attendance at a meeting or think you may be late, please call before the meeting starts to inform the clerk's office.
- Supervisor Conference Reports
  - Supervisor Freedland attended the WCA mining conference in Stevens Point on frac sand and metallic mining.
  - Supervisor Doyle reminded everyone about the frac sand mining event on Wednesday, November 16, at 6:30 P.M. at the West Salem Library with four county staff talking about the issues on zoning, economic development, environmental, and traffic/highway issues.
  - Supervisor Ebert noted the Towns Association will be having a presentation on frac sand mining at 7:30 P.M. on Thursday at the Town of Shelby.

**County Clerk Report – Ginny Dankmeyer**

- County Clerk Dankmeyer requested Supervisors to leave their computers on overnight due to the early start of the meeting tomorrow morning. Supervisors were informed the need to turn in a non-candidacy form if you were redistricted into a new district or not running for re-election. If this is not done, the district will be held open for an additional 72 hours. Supervisors were also informed of the deadlines and dates with regards to circulating and filing papers.

**CHAIR CHANGE**

Vice Chair V. Burke took the chair.

**APPOINTMENT**

Appoint **Dick Mial** to replace Geva Thole on the Criminal Justice Management Council for a term to expire April 30, 2012.

Motion by T. Johnson/B. Brockmiller to approve passed on a unanimous voice vote with 33 ayes, 2 excused - D. Manthei and G. Sebranek.

**CHAIR CHANGE**

Chair T. Johnson resumed the chair.

**CONSENT AGENDA**

Motion by R. Plesha/B. Flood to approve the minutes of the County Board of Supervisors Planning Meeting held October 10, 2011 and the Monthly Meeting held October 20, 2011 and the claims list for \$7,543,422.77 passed on a unanimous voice vote with 33 ayes, 2 excused - D. Manthei and G. Sebranek.

**RESOLUTION NO. 61-11/11 RE: EVIDENCE BASED PUBLIC HEALTH SERVICES**

**WHEREAS**, to assure the La Crosse County Health Department is providing high quality, effective public health services, the Health and Human Services Board has directed that the Department seek national accreditation as a local health department; and, **WHEREAS**, to be eligible for this accreditation, a local health department must provide documentation of its delivery of new and/or updated services are evidence based as defined by the Center for Disease Control's "Guide to Community Preventive Services" or as the result of other peer reviewed research. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board of Supervisors and La Crosse County Health and Human Services Board does hereby direct the La Crosse County Health Department to use evidence based public health programming in developing new or updating existing services. **FISCAL NOTE:** No new

funding is required. Staff continuing education will be focused on evidence based activities. Normal quality improvement will include the use of documented evidence based practices as one criterion for program development.

#### **HEALTH AND HUMAN SERVICES BOARD**

Motion by S. Hampson/M. Kruse to approve. Discussion ensued. Health Director Doug Mormann responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 33 ayes, 2 excused - D. Manthei and G. Sebranek.

#### **SECOND CONSIDERATION OF ORDINANCE NO. 99-11/11 TO AMEND S. 13.03 OF CHAPTER 13 OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN ENTITLED "REGULATIONS AND LICENSING OF LARGE ASSEMBLIES"**

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

**Section 1.** Section 13.03 of the County Code is amended to read:

##### **13.03 REGULATION AND LICENSING OF LARGE ASSEMBLIES.**

(1) Authority. This section is adopted pursuant to authority granted in s. 59.02, 59.56(12)(b), and 175.20, Wis. Stats.

(2) Purpose. The purpose of this section is to regulate the assemblage of people in excess of those normally needing the health, sanitary, fire, police, transportation and utility services regularly provided in La Crosse County, in order that the health, safety and welfare of all persons in the County, residents and visitors alike, may be protected.

(3) Jurisdiction. The jurisdiction of this section shall apply to all unincorporated areas in the County except to any town that has adopted a similar regulation under s. 60.23(10), Wis. Stats. or has its own police department.

(4) Definitions.

(a) "Assembly" shall mean a company of persons gathered together at any location at any single time for any purpose and for which an admission or other fee is charged or refreshments or other products are sold.

(b) "Extra Ordinary Services" shall mean those provided by La Crosse County above and beyond its normal capabilities and requirements of providing public safety, that cause a measurable burden upon County personnel and material. Such services shall include extra police protection, traffic control or refuse collection, and the administration of this ordinance.

(c) "Person" shall mean any individual, corporation, firm, partnership, association, organization, university, school, or agent thereof, or any group acting as a unit as well as individually, and shall also mean an executor, administrator, trustee, receiver or other representative appointed according to law.

(5) License Required. No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage or sell or give tickets to any actual or reasonably anticipated assembly of 1000 or more people which continues or can reasonably be expected to continue for 4 or more consecutive hours, whether on public or private property, unless a license to hold the assembly has first been issued by the La Crosse County Sheriff, application for which must be made at least 45 days in advance of the assembly. A license to hold an assembly issued to 1 person shall permit any person to engage in any lawful activity in connection with the holding of the licensed assembly.

(6) Regulations.

(a) A license shall be required for each day and each location in which 1000 or more people assemble or can reasonably be anticipated to assemble. The fee for an assembly of 1 or 2 days shall be determined by the County Board and shall be subject to change from time to time. An additional fee per day shall be charged for each day of an assembly in excess of 2 days as determined by the County Board.

(b) A license shall permit the assembly of only the maximum number of people stated in the license. The licensee shall not sell tickets to nor permit to assemble at the licensed location more than the maximum permissible number of people.

(c) The licensee shall not permit the sound of the assembly to unreasonably carry beyond the enclosed boundaries of the location of the assembly.

(165-11/12)

(d) This section shall not apply to any regularly established, permanent place of worship, stadium, athletic field, auditorium, coliseum, race track or other similar permanently established place of assembly for assemblies which do not exceed by more than 250 people the maximum seating capacity of the structure where the assembly is held.

(e) This section shall not apply to the following: government-sponsored fairs held on regularly established fairgrounds, assemblies required to be licensed by other County ordinances and regulations, and assemblies held in any city or village or in any town that has adopted a similar regulation.

(7) Conditions for Issuing License. No license hereunder shall be issued unless and until the applicant complies with the following conditions:

(a) The applicant shall indicate the maximum number of people who will be assembled or admitted to the location of the assembly, provided that the maximum number of people shall not exceed 1 person per 15 square feet of space in the spectator area located in the assembly grounds and provided that, where the assembly is to continue overnight, the maximum number shall not be more than is allowed to sleep within the boundaries of the location of the assembly by the zoning or other ordinances of the County.

(b) The applicant shall provide proof that he/she will furnish the following at his/her own expense prior to the commencement of the proposed assembly:

1. Potable water, meeting all federal and state requirements for purity, sufficient to provide drinking water for the maximum number of persons assembled. Drinking fountains shall be available or if faucets are used for dispensing drinking water, then single service drinking cups shall be available and dispensed in a sanitary manner. Reuse of single service drinking cups is prohibited.

2. Separate enclosed toilets for males and females shall meet federal, state, and local specifications, particularly Comm. 55.32 Administrative Code, conveniently located throughout the grounds sufficient to provide facilities for the maximum number of people to be assembled. Each designated area shall have hand washing sinks with a continuous supply of soap and towers as required by federal, state, or local requirements.

3. A sanitary method of disposing of solid waste, in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least 2.5 lbs. of solid waste per person per day, together with a plan for holding and a plan for collecting all such waste at least once each day of the assembly and sufficient trash cans with tight fitting lids and personnel to perform the task.

4. A registered nurse, emergency medical technician (EMT) or 1<sup>st</sup> Responder shall be on duty at all times during the assembly. There shall be provided an enclosed covered structure for medical treatment. When the number of persons exceeds 10,000, a minimum of 1 ambulance and 2 EMTs shall be provided by the applicant on site.

5. If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly at the rate of at least 5 foot-candles, but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly.

6. There shall be provided a controlled parking area inside of the assembly grounds sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least 1 parking space for every 4 persons.

7. There shall be provided 1 licensed bartender for each separate beverage station that is serving alcohol.

8. If the assembly is to continue overnight, camping facilities shall be provided and shall be in compliance with all State and local requirements pursuant to the Wisconsin Administrative Code and this Code, sufficient to provide camping accommodations for the maximum number of people to be assembled.

9. Security guards shall be provided by the applicant at a ratio of 1 to 800 persons assembled. Peace officers may be provided at the discretion of the

Sheriff and shall be certified law enforcement officers in the State of Wisconsin. Security personnel shall be either Wisconsin peace officers or private guards licensed in the State.

10. Fire protection, including alarms, extinguishing devices and fire lanes and escapes shall be provided and be sufficient to meet all state and local standards for the location of the assembly pursuant to the Wisconsin Administrative Code and this Code and sufficient emergency personnel to efficiently operate the required equipment.

11. All reasonably necessary precautions shall be provided to insure that the sound of the assembly will not unreasonably carry beyond the enclosed boundaries of the location of the assembly.

12. Bond. No license shall be issued unless the applicant deposits with the County Sheriff a bond, either in cash or underwritten by a surety company licensed to do business in the State, at the rate of \$2.00 per person for the maximum number of people permitted to assemble, which shall indemnify and hold harmless the County or any of its agents, officers, servants or employees from any liability or causes of action which might arise by reason of granting this license and for the legal fees incurred in the defense of such actions and from any costs, expenses or claims incurred by or against La Crosse County for extra ordinary services required as a result of a licensed event.

13. Insurance. Prior to the issuance of the permit by the Sheriff, each applicant shall furnish evidence of a liability insurance policy in the amount of not less than \$500,000 per occurrence and \$1,000,000 annual aggregate, and such insurance shall be in force and effect at the time the event is to take place. Evidence of insurance shall include a Certificate of Insurance naming the County of La Crosse as an additional insured in connection with said event.

14. The applicant shall provide a method of informing the attending public of weather conditions by a loud speaker system that can be heard throughout the grounds, parking areas and campground. The applicant shall monitor the National Weather Service weather reports and the loud speaker and use the loud speaker to timely inform all persons attending of approaching weather.

(8) Application.

(a) Application for an event to be held in a county park requires the prior approval of the Public Works and Infrastructure Committee.

(b) At the time the application is submitted, the applicant shall provide the Sheriff with a certified copy of the town board resolution from the town wherein the event is to be held or a letter from the town clerk confirming that the applicant has met all town requirements and that the town has approved and authorized the event.

(c) Application for a license to hold an actual or anticipated assembly of 1,000 or more persons shall be made in writing to the La Crosse County Sheriff at least 45 days in advance of such assembly. The Sheriff or his/her designee will be responsible for conferring with the County Zoning and Health Departments to ensure that the large assembly complies with state and local codes and regulations.

(d) The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application in the case of an individual, by all officers in the case of a corporation, by all partners in the case of a partnership or by all officers of an unincorporated association, society or group or, if there are no officers, by all members of such association, society or group.

(e) The application shall contain and disclose:

1. The name, age, residence and mailing address of all persons required to sign the application in sub. (8)(b) above and, in the case of a corporation, a certified copy of the articles of incorporation together with the name, age, residence and mailing address of each person holding 10% or more of the stock of such corporation; also the name, age, residence and mailing address of the registered agent.

(167-11/12)

2. The address and legal description of all property upon which the assembly is to be held together with the name, residence and mailing address of the record owner of all such property.

3. Proof of ownership of all property upon which the assembly is to be held or a statement made upon oath or affirmation by the record owner of all such property that the applicant has permission to use such property for an assembly of 1,000 or more persons.

4. The nature or purpose of the assembly.

5. The total number of days or hours during which the assembly is to last.

6. The maximum number of people which the applicant shall permit to assemble at any time, not to exceed 1 person per 15 square feet of space in the spectator area of the assembly grounds, or the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by the zoning ordinances of the County, if the assembly is to continue overnight.

7. The maximum number of tickets to be sold, if any.

8. The plans of the applicant to limit the maximum number of people permitted to assemble.

9. If applicable, the plans for fencing the location of the assembly and the gates contained in such fence.

10. The plans for supplying potable water including the source, amount available and location of outlets.

11. The plans for providing toilet and lavatory facilities including the source, number and location, type and the means of disposing of waste deposited.

12. The plans for holding, collecting and disposing of solid waste material.

13. The plans to provide for medical facilities including the location and construction of a medical structure.

14. The plans, if any, to illuminate the location of the assembly including the source and amount of power and the location of lamps.

15. The plans for parking vehicles including the size and location of lots, the points of highway access and the interior roads including routes between highway access and parking lots.

16. The plans for camping facilities, if any, including facilities available and their location.

17. The plans for security including the number of guards, the name of the security company or person in charge of security and the name and phone number of the contact person.

18. Prior to submitting an application, the plans for fire protection including the number, type and location of all protective devices including alarms and extinguishers and the number of emergency fire personnel available to operate the equipment shall be submitted to the local fire department. This information shall be included with the application including the date it was submitted to the local fire department.

19. The plans for sound control and sound amplification, if any, including number, location and power of amplifiers and speakers.

20. The plans for food concessions and concessioners who will be allowed to operate on the grounds, including the names and addresses of all concessioners and their license or permit numbers.

(f) The application shall include the bond required in sub. (7)(b)13, the Certificate of Insurance required in sub. (7)(b)14, and the license fee required in sub. (6)(a).

(9) Issuance. The license shall be issued within 20 days of receipt of the application, provided all conditions of this section have been met and the plan is presented setting forth all the requirements of this section.

(10) Expenses for Extra Ordinary Services.

(168-11/12)

(a) In order to recoup the expenses for extra ordinary services of La Crosse County for the administration of this ordinance, as well as the extra costs incurred for police protection, traffic control and refuse collection at a facility conducting an event, the Sheriff shall submit a bill for such services to the event licensee following the end of the event.

(b) The event licensee shall be responsible for reimbursing La Crosse County for the extra ordinary expenses within 30 days after each event. Failure by the licensee to pay the bill submitted by the Sheriff within such time shall result in the forfeiture of the cash or surety bond required in sub. (7)(b)13 in the amount of the bill for the extra ordinary services.

(11) Enforcement.

(a) Injunction. The provisions of this ordinance may be enforced by injunction in any court of competent jurisdiction.

(b) Public Nuisance. The holding of an assembly in violation of any provision or condition contained in this ordinance shall be deemed a public nuisance and may be abated as such.

(c) Penalty. Any person who violates this section or who violated any condition upon which he/she is granted a license may be subject to a forfeiture of not less than \$500 nor more than \$1,000. Each day of violation shall be considered a separate offense. In addition, the court may revoke the license or licenses of the person or persons convicted.

**Section 2.** This Ordinance shall take effect the day after passage and publication as required by law.

**TARA JOHNSON**, County Board Chair

**GINNY DANKMEYER**, County Clerk

#### **JUDICIARY AND LAW COMMITTEE**

Motion by M. Freedland/V. Burke to approve. Discussion ensued. Corporation Counsel William Shepherd responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 33 ayes, 2 excused - D. Manthei and G. Sebranek.

#### **SECOND CONSIDERATION OF ORDINANCE NO. 95-11/11 TO AMEND CHAPTER 16 OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN ENTITLED "FLOODPLAIN ZONING"**

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

**Section 1.** Section 16.05(40)-(68) is amended to read:

(40) "Increase in Regional Flood Height" - a calculated upward rise in the regional flood elevation, equal to or greater than 0.0 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

(41) "Land Use" - any nonstructural use made of unimproved or improved real estate.

(42) "Manufactured Home" - a structure transportable in 1 or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle".

(43) "Mobile Recreational Vehicle" - a vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles".

(44) "Municipality" means La Crosse County.



(169-11/12)

(45) "NAVD" or North American Vertical Datum" – elevations referenced to mean sea level datum, 1988 adjustment.

(46) "NGVD or National Geodetic Vertical Datum" - elevations referenced to mean sea level datum, 1929 adjustment.

(47) "New Construction" - structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the start of construction commenced on or after the effective date of an initial FIRM or after March 15, 1984, whichever is later, and includes any subsequent improvements to such structures.

(48) "Nonconforming Structure" - an existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this ordinance for the area of the floodplain which it occupies.

(49) "Nonconforming Use" - an existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this ordinance for the area of the floodplain which it occupies.

(50) "Obstruction to Flow" - any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

(51) "Official Floodplain Zoning Map" - a map, adopted and made part of this ordinance, as described in s. 16.07, which has been approved by the Department and FEMA.

(52) "Open Space Use" means those having a relatively low flood damage potential and not involving structures.

(53) "Ordinary Highwater Mark" - the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

(54) "Person" - an individual, or group of individuals, corporation, partnership, association, municipality or state agency.

(55) "Private Sewage System" - a sewage treatment and disposal system serving 1 structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of commerce, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than 1 structure or a system located on a different parcel than the structure.

(56) "Public Utilities" means those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.

(57) "Reasonably Safe From Flooding" - base flood waters will not inundate the land or damage structures to be removed from the special flood hazard area and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

(58) "Regional Flood" – a flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a 1% chance to being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.

(59) "Start of Construction" – the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary

forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

(60) "Structure" means any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

(61) "Subdivision" has the meaning given in s. 236.02(12), Wis. Stats.

(62) "Substantial Damage" – damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50% of the equalized assessed value of the structure before the damage occurred.

(63) "Unnecessary Hardship" means where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.

(64) "Variance" means an authorization by the Board of Adjustment or appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards contained in the floodplain zoning ordinance.

(65) "Violation" – the failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

(66) "Watershed" – the entire region contributing runoff or surface water to a watercourse or body of water.

(67) "Water Surface Profile" means a graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

(68) "Well" means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

**Section 2.** Section 16.06 is amended to read:

16.06 AREAS TO BE REGULATED. This ordinance regulates all areas within the unincorporated limits of La Crosse County that would be covered by the regional flood or base flood. Note: Base flood elevations are derived from the flood profiles in the Flood Insurance Study. Regional flood elevations may be derived from other studies. Areas covered by the base flood are identified as A-Zones on the Flood Insurance Rate Map.

**Section 3.** Sections 16.07(1) and (1)(a) are amended to read:

16.07 (1) Designations. The boundaries of all floodplain districts are designated as floodplains or A-Zones on the maps listed below and the revisions in the La Crosse County Floodplain Appendix. Any change to the base flood elevations (BFE) in the Flood Insurance Study (FIS) or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA before it is effective. No changes to regional flood elevations (RFE's) on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the La Crosse County Zoning, Planning and Land Information Department. If more than 1 map or revision is referenced, the most restrictive information shall apply.

(a) Official Maps: Based on the Flood Insurance Study (FIS) Number dated January 6, 2012, volume numbers 55063CV001B and 55063CV002B – Flood Insurance Rate Maps (FIRM), community number 550217, panel numbers: 55063C0010D, 55063C0015D, 55063C0020D, 55063C0029D, 55063C0033D, 55063C0034D, 55063C0037D, 55063C0040D, 55063C0041D, 55063C0042D, 55063C0043D, 55063C0044D, 55063C0053D, 55063C0054D, 55063C0058D 55063C0063D,

(171-11/12)

55063C0064D, 55063C0068D, 55063C0069D, 55063C0088D, 55063C0089, 55063C0106D, 55063C0107D, 55063C0108D, 55063C0109D, 55063C0128D, 55063C0129D, 55063C0130D, 55063C0133D, 55063C0134D, 55063C0135D, 55063C0136D, 55063C0137D, 55063C0138D, 55063C0139D, 55063C0141D, 55063C0142D, 55063C0143D, 55063C0144D, 55063C0151D, 55063C0153D, 55063C0155D, 55063C0161D, 55063C0162D, 55063C0163D, 55063C164D, 55063C0169D, 55063C0186D, 55063C0187D, 55063C0188D, 55063C0189D, 55063C0191D, 55063C0193D, 55063C0195D, 55063C0213D, 55063C0215D, 55063C0220D, 55063C0231D, 55063C0232D, 55063C0233D, 55063C0234D, 55063C0242D, 55063C0244D, 55063C0250D, 55063C0251D, 55063C0252D, 55063C0 253D, 55063C0254D, 55063C0256D 55063C0257D, 55063C0258D, 55063C0261D, 55063C0262, 55063C0263D, 55063C0264D, 55063C0266D, 55063C0268D, 55063C0269D, 55063C0276D, 55063C0278D, 55063C0279D, 55063C0283D, 55063C0284D, 55063C0288D, 55063C0332D, 55063C0351D, 55063C0352D, 55063C0356D, 55063C0376D, 55063C0377D with an effective date of January 6, 2012. All maps require approval by the DNR and FEMA.

**Section 4.** Section 16.07(3)(b) is amended to read:

16.07(3)(b) Where flood profiles do not exist, the location of the boundary shall be determined by the map scale, visual on-site inspection and any information provided by the Department. Note: Where the flood profiles are based on established flood elevations from a FIRM, FEMA must also approve any map amendment pursuant to s. 16.23(1)(f).

**Section 5.** Sections 16.16(4)(a) and (e) are amended to read:

16.16(4) (a) The campground is approved by the Department of Health Services.

(e) This agreement shall be for no more than 1 calendar year, at which time the agreement shall be reviewed and updated – by the officials identified in par. (d) – to remain in compliance with all applicable regulations, including those of the state Department of Health Services and all other applicable regulations.

**Section 6.** Section 16.17 is repealed.

**Section 7.** Section 16.18(3)(a)3. is amended to read:

16.18(3)(a) 3. The zoning administrator shall deny the permit application if the project will increase flood elevations upstream or downstream 0.0 foot or more, based on the data submitted for par. 2. above.

**Section 8.** Section 16.18(3)(b) is amended to read:

(b) Structures: Structures accessory to permanent open space uses or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

1. The structure is not designed for human habitation and does not have a high flood damage potential;
2. It must be anchored to resist flotation, collapse, and lateral movement;
3. Mechanical and utility equipment must be elevated or flood proofed to or above the flood protection elevation; and
4. It must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

**Section 9.** Section 16.19(3)(c)1. is amended to read:

16.19(3)(c) 1. Except as provided in par. 2., an accessory structure which is not connected to a principal structure shall be constructed with its lowest floor at or above the regional flood elevation.

**Section 10.** Section 16.23(2)(c) is amended to read:

16.23(c) All persons petitioning for a map amendment that obstructs flow, increasing regional flood height 0.0 foot or more, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

**Section 11.** Section 16.24 is amended to read:

16.24 ENFORCEMENT AND PENALTIES. Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the District Attorney who

(172-11/12)

shall expeditiously prosecute all such violations. A violator shall, upon conviction, forfeit to the County a penalty of not more than \$50, together with the taxable costs of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to s. 87.30, Wis. Stats.

**Section 12.** This Ordinance shall take effect the day after passage and publication as required by law.

**TARA JOHNSON**, County Board Chair

**GINNY DANKMEYER**, County Clerk

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

Motion by D. Meyer/J. Schroeder to approve passed on a unanimous voice vote with 33 ayes, 2 excused - D. Manthei and G. Sebranek.

#### **ZONING ORDINANCE NO. Z272-11/11 RE: PETITION NO. 1878 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY ROBERT J SOUCHEK, TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO AGRICULTURE DISTRICT "A" FOR CONTINUED RESIDENTIAL USE IN THE TOWN OF BURNS**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1878 to amend the La Crosse County Zoning Ordinance filed by: Robert J Soucek, N6726 Niedfeldt Rd, Bangor, WI 54614 and having held a public hearing on the 31<sup>st</sup> day of October, 2011 for a petition to rezone from Exclusive Agriculture District to Agriculture District "A" the following described land for continued residential use at N6726 Niedfeldt Rd. in the Town(s) of Burns. Lot 1 of Certified Survey Map No. 42 in Volume 9. 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 the Agriculture District "A" subject to the recording of deed restrictions indicating the following:

1. Only one single family residence is allowed on this 2.2 acre parcel;
2. No further subdividing of this parcel until these restrictions are amended by the County Board; and
3. Legal access to this parcel is not being utilized and is required.

(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 15<sup>th</sup> day of November, 2011: Approved the petition with conditions, becomes an ordinance, after recording conditions.

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

Motion by D. Meyer/D. Bina to approve as recommended by the Committee passed on a unanimous voice vote with 33 ayes, 2 excused - D. Manthei and G. Sebranek.

#### **ZONING ORDINANCE NO. Z273-11/11 RE: PETITION NO. 1879 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY BRANDON M WITTE TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO AGRICULTURE DISTRICT "A" FOR CONTINUED RESIDENTIAL USE IN THE TOWN OF ONALASKA**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1879 to amend the La Crosse County Zoning Ordinance filed by: Brandon M Witte, N6377 Johnson Coulee Rd Holmen, WI 54636 and having held a public hearing on the 31<sup>st</sup> day of October, 2011 for a petition to rezone from Exclusive Agriculture District to

Agriculture District "A" the following described land for continued residential use at N6377 Johnson Coulee Rd. in the Town(s) of Onalaska. Lot 1 of Certified Survey Map No. 78 in Volume 12. Town of Onalaska. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote 6 in favor, 1 abstaining (Pedretti), the Committee recommended approval of this rezoning to the Agriculture District "A" subject to the recording of deed restrictions indicating the following:

1. Only one single family residence is allowed on this 3.32 acre parcel; 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 15<sup>th</sup> day of November, 2011: Approved the petition with conditions, becomes an ordinance, after recording conditions.

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

Motion by D. Meyer/L. Pfaff to approve as recommended by the Committee passed on a voice vote with 32 ayes, 1 abstention - M. Pedretti, 2 excused - D. Manthei and G. Sebranek.

#### **CONDITIONAL USE PERMIT NO. 845 FILED BY PATRICIA A & ALAN G BRICE TO OPERATE A BUSINESS TO MAKE CUSTOMIZED PET BLANKETS, FABRIC ITEMS, CUSTOM EMBROIDERED FABRIC ITEMS AND TO LASER ENGRAVE CUSTOMIZED PET MEMORIALS AND AWARDS ON 4.56 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: Patricia A & Alan G Brice, W5111 Keil Coulee Rd, La Crosse, WI 54601 and having held a public hearing on the 31<sup>st</sup> day of October, 2011 for a Conditional Use Permit to operate a business to make customized pet blankets, fabric items, custom embroidered fabric items and to laser engrave customized pet memorials and awards on 4.56 acres of land zoned Agriculture District "A" in the Town of Medary and described as follows: Part of the SE-SW of Section 24, T16N, R7W described in tax parcel 9-1207-0. 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. 845 subject to the following thirteen (13) conditions:

1. This permit is granted to allow the owners to operate a business to make customized pet blankets, embroidered fabric items, laser engraved pet memorials, and awards at W5111 Keil Coulee Road;
2. Number of employees: Owner plus one additional employee. Hours of operation: 7 am to 9 pm Monday to Sunday;
3. No customers will be served on premise, but deliveries are allowed;
4. Sales will be through trade shows, telephone and internet;
5. Machines itemized for the business shall be reported to the local assessor yearly;

6. The area planned for woodworking and engraving shall have a properly installed exhaust system installed with filters;
7. The fire department shall be contacted and informed of fabric quantities;
8. No signage is allowed;
9. This permit is non-transferrable;
10. There will be no changes to the applicant's property; no new buildings or structures, no added lighting;
11. There will not be any added storage on the property;
12. There will not be any semi-trailers or large trucks coming to the property; and
13. The equipment will never be operated unattended.

**THE COUNTY BOARD** took the following action this 15<sup>th</sup> of November, 2011: Approved subject to conditions as outlined.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by D. Meyer/T. Wehrs to approve as recommended by the Committee passed on a unanimous voice vote with 33 ayes, 2 excused - D. Manthei and G. Sebranek.

ITEM 11-11 – RESOLUTION RE: AUTHORIZATION FOR THIRD-PARTY ADMINISTRATORS AND ADOPTION OF RATES FOR HEALTH AND DENTAL PLANS FOR NON-BARGAINING AND BARGAINING EMPLOYEES FOR 2012

**EXECUTIVE COMMITTEE**

Motion by V. Burke/B. Brockmiller to approve. Discussion ensued. Clarification was needed on the name for the Franciscan Skemp plan as they have just changed their name to Mayo. Motion by B. Brockmiller/S. Hampson to postpone until Tuesday, November 15, 2011 to get clarification on the name passed on a unanimous voice vote with 33 ayes, 2 excused - D. Manthei and G. Sebranek.

**AGENDA ORDER:** Chair T. Johnson asked for unanimous consent to move to Item 11-17 and following agenda items. There were no objections.

**RESOLUTION NO. 62-11/11 RE: AUTHORIZATION FOR DESIGNATION OF DEPOSITORIES**

**WHEREAS**, per WI. Statutes Chapter 34 and 59, the County Board shall designate one or more depositories; and, **WHEREAS**, the Executive Committee has met and they have designated depositories which meet the state statutes requirements. **NOW THEREFORE BE IT RESOLVED**, that the County Board appoint the following financial institutions as official depositories for La Crosse County funds:

- |  |  |
|--|--|
| Wells Fargo Bank NA, La Crosse                       | Wells Fargo Brokerage Services, LLC, La Crosse           |
| State Bank Financial, La Crosse & Onalaska           | Firefighters Credit Union, La Crosse & Holmen            |
| Coulee Bank of La Crosse                             | A. G. Edwards & Son Investment, Milwaukee                |
| Farmers State Bank of Bangor                         | U. S. Bank, La Crosse & Onalaska                         |
| Park Bank, Holmen and La Crosse                      | Union State Bank of West Salem                           |
| Community Credit Union, La Crosse, Onalaska & Holmen | First National Bank of Bangor                            |
| Associated Bank, La Crosse                           | M & I Bank, La Crosse, Onalaska and Milwaukee            |
| Dana Investment Advisors                             | Bank One Wisconsin Trust Company, NA                     |
| River Bank, La Crosse & Holmen                       | Altra Federal Credit Union, La Crosse, Onalaska & Holmen |
| MBIA Municipal Investors Corp.                       | Salomon Smith Barney, Milwaukee                          |
| Trust Point, La Crosse                               | J. P. Morgan   |
| Governmental Employees Credit Union, La Crosse       | UBS Financial Services Inc.                              |
| Wisconsin State Mutual Pool, Madison                 | Marshall & Ilsley Trust Company N.A.                     |

(175-11/12)

**BE IT FURTHER RESOLVED**, that the aforementioned depositories are officially designated until there is a change in state statutes or they are amended by the La Crosse County Board. **FISCAL NOTE:** No Fiscal Impact

**EXECUTIVE COMMITTEE**

Motion by V. Burke/B. Flood to approve passed on a unanimous voice vote with 33 ayes, 2 excused - D. Manthei and G. Sebranek.

**RESOLUTION NO. 63-11/11 RE: CANCELLATION OF OUTSTANDING COUNTY CHECKS**

**WHEREAS**, the Executive Committee is aware of many long outstanding checks written by the County that have not been cashed by the recipients; and, **WHEREAS**, per 59.64(4)(e) Wis. Stats a descriptive list giving the amount, date and payee of county checks that have not been cashed in a 2 year period is attached and those checks shall be cancelled and the monies returned to the county's general fund. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board accept the list of outstanding county checks issued by La Crosse County that have been outstanding for a period in excess of two years; and, **BE IT FURTHER RESOLVED**, that any monies recoverable because of the cancellation of said checks shall be returned to the county general fund. It is further understood, that any subsequent request for payment will be handled on an individual basis according to the applicable statutes of limitations. **FISCAL NOTE:** Total is \$9974.10 for the year 2009.

**EXECUTIVE COMMITTEE**

Motion by V. Burke/B. Brockmiller to approve passed on a unanimous voice vote with 32 ayes, 3 excused - S. Hampson, D. Manthei and G. Sebranek.

**RESOLUTION NO. 64-11/11 RE: CLAIM OF CHELSEA B. HASCHKE**

**WHEREAS**, Chelsea B. Haschke has filed a claim alleging that on September 4, 2011, while traveling north on CTH Z in the Town of Onalaska, she missed a curve in the road because it was not properly lined or signed and drove off into a ditch resulting in her car being totaled with damages in the amount of \$2,000.00; 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 the Claimant's accident 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 Chelsea B. Haschke against La Crosse County, its officers, officials, employees, and agents is hereby disallowed and further be it required that notice of disallowance of this claim shall be served on the claimant by registered or certified mail and the receipt therefore, signed by the claimant, or the returned registered letter, shall be proof of service. **BE IT FURTHER RESOLVED**, that the claimant is notified that no action on this claim against La Crosse County, nor against any of its officers, officials, agents, or employees, may be brought after 6 months from the date of service of this notice of disallowance. **FISCAL NOTE:** The cost to La Crosse County for sending certified mail/restricted delivery to the claimant is \$10.09.

**EXECUTIVE COMMITTEE**

Motion by V. Burke/R. Plesha to approve passed on a unanimous voice vote with 32 ayes, 3 excused - S. Hampson, D. Manthei and G. Sebranek.

**RESOLUTION NO. 65-11/11 RE: CLAIM OF JAMES I. BOTTCHER**

**WHEREAS**, James I. Bottcher filed a claim on September 14, 2011 that alleges he was driving on Hwy 16 toward La Crosse in the lane closest to the center of the highway on April 19, 2011 when he met a County Highway Department truck that was plowing heavy snow in the opposite lane and he further alleges that the heavy snow from the snow plow hit his truck resulting in damage to the front grill area in the total amount of \$645.51; and, **WHEREAS**, the Highway Commissioner and Corporation Counsel have reviewed the information, investigated the facts and have determined that La Crosse County has no

(176-11/12)

liability for this claim and, therefore, recommend 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 James I. Bottcher against La Crosse County, its officers, officials, employees, and agents is hereby disallowed and further be it required that notice of disallowance of this claim shall be served on the claimant by registered or certified mail and the receipt therefore, signed by the claimant, or the returned registered letter, shall be proof of service. **BE IT FURTHER RESOLVED**, that the claimant is notified that no action on this 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 \$10.09.

#### **EXECUTIVE COMMITTEE**

Motion by V. Burke/K. Johnson to approve passed on a unanimous voice vote with 32 ayes, 3 excused - S. Hampson, D. Manthei and G. Sebranek.

#### **RESOLUTION NO. 66-11/11 RE: CLAIM OF STEPHANIE S. GALSTAD**

**WHEREAS**, Stephanie S. Galstad has filed a claim alleging that on June 12, 2011 (Sunday), while driving from St. Joseph's Ridge toward West Salem on CTH M, she heard a loud bang while passing a person mowing on the left side of the road and later found that she had a cracked windshield which she replaced, resulting in a cost to her in the amount of \$341.82; and, **WHEREAS**, the Highway Commissioner and Corporation Counsel have reviewed the information, investigated the facts and have determined that La Crosse County has no liability for this claim and, therefore, recommend 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 Stephanie S. Galstad against La Crosse County, its officers, officials, employees, and agents is hereby disallowed and further be it required that notice of disallowance of this claim shall be served on the claimant by registered or certified mail and the receipt therefore, signed by the claimant, or the returned registered letter, shall be proof of service. **BE IT FURTHER RESOLVED**, that the claimant is notified that no action on this 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 \$10.09.

#### **EXECUTIVE COMMITTEE**

Motion by V. Burke/M. Pedretti to approve. Discussion ensued. Corporation Counsel William Shepherd responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 32 ayes, 3 excused - S. Hampson, D. Manthei and G. Sebranek.

#### **RESOLUTION NO. 67-11/11 RE: CLAIM OF LINDA K. HOFSLIEN**

**WHEREAS**, Linda K. Hofslie has filed a claim alleging that on August 2, 2011, while traveling on Hwy 162 between Middle Ridge and Bangor, she met a County Highway Department truck that had large branches hanging off the truck which scrapped the side of her truck as they passed each other, causing damage to her truck in the total amount of \$2,335.03; 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 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 Linda K. Hofslie against La Crosse County, its officers, officials, employees, and agents is hereby disallowed and further be it required that notice of disallowance of this claim shall be served on the claimant by registered or certified mail and the receipt therefore, signed by the claimant, or the returned registered letter, shall be proof of service. **BE IT FURTHER RESOLVED**, that the claimant is notified that no action on this claim against La Crosse



County, nor against any of its officers, officials, agents, or employees, may be brought after 6 months from the date of service of this notice of disallowance. **FISCAL NOTE:** The cost to La Crosse County for sending certified mail/restricted delivery to the claimant is \$10.09.

**EXECUTIVE COMMITTEE**

Motion by V. Burke/J. Billings to approve passed on a unanimous voice vote with 32 ayes, 3 excused - S. Hampson, D. Manthei and G. Sebranek.

ITEM 11-23 - FIRST CONSIDERATION OF ORDINANCE NO. 102 TO REPEAL AND RECREATE S. 4.12 ENTITLED "LA CROSSE COUNTY FUND BALANCE POLICY" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

The first reading of the ordinance will be held over until Tuesday, November 15, 2011 to get a corrected copy of the ordinance to Supervisors.

**AGENDA ORDER:** Chair T. Johnson suggested we take the postponed item 11-11 and item 11-23 first when we reconvene Tuesday, November 15, 2011 at 8:30 A.M. Chair T. Johnson asked for unanimous consent to then move to item 11-26 – Resolution Re: Right of First Refusal to Acquire Schroeder Property on State Road 16, and follow with the agenda in order with item 11-12. There was no objection.

**RECESS**

Motion by B. Flood/M. Kruse to recess until 8:30 A.M. November 15, 2011 passed on a unanimous voice vote with 32 ayes, 3 excused – S. Hampson, D. Manthei and G. Sebranek.

**LA CROSSE COUNTY BOARD OF SUPERVISORS ANNUAL MEETING  
PROCEEDINGS; RECONVENED TUESDAY, NOVEMBER 15, 2011**

The La Crosse County Board of Supervisors Annual Meeting was reconvened on Tuesday, November 15, 2011 in the Administrative Center, Room B410. The County Clerk, Ginny Dankmeyer, took attendance. 29 supervisors were present when Chair Tara Johnson called the meeting to order at 8:30 A.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, Present at 9:45 AM
5 Johnson, Karin	Present
6 Billings, Jill	Present at 8:35 AM
7 Plesha, Roger	Present
8 Freedland, Maureen	Present
9 Hampson, Sharon	Present
10 Wood, Margaret	Present at 8:36 AM
11 Kader, Audrey	Present at 8:40 AM
12 Flood, Bridget	Present
13 Brockmiller, Bill	Present
14 Medinger, John	Present
15 Mach, Beverly	Present
16 Sebranek, Gerald	Excused
17 Meyer, Donald	Present

(178-11/12)

18	Johnson, Tara	Present
19	Keil, Robert	Present
20	Bina, Donald	Present
21	Manthei, Dennis	Excused
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, Excused at 11:10 AM
34	Wehrs, Tina	Present, Excused at 11:15 AM
35	Bilskemper, Joe	Present

RESOLUTION RE: RIGHT OF FIRST REFUSAL TO ACQUIRE SCHROEDER PROPERTY ON STATE ROAD 16

Motion by V. Burke/L. Pfaff to approve. Discussion ensued. Administrator O'Malley gave a presentation on the rationale behind the resolution. Planner Charlie Handy, Corporation Counsel William Shepherd, and Administrator O'Malley responded to questions from the Board. Lengthy discussion continued. Finance Director Gary Ingvalson responded to questions from the Board. Motion by S. Doyle/A. Richmond to hold over for 60 days passed on a voice vote with 27 ayes, 5 nays - D. Bina, V. Burke, B. Flood, L. Pfaff and J. Schroeder, 3 excused - J. Johnson, D. Manthei and G. Sebranek.

**RESOLUTION NO. 68-11/11 RE: AUTHORIZATION FOR THIRD-PARTY ADMINISTRATORS AND ADOPTION OF RATES FOR HEALTH AND DENTAL PLANS FOR NON-BARGAINING AND BARGAINING EMPLOYEES FOR 2012**

**WHEREAS**, the County has contracted with MMSI Inc as Third Party Administrator for the Franciscan Skemp PPO health plan since 1/1/07 and with Gundersen Lutheran Health Plan Inc. since 1/1/09 as a TPA of the Gundersen Lutheran PPO. **WHEREAS**, the County has utilized Delta Dental as Third Party Administrator for the dental program since 1/1/06 to allow the County to access discount arrangements for dental services in order to maximize premium collected; and, **WHEREAS**, it is necessary to confirm TPA's for the County health and dental plans and to establish the County's portion of contribution to health and dental rates for those eligible non-bargaining and bargaining employees and to fund the health and dental benefit plan at levels recommended by the Plan Administrators; and, **WHEREAS**, MMSI, Gundersen Lutheran Health Plan, and Delta Dental qualify as sole source vendors pursuant to s. 4.11(7)(g) of the Code due to their ability to deliver a unique service, their technical expertise and qualifications, their ability to deliver services at a particular time, and their ability to fulfill the needs of La Crosse County as Third Party Administrators for the La Crosse County health and dental insurance plans. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby approve the contracts for Third Party Administration of the County's Franciscan Skemp PPO by MMSI and Gundersen Lutheran PPO by Gundersen Lutheran Health Plan and Delta Dental for the dental plan for the calendar year 2012. **BE IT FURTHER RESOLVED**, that the La Crosse County Board

(179-11/12)

does hereby adopt the 2012 funding levels acceptable to the County's insurance advisors which levels are provided in the County Administrator's budget as follows:

<u>G/L PPO PLAN</u>		<u>F/S PPO PLAN</u>		<u>DENTAL</u>	
Single	Family	Single	Family	Single	Family
\$719.00	\$1761.00	\$719.00	\$1761.0	\$33.00	\$92.00

**BE IT FURTHER RESOLVED**, that the La Crosse County Board does hereby adopt the following rates as the County's share of the above funding levels, except as modified by County Board approved collective bargaining agreements, for all eligible employees effective with the January premium for February 1, 2012 coverage.

<u>G/L PPO PLAN</u>		<u>F/S PPO PLAN</u>		<u>DENTAL</u>	
Single	Family	Single	Family	Single	Family
\$647.10	\$1584.90	\$647.10	\$1584.90	\$25.75	\$70.87

**BE IT FURTHER RESOLVED**, the employees share shall be 10% of the total health premium and the dental rate as provided:

<u>G/L PPO PLAN</u>		<u>F/S PPO PLAN</u>		<u>DENTAL</u>	
Single	Family	Single	Family	Single	Family
\$71.90	\$176.10	\$71.90	\$176.10	\$7.25	\$21.13

**BE IT FURTHER RESOLVED**, that effective 1/1/2012 the retiree health plan, which is fully funded by retirees, shall be a High Deductible Health Plan with a premium of \$644.00 for single and \$1572.00 for family. **BE IT FURTHER RESOLVED**, that the County Administrator, the County Clerk and the County Personnel Director be and are hereby authorized to sign any and all necessary documents for effectuating the above plans in 2012 on behalf of La Crosse County. **FISCAL NOTE:** Adequate funds have been budgeted in each department budget to cover the expenses of health and dental insurance.

**EXECUTIVE COMMITTEE**

Motion by V. Burke/B. Brockmiller to approve passed on a unanimous voice vote with 32 ayes, 3 excused - J. Johnson, D. Manthei and G. Sebranek.

**FIRST CONSIDERATION OF ORDINANCE**

ORDINANCE NO. 102 TO REPEAL AND RECREATE S. 4.12 ENTITLED "LA CROSSE COUNTY FUND BALANCE POLICY" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN  
FIRST CONSIDERATION OF ORDINANCE 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.

A corrected copy of Ordinance No. 102 was distributed to Supervisors for the first consideration. Finance Director Gary Ingvalson responded to questions from the Board. Discussion ensued. Motion by R. Ebert/R. Geary to amend the ordinance by changing #7 from 30 to 40 and to read; fund balance shall be between 40 to 50 percent of the total of the county's general fund expenditures. Chair T. Johnson asked to hold discussion on the amendment until next month's second consideration. There was an objection and hence discussion ensued. Administrator O'Malley responded to questions from the Board. Motion by R. Plesha/D. Bina to call the questions/close debate passed on a voice vote with 25 ayes, 8 nays - J. Berns, R. Ebert, B. Feehan, M. Freedland, J. Johnson, M. Pedretti, J. Schroeder and T. Wehrs, 2 excused - D. Manthei and G. Sebranek. The motion to amend passed on a roll call vote with 24 ayes, 9 nays - J. Billings, J. Bilskemper, S. Doyle, J. Johnson, A. Kader, R. Keil, M. Kruse, A. Richmond and M. Wood, 2 excused - D. Manthei and G. Sebranek.

**RESOLUTION NO. 69-11/11 RE: COMPENSATION FOR LA CROSSE COUNTY BOARD 2012-2014 TERM**

**WHEREAS**, La Crosse County is a self-organized County pursuant to s. 59.10(1), Wis. Stats., and s. 2.01(1)(a) of the General Code of La Crosse County; and **WHEREAS**, the method of compensation of Supervisors shall be determined by the County Board by resolution regulating such compensation prior to the next election of members; and **WHEREAS**, the Supervisor's monthly wage has been \$395 since January, 2009 and it is an

(180-11/12)

appropriate time to consider whether there should be a change in the wage for the next board; and, **WHEREAS**, the Executive Committee has considered a wage increase for the Board to compensate supervisors for the increased work load that will result from the reduction in the size of the Board from 35 to 29 members; and **WHEREAS**, a 2% annual raise has been bargained with employee groups for 2012 & 2013. **NOW, THEREFORE BE IT RESOLVED**, that the monthly wage for the County Board Supervisors shall be increased by 2% each year of the term to the amount of \$403 per month for the term commencing in April, 2012 and \$411 beginning in April 2013. **BE IT FURTHER RESOLVED**, that the County Board Chair's monthly wage shall be decreased from \$1270 per month to the amount of \$893 per month for the term commencing in April, 2012 and \$911 beginning in April 2013. **BE IT FURTHER RESOLVED**, that the County Administrator, Finance Director, Personnel Director and Corporation Counsel shall take all necessary steps to carry out the intent of this resolution. **FISCAL NOTE:** The total annual compensation for the next 2 year term commencing April, 2012 shall be \$4,836 and \$4932 commencing April 2013 for Supervisors and an additional \$10,716 commencing April 2012 and \$10,932 for the Board Chair.

#### **EXECUTIVE COMMITTEE**

Motion by V. Burke/M. Kruse to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. Motion by R. Geary/J. Schroeder to change 2% to 0% in the "Now Therefore Be It Resolved". Discussion ensued. The motion to amend failed on a roll call vote with 24 nays, 8 ayes - R. Ebert, D. Ferries, M. Freedland, R. Geary, A. Richmond, J. Schroeder, C. Spiker and T. Wehrs, 1 abstention - B. Feehan, 2 excused - D. Manthei and G. Sebranek. Motion by M. Wood/J. Johnson to delete the first "Be It Further Resolved". Discussion ensued. There was no objection to Supervisor M. Wood withdrawing the motion to amend. Motion by M. Wood/J. Billings to amend the First Be It Resolved by striking the words "decrease from", "the amount of \$893 per month", and "and \$911 beginning in April 2013" and would then read; that the County Board Chair's monthly wage shall be \$1270 per month for the term commencing in April, 2012. Discussion ensued. The motion to amend passed on a roll call vote with 26 ayes, 7 nays - D. Bina, R. Ebert, R. Geary, T. Johnson, J. Schroeder, C. Spiker and T. Wehrs, 2 excused - D. Manthei and G. Sebranek. The motion to approve as amended passed on a voice vote with 27 ayes, 5 nays - R. Ebert, R. Geary, J. Schroeder, C. Spiker and T. Wehrs, 3 excused - S. Hampson, D. Manthei and G. Sebranek.

#### **RESOLUTION NO. 70-11/11 RE: AUTHORIZING THE APPROVAL OF INCREASES TO CERTAIN LA CROSSE COUNTY PERMITS, FEES, AND CHARGES FOR 2012**

**WHEREAS**, the 2012 budget includes certain fee increases for various revenue accounts commencing January 1, 2012 for various departments; and, **WHEREAS**, the fees in each of the departments have been identified in the 10-13-11 budget document entitled "Proposed User Fees, Charges for Services, and Permit Fees for 2012 Comprehensive Master List"; and, **WHEREAS**, the La Crosse County Financial Management Policies indicate that the County will establish service fees and charges wherever appropriate for the purpose of keeping property taxes to a minimum; and, **WHEREAS**, these fees and charges will attempt to fairly allocate the full cost of services to the users of those services whenever possible and as deemed appropriate by the County Board, including consideration of waiving or offering reduced fees to youth, seniors, or other special population groups identified as requiring preferential consideration based on policy goals. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby approve budget documents entitled "Proposed User Fees, Charges for Services, and Permit Fees for 2012 Comprehensive Master List" to be effective commencing January 1, 2012. **FISCAL NOTE:** The proposed fees, charges and permit fees of \$23,981,133 for 2012 have been included in the proposed 2012 Budget.

#### **EXECUTIVE COMMITTEE**

Motion by V. Burke/B. Flood to approve. Motion by R. Ebert/D. Bina to decrease the charge for septic pumping report processing fee from \$13 to \$10. Discussion ensued. Health

(181-11/12)

Director Doug Mormann responded to questions from the Board. The motion to amend failed on a roll call vote with 29 nays, 4 ayes - D. Bina, R. Ebert, R. Keil and L. Pfaff, 2 excused - D. Manthei and G. Sebranek. Discussion ensued. Hillview Healthcare Center Administrator Pete Eide responded to questions from the Board. The motion to approve passed on a voice vote with 29 ayes, 4 nays - D. Bina, R. Ebert, B. Feehan and J. Schroeder, 2 excused - D. Manthei and G. Sebranek.

**RESOLUTION NO. 71-11/11 RE: MODIFICATION OF 2012 COMPENSATION PLAN FOR NON-BARGAINING EMPLOYEES**

**WHEREAS**, the Executive Committee met on November 9, 2011, to consider modifications of the County Compensation Plan for non-bargaining employees and officials covered by the Pay Grades designated as B, CE, CM, JLS, LS, NA, NH, NL, NS, TLS and UW, be revised; and, **WHEREAS**, after considering such factors as the internal and external comparable pay rates, the Consumer Price Index, 2012 budget challenges, the State imposed Levy freeze, the Tax Rate limit and other considerations, the Personnel Director and County Administrator recommend a 2% increase for the Non-Bargaining Pay Schedules, consistent with 2012 union settlements; and, **WHEREAS**, sufficient funds have been set aside in the 2012 budget for these increases. **NOW THEREFORE BE IT RESOLVED**, that those employees and officials covered by the non-bargaining pay schedules referenced above, have pay set for 2012 reflecting an across-the-board increase of 2% effective January 1, 2012, except that UW schedule will be adjusted to maintain the 60/40% funding split with the University system as done in prior years based on UW rate changes. Exceptions: Minimum wage positions will remain indexed to minimum wage and certain grant-funded positions with a specific rate will not be increased. **BE IT FURTHER RESOLVED**, that the non-bargaining employee sick leave cap be adjusted to 150 days to match that of union employees set in prior years, so that benefits are on the same level. **BE IT FURTHER RESOLVED**, that the Finance Department and the Personnel Department are authorized to take the necessary action to implement these changes. **FISCAL NOTE:** The 2012 budget contains funding for a 2.0% increase, as well as for the increased cost of WRS contribution determined by the Retirement Fund. The estimated increase of salary and rollup for all non-bargaining employees for 2012 is \$413,640 for a wage, fringe and benefit package cost of 2.25% for which funding has been budgeted in the 2012 budget. There are approximately 450 employees (or approximately 365 FTE's) covered by this resolution.

**EXECUTIVE COMMITTEE**

Motion by V. Burke/R. Plesha to approve. Discussion ensued. Personnel Director Robert Taunt and Administrator O'Malley responded to questions from the Board. The motion to approve passed on a roll call vote with 29 ayes, 3 nays - B. Feehan, R. Geary and C. Spiker, 1 abstention - J. Schroeder, 2 excused - D. Manthei and G. Sebranek.

**2012 ADMINISTRATOR'S RECOMMENDED BUDGET**

Motion by V. Burke/R. Plesha to approve.

**Motion** by V. Burke/R. Plesha to amend with the 2012 Budget Changes and Correction **passed** on a voice vote with 32 ayes, 1 abstention - B. Feehan, 2 excused - D. Manthei and G. Sebranek.

**Motion** by R. Ebert/D. Bina to amend for the term beginning 2012 – 2014 to reduce the County paid percentage for Supervisor Insurance premiums to 20% of a single insurance policy for any Supervisor that opts to take this coverage and that if a Supervisor opts to take family coverage, the Supervisor will pay the balance above a single policy rate. Discussion ensued. Personnel Director Robert Taunt and Finance Director Gary Ingvalson responded to questions from the Board. The motion to amend **failed** on a roll call vote with 27 nays, 4 ayes - D. Bina, R. Ebert, J. Johnson and C. Spiker, 4 excused - J. Berns, D. Manthei, G. Sebranek and T. Wehrs.

**Motion** by R. Plesha/A. Kader to amend by adding \$10,000 to the Elderly Services budget to cover the loss of Title V funds provided to WorkForce Connections for "Gifted Hands" worker wages. (Add \$10,000 to Org 7021, new line item #83065 Gifted Hands Offset with

(182-11/12)

\$10,000 from Aging Fund Balance (Org 7021 Acct 99904)). Discussion ensued. The motion to amend **passed** on a voice vote with 28 ayes, 1 nay - B. Flood, 6 excused - J. Berns, V. Burke, S. Doyle, D. Manthei, G. Sebranek and T. Wehrs.

### **APPROVAL OF 2012 ADMINISTRATOR'S RECOMMENDED BUDGET AS THRICE AMENDED**

#### **EXECUTIVE COMMITTEE**

Administrator O'Malley responded to questions from the Board. The motion to approve, as originally made and amended 3 times, passed on a roll call vote with 28 ayes, 3 nays - D. Bina, B. Feehan and R. Geary, 4 excused - J. Berns, D. Manthei, G. Sebranek and T. Wehrs.

#### **RECESS**

Chair T. Johnson called for a recess at 11:40 A.M. for lunch.

#### **RECONVENED**

Chair T. Johnson called the meeting back to order at 12:20 P.M.

### **RESOLUTION NO. 72-11/11 RE: APPROVAL OF PORT OF LA CROSSE HARBOR AND WATERFRONT PLAN 2011**

**WHEREAS**, the County Board in Resolution 30-8/10 authorized the Joint Board of Harbor Commissioners to prepare an RFP and solicit proposals to update the 1999 Port Plan and subsequently approved the Professional Services Agreement proposal dated June 18, 2010 to assist in the preparation of a county-wide Harbor and Waterfront Plan; and, **WHEREAS**, during the fall of 2010 and the spring of 2011 JJR and the City and County Staff led the process of developing said plan with the cooperation and input from a Technical Resource Committee, a Steering Committee of community citizens, port businesses and the Joint Board of Harbor Commissioners and the general public through 3 public information meetings where in total, the opinions of 180 community members were heard; and, **WHEREAS**, this document took into consideration 20 major plans that are associated with the port and waterfront area and incorporates revitalization efforts with riverfront and port planning from the City of La Crosse, the Town of Shelby, Town of Onalaska, and the Town of Campbell and the plan seeks to coordinate and bolster the existing work now performed by the many La Crosse area municipalities and agencies and leverage this asset to increase economic strength and the quality of life; and **WHEREAS**, the waterfront plan depicts the development, transportation, recreation, and environmental networks and patterns and recommends strategies to better connect the greater La Crosse communities to the Mississippi, La Crosse and Black Rivers. The plan provides a holistic view to understand and manage the waterfront and seeks to establish a positive focus for port and waterfront development. **NOW, THEREFORE, BE IT RESOLVED** that the La Crosse County Board does hereby adopt the Port of La Crosse Harbor and Waterfront Plan 2011 and directs the Joint Board of Harbor Commissioners to proceed with phased implementation of the plan's recommendations as part of the City and County's planning framework in order to achieve the following objectives:

- Provide a clear road map to public sector agencies on how public investments should be made along the waterfront.
- Provide vision and certainty to private sector landowners regarding likely future conditions along the waterfront.
- Strengthen the standing of the plan's recommendations and thereby improve the ability to attract outside financial resources.
- Maximize the long term economic, environmental, and recreational value to the counties waterfront communities.
- Construct improvements within publicly-owned land along the river and in public street right-of-way.
- Regulate the type and quality of development through design guidelines and regulations.
- Coordinate activities of municipal, county, state and federal agencies.

(183-11/12)

- Apply to state and federal agencies for grants and loans to implement projects.
- Providing financial assistance on key redevelopment sites to stimulate private sector investment.

**FISCAL NOTE:** No cost to La Crosse County for adoption of Port of La Crosse Harbor and Waterfront Plan 2011

**EXECUTIVE COMMITTEE**

Motion by V. Burke/D. Meyer to approve passed on a unanimous voice vote with 29 ayes, 6 excused - J. Berns, S. Doyle, D. Manthei, L. Pfaff, G. Sebranek and T. Wehrs.

**RESOLUTION NO. 73-11/11 RE: AUTHORIZING POSITIONS FOR HILLVIEW TERRACE ASSISTED LIVING CENTER AND TRANSFER OF FUNDS FROM HILLVIEW UNDESIGNATED FUND BALANCE**

**WHEREAS**, construction of the new Hillview Terrace assisted living center approved by the County Board is nearing completion and hiring of staff for the facility must be completed; and, **WHEREAS**, with approval of the County Administrator, the 1.0 Resident Care Manager has been hired on October 17, 2011 utilizing existing funding from within the 2011 Hillview personnel budget and the recruiting process for the remaining staff has begun (one 0.8 FTE Charge Nurse, and 8.58 FTE Certified Nursing Assistants) to be prepared for opening before the end of 2011; and, **WHEREAS**, opening of the facility in 2011 will require approximately \$26,000 of unbudgeted routine operating expenses including items such as food, supplies, training, utilities, and insurance; and; **WHEREAS**, staffing and operating costs have been budgeted for 2012, and there is adequate undesignated fund balance to cover the 2011 staffing and operating costs. **NOW THEREFORE BE IT RESOLVED**, that staffing for Hillview Terrace Assisted Living Center is authorized as follows: 1.0 full time Resident Care Manager, 0.8 Charge Nurse, and 8.58 FTE Certified Nursing Assistants to staff and operate the new assisted living facility. **BE IT FURTHER RESOLVED**, that the Personnel Department is authorized and directed to take such action necessary to carry out the intent of this resolution, and the Finance Department is authorized to transfer the necessary funds for staffing and up to \$26,000 operational costs from Hillview Undesignated Fund Balance to the appropriate accounts within Org 3450 Hillview Terrace. **FISCAL NOTE:** The 2011 cost of wage, fringe and rollup for one FT Resident Care Manager is approximately \$13,862; for one 0.80 FTE Charge Nurse is approximately \$10,164; and for 8.58 FTE Certified Nursing Assistants is approximately \$12,371. Total projected staffing and operating costs of \$62,397 to be transferred from Fund 350 Account 39100 Hillview Undesignated Fund balance to the appropriate accounts in Org 3450 Hillview Terrace. The 2012 staff and operating costs are incorporated into the 2012 budget.

**EXECUTIVE COMMITTEE**

Motion by V. Burke/D. Ferris to approve. Discussion ensued. Hillview Health Care Center Director Pete Eide responded to questions from the Board. The motion to approve passed on a voice vote with 28 ayes, 1 abstention - J. Johnson, 6 excused - J. Berns, S. Doyle, D. Manthei, L. Pfaff, G. Sebranek and T. Wehrs.

**RESOLUTION NO. 74-11/11 RE: AGREEMENT FOR DOUBLE OCCUPANCY OF CELLS IN THE LA CROSSE COUNTY JAIL**

**WHEREAS**, the La Crosse County Jail currently uses some cells for double occupancy of inmates and to continue this practice the County Board and Sheriff must meet certain conditions; and, **WHEREAS**, the County Board and Sheriff are required to determine jointly the adequate staffing needs, including support staff and services, that are required to ensure the health, safety, and security of the jail staff and inmates when using cells for double occupancy; and, **WHEREAS**, the County Board and Sheriff must reduce any joint determinations to writing, signed by the County Board Chair and Sheriff, and file such written joint determination with the State Department of Corrections; and, **WHEREAS**, the written joint determination shall remain in effect until rescinded by mutual written agreement of the County Board and Sheriff; and, **WHEREAS**, unless there is adequate staff

as agreed upon by the County Board and Sheriff, double celling may not occur. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby approve a joint written agreement between the Board and the Sheriff that meets the conditions necessary to allow double occupancy of cells by inmates in the La Crosse County Jail. **BE IT FURTHER RESOLVED**, that the La Crosse County Board Chair is authorized to sign the written agreement with the Sheriff as required by state law to provide for the double occupancy of cells in the La Crosse County Jail upon approval by the Corporation Counsel. **FISCAL NOTE:** No additional cost to La Crosse County for entering into a written agreement with the Sheriff to allow for double occupancy of jail cells.

**EXECUTIVE COMMITTEE**

Motion by V. Burke/K. Johnson to approve. Discussion ensued. Corporation Counsel William Shepherd responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 29 ayes, 6 excused - J. Berns, S. Doyle, D. Manthei, L. Pfaff, G. Sebranek and T. Wehrs.

**RESOLUTION NO. 75-11/11 RE: 2012 TAX LEVY**

**WHEREAS**, Herein presented for your consideration with recommendation that the same be adopted, is the following tax levy for the ensuing calendar year. **NOW THEREFORE BE IT RESOLVED**, that the Board of Supervisors of La Crosse County, Wisconsin does ordain as follows . . . That there be, and there is hereby levied upon the taxable property of La Crosse County, Wisconsin, for the tax levy for the ensuing year, the sum of \$30,826,469 for the purpose, to wit:

**LEGISLATIVE**

County Board/Board Chairman \$ 313,574

**JUDICIAL**

Consolidated Courts 2,416,134  
Family Court Commissioner 147,971  
Mediation-Family Court Services 205,189

**EXECUTIVE**

County Administrator 284,147

**FINANCIAL ADMINISTRATION**

County Clerk 219,599  
Finance 1,011,767  
External Auditing 66,290  
Treasurer 241,006

**GENERAL ADMINISTRATION**

Elections 142,942  
Document Graphic Services (formerly Printing) 39,000  
Insurance 330,750  
Information Technology 2,306,476  
Personnel 652,932  
Occupational Health 190,766  
Self-Insurance WMMIC 150,700  
Self-Insurance - Worker's Comp 583,155

**LEGAL**

Corporation Counsel 470,862  
Victim Witness 210,522  
District Attorney 670,272  
Medical Examiner 151,338



**PROPERTY RECORDS & CONTROL**

Register of Deeds	\$ 429,729
Land Recording – Info Center	253,854

**BUILDINGS**

Property Management	242,836
Capital Improvements	250,000
Administrative Center	437,451
Health & Human Svcs Building	471,580
Courthouse & Law Enforcement Center	1,123,823
7 <sup>th</sup> Street House	8,500
Park Plaza Property	10,000
Spec. Assess. Jail Improvement	160,000

**OTHER GENERAL GOVERNMENT**

Veterans Service Officer	242,755
Veterans Relief	20,020
Zoning, Planning & Land Information	800,255
Metropolitan Planning Org	281,031

**PUBLIC SAFETY**

Law Enforcement	4,632,365
Jail & Court Services	6,359,542
MEG Task Force Grant, Forfeitures & Restitution	234,576

**EMERGENCY SERVICES**

Public Communication 911	2,387,137
Emergency Management	100,028
SARA/EPCRA Hazmat	96,503

**PUBLIC WORKS**

Highway (Levy Request)	5,781,908
Household Hazardous Waste (Levy Request)	114,638

**HEALTH, HUMAN SERVICES & WELFARE**

Child Support	927,896
Lakeview Capital Assets	707,375
Nutrition 3C1	481,428
Nutrition 3C2	573,826
Elderly Services	355,176
Elderly Transportation Grant	327,724
Elderly STRAP Grant	99,950
Elderly Estate Donations	14,575
Health Administration	444,824
Environmental Health	649,865
Health Education	453,905
Home Health	447,017
Laboratory	269,334
Public Health Nursing	996,071
Nutrition Health	2,115,125
Vector Control	\$ 198,878
Animal License & Control	112,074

(186-11/12)

Human Services Admin & General Contracts	6,207,290
Family & Children Services	10,600,851
Clinical Services	7,168,842
Economic Support	2,854,870
Lakeview – MVHS	1,791,310
Justice Sanctions & Chemical Health	2,981,200
<b>RECREATION</b>	
Parks	711,314
<b>AGRICULTURAL &amp; NATURAL RESOURCES</b>	
Department of Land Conservation	831,253
University Extension	464,986
WI Nutrition Education Program	4,747
<b>ECONOMIC DEVELOPMENT ASSISTANCE</b>	
Economic Development	295,643
<b>DEBT SERVICE</b>	
Principal	6,629,058
Interest	1,436,767
Bank Service Charge	3,250
Interdepartmental Chargeback	(330,950)
<b>MISCELLANEOUS</b>	
Indirect Cost	7,650
Historical Societies	25,000
Historic Sites	2,360
Harbor Commission	17,925
Contingency -General Fund	150,000
Ergonomic Furniture	2,500
County Newsletter	1,200
Cemetery	500
CASA for Kids	10,000
Mediation & Restorative Justice	24,000
Bank Service Charge	9,000
Real Estate Tax Chargeback	4,700
Personal Property Purchase	10,000
State Fees	10
Contribution Exp to Economic Development	16,415
UWL Stadium Contribution	25,000
Jeans Day Contributions	8,500
Computer Revolving Loan	75,000
Business Development Fund – CDBG	97,530
Business Development Fund	7,738
Business Park	\$ 234,626
Section 125	11,500
<b>RETIREMENT CONTRIBUTIONS</b>	
Retirees Insurance	300,000
<b>UNEMPLOYMENT COMPENSATION</b>	
Unemployment Compensation	55,000

(187-11/12)

State Special Charges 0  
**TOTAL EXPENSES** **\$87,165,551**

**DEDUCT:**

Estimated Revenue - Except Enterprise Funds	39,959,457
County Sales Tax Revenue	9,700,000
Excess Sales Tax	317,223
Highway Borrowing	2,100,000
Carry Forward – Land Conservation	10,000
Carry Forward – Child Support	25,000
Carry Forward – I.T.	133,750
Carry Forward – Zoning	16,493
85.21 Restricted Fund Balance	21,083
Aging Fund Undesignated Fund Balance	69,144
Aging Estate Donation Fund	58,506
Debt Service Fund Balance	1,753,294
Designated Fund Balance – Neshonoc Improvements	75,000
General Fund Undesignated Fund Balance	328,065
Health Dept Undesignated Fund Balance	6,976
Highway Fund Balance	1,425,794
Human Services Undesignated Fund Balance	326,991
Human Services W-2 Reserves	41,921
Interest Reserve Fund	314,371
Lakeview Facility Fund	358,100
Land Records Fund Balance	83,854
Land Sales	30,711
LEC Construction Fund Balance	328,658
Salary Contingency	300,000
Self Insurance Health Fund Balance	440,386
Special Assessment Jail Fund Balance	1,043,597
WMMIC Fund Balance	<u>64,900</u>

**TOTAL NET EXPENSES** **\$27,832,277**

**COUNTY LEVY ON SPECIAL DISTRICTS**

(Resolve that there be, and is hereby, levied upon the taxable property of the several towns and villages and the City of Onalaska, the sum of:)

County Library	1,641,147
WRLS	<u>15,921</u>

**TOTAL COUNTY TAX** **\$29,489,345**

**STATE TAX**

Forestry Purposes	<u>1,337,124</u>
-------------------	------------------

**TOTAL TAX APPORTIONMENT** **\$30,826,469**

**EXECUTIVE COMMITTEE**

(188-11/12)

Motion by V. Burke/J. Bilskemper to approve. Discussion ensued. Administrator O'Malley responded to questions from the Board. Supervisor B. Feehan requested a roll call vote. The motion to approve passed on a roll call vote with 26 ayes, 3 nays - D. Bina, B. Feehan and R. Geary, 6 excused - J. Berns, S. Doyle, D. Manthei, L. Pfaff, G. Sebranek and T. Wehrs.

**SUGGESTIONS FOR FUTURE AGENDA TOPICS**

Supervisor Hampson noted the first date for the Downsizing Committee meeting will be Tuesday, November 22, 2011 at 4:00 P.M.

Supervisor Ebert requested staff to look into what can be done regarding the Schroeder property on the tax situation.

Supervisor Schroeder suggested more information on bath salt drugs, etc and how they are impacting La Crosse County.

**ADJOURN**

Motion by A. Richmond/B. Brockmiller to adjourn at 12:45 PM passed on a unanimous voice vote with 29 ayes, 6 excused - J. Berns, S. Doyle, D. Manthei, L. Pfaff, G. Sebranek and T. Wehrs.

**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 Public Hearing and Annual Meeting held Monday, November 14, 2011 and Tuesday, November 15, 2011 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 2 OF DECEMBER 2011.**