

**LA CROSSE COUNTY BOARD OF SUPERVISORS ORGANIZATIONAL MEETING PROCEEDINGS; TUESDAY, APRIL 17, 2012**

The La Crosse County Board of Supervisors Organizational Meeting was held on Tuesday, April 17, 2012 in the Administrative Center, Room B410. The Deputy County Clerk, Amy Twitchell, took attendance. 27 supervisors were present when County Clerk Ginny Dankmeyer 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 Veenstra, Joe	Present
4 Freedland, Maureen	Present
5 Johnson, Karin	Present
6 Plesha, Roger	Present
7 Hampson, Sharon	Present
8 Jerome, Peg	Present
9 Londre, Andrew	Present
10 Becker, Richard	Present
11 Brockmiller, Bill	Present
12 Holtze, Dave	Present
13 Meyer, Donald	Excused
14 Schroeder, Jeffrey	Present
15 Kruse, Monica	Present
16 Ferries, Dan	Present, Excused at 06:40 PM
17 Berns, Jim	Present
18 Berg, Laurence	Present
19 Downer, Thomas	Present
20 Doyle, Steve	Present
21 Burke, Vicki	Present
22 Spiker, Charles	Present
23 Pedretti, Marilyn	Excused
24 Pfaff, Leon	Present
25 Ebert, Ray	Present
26 Gamroth, Tammy	Present
27 Wehrs, Tina	Present
28 Keil, Robert	Present
29 Johnson, Tara	Present

(2-12/13)

## **PLEDGE OF ALLEGIANCE**

**OATH OF OFFICE:** All Supervisors present, being duly elected to office at the April 3, 2012 Spring Election, were sworn in by the Honorable Judge Dale Pasell.

## **ELECTIONS/ORGANIZATION**

- County Clerk Dankmeyer opened nominations for Chair of the County Board of Supervisors for the current term. M. Kruse/M. Freedland nominated Supervisor Tara Johnson for Chair. There being no other nominations, V. Burke/D. Holtze moved to pass a unanimous ballot for Supervisor Tara Johnson for Chair. Motion passed on a unanimous voice vote with 2 excused – M. Predretti and D. Meyer.
- County Clerk Dankmeyer opened nominations for First Vice-Chair of the County Board of Supervisors for the current term. R. Geary/R. Keil nominated Supervisor Burke for First Vice-Chair. S. Doyle/K. Johnson nominated Supervisor Hampson for First Vice-Chair. By a secret ballot, Supervisor Hampson was elected First Vice-Chair on a vote of 14–13, with 2 excused – M. Predretti and D. Meyer.
- County Clerk Dankmeyer opened nominations for Second Vice-Chair of the County Board of Supervisors for the current term. C. Spiker/J. Schroeder nominated Supervisor Ebert for Second Vice-Chair. R. Plesha/A. Londre nominated Supervisor Veenstra for Second Vice-Chair. By a secret ballot, Supervisor Ebert was elected Second Vice-Chair on a vote of 14-13, with 2 excused – M. Pedretti and D. Meyer.

## **CHAIR TARA JOHNSON TOOK THE CHAIR.**

### **COMMUNICATIONS AND ANNOUNCEMENTS:**

#### **Corporation Counsel Report – David Lange**

- Code of Ethics / Conflict of Interest
  - Corporation Counsel David Lange gave a presentation on the Code of Ethics and the Conflict of Interest that all supervisors must be aware of and follow.
- Open Meetings/Public Records Law & E-Mail
  - Corporation Counsel David Lange continued with a presentation on the Open Meetings Law and the Public Records Law. He informed the supervisors of what to be cautious of, the requirements for open meetings, and closed session. He highly encouraged the supervisors to use the County e-mail address for County business to insure record retention.
- Role of Corporation Counsel
  - Corporation Counsel provides legal opinion to the County Board and its Committees; interpret powers and duties of the Board; provide legal advice to all County departments; represent the County in all civil matters in which the County is interested in; works with Human Services on court hearings; with the Child Support Department; and provides all the resolutions and ordinances. The main role of Corporation Counsel is to represent La Crosse County.

#### **County Clerk Report – Ginny Dankmeyer**

- County Clerk Ginny Dankmeyer distributed the Supervisors Oath Card, and asked the County Board Supervisors to complete, sign and return the following forms - Ethics Statement, Conflict of Interest, and Public Directory Information Release.
- Vehicle insurance requirements for mileage reimbursement will be discussed at the next month's meeting when expenses are discussed.

**Motion** by R. Geary/L. Berg to recess for 10 minutes for Supervisors to fill out necessary paperwork failed on a roll call vote with 12 ayes - L. Berg, J. Berns, B. Brockmiller, V. Burke, T. Downer, R. Ebert, M. Freedland, R. Geary, S. Hampson, P. Jerome, M. Kruse and R. Plesha, 12 nays - R. Becker, T. Gamroth, D. Holtze, T. Johnson, R. Keil, A. Londre, L.

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Pfaff, A. Richmond, J. Schroeder, C. Spiker, J. Veenstra and T. Wehrs, 5 excused - S. Doyle, D. Ferries, K. Johnson, D. Meyer and M. Pedretti.

### **County Board Chair Report – Tara Johnson Monthly Meeting Time**

Motion by M. Kruse/L. Berg to start the monthly board meetings at 6 P.M. passed on a unanimous voice vote with 25 ayes, 4 excused - D. Ferries, K. Johnson, D. Meyer and M. Pedretti.

- Supervisor Conference Reports
  - Supervisor Brockmiller announced that on Wednesday, May 2<sup>nd</sup> at 9:00 a.m. to 12:30 p.m. at the La Crosse Public Library, main branch, there will be a seminar titled “Staying Open for Business and Hazard Planning for Businesses”. It is co-sponsored by the Mississippi Valley Labor Management Council and La Crosse County Health Department, and Bureau of Mediation Services of Minnesota. The cost is free.

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

- A reminder to the County Board Supervisors that the County Board Retreat is Tuesday, April 24, 2012, at the Lunda Center from 8:30 a.m. to noon.
- The County Board Photo will be at the next County Board Monthly Meeting, May 17, 2012.
- Administrator O'Malley presented future agenda items for the planning meetings. In May, the planning meeting will be at the Solid Waste Department. The next three planning meetings would be in regards to the capital issues. In August, there will be a site visit to Hillview. In regards to the Board of Education, the WCA District meetings were provided and other training sessions. There is a WCA District meeting on Thursday, April 26, 2012. Supervisors should get approval from the County Board Chair's Office if interested in attending.

### **CHAIR CHANGE**

Vice Chair S. Hampson took the chair.

### **APPOINTMENTS**

Re-appoint **Keith Belzer** to the Criminal Justice Management Council for a three year term to expire April 30, 2015. Re-appoint **Bob Keil** to the Commission on Aging for a three year term to expire April 30, 2015. Re-appoint **Sharon Hampson** to the Commission on Equal Opportunities in Housing for a five year term to expire April 30, 2017. Re-appoint **Rick Kyte** to the Ethics Board for a three year term to expire April 30, 2015. Re-appoint **Judy Bower** to the Ethics Board as a first alternate for a three year term to expire April 30, 2015. Re-appoint **Marilyn Pedretti** to the Farmland Preservation Committee for a three year term to expire April 30, 2015. Re-appoint **Keith Valiquette** to the Farmland Preservation Committee for a three year term to expire April 30, 2015. Re-appoint **Maureen Freedland** to the Solid Waste Policy Board for a three year term to expire April 30, 2015. Re-appoint **Dale Hexom** to the Solid Waste Policy Board for a three year term to expire April 30, 2015.

Motion by T. Johnson/T. Wehrs to approve passed on a unanimous voice vote with 25 ayes, 4 excused - D. Ferries, K. Johnson, D. Meyer and M. Pedretti.

### **CHAIR CHANGE**

Chair T. Johnson resumed the chair.

### **CONSENT AGENDA**

Motion by R. Plesha/B. Brockmiller to approve the minutes of the County Board of Supervisors Planning Meeting held March 5, 2012 and the Monthly Meeting held March 15,

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2012 and the claims list for \$13,467,752.75 passed on a unanimous voice vote with 25 ayes, 4 excused - D. Ferries, K. Johnson, D. Meyer and M. Pedretti.

**SECOND CONSIDERATION OF ORDINANCE**

ORDINANCE NO. 104 TO AMEND S. 3.07(1) AND (2) OF CHAPTER 3 OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN REGARDING "WORK HOURS"

**EXECUTIVE COMMITTEE**

Motion by V. Burke/M. Freedland to approve. Discussion ensued. Motion by A. Richmond/V. Burke to amend by adding the County Clerk and Register of Deeds office will remain open until 5 P.M. Motions by R. Geary/J. Schroeder to amend the amendment to include the Treasurer's Office remain open until 5 P.M. Motion by R. Ebert/S. Doyle to hold over for 30 days passed on a roll call vote with 24 ayes, 2 nays - B. Brockmiller and C. Spiker, 3 excused - D. Ferries, D. Meyer and M. Pedretti.

**SECOND CONSIDERATION OF ORDINANCE**

ORDINANCE NO. 98 TO AMEND S. 3.09 OF CHAPTER 3 OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN REGARDING GRIEVANCE PROCEDURES

**EXECUTIVE COMMITTEE**

Motion by V. Burke/B. Brockmiller to approve. Discussion ensued. Motion by V. Burke/B. Brockmiller to amend by adding the additions listed on the "New Amendments" in sections (1), (c), (d), (e) passed on a unanimous roll call vote with 26 ayes, 3 excused - D. Ferries, D. Meyer and M. Pedretti. Chair Johnson ruled this amendment is a significant change and therefore, makes this Ordinance its first reading.

**RESOLUTION NO. 1-4/12 RE: REQUEST WISCONSIN DEPARTMENT OF HEALTH SERVICES TO DO A HEALTH IMPACT ASSESSMENT OF FRAC SAND MINING ON PUBLIC HEALTH**

**WHEREAS**, crystalline forms of silica meet the definition of a known carcinogenic air pollutant as defined in Wisconsin's Air Toxic Rule, Chapter NR445 of the Wisconsin Administrative Code; and, **WHEREAS**, exposure studies have found crystalline silica is a cause of silicosis, an incurable, chronic and progressive lung disease; and, **WHEREAS**, mining and rock crushing are among the most well-known sources of crystalline silica; and, **WHEREAS**, no crystalline silica air monitoring data exists in Wisconsin; and, **WHEREAS**, the Wisconsin DNR Silica Study published on Aug. 30, 2011 stated it is currently unknown whether emissions from large sources in Wisconsin are high enough and whether people are close enough to have significant exposures; and, **WHEREAS**, there is a need to study the effects on public health from crystalline silica exposure associated with frac sand mining and transportation. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby encourage Gov. Walker, Sen. Shilling, Reps. Doyle and Billings and the Wisconsin Counties Association to support requiring the Wisconsin Department of Health Services to conduct a health impact assessment of frac sand mining hazards and to develop recommendations for actions to protect public health if needed. **FISCAL NOTE:** No cost to the County of La Crosse with passage of this resolution.

**HEALTH AND HUMAN SERVICES BOARD**

Motion by S. Hampson/M. Kruse to approve passed on a unanimous voice vote with 25 ayes, 4 excused - V. Burke, D. Ferries, D. Meyer and M. Pedretti.

**ZONING ORDINANCE NO. Z279-4/12 RE: PETITION NO. 1887 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY STANLEY A DWYER, TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO AGRICULTURE DISTRICT "A" FOR CONTINUED RESIDENTIAL USE OF TWO (2) EXISTING HOMES IN THE TOWN OF WASHINGTON**

(5-12/13)

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1887 to amend the La Crosse County Zoning Ordinance filed by Stanley A Dwyer N4622 Spring Coulee Road, West Salem, WI 54669 and having held a public hearing on the 2nd day of April, 2012 for a petition to rezone from Exclusive Agriculture District to Agriculture District "A" the following described land for continued residential use of two (2) existing homes in the Town of Washington: Lot 1 of Certified Survey Map, Volume 10, Page 25 AND part of SW/NW and part of the SE/NW, Section 31, T15N, R5W, described as follows: Commencing at the SW corner of said SW/NW; thence N87°24'19"E 988.37 feet to the centerline of County Road 'N' and the point of beginning; thence N00°24'35"E 240.69 feet; thence N10°15'40"W 590.72 feet; thence N00°00'00"W 390.81 feet to the SW corner of said Lot 1; thence along the south line of said Lot 1 N87°24'35"E 136.00 feet; thence along said south line S67°19'57"E 240.00 feet to the east line of said SW/NW; thence along said east line S01°25'42"E 535.82 feet; thence N88°58'41"E 9.39 feet; thence S01°25'42"E 85.98 feet; thence S86°32'55"W 9.39 feet to said east line; thence along said east line S01°25'42"E 500.26 feet to the centerline of County Road 'N'; thence along said centerline S88°58'52"W 195.27 feet; thence along said centerline S89°26'44"W 86.55 feet to the point of beginning. Addresses of existing homes are W2407 County Road NN and W2404 County Road N. Tax parcel 12-655-1 and part of tax parcel 12-657-0. Town of Washington. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of 5 in favor, 2 Excused – (Meyer, Mach) the Committee recommended approval of this rezoning to Agriculture District "A" subject to the recording of deed restrictions on both lots indicating the following:

1. Only one (1) single family residence per lot; and
2. No further subdividing of either parcel.

(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 17<sup>th</sup> day of April, 2012. Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

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

Motion by T. Wehrs/R. Keil to approve as recommended by the Committee passed on a unanimous voice vote with 24 ayes, 5 excused - V. Burke, D. Ferries, M. Freedland, D. Meyer and M. Pedretti.

#### **ZONING ORDINANCE NO. Z280-4/12 RE: PETITION NO. 1888 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY SEAN O'FLAHERTY, ACTING ON BEHALF OF SKIPPERLINER ACQUISITIONS LLC, TO REZONE FROM RESIDENTIAL DISTRICT "C" TO INDUSTRIAL DISTRICT FOR ADDITIONAL PARKING OF VEHICLES AND BOATS IN THE TOWN OF CAMPBELL**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1888 to amend the La Crosse County Zoning Ordinance filed by Sean O'Flaherty, 201 Main Street, 10<sup>th</sup> Floor, La Crosse, WI 54601, acting on behalf of Skipperliner Acquisitions LLC, 127 Marina Drive, La Crosse, WI 54603 and having held a public hearing on the 2nd day of April, 2012 for a petition to rezone from Residential District "C" to Industrial District the following described land for additional parking of vehicles and boats in the Town of Campbell: All that part of Government Lot 5, Section 30, T16N, R7W, lying northerly of Marina Drive, westerly of Schultz Drive and southerly and easterly of the following described boundary line: Commencing at the northeast corner of said Section 30, thence N84°14'27"W 3154.44 feet to the East right-of-way line of Bainbridge Street; thence along said East right-of-way line S07°21'32"W 673.90 feet to the southwest corner of that

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parcel described in Volume 534, Page 1; thence S82°49'01"E 149.23 feet to the southeast corner of said parcel; thence S06°53'22"W 30 feet, more or less, to said northerly right-of-way line of said Marina Drive and the point of beginning of this boundary line description; thence N06°53'22"E 147.42 feet, more or less, to the northeast corner of said parcel described in Volume 534, Page 1; thence N89°23'26"E along the easterly prolongation of the North line of said parcel 31 feet, more or less, to the water's edge of the Black River; thence easterly along said water's edge 180 feet, more or less, to the westerly right-of-way line of said Schultz Drive and the terminus of this boundary line description. Part of tax parcel 4-1253-1. Town of Campbell. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of 5 in favor, 2 Excused (Meyer, Mach) the Committee recommended approval to rezone this parcel from the Residential District "C" to the Industrial District based on the non-residential planning classification as the future land use. (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 17<sup>th</sup> day of April, 2012: Approved the petition as submitted, becomes an ordinance.

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

Motion by T. Wehrs/J. Schroeder to approve as recommended by the Committee passed on a unanimous voice vote with 24 ayes, 5 excused - D. Ferries, M. Freedland, S. Hampson, D. Meyer and M. Pedretti.

#### **ZONING ORDINANCE NO. Z281-4/12 RE: PETITION NO. 1889 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY RONALD E AND SUSAN J ANDERSON 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. 1889 to amend the La Crosse County Zoning Ordinance filed by: Ronald E and Susan J Anderson, W2295 E Olson Road, Bangor, WI 54614 and having held a public hearing on the 2nd day of April, 2012 for a petition to rezone from Exclusive Agriculture District to Agriculture District "A" the following described land for continued residential use in the Town of Burns: All that part of the NW/SE, Section 6, T17N, R5W, lying south of the centerline of E Olson Road and west of the centerline of County Road 'DE'. Part of tax parcel 3-110-0. 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 a vote of 5 in favor, 2 Excused (Meyer, Mach) the Committee recommended approval. This is an existing land use; and it also allows for one (1) additional single family residence that is authorized now for an eligible occupant. This recommendation is subject to the recording of deed restrictions on the proposed 8.83 acre parcel indicating the following:

1. Only one (1) single family residence is allowed on that parcel; and
2. No further subdividing of the parcel.

(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

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authority to effectuate the petition by ordinance or to disapprove it. **The County Board** took the following action this 17<sup>th</sup> day of April, 2012: Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by T. Wehrs/R. Keil to approve as recommended by the Committee passed on a unanimous voice vote with 23 ayes, 6 excused - D. Ferries, M. Freedland, S. Hampson, D. Meyer, M. Pedretti and L. Pfaff.

**ZONING ORDINANCE NO. Z282-4/12 RE: PETITION NO. 1891 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY EDWARD A JR AND DIANE K EISERMANN TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO AGRICULTURE DISTRICT "A" FOR CONTINUED RESIDENTIAL USE AND TO ALLOW FOR TWO (2) ADDITIONAL RESIDENCES IN THE TOWN OF HOLLAND**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1891 to amend the La Crosse County Zoning Ordinance filed by Edward A Jr and Diane K Eisermann, W6663 Casberg Coulee Road, Holmen, WI 54636 and having held a public hearing on the 2nd day of April, 2012 for a petition to rezone from Exclusive Agriculture District to Agriculture District "A" the following described land for continued residential use and to allow for two (2) additional residences in the Town of Holland: The SW/NE of Section 5, T17N, R7W EXCEPT the east 208.7 feet. Tax parcel 8-8-0. Town of Holland. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of 5 in favor, 2 Excused (Meyer, Mach) the Committee recommended approval subject to the recording of deed restrictions indicating the following:

1. Only three (3) single family residences in total are allowed on this 33.7 acre parcel. (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 17<sup>th</sup> day of April, 2012: Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE (DON MEYER)**

Motion by T. Wehrs/R. Keil to approve as recommended by the Committee passed on a unanimous voice vote with 23 ayes, 6 excused - D. Ferries, M. Freedland, S. Hampson, D. Meyer, M. Pedretti and L. Pfaff.

**ZONING ORDINANCE NO. Z283-4/12 RE: PETITION NO. 1892 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY FRED HAYEN, ACTING ON BEHALF OF DOROTHY SEAB AND MAYNARD F AND KATHLEEN TAUSCHER TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO AGRICULTURE DISTRICT "A" FOR CONTINUED RESIDENTIAL USE AND AGRICULTURAL USE IN THE TOWN OF BANGOR**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1892 to amend the La Crosse County Zoning Ordinance filed by: Fred Hayen, W2360 County Road B, West Salem, WI 54669, acting on behalf of Dorothy Seab, 748 Duff Drive, Winter Garden, FL 34787, and Maynard F and Kathleen Tauscher, W2360 County Road B, West Salem, WI 54669 and having held a public hearing on the 2nd day of April, 2012 for a petition to rezone from Exclusive Agriculture District to Agriculture District "A" the following described land for continued residential use and agricultural use in the Town of Bangor: That portion of a 3.87 acre pending Certified Survey Map lot currently zoned Exclusive Agriculture and described as follows: Part of the SE/NW of Section 6, T16N, R5W;

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commencing at the west quarter corner of said Section 6; thence along the east-west quarter line of said Section 6 S89°43'04"E 1958.20 feet to the point of beginning; thence N00°04'07"E 20.28 feet to the northerly right-of-way of County Road 'B'; thence along said right-of-way N89°43'06"E 1.13 feet; thence N00°27'30"E 382.42 feet to the south line of the La Crosse River State Bike Trail; thence along said south line S87°58'58"E 424.51 feet; thence S00°04'07"W 389.85 feet to the south line of said SE/NW; thence along said south line N89°43'04"W 428.00 feet to the point of beginning. Part of tax parcel 1-112-0. Town of Bangor. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of 5 in favor, 2 Excused (Meyer, Mach) the Committee recommended approval subject to the recording of deed restrictions on both lots indicating the following:

1. Only one (1) single family residence is allowed on this 3.87 acre lot; and
2. No further subdivision of the lot is allowed.

(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 17<sup>th</sup> day of April, 2012: Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

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

Motion by T. Wehrs/R. Keil to approve as recommended by the Committee passed on a unanimous voice vote with 24 ayes, 5 excused - D. Ferries, S. Hampson, D. Meyer, M. Pedretti and L. Pfaff.

#### **ZONING ORDINANCE NO. Z284-4/12 RE: PETITION NO. 1893 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY CHRIS FECHNER, ACTING ON BEHALF OF DENNIS M GRONBECK TO REZONE FROM TRANSITIONAL AGRICULTURE DISTRICT TO AGRICULTURE DISTRICT "A" TO ALLOW FOR A SINGLE FAMILY RESIDENCE IN THE TOWN OF HOLLAND**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1893 to amend the La Crosse County Zoning Ordinance filed by: Chris Fechner, 917 4th Street South, La Crosse, WI 54601, acting on behalf Of Dennis M Gronbeck, 9621 Sterling Dr S, Highlands Ranch, CO 80126 and having held a public hearing on the 2nd day of April, 2012 for a petition to rezone from Transitional Agriculture District to Agriculture District "A" the following described land to allow for a single family residence in the Town of Holland: The south 110 feet of the NW/NW lying east of the east channel of the Black River, Section 23, T18N, R8W. Tax parcel 8-1054-0. Town of Holland. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of 5 in favor, 2 Excused (Meyer, Mach) the Committee recommended approval subject to the recording of deed restrictions indicating the following:

1. Only one (1) single family residence is allowed; and
2. No further subdividing of the lot.

(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**



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took the following action this 17<sup>th</sup> day of April, 2012: Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by T. Wehrs/R. Keil to approve as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 4 excused - D. Ferries, D. Meyer, M. Pedretti and L. Pfaff.

**ZONING ORDINANCE NO. Z285-4/12 RE: PETITION NO. 1894 TO AMEND THE LA CROSSE COUNTY ZONING ORDINANCE FILED BY LEON H AND RUTH PFAFF TO REZONE FROM EXCLUSIVE AGRICULTURE DISTRICT TO AGRICULTURE DISTRICT "A" APPROXIMATELY 27 ACRES FOR SALE OF THE EXISTING FARM HOUSE AND FARM BUILDINGS AND TO SELL THREE (3) PROPOSED RESIDENTIAL LOTS IN THE TOWN OF FARMINGTON AND TO REZONE FROM THE EXCLUSIVE AGRICULTURE DISTRICT TO TRANSITIONAL AGRICULTURE DISTRICT APPROXIMATELY 128 ACRES IN THE TOWN OF FARMINGTON**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 1894 to amend the La Crosse County Zoning Ordinance filed by: Leon H and Ruth Pfaff, N8694 County Road DD, Holmen, WI 54636 and having held a public hearing on the 2<sup>nd</sup> day of April, 2012 for a petition to rezone from Exclusive Agriculture District to Agriculture District "A" approximately 27 acres for sale of the existing farm house and farm buildings and to sell three (3) proposed residential lots in the Town of Farmington. And to rezone from the Exclusive Agriculture District to Transitional Agriculture District approximately 128 acres in the Town of Farmington, both parcels being described as follows: The SW/SE, part of the NE/SE, part of the NW/SE, and part of the SE/SE, Section 14, T18N, R7W, and the NE/NW, part of the NE/NE, part of the NW/NE, and part of the SE/NW, Section 23, T18N, R7W. Tax parcels 5-1498-0, 5-1501-0, 5-1502-0, 5-1505-0, 5-1547-0, 5-1548-0 and 5-1551-0. Town of Farmington. And pursuant to s. 59.69 Wis. Stats.: the Committee did publish and receive proof of a Class II notice of the hearing; notices to the affected Town Clerk(s); did hold a public hearing to hear testimony and official correspondence; and, did receive and consider action from the affected Town Board(s). The Committee, under s. 59.69(5)(e)4, and under s. 91.48(1), Wis. Stats., has the authority to approve the petition as submitted; to disapprove of the petition; or, to modify and approve the petition. Having considered the entire record the Committee's recommendation is to: By a vote of 5 in favor, 2 Excused (Meyer, Mach) the Committee recommended approval subject to the recording of deed restrictions indicating the following:

1. No further non-agricultural development on those lands to be zoned Transitional Agriculture; and
2. Only one (1) single family residence and no further subdividing on each of the four (4) proposed lots to be zoned Agriculture District "A".

(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 17<sup>th</sup> day of April, 2012: Approved the petition with amendments/conditions, becomes an ordinance, after recording conditions.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by T. Wehrs/R. Keil to approve as recommended by the Committee. Discussion ensued. Interim Zoning Director Nathan Sampson responded to questions from the Board. The motion passed on a unanimous voice vote with 25 ayes, 4 excused - D. Ferries, D. Meyer, M. Pedretti and L. Pfaff.

**RESOLUTION NO. 2-4/12 RE: AUTHORIZATION TO SELL UNIMPROVED PARCEL TO CITY OF LA CROSSE**

**WHEREAS**, La Crosse County has acquired title to certain property in the City of La Crosse, computer parcel #17-50308-78, pursuant to a tax foreclosure action; and, **WHEREAS**, the City of La Crosse desires to purchase said property because the property is part of a bike

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trail, where the remainder of the trail is owned by the City of La Crosse; and, **WHEREAS**, La Crosse County is authorized to sell the parcel to the City of La Crosse without publically advertising the property for bids pursuant to Wis. Stat., s. 75.69. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby authorizes the sale of parcel #17-50308-78 to the City of La Crosse for payment of the outstanding taxes against the property. **BE IT FURTHER RESOLVED**, that the County Board Chair and County Clerk are authorized to sign a Quit Claim Deed conveying this property to the City of La Crosse, upon approval by Corporation Counsel. **FISCAL NOTE:** The total amount owing, including interest and penalties as of March, 2012 = \$36.19.

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

Motion by J. Berns/C. Spiker to approve passed on a unanimous voice vote with 26 ayes, 3 excused - D. Ferries, D. Meyer and M. Pedretti.

#### **RESOLUTION NO. 3-4/12 RE: APPROVAL OF EASEMENT TO CITY OF LA CROSSE TO CONSTRUCT AND MAINTAIN A RECREATIONAL TRAIL AT THE LA CROSSE COUNTY LANDFILL SITE**

**WHEREAS**, the La Crosse County Landfill Master Land Use Plan promotes walking trails and recreational activities as part of the long-term plan for the La Crosse County landfill property; and, **WHEREAS**, said Plan also indicates that public acceptance of, and support for, the conservation design of the landfill property is best achieved by giving the public access to some of the strategic areas early on in time; and, **WHEREAS**, La Crosse County and the City of La Crosse have worked cooperatively in developing a recreational trail on the La Crosse County landfill property adjacent to the La Crosse International Business Park; and, **WHEREAS**, it is in the best interest of La Crosse County to convey an easement to the City of La Crosse for the construction and maintenance of a recreational trail. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby approves the conveyance of an easement to the City of La Crosse for the purpose of constructing and maintaining a recreational trail as indicated on the attached map. **BE IT FURTHER RESOLVED**, that the County Board Chair is hereby authorized to execute any documents to convey the easement to the City of La Crosse, after approval of Corporation Counsel. **FISCAL NOTE:** City of La Crosse will be responsible for construction and maintenance of the trail.

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

Motion by J. Berns/M. Kruse to approve. Discussion ensued. Corporation Counsel David Lange and Solid Waste Director Hank Koch responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 26 ayes, 3 excused - D. Ferries, D. Meyer and M. Pedretti.

#### **RESOLUTION NO. 4-4/12 RE: AUTHORIZATION TO SELL UNIMPROVED PARCEL TO VILLAGE OF WEST SALEM**

**WHEREAS**, La Crosse County has acquired title to certain property in the Village of West Salem, computer parcel #16-1820-0, pursuant to a tax foreclosure action; and, **WHEREAS**, the Village of West Salem desires to purchase said property by paying the outstanding taxes against said property; and, **WHEREAS**, La Crosse County is authorized to sell the parcel to the Village of West Salem without publically advertising the property for bids pursuant to Wis. Stat., s. 75.69; and, **WHEREAS**, this small parcel contains a retention pond in a development in the Village of West Salem and the Village desires to obtain the property so that portions of the retention pond can be restructured to alleviate any future problems regarding the condition of the retention pond. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby authorizes the sale of the parcel #16-1820-0 to the Village of West Salem for payment of the outstanding taxes, interest and penalty against said property. **BE IT FURTHER RESOLVED**, that the County Board Chair and County Clerk are authorized to sign a Quit Claim deed conveying this property to the Village of West Salem, upon approval by Corporation Counsel. **FISCAL NOTE:** The total amount owing as of March, 2012 = \$2,911.26, consisting of unpaid general property taxes in the amount

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of \$2,095.52, unpaid interest penalties in the amount of \$665.74, and tax foreclosure costs in the amount of \$150.00.

**PUBLIC WORKS AND INFRASTRUCTURE**

Motion by J. Berns/J. Schroeder to approve passed on a unanimous voice vote with 26 ayes, 3 excused - D. Ferries, D. Meyer and M. Pedretti.

**RESOLUTION NO. 5-4/12 RE: APPROVAL OF BIDS FOR THE SALE OF PROPERTY TAKEN BY TAX FORECLOSURE**

**WHEREAS**, La Crosse County has advertised for the sale of approximately 11 separate parcels of property which were the subject of a prior tax foreclosure action; and, **WHEREAS**, sealed bids were received on March 30, 2012 and opened by the County Treasurer on April 2, 2012, which bid results are attached hereto; and, **WHEREAS**, the sale and appraised value of the real estate was first advertised by publication as required by law pursuant to s. 75.69, Wis. Stats; and, **WHEREAS**, the highest responsive bids were accepted by the Public Works & Infrastructure Committee, except for parcel #12-225-2, where the committee accepts the lower bid of Douglas Servais because he is an adjoining landowner; and, **WHEREAS**, the bid of David Bentz for parcel #17-30091-70 and #17-30091-75 contains contingencies that must be met within 6 months of passage of this resolution. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board shall hereby sell the parcels for which a responsive bid was accepted by the Public Works and Infrastructure Committee, with the requirement that the contingencies in the bid for parcel #17-30091-70 and #17-30091-75 be met within 6 months of passage of this resolution. **BE IT FURTHER RESOLVED**, that the County Board Chair and County Clerk are hereby authorized to execute any documents necessary to accomplish the sale of said properties, after approval by Corporation Counsel. **FISCAL NOTE:** the revenue from tax delinquent property is first used to satisfy outstanding taxes. Any remaining revenue is receipted in to current fiscal year in the Treasurer's Department.

**PUBLIC WORKS AND INFRASTRUCTURE**

Motion by J. Berns/L. Pfaff to approve passed on a unanimous voice vote with 26 ayes, 3 excused - D. Ferries, D. Meyer and M. Pedretti.

**SUGGESTIONS FOR FUTURE AGENDA TOPICS**

Supervisor R. Geary asked for an update for the ongoing litigations.

**ADJOURN**

Motion by A. Richmond/B. Brockmiller to adjourn at 8:29 PM passed on a unanimous voice vote with 26 ayes, 3 excused - D. Ferries, D. Meyer and M. Pedretti.

**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 Organizational Meeting held Tuesday, April 17, 2012 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 30 OF APRIL 2012.**