

**REGULAR SESSION
DECEMBER 19, 2016**

The Trempealeau County Board of Supervisors met in regular session at the Government Center in the City of Whitehall, County of Trempealeau and State of Wisconsin on Monday December 19, 2016 at 7:00 P.M. with Chair Richard Miller presiding. The Pledge of Allegiance to the Flag of the United States of America was recited.

Call

Dear Supervisor,

Please be advised that the Trempealeau County Board of Supervisors will meet at 7:00 P.M. on December 19, 2016 in the County Board Room. All County Board Member's claims are due in the County Clerk's office by Noon on December 5, 2016, so they can be prepared for Audit Committee approval.

Sincerely,
/s/ Paul L. Syverson
County Clerk

Clerk Syverson read the call.

Roll was called. A quorum was met with all 17 supervisors in attendance.

Chair Miller announced the open meeting law requirements have been complied with through postings and notifications to the members and media.

ADOPTION OF THE AGENDA: It was moved by John Aasen and seconded by George Brandt to adopt the 11 item agenda. Motion carried unanimously by vote of acclamation to approve.

APPROVAL OF NOVEMBER ANNUAL SESSION MINUTES: It was moved by Ernie Vold and seconded by Mike Nelson to approve the annual session November minutes as amended. Olin Fimreite wanted to make sure the Economic Development Director mentioned was, in fact, the Parks, Tourism, & Economic Director (all three and not just one). Kevin Lien verified that it was. Motion carried unanimously by a vote of acclamation to approve.

APPEARANCES:

A: DISTRICT ATTORNEY UPDATE: TAAVI MCMAHON: John Sacia, Assistant District Attorney appeared for Mr. McMahon. Mr. Sacia thanked the Board for funding the Drug Investigator position in the budget. Meth is the major substance problem in Trempealeau County. Felony charges have grown. Fifteen people are currently in recovery court.

B: PROCLAMATION-SNOWPLOW DRIVER APPRECIATION DAY: Clerk Syverson read the Proclamation.

C: GROUND WATER STUDY UPDATE-PAT MALONE: Pat Malone introduced Mike Parsen, Hydrogeologist, and Jay Zambito Ph.D., Geologist, of the Wisconsin Geological & Natural History Survey with the University of Wisconsin-Extension. They showed a power point and answered questions on water quality in Trempealeau County.

RESOLUTIONS: SECOND READING:

RESOLUTION 2016-11-05 ORDINANCE TO AMEND CHAPTER 23 UNIFORM DWELLING CODE:

WHEREAS, Trempealeau County adopted a Uniform Dwelling Code (“UDC”) in 1980, and amended such ordinance in 2004, and

WHEREAS, the current ordinance requires an update to change the Wisconsin Administrative Code references from “Commerce” to “Safety & Professional Services,” including changes to chapters and sections numbers that are adopted by reference, and

WHEREAS, the County would also like to amend its UDC ordinance to provide further clarity to the scope of the UDC ordinance, and add provisions for regulation of detached garages, drain tile systems, and in-ground swimming pools.

NOW, BE IT RESOLVED that the Trempealeau County Board of Supervisors hereby adopts the attached amendment to Chapter 23 of its General Code of Ordinances regarding the Uniform Dwelling Code, and that such amendment shall be effective January 1, 2017.

Introduced by: Environment & Land Use Committee

George Brandt	Beth Killian
Jeff Bawek	Aaron Kidd
Jon Schultz	Curt Skoyen
Kathy Zeglin	

Committee Approval Date: October 12, 2016

Committee Vote: _____

Resolution Drafted by: Rian W. Radtke, Corporation Counsel

Reviewed by Corporation Counsel: Yes.

Fiscal Impact: (Fiscal Statement – as set forth in Project Initiation form) None.

It was moved by George Brandt and seconded by Curt Skoyen to adopt the resolution. Roll call was taken; motion carried 17 yes votes, resolution adopted.

RESOLUTION 2016-11-06 ORDINANCE TO AMEND SHORELAND ZONING:

WHEREAS, Trempealeau County adopted a Shoreland Zoning Ordinance in 1971, and

WHEREAS, 2015 Wisconsin Act 55 (the 2015-2017 Biennial Budget Bill) revised section 59.692 of the Wisconsin Statutes such that counties are now prohibited from having a Shoreland Zoning Ordinance that is more restrictive than the shoreland zoning standard set forth in Wisconsin Administrative Code, NR 115 (Wisconsin's Shoreland Protection Program), and

WHEREAS, the County's current Shoreland Zoning Ordinance requires an update to conform with the newly revised law, and

WHEREAS, the County has submitted a proposed revised ordinance to the Wisconsin Department of Natural Resources (WDNR), who has approved the draft for consideration for adoption, and

WHEREAS, the County's Environment and Land Use Committee conducted a public hearing on November 9, 2016 pursuant to the law and provided the necessary notices of public hearing, and recommends the County Board of Supervisors adopt the attached proposed revised ordinance, and

WHEREAS, the County now desires to amend the current Shoreland Zoning Ordinance in order to comply with the recently revised Wisconsin Statutes related to shoreland zoning standards.

NOW, THEREFORE BE IT RESOLVED that the Trempealeau County Board of Supervisors hereby adopts the attached amended Shoreland Zoning Ordinance and adds such ordinance to the General Code of Ordinances as Chapter 27, and

BE IT FURTHER RESOLVED that the Schedule of Cash Deposits in Section 21.09 of the Trempealeau County General Code of Ordinances be amended to add a \$55.00 deposit for all violations of the newly enacted Chapter 27 of the General Code of Ordinances.

BE IT FURTHER RESOLVED that the amended Ordinances be effective upon publication.

Introduced by:

Environment & Land Use Committee

George Brandt

Beth Killian

Jeff Bawek

Aaron Kidd

Kathy Zeglin

Curt Skoyen

Jon Schultz

Mike Nelson

Committee Approval Date: November 9, 2016

Committee Vote: 8 - 0

Resolution Drafted by: Kevin Lien, Land Management Director

Reviewed by Corporation Counsel: Yes

Fiscal Impact: (Fiscal Statement – as set forth in Project Initiation form): None

It was moved by Beth Killian and seconded by Jon Schultz to adopt the resolution. Roll call was taken; motion carried 15 yes votes, 2 no votes-Tim Zeglin and Jeanne Nutter, resolution adopted.

FIRST READING:

RESOLUTION 2016-12-01 ORDINANCE TO REZONE INDUSTRIAL (I) TO RURAL RESIDENTIAL (RR)-LOSINSKI-TOWN OF TREMPPEALEAU:

WHEREAS, Roger J. Losinski, Landowner/Petitioner, has requested the rezone of a parcel of land, for the purpose of a campground, and

WHEREAS, the rezone is approximately 20 acres more or less, and

WHEREAS, a public hearing was held pursuant to Section 59.69(5) of Wisconsin Statutes, and

WHEREAS, The Town of Trempealeau supports the rezone request, and

WHEREAS, the Environment and Land Use Committee moved to rezone this parcel from Industrial (I) to Rural Residential (RR) and it appears that the zoning change request is appropriate under the circumstances,

NOW, BE IT RESOLVED that the County adopt the attached Ordinance amending the zoning district boundaries as indicated.

Introduced by: Environment and Land Use Committee

George Brandt

Kathy Zeglin

Beth Killian

Jeff Bawek

Aaron Kidd

Michael E. Nelson

Jon W. Schultz

Curtis J. Skoyen

Committee Approval Date: November 9th, 2016

Committee Vote: 8-0

Resolution Drafted by: Virginette Gamroth

Reviewed by Corporation Counsel: No

Fiscal Impact: (Fiscal Statement – as set forth in Project Initiation form) NONE

ORDINANCE

REZONE OF A PARCEL IN THE TOWN OF TREMPEALEAU

The County Board of Supervisors of the County of Trempealeau does ordain as follows:

The zoning districts for Trempealeau County and zoning map shall be amended to show that the following described real estate is rezoned from Industrial (I) to Rural Residential (RR).

Part of the North 990 feet of the SE ¼ of the SW ¼ of Section 9, T18N, R9W, Town of Trempealeau, Trempealeau County, Wisconsin, described as follows:

Commencing at the South ¼ corner of said Section 9, thence, along the east line of said SE 1/4 of the SW 1/4, N00°15'43" E 330.67 feet to south line of said North 990 feet and the point of beginning;

thence, along said south line, N89°33'32" W 1318.78 feet to the west line of said SE ¼ of the SW ¼,

thence, along said west line, N 00°16'06" E 660.63 feet; thence S 89°33'32" E 1318.71 feet to the said east line;

thence S 00°15'43" W 660.63 feet to the point of beginning. (Reference map was provided with description).

Containing 20.00 acres.

No second reading is required for this resolution. It was moved by George Brandt and seconded by Olin Fimreite to adopt the resolution. Roll call was taken; motion carried 17 yes votes, resolution adopted.

RESOLUTION 2016-12-02 APPROVE COUNTY LAND AND WATER RESOURCE MANAGEMENT PLAN:

WHEREAS, 1997 Wisconsin Act 27 requires counties to develop county Land and Water Resource Management Plans to identify methods the county shall employ to ensure compliance with the State Agricultural and Non-Agricultural Performance Standards and Prohibitions within the jurisdiction of the county, and

WHEREAS, Trempealeau County adopted its original County Land and Water Resource Management Plan in 1999, and

WHEREAS, 1997 Act 27 requires that counties revise and update their mandated Land and Water Resource Management Plans periodically to ensure that the Plans remain relevant, and

WHEREAS, Trempealeau County was required to update their Land and Water Resource Management Plan in 2016, and

WHEREAS, Department of Land Management Staff updated the County Land and Water Resource Management Plan under the guidance of the Citizen Advisory Committee and the Environment and Land Use Committee, and

WHEREAS, a public hearing was held on November 9th, 2016 to gather public comment on the Plan and no objections to the Plan were registered, and

WHEREAS, The State Land and Water Conservation Board approved the Plan on December 6, 2016, and

WHEREAS, continued state staffing and cost-share funding support to the Department of Land Management is contingent upon County Board of Supervisors approval of the Plan.

NOW, BE IT RESOLVED that the Trempealeau County Board of Supervisors approve and adopt the attached 10 year Trempealeau County Land and Water Resource Management Plan, which shall take the place of the previously existing plan.

Introduced by Environment & Land Use Committee:

George Brandt	Jeff Bawek
Kathy Zeglin	Beth Killian
Jon Schultz	Aaron Kidd
Curt Skoyen	Mike Nelson

Committee Approval Date: November 9, 2016

Committee Vote: _____

Resolution Drafted by: Carla J. Doelle

Reviewed by Corporation Counsel: Yes

Fiscal Impact: (Fiscal Statement – as set forth in Project Initiation form) continued state staffing and cost-share funding support to the Department of Land Management is contingent upon County Board of Supervisors approval of the Plan. The Department of Land Management received in 2015, \$62,500 for conservation practice installation, \$42,000 for Nutrient Management Plans, and \$110,095.00 for Staffing. In 2016, \$67,500, \$55,000 and \$109,826 was received respectively. Projected to be received in 2017 is: \$58,300 for conservation practice installation, \$42,400 for Nutrient Management Plans, and \$108,892 for Staffing.

It was moved by George Brandt and seconded by John Aasen to waive the second reading of this resolution. Voice vote was taken with 16 yes and 1 no vote-Richard Frey, motion carried. It was moved by George Brandt and seconded by Mike Nelson to adopt the resolution. Carla Doelle with the Department of Land Management spoke of the changes and highlights of the plan. Roll call vote was taken; motion carried with 17 yes votes.

RESOLUTION 2016-12-03 ADOPT FARMLAND PRESERVATION PLAN:

WHEREAS, Section 91.10, Wisconsin Statutes, requires Trempealeau County to adopt a Farmland Preservation Plan, and the county adopted such a plan on December 15, 1980; and

WHEREAS, the county's Farmland Preservation Plan, as the name of the plan implies, is an attempt to preserve agricultural land at the county-level, and allows landowners to obtain tax credits on their agricultural land; and

WHEREAS, the county's Farmland Preservation Plan needs updating and additional information in order to be compliant with the law; and

WHEREAS, the update process included reviewing and updating agriculture statistical information, developing or reaffirming farmland preservation goals, identifying farmland preservation areas, and gathering information on farmland preservation from Town Boards and the county's Environment and Land Use Committee; and

WHEREAS, pursuant to section 66.1001(4), Wisconsin Statutes, a public hearing was held on this plan on December 7, 2016, at which time the plan was publicly discussed; and

WHEREAS, the county's Environment and Land Use Committee recommends the adoption of the updated Farmland Preservation Plan.

NOW, BE IT RESOLVED that the Trempealeau County Board of Supervisors hereby enacts the attached ordinance which adopts updated Farmland Preservation Plan, which replaces the existing adopted Farmland Preservation Plan adopted on December 15, 1980.

Introduced by: Environment and Land Use Committee

George Brandt	Curtis Skoyen
Kathy Zeglin	Beth Killian
Jon W. Schultz	Jeff Bawek
Aaron Kidd	Michael Nelson

Committee Approval Date: December 7, 2016

Committee Vote: _____

Resolution Drafted by: Kirstie Heidenreich, Dept. of Land Management

Reviewed by Corporation Counsel: Yes.

Fiscal Impact: (Fiscal Statement – as set forth in Project Initiation form) None.

It was moved by George Brandt and seconded by Olin Fimreite to waive the second reading of this resolution. Voice vote was taken with 15 yes and 2 no votes-Richard Frey and Sally Miller, motion carried. It was moved by George Brandt and seconded by Jeanne Nutter to adopt the resolution. Richard Frey questioned why we are waiving all the second readings of the resolutions. It was stated these resolutions need to be done due to timing. Roll call was taken; motion carried 17 yes votes, resolution adopted.

RESOLUTION 2016-12-04 AMEND COMPREHENSIVE PLAN FOR
TREMPEALEAU COUNTY:

WHEREAS, pursuant to section 91.10, Wisconsin Statutes, the county is required to include its adopted Farmland Preservation Plan in its Comprehensive Plan (smart growth plan); and

WHEREAS, the county has adopted a revised Farmland Preservation Plan and now seeks to amend its Comprehensive Plan to include the revised Farmland Preservation Plan; and

WHEREAS, the amended Comprehensive Plan includes updates to the Future Land Use Map Legend, Plan Text, and creation of Appendix I (which includes the adopted Farmland Preservation Plan); and

WHEREAS, pursuant to section 66.1001(4), Wisconsin Statutes, a public hearing was held on these amendments on December 7, 2016, at which time the changes were publicly discussed; and

WHEREAS, the county's Environment and Land Use Committee recommends the adoption of the amended Comprehensive Plan; and

NOW, BE IT RESOLVED that the Trempealeau County Board of Supervisors hereby enacts the attached ordinance which adopts the amended Comprehensive Plan as attached hereto.

Introduced by: Environment and Land Use Committee

George Brandt

Kathy Zeglin

Beth Killian

Jon W. Schultz

Curtis Skoyen

Jeff Bawek

Aaron Kidd

Michael Nelson

Committee Approval Date: December 7, 2016

Committee Vote: _____

Resolution Drafted by: Kirstie Heidenreich, Dept. of Land Management

Reviewed by Corporation Counsel: Yes.

Fiscal Impact: (Fiscal Statement – as set forth in Project Initiation form) None.

George Brandt made the motion to waive the second reading of the resolution; Tim Zeglin seconded. Voice vote, 16 yes, 1 no-Richard Frey. Motion carried. Jeanne Nutter made a motion to approve the resolution and Jon Schultz seconded. Roll call was taken; motion carried 17 yes votes, resolution adopted.

RESOLUTION 2016-12-05 AMEND CHAPTER 13 AND TABLE 2.05 OF THE
COMPREHENSIVE ZONING ORDINANCE:

WHEREAS, pursuant to section 59.69, Wis. Stats., Trempealeau County has adopted a non-metallic mining zoning ordinance (Chapter 13 of the Trempealeau County Comprehensive Zoning Ordinance), which was last amended on January 25, 2014, and

WHEREAS, also pursuant to section 59.69, Wis. Stats., Trempealeau County has adopted a table which indicates uses that are permitted, permitted conditionally, or not permitted within the various zoning districts within Trempealeau County (Table 2.05 of the Trempealeau County Comprehensive Zoning Ordinance), and

WHEREAS, Trempealeau County now desires to amend both Chapter 13 and Table 2.05 of its Comprehensive Zoning Ordinance as identified in the attached ordinance, and

WHEREAS, Trempealeau County amends its zoning ordinance pursuant to the authority set forth in section 59.69(4), Wis. Stats., in order to promote the public health, safety, and general welfare, as such regulations are best suited to carry out the purposes of section 59.69(1), Wis. Stats., including but not limited to: to encourage planned and orderly land use development, to protect property values and the property tax base, to permit careful planning and efficient maintenance of highway systems, to recognize the needs of agriculture, industry, and business in future growth, to encourage the protection of groundwater resources, and to provide healthy surroundings for family life, and

WHEREAS, in addition, Trempealeau County amends its zoning ordinance, pursuant to the authority set forth in section 59.69(4), Wis. Stats., for among other reasons, including those stated in the attached legislative purpose document, to determine, establish, regulate and restrict the areas within which agriculture, industry, and mining may be conducted, to designate certain areas, uses, or purposes which may be subjected to special regulation, and to establish setback lines, and

WHEREAS, pursuant to section 59.69(5)(e), a public hearing was held on December 7, 2016, where public input was provided and modifications were made to the draft zoning amendment, and the Environment & Land Use Committee recommends that the Trempealeau County Board of Supervisors adopt the attached amended zoning ordinance.

NOW, BE IT RESOLVED that the Trempealeau County Board of Supervisors hereby adopts the attached zoning amendment which amends Chapter 13 and Table 2.05 of the Trempealeau County Comprehensive Zoning Ordinance.

Introduced by: Environment & Land Use Committee

George Brandt	Kathy Zeglin
Beth Killian	Jon W. Schultz
Curtis Skoyen	Jeff Bawek
Aaron Kidd	Michael Nelson

Committee Approval Date: 12/7/16

Committee Vote: 7-0

Resolution Drafted by: Corporation Counsel, Rian W. Radtke

Reviewed by Corporation Counsel: Yes

Fiscal Impact: (Fiscal Statement – as set forth in Project Initiation form) None

George Brandt made the motion and Olin Fimreite seconded it to waive the second reading of the resolution. Roll call vote was taken with 10 yes votes, 7 no votes-Ernie Vold, Richard Frey, Doug Winters, Sally Miller, Dick Miller, Michelle Haines, and John Aasen. Motion failed.

RESOLUTION 2016-12-06 MEMBER CLAIMS:

WHEREAS, The Audit Committee has audited the following claims and recommend that they be allowed as follows.

NAME	PER DIEM	EXPENSES	TOTAL
John Aasen	\$70.00	\$12.96	\$82.96
George Brandt	\$105.00	\$74.52	\$179.52
Olin Fimreite	\$105.00	\$0.00	\$105.00
Richard Frey	\$105.00	\$100.44	\$205.44
Michelle Haines	\$35.00	\$13.50	\$48.50
Beth Killian	\$105.00	\$59.94	\$164.94
Dick Miller	\$175.00	\$45.90	\$220.90
Sally Miller	\$0.00	\$0.00	\$0.00
Michael Nelson	\$140.00	\$49.68	\$189.68
Jeanne Nutter	\$140.00	\$45.36	\$185.36
Richard Sacia	\$105.00	\$84.24	\$189.24
Jon Schultz	\$490.00	\$382.32	\$872.32
Curtis Skoyen	\$210.00	\$113.94	\$323.94
Ernest Vold	\$140.00	\$84.78	\$224.78
Chuck Walek	\$0.00	\$0.00	\$0.00
Douglas Winters	\$70.00	\$56.16	\$126.16
Timothy Zeglin	\$210.00	\$69.12	\$279.12
TOTALS	\$2,205.00	\$1,192.86	\$3,397.86

NOW, BE IT RESOLVED that the claims be allowed as shown.

Introduced by: Audit Committee

Tim Zeglin Doug Winters Richard Frey

Committee Approval Date: 12-08-2016

Committee Vote: 3 - 0

Resolution Drafted by: Stacy L Sylla, Chief Deputy County Clerk

Reviewed by Corporation Counsel: No

Fiscal Impact: \$3,397.86 from 2016 Budget

It was moved by Ernie Vold and seconded by Jeanne Nutter to adopt the resolution. Roll call vote taken; motion carried with 17 yes votes; resolution adopted.

ANNOUNCEMENTS/ELECTIONS/APPOINTMENTS:

A. ELECTION OF VETERAN SERVICE OFFICER

Ernie Vold nominated Travis Ludvigson. Nominations were called three times. Richard Frey moved to close nominations and cast a unanimous ballot; Doug Winters seconded it. Motion carried by unanimous voice vote.

B. ELECTION TO HEALTH CARE CENTER BOARD OF TRUSTEES

1. Member to Succeed Ernest Vold

Clerk Syverson read a letter from Mary Gullicksrud, Director of the Trempealeau County Health Care Center. John Aasen nominated Ernie Vold. Chairman Miller called for nominations three times. Richard Frey moved to close the nominations and cast a unanimous ballot for Ernie Vold. Jeanne Nutter seconded the motion. Motion carried by unanimous voice vote.

2. Citizen Member to Succeed Barb Gronemus

Beth Killian nominated Barb Gronemus. Nominations were called three times. Richard Frey made a motion, Ernie Vold seconded it, to close the nominations and cast a unanimous ballot for Barb Gronemus. Motion carried by unanimous voice vote.

C. APPOINTMENTS TO AGING & DISABILITY RESOURCE CENTER ADVISORY COUNCIL

1. Citizen Member to Succeed Dora Jean Blaha, Jacque Hogan, Richard Staff and Linda Schaefer

Clerk Syverson read a letter from Kathy Gauger, ADRC Supervisor. Ernie Vold made the motion to re-appoint Dora Jean Blaha, Jacque Hogan, Richard Staff, and Linda Schaefer; seconded by Olin Fimreite. Motion carried unanimously by voice vote.

2. Citizen Member to Succeed Albert Kulas (Scott Brown Requested)

Jeanne Nutter made the motion to affirm Scott Brown's appointment, George Brandt seconded. Motion carried unanimously by voice vote.

3. Citizen Member Mary Lou Beck (New Request)

Richard Frey made a motion with Jeanne Nutter seconding to nominate Mary Lou Beck. Motion carried unanimously by voice vote.

D. APPOINTMENT TO VETERANS SERVICE COMMISSION

1. Citizen Member to Succeed Anthony Skroch

Clerk Syverson read a letter from Travis Ludvigson, Veterans Service Officer. John Aasen made the motion to affirm the nomination, Chuck Walek seconded. Motion carried unanimously by voice vote.

E. APPOINTMENT TO HOUSING AUTHORITY BOARD

1. Citizen member to Succeed Lester Gjestvang (Jerry Edberg Requested)

Clerk Syverson read a letter from Lori Paulson, Executive Director of the Housing Authority. Richard Frey made the motion and Richard Sacia seconded it to appoint Jerry Edberg. Motion carried unanimously by voice vote.

COMMITTEE REPORTS: BUDGET UPDATE: Reports were sent out with the packets. No questions.

CORRESPONDENCE:

- A. TCCTV THANK YOU: Clerk Syverson read the thank you.
- B. THANK YOU LETTERS FROM COUNTY LIBRARIES: Clerk Syverson read letters for the Arcadia and Galesville Public Libraries.

CLOSING: It was moved by Curt Skoyen and seconded by Chuck Walek to instruct the Clerk to pay mileage and per diem; roll call vote; motion carried with 17 yes votes.

ADJOURNMENT: Chair Miller declared the meeting adjourned at 9:38P.M. until January 23, 2016 at 7:00 P.M.

Recording Secretary,
Stacy L Sylla
Chief Deputy County Clerk