



**MISSISSIPPI RIVER  
REGIONAL PLANNING COMMISSION**  
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*Eugene Savage, Black River Falls  
Chairman*  
*Margaret Baecker, Independence  
Vice Chairman*  
*Vicki Burke, Onalaska  
Secretary & Treasurer*  
*Greg Flogstad, Onalaska  
Director*

**MINUTES**  
**MISSISSIPPI RIVER REGIONAL PLANNING COMMISSION (MRRPC)**  
**BIMONTHLY MEETING**  
**10:30 a.m., June 13, 2012**  
**Midway Hotel La Crosse "River Jacks", 1835 Rose Street, La Crosse, Wisconsin**

**Call to Order**

Chairman Savage called the meeting to order at 10:30 a.m. and asked for the roll call. Greg Flogstad, Director took the roll and stated a quorum was present. The attendance roster is attached. Guests in attendance: John Medinger, representing U.S. Senator Herb Kohl

**Minutes of April 11, 2012 Bimonthly Meeting**

Commissioner Leys made a motion, seconded by Commissioner Schlesselman to accept the minutes of the April 11, 2012, bimonthly meeting. Approved unanimously.

**Treasurer's Report**

Vicki Burke, MRRPC Secretary/Treasurer presented the treasurers reports. Ms. Burke said the April 1, 2012 balance in all MRRPC accounts was \$290,885.12 and the April 30, 2012 ending balance was \$269,182.96. Ms. Burke reported that the beginning balance in May 2012 was \$269,182.96 and the balance in all accounts at month's end was \$258,018.16.

Ms. Burke then presented the financial report for the Business Capital Fund. The balance in this account as of March 31, 2012 was \$244,373.64. From April 2012 through May 2012 activity in this account included loan repayments of \$18,622.14, account interest of \$125.51, MRRPC Administrative fees for \$3,200.00, and a transfer of \$23,204.80 to the Business Capital Fund RLF Sequester Account leaving a May 31, 2012 ending balance of \$236,716.49. The BCF Sequester Account began with a April 1, 2012 balance of \$131,378.21. From April 4, 2012 through May 31, 2012 activity in this account included interest payments to the U.S. Treasury totaling \$118.58, a deposit of \$23,204.80 from the Business Capital Fund Account, and account interest earned of \$98.47 leaving a May 31, 2012 balance of \$154,562.90.

Ms. Burke said that as of March 31, 2012, the Business Capital Fund II RLF had a balance of \$64,478.56. She said that from April 2012 through May 2012 activity in this account included interest of \$32.57, loan repayments of \$4,365.42, MRRPC administrative fees for \$1,350.00, and a transfer of \$6,670.22 to the Business Capital Fund II RLF Sequester Account leaving a May 31, 2012 balance of \$60,856.33. The BCF II Sequester Account began with a April 1, 2012 balance of \$47,909.93. From April 4, 2012 through May 31, 2012 activity in this account included interest payments to the U.S. Treasury totaling \$52.28, a deposit of \$6,670.22 from the Business Capital Fund II Account, and account interest earned of \$35.41 leaving a May 31, 2012 balance of \$54,563.28.

The CMV Growth Development Fund began with a March 14, 2012, balance of \$54,972.29. Ms. Burke said from the period of March 15, 2012 through May 9, 2012 interest earned on this account totaled \$12.92, loan payments made totaled \$805.02 and \$1,206.22 was transferred to the CMV Sequester Account leaving a May 9, 2012 balance of \$54,584.01. Ms. Burke said the balance in the CMV-EDA Sequestered Fund as of March 14, 2012 was \$160,497.02. During the period of March 14, 2012 through May 9, 2012 activity in this account consisted of interest earned of \$36.89, and a deposit of \$1,206.22 from the CMV Development Fund leaving a May 9, 2012 balance of \$161,740.13.

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***A Nine County Economic Development District Providing Assistance to Local Governments***

- *Land Use Planning* ▪ *Zoning and Subdivision Ordinances* ▪ *Transportation Planning* ▪ *Economic Development Planning*
- *GIS Mapping* ▪ *Recreation Planning* ▪ *Revolving Loan Fund Administration* ▪ *Grant Writing* ▪ *Socioeconomic Data Dissemination*
- *Assist Local Interests in Responding to State and Federal Programs* ▪ *Advisory Service on Local Planning Issues*
- *Coordinating Agency for Programs and Activities* ▪ *Public Advocacy on Issues Affecting Our Region*

Ms. Burke said the La Crosse County Economic Development Fund began with a March 13, 2012 balance of \$75,437.57. During the period of March 13, 2012 through May 13, 2012, loan repayments of \$1,850.00 were made, account interest earned totaled \$27.01, a bank charge of \$18.75 was made for purchase of checks, and transfers of \$14,179.79 were made to La Crosse County Business Fund Sequester Account. The ending account balance as of May 13, 2012 was \$63,116.04. The La Crosse County Business Sequester Account began with a March 23, 2012 balance of \$13,940.64. From March 23, 2012 through May 31, 2012 activity in this account included an interest payment to the U.S. treasury totaling \$7.17, a deposit of \$239.15 from the La Crosse County Business Fund Account, and account interest earned of \$4.03 leaving a May 31, 2012 balance of \$14,176.65.

Chairman Savage asked for a motion of approval on the treasurers reports presented. Commissioner Burke made a motion to approve the treasurer's reports as presented. The motion was seconded by Commissioner Semb, and approved unanimously.

Mr. Law reported there have been no new loans since last bimonthly meeting. He said funds are available for lending from all of the RLFs. Mr. Law stated that all RLF funds now have a sequester account. He reminded everyone that these sequester funds are still available for lending but bank interest goes to the U.S. Treasury. Commissioner Jaekel asked about the amount of funds available for lending. Mr. Law provided the amounts available from each RLF account. Marketing of the funds was discussed. Mr. Law explained some of the marketing initiatives that were undertaken. Commissioner Schroeder added there are stricter regulations now and it is harder to start or expand a business with bank financing.

#### **Decision of Bylaws Amendment Establishing Term Limits of Officers**

Chairman Savage asked for the Nominating Committee report. He introduced the Nominating Committee: Commissioner Mike Murray (Pepin County), Commissioner Ron Carney (Jackson County), and Commissioner Jim Ehram (La Crosse County). Mr. Murray said the Nominating and Bylaws Committee met on May 9, 2012 and were proposing a change to the MRRPC Bylaws. He referred to Article V, Section 3 of the bylaws. He read the proposed change: *Section 3 – TERM LIMITS. The limit on the number of consecutive terms a commissioner can serve as an officer shall be three terms of two years for a total of six years, with the following exception. For the purpose of establishing staggered terms, the term limits of officers first elected shall be three terms or six years for the Chairperson, two and one-half terms or five years for the Vice-Chairperson and two terms or four years for the Secretary Treasurer.* Commissioner Murray made a motion to accept the proposed change to the bylaws on term limits. Commissioner Purdy seconded the motion. Commissioner Borreson stated he was not fond of term limits, commenting that officers give a name and face to an organization and the officers can be voted in or out. Commissioner Purdy stated putting other people in leadership positions could boost interest and activity. Commissioner Jaekel said she didn't see a need for term limits as the Commission board has the ability to vote people in or out. Commissioner Schroeder said he agreed there was no need to set term limits. Some more discussion occurred on the pros and cons of term limits. Commissioner Ehram stated more opportunities should be given to run for office and change creates interest. He said some commissioners may be hesitant to run against a friend or an incumbent. Commissioner Murray added there wasn't anything against the present officers in proposing this amendment. Chairman Savage asked for a roll call vote to accept or deny the proposed change to the bylaws. The motion made to change term limits for officers failed with 14 commissioner voting no (Schlesselman, Scholmeier, Russell, Krachey, Leys, Christenson, Burke, Smith, Schroeder, Ross, Baecker, Borreson, Nickelatti, Jaekel) and 9 voting yes (Carney, Savage, Ehram, Johnson, Kuhn, Schnitzler, Murray, Purdy, Semb).

#### **Election of Officers: Chair, Vice Chair and Secretary-Treasurer**

Chairman Savage asked for a report from the Nominating Committee on election of officers. Commissioner Ehram was designated to present nominations. Commissioner Ehram explained the nomination process and then nominated Eugene Savage as the nominee for Chairman. He then called for additional nominations for Chairperson from the floor three times and hearing none closed nominations for Chairperson. Commissioner Ehram then nominated Jim Scholmeier and Margaret Baecker as nominees for the position of Vice Chairperson and called for additional nominations from the floor three times and hearing none closed the nominations for Vice Chairperson. Commissioner Ehram then nominated Vicki Burke and Cedric Schnitzler as nominees for the position of Secretary-Treasurer and then called for additional nominations from the floor three times, hearing none he closed the nominations for Secretary-Treasurer. Ballots were passed out by Commission staff. The ballots were distributed, collected and counted by staff. The results were: Eugene Savage elected Chairperson by a vote 21 to 0 (two left blank), Marge Baecker elected Vice Chairperson by a vote of 14 to 9, and Vicki Burke elected Secretary-Treasurer by a vote of 15 to 8.

**Presentation on Changes to Shoreland and Floodplain Zoning Ordinance – Old Regulations Versus New Regulations**

Mr. Bonifas made a presentation on Flood Plain and Shoreland Zoning. He said all counties have this zoning ordinance but that zoning must be updated to meet the new state regulations in Wis. Administrative Code, Chapter NR 115. He said the purpose of this chapter is to establish minimum shoreland zoning standards for ordinances enacted under s. 59.692, Stats., for the purposes specified in s. 281.31 (1), Stats., and to limit the direct and cumulative impacts of shoreland development on water quality; near-shore aquatic, wetland and upland wildlife habitat; and natural scenic beauty. He explained the state's minimum shoreland zoning standards were originally made over 40 years ago and many of the basic standards have remained unchanged. Mr. Bonifas said the state shoreland development rules have been updated to better protect lakes and rivers while allowing property owners more flexibility on their land.

He explained the State Natural Resources Board adopted the revisions in November 2009 and on February 1, 2010 revisions to the statewide minimum standards in ch. NR 115 went into effect. He said the deadline for counties to amend or enact an ordinance that complies with the revised standards has been extended to February 1, 2014. He said to help the counties out a model ordinance has been provided. Mr. Bonifas said some standards have stayed the same. They are: 1) Homes must still be set back 75 feet from the high water mark and 2) Minimum lot size requirements remain the same. Standards that have changed are: 1) Spending limits on repairs to existing non-conforming residences located within 75 feet of the water's edge have been eliminated – No more 50% rule; 2) Access and viewing corridor that is up to 30% of the shoreline frontage is permitted in the vegetative buffer zone with a maximum of 200'; 3) Counties may allow development on substandard lots if the lot complied with the applicable lot size requirements in effect at the time the lot was recorded with the Register of Deeds Office; and 4) Expansion of an existing home closer than 75 feet from the water is now allowed in some cases. Mr. Bonifas said expansion of an existing home closer than 75 feet might be allowed through mitigation measures. He said counties need to develop their own mitigation measures.

Mr. Bonifas said a new standard caps the total amount of hard or "impervious" surfaces such as roofs, pavement and decks allowed on shoreland property. He said the caps apply only to properties within 300 feet of lakes or rivers, and do not affect existing property owners unless the owners try to make major changes that would cover up more land with hard surfaces. No limitations would exist for additions or new buildings where the lot's impervious surfaces do not exceed 15% of the total lot size but where the sum total of impervious surfaces is between 15% and 30% of the lot size, property owners would be required to take measures to offset the environmental impact of their proposed project.

Mr. Bonifas stated that if counties choose to do nothing the State will adopt an ordinance for them and enforce the ordinance and charge the county for adoption and the enforcement. The counties would have no say in the enforcement or what would go into the ordinance. Mr. Bonifas said he's working with Crawford County on their Ordinance update and proceeded by outlining the differences between Crawford County's existing Shoreland Zoning Ordinance and the Model Ordinance. He said many other counties will need to be make changes similar to what Crawford County is proposing Crawford County had no impervious surface requirements and no height restrictions. Crawford's ordinance restricts alterations, additions or repairs of nonconforming uses to 50% of the current estimated fair market value over the life of the structure and now that 50% rule will be eliminated. Mr. Bonifas said the model ordinance defines a buffer zone where Crawford's ordinance limits removal of shore cover. Mr. Bonifas said a change will have to be made on how minimum lot widths are calculated and how minimum setbacks from the ordinary high water mark are determined if existing structures are located nearby. Discussion occurred on the minimum setbacks. Mr. Bonifas said mitigation is required for certain activities and Crawford has no requirements. Mr. Bonifas said Crawford's ordinance required a minimum 100' lot width with at least 100' of frontage at the ordinary high water mark but the model calculates width by averaging measurements at 3 locations: 1) ordinary high water mark, 2) building setback line, and 3) one other location on the lot within 300' of the ordinary high water mark. Mr. Bonifas said Crawford's ordinance limited cutting of vegetation along shorelines while the model ordinance creates a vegetative buffer zone from the ordinary high water mark to 35' inland and prohibits removal of vegetation except for certain reasons.

Mr. Bonifas said each county must select a mitigation system and codify that system in their ordinance that states their exact requirements. He outlined some mitigation plan ideas. He gave some specific examples of how the point system would work. Mr. Borreson asked if boat houses on lakes fit into this mitigation or if they were exempt. Mr. Bonifas said NR115 does not regulate boat houses, it regulates shoreland zoning so if they are in there now they are preexisting. It does however regulate what you can put into the shoreland areas. Mr. Leys asked if this has been passed and put in place? Mr. Bonifas said it was effective February 1, 2010, but counties have until February 2014 to enact their ordinance. Commissioner Jaekel asked who would police this? Mr. Bonifas said that would depend on how the County sets it up; but most likely the county zoning office.

More discussion occurred on boat houses. Mr. Bonifas said establishing impervious surface standards protects water quality and fish and wildlife habitat. He reviewed the impervious surface standards. Mr. Bonifas said grants are still available to counties to update their shoreland zoning ordinance. Mr. Bonifas said counties will have to adopt a new shoreland ordinance. He said there may be more changes but they should be minor. Commissioner Johnson asked about regional contacts and whether counties should wait until all changes are made to the shoreland zoning requirements. Mr. Bonifas said the State indicated future changes should be minor so it's probably reasonable to proceed now. Commissioner Schroeder asked the difference between a floodplain ordinance and a shoreland ordinance. Mr. Bonifas said a floodplain ordinance has regulations that are developed to minimize flooding by mapping the floodplain's floodway and flood fringe and determining what development activities can or cannot occur in each and are defined by FEMA. Shoreland zoning is a specific set distance from the ordinary high water mark (300 ft for rivers and 1000 ft for lakes) and addresses development in this shoreland area that may be in or out of the floodplain but can impact water quality and other natural resources.

### **Report on State of Wisconsin Regionalizing Community Development Block Grant (CDBG) Housing Funds**

Mr. Law said Department of Administration (DOA) is instituting a regional housing program across the State. In the last few months the DOA has been rolling out this regional initiative on how it will reorganize the way it distributes Housing Community Development Block Grant (CDBG) funds. He said recipients of these funds will now be asked to be members of a regional consortia. One county will serve as the lead, and will administer the program for the multi-county consortia. Mr. Law stated that as a Regional Planning Commission we are just helping this regional initiative along and not making any suggestions on our long term involvement at this time. Mr. Law said La Crosse County and Chippewa counties have applied to be the lead consortia counties for the counties in Western Wisconsin. Mr. Flogstad said all county boards have to pass an ordinance by the end of July to join a consortia.

### **Decision on a Partnership Agreement between the Mississippi River Regional Planning Commission (MRRPC) and the Mississippi River Parkway Commission (MRPC)**

Mr. Fletcher presented a partnership agreement between the Wisconsin Mississippi Parkway Commission and the MRRPC. He said at the February MRRPC bimonthly meeting Sherry Quamme of the MRPC made a presentation and asked if the MRRPC was interested in forming a closer working relationship. It was decided a Memorandum and Understanding between the MRPC and the MRRPC would be drawn up and presented at an upcoming bimonthly meeting. Mr. Fletcher said the MRRPC and MRPC both strive to enhance the quality of the region. He asked for approval of the proposed partnership agreement. Chairman Savage asked for a motion to approve the partnership agreement as presented. Commission Smith made a motion to approve the partnership agreement; the motion was seconded by Commissioner Leys and approved unanimously.

### **Three Commuter Bus Service Route Project to Serve Crawford, Vernon and La Crosse Counties**

Mr. Fletcher said the three commuter bus route service for Crawford, Vernon and La Crosse counties will begin later this fall. He said the main purpose of the service is to provide transportation for commuters (getting people to work) elderly and disabled residents (medical, social and recreational travel) and the general public. He said they are still in the process of putting a Request for Proposals together. He said an order has been expedited for new buses that will be leased back to potential providers. Mr. Fletcher said he hoped to have a firmer date on when the service would begin at the next bimonthly meeting.

### **Old Business and New Business**

Chairman Savage said everyone should have in their packet a summary of the items listed under agenda item no. 10. He asked if there were any questions. Mr. Law said on June 27<sup>th</sup> a meeting will be held to further discuss the Regionalizing Revolving Loan Funds initiative put forth by the Wisconsin Economic Development Corporation. Chairman Savage referred everyone to the copy of the draft 2011-2016 State Comprehensive Outdoor Recreation Plan (SCORP). Mr. Flogstad said comments on the draft SCORP can be made through July 7, 2012. He said the purpose of the SCORP is to survey recreation participation rates to see what the demand for the various forms of recreation are and then based on this input and other public input and data develop plans and programs to meet the demand. Commissioner Ross commented the Huffington Post did a nationwide survey and the Wisconsin Great River Road was voted the prettiest drive in the U.S. Commissioner Kuhn said that the wind towers constructed through a partnership with Organic Valley and Gundersen Lutheran are up and running in Cashton.

This is to certify that the foregoing is a true and correct copy of the April 11, 2012, bimonthly meeting minutes approved on the 13<sup>th</sup> day of June 2012.

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Vicki Burke, Secretary-Treasurer