

(201-19/20)

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING
PROCEEDINGS; THURSDAY, JANUARY 16, 2020**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, January 16, 2020 in the Administrative Center, Room 1700. The County Clerk, Ginny Dankmeyer, took attendance. 26 supervisors were present when Chair Tara Johnson called the meeting to order at 6:00 P.M. and those otherwise present, excused or absent are noted in the roll call detail:

District Name	Attendance
1 Richmond, Andrea	Present
2 Geary, Ralph	Present
3 Weidenbach, Doug	Present
4 Freedland, Maureen	Present
5 Tahiri, Isaac	Absent
6 Plesha, Roger	Present
7 Hampson, Sharon	Present
8 Isola, Peg	Present
9 Gundersen, Jerome	Present
10 Cable, Kim	Present
11 Scheller, Patrick	Present
12 Erickson, Randy	Present
13 Tryggestad, Tina	Present
14 Larson, Margaret	Present
15 Kruse, Monica	Present
16 Ferries, Dan	Excused
17 Giese, Mike	Present
18 Weber Strauss, Noelle	Present
19 Cornforth, Rick	Present
20 Doyle, Steve	Present
21 Burke, Vicki	Present
22 Barlow, Patrick	Present
23 Nikolay, Matt	Present
24 Hoyer, Kevin	Present
25 Ebert, Ray	Excused
26 Hesse, Dan	Present
27 Jacobs, Thomas	Present
28 Keil, Karen	Present
29 Johnson, Tara	Present

PLEDGE OF ALLEGIANCE

COMMUNICATIONS AND ANNOUNCEMENTS:

County Board Chair Report - Tara Johnson

- WCA Legislative Exchange – Chair Johnson reminded Supervisors the WCA Legislative Exchange is the first week in February and LADCO is on the 27th of January.
- Supervisor Conference Reports
 - Supervisor Isola attended a Diversity Workgroup.
 - Supervisor Freedland noted that the Human Services Department has engaged in Trauma Informed Care.

Administrator Report - Steve O'Malley

- Recognition of the retiring Human Resources Director Mary Marco – Administrator O'Malley recognized HR Director Mary Marco for over 31 years of service to La Crosse County and who will be retiring this month.

CONSENT AGENDA

Motion by R. Plesha/T. Jacobs to approve the minutes of the La Crosse County Board of Supervisors Planning meeting held December 9, 2019 and the Monthly meeting held December 19, 2019 and the claims list for \$1, 1,679,215.44 passed on a unanimous voice vote with 26 ayes, 1 absent - I. Tahiri, 2 excused - R. Ebert and D. Ferries.

CONDITIONAL USE PERMIT NO. 1116 FILED BY SHERONICA CHASE, AGENT FOR TILLMAN INFRASTRUCTURE, LLC, ACTING O/B/O COTTAGE GROVE NURSERY & GIFT SHOP, INC, TO INSTALL A 280-FT TALL WITH 9-FT LIGHTNING ROD MOBILE SERVICE SUPPORT STRUCTURE (CELL TOWER) WITHIN A 75-FT X 75-FT LEASED AREA ON A 1.82 ACRE PARCEL ON PROPERTY ZONED COMMERCIAL DISTRICT IN THE TOWN OF HAMILTON

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by Sheronica Chase, Agent for Tillman Infrastructure, LLC, 10700 Higgins Rd, Ste 240, Rosemont, IL, 60018, acting o/b/o Cottage Grove Nursery & Gift Shop, Inc, W3293 County Rd B, West Salem, WI, 54669 and having held a public hearing on the 30th day of December, 2019 for a Conditional Use Permit to install a 280-ft tall with 9-ft lightning rod mobile service support structure (cell tower) within a 75-ft x 75-ft leased area on a 1.82 acre parcel on property zoned Commercial District in the Town of Hamilton and described as follows:

Lot 2 of Certified Survey Map No. 88 in Vol. 7. Tax parcel 7-36-2. Property address W3293 County Rd B. Town of Hamilton. 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 a vote of three (3) in favor, two (2) no, one (1) excused (Keil), and one (1) absent, the committee recommended approval of Conditional Use Permit No. 1116 subject to the following eleven (11) conditions:

1. Conditional Use Permit #1116 is issued to Cottage Grove Nursery & Gift Shop, Inc, W3293 County Rd B, West Salem, WI, 54669, for Tillman Infrastructure, LLC, 10700 Higgins Rd, Ste 240, Rosemont, IL, 60018 to install a 280-ft tall with 9-ft lightning rod mobile service support structure (cell tower) within a 75-ft x 75-ft leased area on a 1.82 acre parcel;
2. An information report as required under s.28.07 of the La Crosse County Code of Ordinances has been submitted by the applicant to the La Crosse County Zoning, Planning & Land Information Department. Any updated report shall be submitted as required under s.28.07(2);
3. The FAA report indicating findings that no hazards exist has been submitted to the La Crosse County Zoning Department as part of this permit application. All other conditions listed under s.28.05(9) shall be met before a Zoning/Occupancy Permit allowing construction can be issued;
4. The applicant shall obtain any required Erosion Control and/or stormwater permits through La Crosse County Land Conservation Department before a Zoning/Occupancy Permit can be issued;
5. The tower shall be designed and constructed to accommodate a minimum of four (4) wireless carriers;
6. A minimum setback distance equal to or greater than the 40-ft fall zone listed in the engineering certification shall be maintained from the nearest point of the proposed tower to all property boundaries and road rights of way;

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7. The tower shall be removed and the site restored at the expense of the tower owner as required under s.28.08(1);
 8. A bond in the amount of \$20,000 provided to La Crosse County shall be maintained without lapsing over the life of the tower to guarantee removal of the support structure as required in s.28.08(2);
 9. No advertising is allowed on the support structure or fenced compound except for a sign attached to the fence shall be required with contact information and phone numbers in case of an emergency;
 10. Abandonment is considered discontinuance of use for 24 consecutive months or longer; and
 11. This permit is transferrable, but acceptable financial guarantee for abandonment shall be received by La Crosse County from the new owner within 60 days of transfer.
- THE COUNTY BOARD took the following action this 16th day of January, 2020. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by P. Scheller/P. Isola to approve. Discussion ensued. Planner Charlie Handy and Corporation Counsel Megan DeVore responded to questions from the Board. The motion to approve as recommended by the Committee passed on a roll call vote with 20 ayes, 6 nays - S. Doyle, R. Erickson, M. Giese, J. Gundersen, D. Hesse and N. Weber Strauss, 1 absent - I. Tahiri, 2 excused - R. Ebert and D. Ferries.

CONDITIONAL USE PERMIT NO. 1117 FILED BY JOSHUA BUNGARTZ, O/B/O DUANE E SCHAPER, FOR ONE SINGLE FAMILY RESIDENCE ON AN EXISTING 568.13 ACRE BASE FARM TRACT WHERE THE RESIDENCE IS PROPOSED ON PRIME FARMLAND USED FOR CROPS ON PROPERTY ZONED GENERAL AGRICULTURE DISTRICT IN THE TOWN OF BARRE

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by Joshua Bungartz, W4730 County Rd B, West Salem, WI, 54669, o/b/o Duane E Schaper, 4540 2nd Ave S, Pocatello, ID, 83204 and having held a public hearing on the 30th day of December, 2019 for a Conditional Use Permit for one single family residence on an existing 568.13 acre Base Farm Tract where the residence is proposed on prime farmland used for crops on property zoned General Agriculture District in the Town of Barre and described as follows: Part of the NW¼ of the fractional NW¼ of Section 19, T16N, R6W. Tax parcel 2-99-0. Town of Barre. 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 a vote of five (5) in favor, zero (0) no, one (1) excused (Keil), and one (1) absent, the committee recommended approval of Conditional Use Permit No. 1117 subject to the following six (6) conditions:

1. Conditional Use Permit #1117 is issued specifically to Joshua Bungartz, W4730 County Rd B, West Salem, WI, 54669, o/b/o Duane E Schaper, 4540 2nd Ave S, Pocatello, ID, 83204, for one single family residence on an existing 568.13 acre Base Farm Tract where the residence is proposed on prime farmland used for crops;
2. One fifth of the 568.13 acre Base Farm Tract (BFT) or 113.6 acres must be deed restricted within 45 days of County Board approval to allow future agricultural uses only with no additional farm or non-farm residences allowed on this deed restricted area. This cannot be acreage deed restricted as a condition of prior approved conditional use permits for residential development;
3. The residence must be constructed within this 113.6 acre deed restricted area;
4. The proposed location of the residence shall be as indicated on the application;

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5. The Base Farm Tract has been previously deed restricted to allow residential development by Conditional Use Permit only; and
6. These conditions shall apply until amended by the La Crosse County Board of Supervisors.

THE COUNTY BOARD took the following action this 16th day of January, 2020. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by P. Scheller/K. Keil to approve as recommended by the Committee passed on a unanimous voice vote with 26 ayes, 1 absent - I. Tahiri, 2 excused - R. Ebert and D. Ferries.

CONDITIONAL USE PERMIT NO. 1118 FILED BY MICHAEL J TIRY OF OAKRIDGE ENGINEERING, INC, FOR A1 ADVANCED PUMPING, ACTING O/B/O PAUL R AND ELLEN WEHRS, TO USE AN EXISTING APPROXIMATELY 2 MILLION GALLON CONCRETE MANURE STORAGE FACILITY TO STORE MUNICIPAL WASTEWATER TREATMENT PLANT SLUDGE ON PROPERTY ZONED EXCLUSIVE AGRICULTURE DISTRICT IN THE TOWN OF HAMILTON

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by Michael J Tiry of Oakridge Engineering, Inc, 220 ½ North Bridge St, Chippewa Falls, WI, 54729, for A1 Advanced Pumping, N4314 County Rd M, West Salem, WI, 54669, acting o/b/o Paul R And Ellen Wehrs, W3668 Pleasant Valley Rd, West Salem, WI, 54669 and having held a public hearing on the 30th day of December, 2019 for a Conditional Use Permit to use an existing approximately 2 million gallon concrete manure storage facility to store municipal wastewater treatment plant sludge on property zoned EXCLUSIVE AGRICULTURE DISTRICT in the Town of Hamilton and described as follows: Located in the NE/SW of Section 10, T16N, R6W. Tax parcel 7-279-0. Property address W3668 Pleasant Valley Rd. Town of Hamilton. 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 a vote of five (5) in favor, zero (0) no, one (1) excused (Keil), and one (1) absent, the committee recommended approval of Conditional Use Permit No. 1118 subject to the following eleven (11) conditions:

1. This permit is granted specifically to Paul R and Ellen Wehrs, W3668 Pleasant Valley Rd, West Salem, WI, 54669 to use an existing approximately 2 million gallon concrete manure storage facility to store municipal wastewater treatment plant sludge;
2. This permit is for approval of the storage of municipal treatment sludge to be hauled by A1 Advanced Pumping only in accordance with correspondence dated 11/14/19 with Christopher Bellovary of the WI DNR;
3. This permit does not address the land application of sludge, which is regulated by the WI DNR;
4. The final WI DNR approval conditions shall be submitted to this office to be included in the file and must be received prior to commencing use of the lagoon;
5. Copies of signed and secured 20 year leases from owners of property within 1,000-ft of the lagoon stating no residential or commercial development is allowed within 1,000 feet of the lagoon while it is used to store municipal sludge shall be submitted in accordance with the applicant's impact statement and DNR requirements. Any lease amount or fees may be redacted;
6. The applicant agrees not to sell any lands within 1,000 feet of the lagoon for the duration of the leases or use of the lagoon to store municipal sludge;
7. The owner shall obtain a permit from the La Crosse County Land Conservation Department if the lagoon reverts to storage of animal waste;

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8. Discontinuance of use to store municipal waste in the existing lagoon for more than 12 consecutive months results in automatic termination of this permit;
9. As stated in the applicant's impact statement, truck traffic is limited from 7:00 a.m. to 6:00 p.m., Monday through Friday with a maximum of 25 truckloads per week;
10. This permit does not authorize principal operation of A1 Advanced Pumping owned by Jim Shurson from this location. Occasionally equipment associated with this pumping business may be stored on-site. Use of other buildings or structures for operation of sludge storage is not made part of this permit; and
11. This permit is transferrable.

THE COUNTY BOARD took the following action this 16th day of January, 2020. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by P. Scheller/K. Hoyer to approve. Discussion ensued. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 26 ayes, 1 absent - I. Tahiri, 2 excused - R. Ebert and D. Ferries.

RESOLUTION NO. 55-1/20 RE: AGREEMENT REGARDING STORM WATER MANAGEMENT CREDITS

WHEREAS, La Crosse County has constructed a retention basin on the land adjacent to the Solid Waste Department and landfill which qualifies as a stormwater management facility; and, **WHEREAS**, future developers of the land surrounding the Solid Waste Department and landfill have the potential to benefit from stormwater management credits provided by the City of La Crosse; and, **WHEREAS**, it is in the best interest of the County to enter into agreements with developers as that land is acquired to ensure that La Crosse County benefits from the stormwater management credits that have been made possible due to the County's construction of the retention basin; **NOW THEREFORE BE IT RESOLVED** that La Crosse County, through the Solid Waste Department Director and the County Planner, will work with current and future developers to maximize the benefit of stormwater credits available to the areas adjacent to the Solid Waste Department/landfill; **BE IT FURTHER RESOLVED**, that the County Board Chair is authorized to sign any documents necessary to effectuate this resolution, after approval by Corporation Counsel. **FISCAL NOTE:** No cost to the County.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by P. Barlow/V. Burke to approve passed on a unanimous voice vote with 26 ayes, 1 absent - I. Tahiri, 2 excused - R. Ebert and D. Ferries.

RESOLUTION NO. 56-1/20 RE: APPROVAL OF DRAINAGE EASEMENT TO GREENFIELD, LLC

WHEREAS, there is a need for an easement to accommodate the drainage of stormwater from the property owned by Greenfield LLC and adjoining County-owned property on Garland Street East in the Village of West Salem; and, **WHEREAS**, the easement shall consist of the west 25' feet of Lot 1 of La Crosse County Certified Survey Map, Volume 15, Page 149, recorded as Document Number 1629340, Village of West Salem, La Crosse County, Wisconsin; and, **NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board hereby approves the creation of a 25' wide permanent limited easement described above allowing stormwater drainage across the County-owned property. **BE IT FURTHER RESOLVED**, that the County Board Chair and County Clerk are authorized to sign any documents necessary to effectuate this resolution, after approval by Corporation Counsel. **FISCAL NOTE:** No fiscal impact to La Crosse County.

VETERANS, AGING AND LONG TERM CARE COMMITTEE

Motion by T. Tryggstad/R. Plesha to approve passed on a unanimous voice vote with 26 ayes, 1 absent - I. Tahiri, 2 excused - R. Ebert and D. Ferries.

SUGGESTIONS FOR FUTURE AGENDA TOPICS

- Supervisor Cornforth asked for a yearly calendar for the committee meetings.

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ADJOURN

Motion by M. Giese/M. Larson to adjourn at 6:39 PM passed on a unanimous voice vote with 26 ayes, 1 absent - I. Tahiri, 2 excused - R. Ebert and D. Ferries.

STATE OF WISCONSIN)

COUNTY OF LA CROSSE)

I, Ginny Dankmeyer , La Crosse County Clerk, in and for the County of La Crosse, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the La Crosse County Board of Supervisors at the La Crosse County Board of Supervisors Monthly Meeting held Thursday, January 16, 2020 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 17 OF JANUARY 2020.