

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING  
PROCEEDINGS; THURSDAY, AUGUST 18, 2022**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, August 18, 2022 in the Administrative Center, Room 1700. The County Clerk, Ginny Dankmeyer, took attendance. 30 supervisors were present when Chair Monica Kruse 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</b>	<b>Name</b>	<b>Attendance</b>
1	Konradt, Joe	Present
2	Geary, Ralph	Present
3	Pierce, David	Present
4	Freedland, Maureen	Present
5	Mathu, Grant	Present
6	Plesha, Roger	Present
7	Padesky, Gary	Present
8	Isola, Peg	Present
9	Wacek, Dawn	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	Present
17	Pogreba, Jack	Present
18	Baroni, Mike	Present
19	Cornforth, Rick	Present
20	Doyle, Steve	Present
21	Abraham, Rob	Present
22	Viner, Pamela	Present
23	Nikolay, Matt	Present
24	Hoyer, Kevin	Present
25	Jacobsen, Dennis	Present
26	Hundt, David	Present
27	Hesse, Dan	Present
28	Keil, Karen	Present
29	Schlimgen, Ken	Present
30	Mader, Dillon	Present

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

**County Board Chair Report - Monica Kruse**

**PROCLAMATION AUGUST 18, 2022- STEVE O'MALLEY DAY**

**WHEREAS**, Steve O'Malley will retire from his position as La Crosse County Administrator in September, 2022, after a 19 year career serving the people of this county; and, **WHEREAS**, when O'Malley was appointed as La Crosse County's first administrator in 2003, he collaborated with the county board to modernize the county's policies and procedures to build a more efficient and dynamic organization; and, **WHEREAS**, O'Malley also worked with the La Crosse County Board to undertake an overhaul of the

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county's buildings, leading the development of a new downtown campus that spurred a general revitalization of downtown La Crosse; and, **WHEREAS**, as county administrator, O'Malley supported and aided the development of the Mississippi Valley Health Services Commission, which created a sustainable future for the county's long-term care system; and, **WHEREAS**, the careful stewardship of county finances and innovative policies supported by O'Malley mean he will leave the county in a strong and sustainable financial position; and, **WHEREAS**, O'Malley's profound commitment to the role of local government in making our community stronger, and his advocacy for policies that promote inclusion and tolerance, have left a lasting mark on this county. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby declare August 18, 2022, as Steve O'Malley Day in recognition of O'Malley's remarkable contribution to the success of this county.

Motion by K. Cable/R. Plesha to approve passed on a unanimous voice vote with 30 ayes.

### **AGENDA ORDER**

Chair Kruse asked for unanimous consent to take agenda items 8-16, 8-14, and 8-15 out of order. There were no objections.

- Childcare Resolution Update – Chair Kruse noted that after several debates and failed resolutions on childcare, there will be a resolution to be voted on tonight to look for outside support to study the proposal.
- September 10<sup>th</sup> will be Pride in the Park at Riverside Park from 11am – 6pm. Please sign up if you are interested in volunteering.
- Supervisor Conference Reports
  - Supervisor Cable noted there were 140 people living on the streets of La Crosse when the Homeless Coalition did their “point in time count.”
  - Supervisor Freedland reported about hearing on county plans and programs from the Regional Bluffland Coalition. The trail from the Black River to Goose Island will be called The Bluffland Traverse.
  - Supervisor Hundt recognized the La Crosse County 4H Equestrian Drill Team for winning the State Championship at the fair.

### **Interim Administrator Report – Jane Klekamp**

- 2021 Annual Financial Report – Finance Director Lanae Nickelotti
  - The Finance Department's responsibilities include accounting, grants, vendor payments, payroll, purchasing, compliance, financial and single audits and budget. Each year the Annual Comprehensive Financial Report (ACFR) and Popular Annual Financial Report (PAFR) is created. The Finance Department has received the award for Certificate of Achievement for Excellence in Financial Reporting for 16 consecutive years and Award for Outstanding Achievement in Popular Annual Financial Reporting for 7 consecutive years. There are three types of funds: Governmental Funds which is used to account for activities funded primarily through property taxes and intergovernmental revenues; Enterprise Funds which are used to account for activities primarily by fees charged to external parties; and Internal Service Funds which are used to account for goods or services provided by one department to other departments or governmental units. The Formal Fund Balance Policy is to keep 25-50% unassigned in general fund. Total county debt in 2022 is at \$67.8 million. \$36,480,173 of revenue comes from property taxes and \$115,238,196 comes from other revenue. 76% of revenue is from other revenue sources. In 2011, the State of Wisconsin imposed levy limits to the percentage change in the County's equalized value due to net new construction. The allowable increase for the 2023 operating levy is \$444,772 (1.58%).
  - In September, the County Administrator will present the budget highlights to the County Board. Standing Committees will go deeper into the department budgets in September and October and November will be the public hearing and County Board approval of the budget.
- Presentation on 2021 Annual Audit by Baker Tilly.
  - Andrea Jansen of Baker Tilly presented the audit results for year end December 31, 2021. The audit was completed of the County's financial statements for the year ended

12/31/2021 in accordance with auditing standards generally accepted in the United States of America and standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States. An unmodified opinion was issued. The Single Audit testing was complete with reporting in process and there was one finding as a low-risk auditee. No material weaknesses or significant deficiencies identified. There were no corrected or uncorrected misstatements.

**CONSENT AGENDA**

Motion by R. Plesha/P. Isola to approve the minutes of the La Crosse County Board of Supervisors Special Meeting held July 6, 2022, Comprehensive Plan Public Hearing held July 11, 2022, Planning Meeting held July 11, 2022, and the Monthly Meeting held July 21, 2022 and the claims list for \$2,805,394.84 passed on a unanimous voice vote with 30 ayes

**FIRST CONSIDERATION OF ORDINANCE**

ORDINANCE NO. 199 TO REPEAL AND RECREATE CHAPTER 31 "LA CROSSE COUNTY WISCONSIN COMPREHENSIVE PLAN" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by K. Hoyer/M. Freedland to move the first reading. Discussion ensued. Planner Charlie Handy responded to questions from the Board. The ordinance will be held over for 30 days and is on file and open for public inspection in the office of the County Clerk and on the La Crosse County web site at: [www.lacrossecounty.org](http://www.lacrossecounty.org). Upon adoption and publication, it will be incorporated into the La Crosse County General Code of Ordinances.

**CONDITIONAL USE PERMIT NO. 1193 FILED BY STEVEN & JUDY LOW O/B/O LOW COUNTRY LLC, FOR A SHORT TERM VACATION RENTAL IN THE TOWN OF FARMINGTON**

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by: Steven & Jody Low o/b/o Low Country LLC, N8478 Stetzer Rd, Mindoro, WI 54644 and having held a public hearing on Monday, August 1, 2022 for a CONDITIONAL USE PERMIT for a short-term vacation rental (17.05(5(d)1.i. Transient residential uses in accordance with 17.05(5(d)1.a.) in the Town of Farmington and described as follows: Pt NE-SE, Sec. 17, T.18N, R.5W. Tax parcel 5-206-0. Property address: N8691 Hippler Hill Rd, Town of Farmington. 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 SIX (6) in favor (Schlimgen, Hundt, Erickson, Konradt, Cornforth, Hoyer), Zero (0) no, ZERO (0) abstentions, and ONE (1) excused (Scheller) the committee recommended Approval of Conditional Use Permit No. 1193 subject to the following SEVEN (7) conditions:

1. The owner(s) of the property to which this Conditional Use Permit is issued will abide by all representations and commitments made during the permitting process as well as before the Committee, in accordance with all conditions to the conditional use permit, taken as a whole, as approved by the Planning Resource and Development Committee and the County Board.
2. This approval does not preempt permittees' obligation to comply with all other applicable federal, state, and local regulations.
3. The permittee shall contact environmental health and implement any requirements per their ordinances.
4. The permittee shall contact the Town Building Inspector and implement any requirements per their ordinances.
5. No parking on public roads by transient residents.
6. Refuse shall not accumulate on this site.
7. This permit is nontransferable and shall automatically terminate upon transfer of ownership.

THE COUNTY BOARD took the following action this 18<sup>th</sup> day of August, 2022. Approved subject to conditions as outlined.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by K. Hoyer/D. Ferries to approve as recommended by the Committee passed on a unanimous voice vote with 30 ayes.

**FIRST CONSIDERATION OF ORDINANCE**

ORDINANCE NO. 198 TO AMEND S. 7.08 ENTITLED "ALL-TERRAIN VEHICLES" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

**PUBLIC WORKS AND INFRASTRUCTURE**

Motion by P. Viner to move the first reading. The ordinance will be held over for 30 days and is on file and open for public inspection in the office of the County Clerk and on the La Crosse County web site at: [www.lacrossecounty.org](http://www.lacrossecounty.org). Upon adoption and publication, it will be incorporated into the La Crosse County General Code of Ordinances.

**FIRST CONSIDERATION OF ORDINANCE**

ORDINANCE NO. 197 TO AMEND S. 7.04(5) ENTITLED "SPEED LIMITS" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

**PUBLIC WORKS AND INFRASTRUCTURE**

Motion by P. Viner to approve. Discussion ensued. The ordinance will be held over for 30 days and is on file and open for public inspection in the office of the County Clerk and on the La Crosse County web site at: [www.lacrossecounty.org](http://www.lacrossecounty.org). Upon adoption and publication, it will be incorporated into the La Crosse County General Code of Ordinances.

**RESOLUTION NO. 14-8/22 RE: ADDITIONAL MONTH OF HEALTH INSURANCE PREMIUM HOLIDAY**

**WHEREAS**, La Crosse County is self-insured which provides opportunity for increased flexibility as it pertains to health care costs to eligible employees; and, **WHEREAS**, as part of the 2022 budget approval process, the La Crosse County board of supervisors approved a three-month premium waiver of payroll deductions for the employee share of the health insurance premium deducted in the months of June, July and August 2022 (by Resolution No. 41-11-21); and, **WHEREAS**, health insurance costs were lower than anticipated in 2021 and 2022 and we continue to have a healthy fund balance (\$10.4 million at December 31, 2021); and, **WHEREAS**, Due to the current state of our economy and our current labor market, La Crosse County recommends offering an additional health insurance premium holiday for employees during the month of September 2022. **NOW THEREFORE BE IT RESOLVED**, that a one-month health insurance premium waiver for the employee share of the health insurance premium deducted in the month of September of 2022 is approved. **BE IT FURTHER RESOLVED**, that the County Administrator, the County Clerk, the County Finance Director, and the County Human Resources Director are hereby authorized to sign any and all necessary documents for effectuating the above on behalf of La Crosse County. **FISCAL NOTE**: The employee share of health insurance is approximately \$145,000 for one month. There are sufficient funds in the Health Self Insurance fund balance to cover this recommendation.

**EXECUTIVE COMMITTEE**

Motion by K. Cable/R. Cornforth to approve. Discussion ensued. Human Resources Director Stephen Conrad and Finance Director Lanae Nickelotti responded to questions from the Board. Motion by K. Schlimgen/J. Pogreba to amend by adding to the Now Therefore Be It Resolved – and grant employees not taking this benefit the equivalent of the single party premium failed on a unanimous voice vote with 30 nays. The motion to approve passed on a voice vote with 28 ayes, 1 nay - J. Konradt, 1 abstention - D. Jacobsen.

**RESOLUTION NO. 15-8/22 RE: APPROVING THE EXPENDITURE OF UP TO \$50,000 OF ARPA FUNDS FOR FURTHER STUDY OF CHILDCARE NEEDS IN LA CROSSE COUNTY**

**WHEREAS**, President Biden signed the American Rescue Plan Act (ARPA) of 2021, a \$1.9 trillion emergency legislative package to provide the resources needed to address the ongoing COVID-19 public health crisis and spur a strong economic recovery, into law on March 11, 2021; and, **WHEREAS**, components of the act included \$242 billion in economic impact payments to individuals and families, an

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increase and expansion of the Child Tax Credit, \$10 billion for states, territories and Tribes to cover the cost of capital projects, \$21.6 billion for states, territories and local governments to assist households that are unable to pay rent and utilities due to the COVID-19 crisis, \$10 billion to state and Tribal governments to fund small business credit expansion initiatives, and \$350 billion in emergency funding for state, local, territorial, and Tribal governments to remedy the mismatch between rising costs and falling revenues; and, **WHEREAS**, La Crosse County was allocated \$22.89 million, with \$11.445 million received in June 2021 and the second allotment to be received in 2022; and, **WHEREAS**, the La Crosse County Board has authorized \$705,950 for COVID related expenditures in 2021 as described in Resolution #44-12-21, and approved the allocation of \$22,225,000 for future disbursement to eight (8) program areas as described in Resolution #55-1-22, including \$3,300,000 for "New or expanded high-quality childcare: Childcare Neighborhood Model"; and **WHEREAS**, since that time the La Crosse County Board has heard several proposals including proposals from the School District of La Crosse and from a coalition of private and non-profit childcare providers; and **WHEREAS**, although there has been written communication and presentations to the Board from multiple stakeholders there are significant questions about which, if any, of these proposals would best address the identified issues related to the provision and availability of childcare in the County; and **WHEREAS**, it seems unlikely that these questions will be able to be fully addressed or answered in the context of further Board meetings or hearings; and **WHEREAS**, the County does not have any employee on staff with the time or expertise to fully study this issue; and **WHEREAS**, a neutral, independent review of all current proposals as well as any new initiatives would assist the Board in making decisions about the expenditure of reserved funds; **NOW THEREFORE BE IT RESOLVED**, UW-Extension will study and propose a plan to address the needs of the childcare industry in La Crosse County; and **BE IT FURTHER RESOLVED**, Up to \$50,000 of the \$3,300,000 of ARPA funds reserved for childcare may be used to pay for any necessary expenses to develop such a plan; and **BE IT FURTHER RESOLVED**, this study shall include input from public and private (non-profit and for profit) stakeholders and the proposed plan shall be reported back to the full board with recommendations for the best use of available ARPA funds related to this priority area; and **BE IT FURTHER RESOLVED**, the Executive Committee will monitor the study and provide interim reports to the Board as determined by the Board. **FISCAL NOTE**: The cost of up to \$50,000 will be spent from the \$3,300,000 childcare APRA allocation. Costs will be tracked in division 295.770.3744 within the County financial system, Account 60400.01 Contracted Services.

#### **EXECUTIVE COMMITTEE**

Motion by K. Cable/P. Isola to approve. Discussion ensued. Interim Administrator Jane Klekamp discussed the resolution and the proposed amendment for the Board. Motion by K. Cable/G. Padesky to amend by having the 1<sup>st</sup> Resolved clause to read – UW-Extension will study and propose a plan to address the needs of the childcare industry in La Crosse County AND the 2<sup>nd</sup> Resolved clause to read – Up to \$50,000 of the \$3,300,000 of ARPA Funds reserved for childcare may be used to pay for any necessary expenses to develop such a plan, passed on a voice vote with 28 ayes, 1 nay - M. Baroni, 1 abstention - J. Konradt. Motion by J. Konradt/K. Hoyer to amend by striking the last "Be It Further Resolved" regarding Executive Committee oversight and insert – A new committee shall be created for the purposes of oversight of the spending of \$3,300,000 ARPA Funds allocated to childcare. The committee shall consist of 8 County Supervisors selected by the County Clerk through a random process based upon district number. The new committee shall elect its chair at their first meeting. To allow for the selection process and public notice, the first meeting shall be held on August 31, 2022 at 6:00 PM in the County Administrative Center, Room 1700, 212 6<sup>th</sup> Street N, La Crosse, WI. The time and location of future meetings shall be established by the committee. Discussion ensued. The motion to amend failed on a voice vote with 23 nays, 6 ayes - D. Ferries, D. Hesse, K. Hoyer, D. Hundt, J. Konradt and K. Schlimgen, 1 abstention - M. Baroni. The motion to approve as amended passed on a voice vote with 25 ayes, 5 nays - M. Baroni, K. Hoyer, D. Hundt, D. Jacobsen and J. Konradt.

#### **FAILED RESOLUTION**

RESOLUTION RE: APPROVE USE OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDING FOR A CHILD CARE NEIGHBORHOOD MODEL IN COLLABORATION WITH THE SCHOOL DISTRICT OF LA CROSSE: Motion by J. Pogreba/M. Nikolay to approve failed on a voice vote with 28 nays, 1 aye - K. Cable, 1 absent at vote – K. Keil.

#### **FAILED RESOLUTION**

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RESOLUTION RE: AUTHORIZING ADVISORY REFERENDUM QUESTION ON ABORTION BAN - EXECUTIVE COMMITTEE: Motion by P. Scheller/K. Cable to approve. Discussion ensued. Clerk Dankmeyer responded to questions from the Board. Motion by M. Larson/R. Erickson to amend the second Whereas and the Advisory Referendum Question by striking "rape, incest or health of patient" and replace with "rape or incest". Discussion ensued. The motion to amend failed on a voice vote with 21 nays, 5 ayes - K. Cable, R. Erickson, M. Larson, D. Mader and K. Schlimgen, 4 abstentions - M. Baroni, K. Hoyer, D. Jacobsen and R. Plesha. Motion by G. Padesky/D. Pierce to call the question / close debate failed on a voice vote for a lack of 2/3 vote with 19 ayes, 11 nays - M. Baroni, D. Ferries, M. Freedland, R. Geary, K. Hoyer, D. Hundt, D. Jacobsen, J. Konradt, R. Plesha, J. Pogreba and K. Schlimgen. The motion to approve failed on a roll call vote with 15 ayes - K. Cable, R. Cornforth, S. Doyle, R. Erickson, M. Freedland, P. Isola, K. Keil, M. Kruse, M. Larson, G. Mathu, G. Padesky, D. Pierce, T. Tryggestad, P. Viner and D. Wacek, 15 nays - R. Abraham, M. Baroni, D. Ferries, R. Geary, D. Hesse, K. Hoyer, D. Hundt, D. Jacobsen, J. Konradt, D. Mader, M. Nikolay, R. Plesha, J. Pogreba, P. Scheller and K. Schlimgen.

**FAILED MOTION**

RECONSIDERATION BY SUPERVISOR T. TRYGGESTAD OF RESOLUTION RE: ADVISORY REFERENDUM ON THE LEGALIZATION OF MARIJUANA - Motion by T. Tryggestad/G. Padesky to reconsider Resolution Re: Advisory Referendum on the Legalization of Marijuana. Discussion ensued. Corporation Counsel Megan DeVore responded to questions from the Board. The motion to approve failed on a roll call vote with 16 nays, 14 ayes - K. Cable, R. Cornforth, S. Doyle, R. Erickson, P. Isola, K. Keil, M. Kruse, M. Larson, G. Mathu, M. Nikolay, G. Padesky, D. Pierce, T. Tryggestad and D. Wacek.

RESOLUTION RE: ADVISORY REFERENDUM ON THE LEGALIZATION OF MARIJUANA  
No vote was taken for a failed motion to reconsider.

**FAILED MOTION**

MOTION TO SUSPEND THE RULES AND TAKE UP A RESOLUTION THAT DID NOT GO THROUGH A STANDING COMMITTEE AND WAS AUTHORIZED BY THE COUNTY BOARD CHAIR TO BE PLACED ON THE AGENDA: Motion failed for a lack of a motion and second.

RESOLUTION RE: AUTHORIZING ADVISORY REFERENDUM QUESTION ON SUPPORT OF POLICE  
No vote was taken for a lack of a motion to suspend the rules and place the resolution on the floor.

**SUGGESTIONS FOR FUTURE AGENDA TOPICS**

- Supervisor Geary inquired about questions for the Childcare Study.
- Supervisor Keil asked for education on decorum and etiquette at Board meetings going forward.
- Supervisor Pogreba asked for an update at a Planning Meeting once the Childcare Study gets set up.
- Supervisor Cornforth asked for an update on the Racism as a Health Crisis Resolution and update on the homeless in Houska Park once it closes.
- Supervisor Konradt asked for a minimum wage agenda item for a report from Human Resources and recruiting efforts.

**ADJOURN**

Motion by G. Mathu/P. Isola to adjourn at 8:59 PM passed on a unanimous voice vote with 30 ayes.

**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, August 18, 2022 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 19 OF AUGUST 2022.**