

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING
PROCEEDINGS; THURSDAY, SEPTEMBER 15, 2022**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, September 15, 2022 in the Administrative Center, Room 1700. The County Clerk, Ginny Dankmeyer, took attendance. 27 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:

| District | Name | Attendance |
|-----------------|--------------------|-------------------|
| 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 | Excused |
| 12 | Erickson, Randy | Present |
| 13 | Tryggestad, Tina | Present |
| 14 | Larson, Margaret | Excused |
| 15 | Kruse, Monica | Present |
| 16 | Ferries, Dan | Present |
| 17 | Pogreba, Jack | Present |
| 18 | Baroni, Mike | Present |
| 19 | Cornforth, Rick | Excused |
| 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

- The Hmong New Year will be on September 24th and 25th at Veteran’s Park in West Salem. The County will have a table there and any Supervisor interesting in helping should sign up.
- An email was sent from the Human Resources Director, Stephen Conrad with an update on the recruitment process for the Administrator position. Updates will be given at future meetings.
- Supervisor Conference Reports – none offered.

APPOINTMENT

Motion by G. Padesky/K. Cable to appoint Kelly Wilde to the Local Emergency Planning Committee for the remainder of a term to expire January 16, 2024. Discussion ensued. The motion to approve passed on a voice vote with 21 ayes, 6 abstentions - M. Baroni, D. Ferries, K. Hoyer, D. Hundt, J. Konradt and K. Schlimgen, 3 excused - R. Cornforth, M. Larson and P. Scheller.

CONSENT AGENDA

Motion by R. Plesha/K. Keil to approve. Discussion ensued. The motion to approve the minutes of the La Crosse County Board of Supervisors Planning Meeting held August 8, 2022 and the Monthly Meeting held August 18, 2022 and the claims list for \$1,925,363.66 passed on a unanimous voice vote with 27 ayes, 3 excused - R. Cornforth, M. Larson and P. Scheller.

ORDINANCE NO. 197-9/22 TO AMEND S. 7.04(5) ENTITLED "SPEED LIMITS" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

The County Board of Supervisors of the County of La Crosse does ordain as follows:

Section 1. Section 7.05(5) entitled "Speed Limits" is amended to read:

7.04 SPEED LIMITS.

7.04 SPEED LIMITS.

- (5) 45 MILES PER HOUR. The speed limit on the following streets or portion of streets shall be 45 m.p.h.:
 - (a) County Trunk "B" from a point .04 miles West of Wolf Ridge Ct to a point .15 miles East of CTH "O"
 - (b) County Trunk "D" from a point .17 miles East of 2nd Ave to a point .04 miles East of Granum St
 - (c) County Trunk "F" from a point .07 miles East of Trailer Park to a point .22 miles West of Nolop Rd
 - (d) County Trunk "M" from a point .48 miles North of Russlan Coulee Rd to a point .14 miles South of CTH "O"
 - (e) County Trunk "M" from CTH "O" to a point .02 miles North of Logging Rd
 - (f) County Trunk "M" from STH 16 to a point .12 miles South of Hidden Valley Rd
 - (g) County Trunk "MM" from a point .59 miles East of Trailer Park to STH 14
 - (h) County Trunk "O" from CTH "B" to a point .02 miles West of Fox Hollow Dr
 - (i) County Trunk "OA" from a point .14 miles South of Drectrah Rd to CTH "O"
 - (j) County Trunk "OT" from CTH "SN" to a point .10 miles South of Corporate Dr
 - (k) County Trunk "V" from a point .21 miles North of Juniper Ln to a point .27 miles North of Keppel Rd
 - (l) County Trunk "XX" from a point .22 miles North of old NA to STH 35
 - (m) County Trunk "YY" from a point 1.35 miles South of CTH "M" to CTH "M"
 - (n) County Trunk "Z" from Dump Turnaround to a point .20 miles West of Forest Dr
 - (o) County Trunk "Z" from CTH "ZM" to a point .08 miles West of CTH "ZM"
 - (p) County Trunk "Z" from CTH "ZB" to a point .20 miles east of Elm Drive
 - (q) County Trunk "NN" from CTH "M" to STH 162

Section 2. This Ordinance shall take effect the day after passage and publication as required by law.

**MONICA KRUSE, COUNTY BOARD CHAIR;
GINNY DANKMEYER, COUNTY CLERK**

PUBLIC WORKS AND INFRASTRUCTURE

Motion by P. Viner/M. Nikolay to approve passed on a unanimous voice vote with 27 ayes, 3 excused - R. Cornforth, M. Larson and P. Scheller.

ORDINANCE NO. 198-9/22 TO AMEND S. 7.08 ENTITLED "ALL-TERRAIN VEHICLES" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

The County Board of Supervisors of the County of La Crosse does ordain as follows:

Section 1. Section 7.08 entitled "All-terrain vehicles" is amended to read:

7.08 ALL-TERRAIN VEHICLES.

(1) STATE ALL-TERRAIN/UTILITY-TERRAIN LAWS ADOPTED. For purposes of this ordinance, all references to all-terrain vehicles (ATV) shall include utility-terrain vehicles (UTV) as defined by statute. Except as otherwise specifically provided in this Chapter, the statutory provisions in section 23.33, 340 to 348, and 350 Wis. Stats., describing and defining regulations with respect to all-terrain vehicles, exclusive of any provisions therein for which the statutory penalty is a fine or term of imprisonment, are hereby adopted by reference and made part of this section as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required by this section.

(2) APPLICABILITY OF RULES OF THE ROAD TO ALL-TERRAIN VEHICLES. The operator of an all-terrain vehicle upon a roadway shall, in addition to the provisions of section 23.33, Wis. Stats., also be subject to the rules of the road as provided in s. 346.02(11), Wis. Stats.

(3) OPERATION ON COUNTY PROPERTY. No person shall operate any all-terrain vehicle on lands owned by the County except where the use is authorized by posted notice or County permit.

(4) ATV ROUTES. As authorized by sec. 23.33(8)(b), Wis. Stats. and following due consideration of the recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, the following ATV routes have been created:

a. Routes.

1. Entire length of CTH A from CTH C to STH 162.
2. Entire length of CTH Q from CTH V to STH 108.
3. Entire length of CTH VV from CTH T to Jackson Co.
4. Entire length of CTH AE from CTH A to CTH TA.
5. Entire length of CTH TA from CTH T to CTH A.
6. Entire length of CTH T from STH 162 to STH53
7. Entire length of CTH DD from CTH T to CTH D.
8. Entire length of CTH TT from CTH T to CTH V.
9. Entire length of CTH EE from STH 162 to CTH T.
10. CTH M from CTH D to CTH Q.
11. Entire length of CTH E from STH 16 to CTH DE.
12. Entire length of CTH DE from STH 16 to CTH C.
13. CTH V from Holmen Village limits east to the end of CTH V.
14. CTH MH from CTH XX east to the Holmen Village Limits.
15. CTH XX from the Town of Holland limits north to State Highway 35
16. CTH C from STH 108 to CTH DE.
17. CTH D from CTH C to the Farmington town line.
18. CTH J from Rockland Village limits south to the Monroe County Line.
19. The entire length of CTH Y from CTH J to the Monroe County Line.
20. CTH U from Bangor Village limits east to Rockland Village limits.
21. CTH B from Bangor Village limits east to CTH J.
22. The entire length of CTH JJ from STH 162 to CTH J.

b. Conditions. As a condition for the use of these routes, the following conditions shall apply to all operators and passengers:

1. All ATV operators shall obey posted roadway speed limits.
2. All ATV operators shall ride single file.
3. All ATV's shall operate only on the extreme right side of the paved portion of the roadway. Operation of an ATV on the shoulder, ditch, or right-of-way is prohibited and illegal.
4. Headlights and taillights must be turned on at all times.
5. All persons under the age of 18 operating or riding an ATV must wear a helmet.
6. Routes must be signed in accordance with NR 64.12 and NR 64.12(7)(c).

(5) ENFORCEMENT. This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

(60-22/23)

(6) PENALTIES. The Wisconsin ATV penalties as found in Wisconsin Statute 23.33(13) are adopted by reference.

Section 2. This Ordinance shall take effect the day after passage and publication as required by law.

**MONICA KRUSE, COUNTY BOARD CHAIR;
GINNY DANKMEYER, COUNTY CLERK**

PUBLIC WORKS AND INFRASTRUCTURE

Motion by P. Viner/G. Padesky to approve passed on a voice vote with 26 ayes, 1 nay - M. Freedland, 3 excused - R. Cornforth, M. Larson and P. Scheller.

FIRST CONSIDERATION OF ORDINANCE

ORDINANCE NO. 200 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/J. Pogreba 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. Upon adoption and publication, it will be incorporated into the La Crosse County General Code of Ordinances.

RESOLUTION NO. 16-9/22 RE: APPROVING THE RESERVATION OF \$90,000 OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FOR LOCAL COMMUNITY EVENTS IMPACTED BY COVID -

WHEREAS, President Biden signed the American Rescue Plan Act 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 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; and **WHEREAS**, nonprofit community events in La Crosse County are a huge tourism draw for the County and region; and **WHEREAS**, most community events are run by volunteers who spend countless hours planning and coordinating with civic organizations for assistance; and **WHEREAS**, these community events incurred significant losses by not being able to hold their events during the COVID related "shut down". **NOW THEREFORE BE IT RESOLVED**, that \$90,000 of La Crosse County's ARPA funding will be reserved to establish a grant program for La Crosse County nonprofit community events impacted by COVID of up to \$10,000 per event. Organizations will be required to describe and quantify how COVID financially impacted the community event and how County ARPA funding will sustain, enhance, or restabilize operations for any upcoming community event. The grant application would require disclosure of financial information, including other aid or federal assistance received, type of organization (nonprofit, etc), and description of how this community event contributes to La Crosse County's local economy; and **BE IT FURTHER RESOLVED** that the \$90,000 shall be allocated from any unspent ARPA funds or allocated pro rata from the total amount of funds received; and **BE IT FURTHER RESOLVED** that the Executive Committee shall serve as the oversight committee overseeing final program guidelines for operation of an ARPA Community Event Grant Program; and **BE IT FURTHER RESOLVED** that the County Administrator, County Board Chair, Finance Director and County Clerk are authorized to take all appropriate actions to effectuate the purpose of this resolution; and **BE IT FURTHER RESOLVED** that if funds are not obligated to events through the ARPA Community Event Grant Program by the end of 2024, the County Board may reallocate the remaining funds to another ARPA eligible use of funds. **FISCAL NOTE:** Grants totaling \$90,000 will be tracked in division 295.770.3744 within the County financial system, Account 64100.00 Grants to Others.

EXECUTIVE COMMITTEE

Motion by K. Cable/D. Ferries to approve. Discussion ensued. Corporation Counsel Megan DeVore, Interim Administrator Jane Klekamp and Finance Director Lanae Nickelotti responded to questions from the Board. Motion by D. Pierce/D. Wacek to amend by changing: first change: 5th whereas, insert "nonprofit" at the beginning after whereas clause, Second change: in the "now therefore be it resolved" clause, on the second line, add "nonprofit" after "la crosse county" and before "community events". Supervisor Erickson suggested a friendly amendment which was accepted by Supervisor Pierce to remove "for profit" in the "now therefore be it resolved." Discussion ensued. The motion to amend passed on a voice vote with 21 ayes, 6 nays - R. Abraham, M. Baroni, D. Ferries, K. Hoyer, J. Konradt and D. Mader, 3 excused - R. Cornforth, M. Larson and P. Scheller. Motion by M. Baroni/K. Hoyer to refer back to committee. Discussion ensued. The motion to refer back to committee failed on a roll call vote with 16 nays, 11 ayes - R. Abraham, M. Baroni, D. Ferries, R. Geary, D. Hesse, K. Hoyer, D. Hundt, D. Jacobsen, J. Konradt, J. Pogreba and K. Schlimgen, 3 excused - R. Cornforth, M. Larson and P. Scheller. The motion to approve as amended passed on a voice vote with 18 ayes, 9 nays - R. Abraham, M. Baroni, M. Freedland, P. Isola, K. Keil, J. Konradt, D. Mader, K. Schlimgen and D. Wacek, 3 excused - R. Cornforth, M. Larson and P. Scheller.

ORDINANCE NO. 199-9/22 TO REPEAL AND RECREATE CHAPTER 31 "LA CROSSE COUNTY WISCONSIN COMPREHENSIVE PLAN" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

The County Board of supervisors of the County of La Crosse does hereby ordain as follows:

Section 1. Chapter 31 entitled "La Crosse County, Wisconsin Comprehensive Plan 2007-2027" is repealed and recreated to read:

CHAPTER 31

LA CROSSE COUNTY WISCONSIN COMPREHENSIVE PLAN 2022-2050

Subchapter 1 GENERAL PROVISIONS

- 31.01 Authority
- 31.02 Adoption
- 31.03 Incorporation and Availability
- 31.04 Implementation
- 31.05 Severability

31.01 **Authority.** Pursuant to s. 59.69(2) and (3), Wis. Stats., the County of La Crosse is required to prepare and adopt a comprehensive plan as provided in s. 66.1001, Wis. Stats.

31.02 **Adoption.** The La Crosse County Board of Supervisors, by enactment of this Ordinance, adopts the document entitled "La Crosse County, Envision 2050 (La Crosse County Wisconsin Comprehensive Plan 2022-2050)" including all maps and descriptive matters contained therein. A copy of the Comprehensive Plan is incorporated herein and is on file at the La Crosse County Clerk's office.

31.03 **Incorporation and Availability.** The Plan designated in Section 31.02 and any future amendments thereto is incorporated herein as if fully set forth and shall be made available for inspection by the general public at the Office of the County Clerk, the Office of Zoning, Planning and Land Information, the county libraries and the county's website.

31.04 **Implementation.** Future action of the Board is necessary to update other County Ordinances and County policies to implement recommendations of the Comprehensive Plan.

31.05 **Severability.** The provisions of this ordinance and the Comprehensive Plan are severable. If any part of this ordinance or the Comprehensive Plan is found to be invalid, unlawful, or unenforceable, that finding will not affect the validity, lawfulness, or enforceability of the remainder of this ordinance or the Comprehensive Plan, and the remainder of this ordinance and the Comprehensive Plan shall remain in full force and effect.

Section 2. This Ordinance shall take effect the day after passage and publication as required by law.

**MONICA KRUSE, COUNTY BOARD CHAIR;
GINNY DANKMEYER, COUNTY CLERK**

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

(62-22/23)

Motion by K. Hoyer/P. Isola to approve. Motion by K. Schlimgen/J. Konradt to refer back to committee. Discussion ensued. Corporation Counsel Megan DeVore and Planner Charlie Handy responded to questions from the Board. The motion to refer back to committee failed on a voice vote with 22 nays, 5 ayes - R. Geary, D. Hesse, J. Konradt, K. Schlimgen and P. Viner, 3 excused - R. Cornforth, M. Larson and P. Scheller. The motion to approve passed on a voice vote with 24 ayes, 3 nays - D. Hesse, J. Konradt and K. Schlimgen, 3 excused - R. Cornforth, M. Larson and P. Scheller.

RESOLUTION NO. 17-9/22 RE: AUTHORIZATION TO RECEIVE 2022 GRANT MONEY FROM THE STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION FOR THE WISCONSIN LAND INFORMATION PROGRAM 2022 STRATEGIC INITIATIVE GRANT

WHEREAS, La Crosse County has been awarded \$60,000 through the State of Wisconsin's Department of Administration (DOA) Land Information Strategic Initiative Grant; and **WHEREAS**, the purpose of these funds is to generate and enhance GIS (Geographic Information Systems) projects associated with the Zoning, Planning & Land Information Department; and **WHEREAS**, potential upcoming GIS projects include updating the server; creating/updating/enhancing web applications and working with a consultant to ensure that maintained street centerlines and addresses layers are compatible with the requirements of Next Gen 911; **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby accepts the \$60,000 in grant funding from Wisconsin DOA; and, **BE IT FURTHER RESOLVED**, that the County Board Chair is authorized to execute any contracts or documents necessary to effectuate the purposes of this resolution, after approval by Corporation Counsel; and, **BE IT FURTHER RESOLVED**, that the Finance Department is authorized to make any necessary and appropriate budget adjustments relating to accepting this additional state funding. **FISCAL NOTE:** Total grant award is \$60,000, with no County match required, and the award period ending December 31, 2023. The operating costs will be tracked under the 270.675.1000 division within the County financial system and overseen by the Zoning Department.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by K. Hoyer/P. Viner to approve passed on a unanimous voice vote with 27 ayes, 3 excused - R. Cornforth, M. Larson and P. Scheller.

CONDITIONAL USE PERMIT NO. 1194 FILED BY TIFFANY MCCORKLE O/B/O HIDDEN HILL RETREAT, LLC TO OPERATE A SHORT-TERM VACATION RENTAL IN THE TOWN OF SHELBY

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by: Tiffany McCorkle o/b/o Hidden Hill Retreat, LLC, W5369 Norseman Dr, La Crosse, WI 54601 and having held a public hearing on Monday, August 29, 2022 for a CONDITIONAL USE PERMIT for 17.05(4)(b)1. Via 17.05(1)(b)14. Transient residential uses to operate a short-term vacation rental in the Town of Shelby and described as follows: CSM No. 13 Vol 1 Lot 3, Sec. 11, T.15N, R.7W. Tax parcel 11-997-0. Property address: W5369 Norseman Dr, Town of Shelby. 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 (Hoyer, Hundt, Konradt, Scheller, Pogreba), Zero (0) no, and ZERO (0) abstentions, the committee recommended Approval of Conditional Use Permit No. 1194 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.

(63-22/23)

4. The permittee shall contact the Town Building Inspector and implement any requirements per their ordinances.
5. No parking on public roads by guests.
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 15th day of September, 2022. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by K. Hoyer/D. Hundt to approve. Discussion ensued. Corporation Counsel Megan DeVore and Planner Charlie Handy responded to questions from the Board. The motion to approve as recommended by the Committee passed on a voice vote with 26 ayes, 1 abstention - P. Isola, 3 excused - R. Cornforth, M. Larson and P. Scheller. It was clarified by Corporation Counsel that if a Supervisor was asked to attend a committee meeting to make sure there is a quorum, but a quorum is present, that Supervisor should not act a member of the committee. The committee chair would be responsible for finding a replacement if there is a possibility there won't be a quorum.

SUGGESTIONS FOR FUTURE AGENDA TOPICS

- Supervisor Mader asked for an update on housing and the homelessness.
- Supervisor Viner asked for an update on the childcare issues and survey, information on ARPA money for the homeless with individuals and families.
- Supervisor Jacobsen asked for a presentation from WECA on the childcare issues.
- Supervisor Tryggestad noted any Supervisors can attend Executive Committee meetings.

ADJOURN

Motion by G. Mathu/R. Geary to adjourn at 7:32 PM passed on a unanimous voice vote with 27 ayes, 3 excused - R. Cornforth, M. Larson and P. Scheller.

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, September 15, 2022 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 21 OF SEPTEMBER 2022.