

(122-22/23)

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING
PROCEEDINGS; THURSDAY, MARCH 16, 2023**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, March 16, 2023 in the Administrative Center, Room 1700. The County Clerk, Ginny Dankmeyer, took attendance. 25 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 Lee, Pelli	Present
2 Geary, Ralph	Present
3 Pierce, David	Present
4 Freedland, Maureen	Excused
5 Mathu, Grant	Excused
6 Plesha, Roger	Excused
7 Padesky, Gary	Present
8 Isola, Peg	Present
9 Wacek, Dawn	Present
10 Cable, Kim	Excused
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	Excused
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 Silva, Leonardo	Present
29 Schlimgen, Ken	Present
30 Mader, Dillon	Present

PLEDGE OF ALLEGIANCE

COMMUNICATIONS AND ANNOUNCEMENTS:

County Board Chair Report - Monica Kruse

PROCLAMATION MARCH 2023 - WOMEN'S HISTORY MONTH

WHEREAS, Women's History Month is a time to celebrate the accomplishments and contributions of women throughout history and recognize the struggles they have faced in pursuit of gender equality; and, **WHEREAS**, women have made significant contributions to the development and progress of our country in countless fields; and, **WHEREAS**, women have fought for and won many important battles in the pursuit of gender equality, including

(123-22/23)

the right to vote, the right to equal pay, and the right to access education and job opportunities; and, **WHEREAS**, women continue to face significant challenges and barriers in our society, including discrimination, harassment, and violence; and, **WHEREAS**, La Crosse County works to protect and promote the health and wellbeing of women in our county, including through the Wisconsin Well Woman and Women, Infants and Children programs; and, **WHEREAS**, Women's History Month is an opportunity to honor the accomplishments of women and to continue the work of achieving gender equality for all; **NOW, THEREFORE**, be it resolved that the La Crosse County Board of Supervisors does hereby proclaim March 2023 as Women's History Month and urge all residents of La Crosse County to recognize and celebrate the many achievements and contributions of women throughout history.

Motion by T. Tryggestad/D. Wacek to approve passed on a unanimous voice vote with 25 ayes, 5 excused - R. Abraham, K. Cable, M. Freedland, G. Mathu and R. Plesha.

- WCA Legislative Exchange
 - Chair Kruse gave a recap on the WCA Legislative Exchange that took place February 28th and March 1st. The theme was "Unlock the Power of County Government".
- Update on Diversity, Equity & Inclusion (DEI) Consultant Interviews – The consultant has been setting up interviews with Supervisors. If you haven't set up a time yet, go to the link to set up a time with her.
- Supervisor Conference Reports
 - Supervisor Mader discussed a report on inmate's right to vote.

Administrator Report - Jane Klekamp

PROCLAMATION MARCH 2023 - HUMAN SERVICES AND FAMILY COURT MONTH

WHEREAS, staff who work in the Human Services Department and Family Court of the county help thousands of people every day who are in need of temporary or longer term assistance to meet their basic needs or to adjust to transitions in their families; and, **WHEREAS**, citizens who rely on county human services and family court programs range in age from pre-birth to over 100 years of age; and, **WHEREAS**, county human services programs are designed to protect our most vulnerable populations which include children, adults and children with disabilities, the aging, and people dealing with mental illness; and, **WHEREAS**, to serve and help individuals in need, county human services professionals routinely enter homes and travel to other locations in the community, at times facing volatile situations and safety risks; and, **WHEREAS**, Family Court and Mediation and Family Court Services strive to maintain the dignity, safety and security of families going through difficult transitions; and, **WHEREAS**, the individuals and the entire community benefit from the investment in lives that human services and family court professionals make every day; and, **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board does hereby proclaim the month of March 2023 as Human Services and Family Court Month and urges all citizens to join in recognizing the valuable contribution of Human Services and Family Court staff.

Motion by G. Padesky/M. Baroni to approve passed on a unanimous voice vote with 25 ayes, 5 excused - R. Abraham, K. Cable, M. Freedland, G. Mathu and R. Plesha.

- General Update
 - Administrator Klekamp gave an update on things happening around the County level. Some of those include ADRC opening a new meal site, update on short term rentals, Family Bridge Housing, Hillview project, the Solar Project update, grant for childcare centers, skilled trades RFP, broadband, grant consultant, Neighborhood Revitalization grant, Highway Department starting construction on Highway X, COVID supplements for food and rent are ending, and interviews with the DEI Consultant.
- Human Services Department Annual Impact Report
 - Human Services Director Jason Witt gave an overview of the Human Services Department. Services offered by the department, the history, stepping up in

time of crisis, state affiliations, and budgeted expenses and operating levy were reviewed. Services offered by the Human Services Department include Family & Children, Integrated Support & Recovery Services, Justice Support Services, Economic Support Services, and the Aging & Disability Resource Center. Challenges of the department were also discussed that include operational effectiveness, increasing service demands and financial constraints.

APPOINTMENTS

Motion by D. Pierce/P. Isola to appoint Blythe McConaughey to the Criminal Justice Management Council for the remainder of a term to expire April 16, 2024 to replace Heidi Svee; reappoint Dr. Suthakaran Veerasamy and Dawn Wacek to the Criminal Justice Management Council for a three year term to expire April 21, 2026 passed on a unanimous voice vote with 25 ayes, 5 excused - R. Abraham, K. Cable, M. Freedland, G. Mathu and R. Plesha.

CONSENT AGENDA

Motion by D. Ferries/D. Hesse to approve the minutes of the La Crosse County Board of Supervisors Planning Meeting held February 6, 2023 and the Monthly Meeting held February 16, 2023 and the claims list for \$1,432,152.39 passed on a unanimous voice vote with 25 ayes, 5 excused - R. Abraham, K. Cable, M. Freedland, G. Mathu and R. Plesha.

RESOLUTION NO. 48-3/23 RE: AUTHORIZING LA CROSSE COUNTY TO ENTER INTO THE SETTLEMENT AGREEMENTS WITH TEVA PHARMACEUTICAL INDUSTRIES LTD., ALLERGAN FINANCE, LLC, WALGREEN CO., WALMART, INC., CVS HEALTH CORPORATION AND CVS PHARMACY, INC., AGREE TO THE TERMS OF THE ADDENDUM TO THE MOU ALLOCATING SETTLEMENT PROCEEDS, AND AUTHORIZE ENTRY INTO THE MOU WITH THE ATTORNEY GENERAL

WHEREAS, the County Board of Supervisors previously authorized the County to enter into an engagement agreement with Von Briesen & Roper, S.C., Crueger Dickinson LLC and Simmons Hanly Conroy LLC (the "Law Firms") to pursue litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the "Opioid Defendants") in an effort to hold the Opioid Defendants financially responsible for the County's expenditure of vast money and resources to combat the opioid epidemic; **WHEREAS**, on behalf of the County, the Law Firms filed a lawsuit against the Opioid Defendants; **WHEREAS**, the Law Firms filed similar lawsuits on behalf of 66 other Wisconsin counties and all Wisconsin cases were coordinated with thousands of other lawsuits filed against the same or substantially similar parties as the Opioid Defendants in the Northern District of Ohio, captioned *In re: Opioid Litigation*, MDL 2804 (the "Litigation"); **WHEREAS**, four (4) additional Wisconsin counties (Milwaukee, Dane, Waukesha, and Walworth) hired separate counsel and joined the Litigation; **WHEREAS**, since the inception of the Litigation, the Law Firms have coordinated with counsel from around the country (including counsel for Milwaukee, Dane, Waukesha, and Walworth Counties) to prepare the County's case for trial and engage in extensive settlement discussions with the Opioid Defendants; **WHEREAS**, the settlement discussions with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walgreen Co., Walmart, Inc., CVS Health Corporation and CVS Pharmacy, Inc.. (the "Settling Defendants") resulted in a tentative agreement as to settlement terms pending agreement from the County and other plaintiffs involved in the Litigation; **WHEREAS**, copies of the various settlement agreements relating to the Settling Defendants (collectively "Settlement Agreements") representing the terms of the tentative settlement agreements with the Settling Defendants have been provided with this Resolution; **WHEREAS**, the Settlement Agreements provide, among other things, for the payment of certain sums to Participating Subdivisions (as defined in the Settlement Agreements) upon the occurrence of certain events detailed in the Settlement Agreements; **WHEREAS**, the County is a Participating Subdivision in the Settlement Agreements and has the opportunity to participate in the benefits associated with the Settlement Agreement provided the County (a) approves the Settlement Agreements; (b) approves the Memorandum of Understanding allocating proceeds from the Settlement Agreements among the various Wisconsin Participating Subdivisions, a copy of which is

attached to this Resolution (the "Allocation MOU"); (c) approves the Memorandum of Understanding with the Wisconsin Attorney General regarding allocation of settlement proceeds, a copy of which is attached to this Resolution (the "AG MOU"); and (d) the Legislature's Joint Committee on Finance approves the terms of the Settlement Agreements and the AG MOU; **WHEREAS**, 2021 Wisconsin Act 57 created Section 165.12 of the Wisconsin Statutes relating to the settlement of all or part of the Litigation; **WHEREAS**, pursuant to Wis. Stat. § 165.12(2), the Legislature's Joint Committee on Finance is required to approve the Settlement Agreements and the AG MOU; **WHEREAS**, pursuant to Wis. Stat. § 165.12(2), the proceeds from any settlement of all or part of the Litigation are distributed 70% to local governments in Wisconsin that are parties to the Litigation and 30% to the State; **WHEREAS**, Wis. Stat. § 165.12(4)(b)2. provides the proceeds from the Settlement Agreement must be deposited in a segregated account (the "Opioid Abatement Account") and may be expended only for approved uses for opioid abatement as provided in the Settlement Agreements; **WHEREAS**, Wis. Stat. § 165.12(7) bars claims from any Wisconsin local government against the Opioid Defendants filed after June 1, 2021; **WHEREAS**, the definition of Participating Subdivisions in the Settlement Agreements recognizes a statutory bar on claims such as that set forth in Wis. Stat. § 165.12(7) and, as a result, the only Participating Subdivisions in Wisconsin are those counties and municipalities that were parties to the Litigation (or otherwise actively litigating a claim against one, some, or all of the Opioid Defendants) as of June 1, 2021; **WHEREAS**, the Legislature's Joint Committee on Finance is not statutorily authorized or required to approve the allocation of proceeds of the Settlement Agreements among Wisconsin Participating Subdivisions; **WHEREAS**, the Law Firms have engaged in extensive discussions with counsel for all other Wisconsin Participating Subdivisions resulting in the proposed Allocation MOU, which is an agreement between all of the entities identified in the Allocation MOU as to how the proceeds payable to those entities under the Settlement Agreements will be allocated; **WHEREAS**, the proposed Addendum to the MOU ("Addendum") provided with this Resolution provides for allocation of settlement proceeds among the Wisconsin Participating Subdivisions according to the same percentages as that provided in the previously-approved MOU allocating the settlement proceeds of the settlements involving McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc.; **WHEREAS**, there is provided with this Resolution a summary of the essential terms of the Settlement Agreements, the deadlines related to the effective dates of the Settlement Agreements, the ramifications associated with the County's refusal to enter into the Settlement Agreements, the form of the Addendum, the form of the AG MOU, and an overview of the process for finalizing the Settlement Agreements; **WHEREAS**, the County, by this Resolution, shall deposit the proceeds of the Settlement Agreements consistent with the terms of this Resolution and Wis. Stat. § 165.12(4)(b); **WHEREAS**, pursuant to the County's engagement agreement with the Law Firms, the County shall pay up to an amount equal to 25% of the proceeds from successful resolution of all or part of the Litigation, whether through settlement or otherwise, plus the Law Firms' costs and disbursements, to the Law Firms as compensation for the Law Firms' efforts in the Litigation and any settlement; **WHEREAS**, the Law Firms anticipate making application to the national fee fund established in the Settlement Agreements seeking payment, in whole or part, of the fees, costs, and disbursements owed the Law Firms pursuant to the engagement agreement with the County; **WHEREAS**, it is anticipated the amount of any award from the fee fund established in the Settlement Agreements will be insufficient to satisfy the County's obligations under the engagement agreement with the Law Firms; **WHEREAS**, the County, by this Resolution, and pursuant to the authority granted the County in the applicable Order emanating from the Litigation in relation to the Settlement Agreements and payment of attorney fees, shall authorize and direct the escrow agent responsible for the receipt and distribution of the proceeds from the Settlement Agreements to establish an account for the purpose of segregating funds to pay the fees, costs, and disbursements of the Law Firms owed by the County (the "Attorney Fees Account") in order to fund a local "backstop" for payment of the fees, costs, and disbursements of the Law Firms; **WHEREAS**, in no event shall payments to the Law Firms out of the Attorney Fees Account and the fee fund established in the Settlement Agreements exceed an amount equal to 25% of the amounts allocated to

(126-22/23)

the County in the Addendum; **WHEREAS**, the intent of this Resolution is to authorize the County to enter into the Settlement Agreements, the Addendum, and the AG MOU, establish the County's Opioid Abatement Account, and establish the Attorney Fees Account; and **WHEREAS**, the County, by this Resolution, shall authorize the County's corporation counsel to finalize and execute any escrow agreement and other document or agreement necessary to effectuate the Settlement Agreements and the other agreements referenced herein;

NOW, THEREFORE, BE IT RESOLVED: the County Board of Supervisors hereby approves:

1. The execution of the Settlement Agreements and any and all documents ancillary thereto and authorizes the [Board Chair] or designee to execute same.
2. The final negotiation and execution of the Addendum in form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the [Board Chair] or designee to execute same upon finalization provided the percentage share identified as allocated to the County is substantially similar to that identified in the Addendum provided to the Board with this Resolution.
3. The final negotiation and execution of the AG MOU in form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the [Board Chair] or designee to execute same.
4. The execution by the County Board Chair or designee of any additional documents or agreements for the receipt and disbursement of the proceeds of the Settlement Agreements as referenced in the Addendum.

BE IT FURTHER RESOLVED: all proceeds from the Settlement Agreements not otherwise directed to the Attorney Fees Account shall be deposited in the County's Opioid Abatement Account. The Opioid Abatement Account shall be administered consistent with the terms of this Resolution, Wis. Stat. § 165.12(4), and the Settlement Agreements. **BE IT FURTHER RESOLVED:** the County hereby authorizes the establishment of an account separate and distinct from any account containing funds allocated or allocable to the County which shall be referred to by the County as the "Attorney Fees Account." An escrow agent shall deposit a sum equal to up to, but in no event exceeding, an amount equal to 20% of the County's proceeds from the Settlement Agreements into the Attorney Fees Account. If the payments to the County are not enough to fully fund the Attorney Fees Account as provided herein because such payments are made over time, the Attorney Fees Account shall be funded by placing up to, but in no event exceeding, an amount equal to 20% of the proceeds from the Settlement Agreements attributable to Local Governments (as that term is defined in the Allocation MOU) into the Attorney Fees Account for each payment. Funds in the Attorney Fees Account shall be utilized to pay the fees, costs, and disbursements owed to the Law Firms pursuant to the engagement agreement between the County and the Law Firms provided, however, the Law Firms shall receive no more than that to which they are entitled under their fee contract when considering the amounts paid the Law Firms from the fee fund established in the Settlement Agreements and allocable to the County. The Law Firms may make application for payment from the Attorney Fees Account at any time and the County shall cooperate with the Law Firms in executing any documents necessary for the escrow agent to make payments out of the Attorney Fees Account. **BE IT FURTHER RESOLVED** that all actions heretofore taken by the Board of Supervisors and other appropriate public officers and agents of the County with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved. **FISCAL NOTE:** Any settlement dollars received will be appropriated towards expenditures authorized in the settlement agreement. The expenditure of any settlement funds will require County Board approval.

EXECUTIVE COMMITTEE

Motion by R. Erickson/P. Viner to approve. Discussion ensued. Corporation Counsel Megan DeVore responded to questions from the Board. The motion to approve passed on a unanimous voice vote with 25 ayes, 5 excused - R. Abraham, K. Cable, M. Freedland, G. Mathu and R. Plesha.

RESOLUTION NO. 49-3/23 RE: STEPPING UP INITIATIVE TO REDUCE THE NUMBER OF PEOPLE WITH MENTAL ILLNESSES IN JAILS

(127-22/23)

WHEREAS, counties routinely provide treatment services to the estimated 2 million people with serious mental illnesses booked into jail each year; and, **WHEREAS**, prevalence rates of serious mental illnesses in jails are three to six times higher than for the general population; and, **WHEREAS**, almost three-quarters of adults with serious mental illnesses in jails have co-occurring substance use disorders; and, **WHEREAS**, adults with mental illnesses tend to stay longer in jail and upon release are at a higher risk of recidivism than people without these disorders; and, **WHEREAS**, county jails spend two to three times more on adults with mental illnesses that require interventions compared to those without these treatment needs; and, **WHEREAS**, without the appropriate treatment and services, people with mental illnesses continue to cycle through the criminal justice system, often resulting in tragic outcomes for these individuals and their families; and, **WHEREAS**, La Crosse County and all counties take pride in our responsibility to protect and enhance the health, welfare and safety of its residents in efficient and cost-effective ways; and, **WHEREAS**, through *Stepping Up*, the National Association of Counties, the Council of State Governments Justice Center and the American Psychiatric Association Foundation are encouraging public, private and nonprofit partners to reduce the number of people with mental illnesses in jails; **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board of Supervisors do hereby sign on to the Call to Action to reduce the number of people with mental illnesses in the county jail, commit to sharing lessons learned with other counties in the state and across the country to support a national initiative and encourage all county officials, employees and residents to participate in *Stepping Up*. We resolve to utilize the comprehensive resources available through *Stepping Up* to:

- Convene or draw on a diverse team of leaders and decision makers from multiple agencies committed to safely reducing the number of people with mental illnesses in jails.
- Collect and review prevalence numbers and assess individuals' needs to better identify adults entering jails with mental illnesses and their recidivism risk, and use that baseline information to guide decision making at the system, program, and case levels.
- Examine treatment and service capacity to determine which programs and services are available in the county for people with mental illnesses and co-occurring substance use disorders, and identify state and local policy and funding barriers to minimizing contact with the justice system and providing treatment and supports in the community.
- Develop a plan with measurable outcomes that draws on the jail assessment and prevalence data and the examination of available treatment and service capacity, while considering identified barriers.
- Implement research-based approaches that advance the plan.
- Create a process to track progress using data and information systems, and to report on successes.

FISCAL NOTE: The 2023 budget includes 1976 hours and \$94,764 in Human Services staff costs for support to inmates.

JUDICIARY AND LAW COMMITTEE

HEALTH & HUMAN SERVICES COMMITTEE

Motion by M. Larson/T. Tryggstad to approve. Discussion ensued. Justice Support Services Manager Tonya Van Tol responded to questions from the Board. Chair Kruse asked for unanimous consent to accept the housekeeping changes which changed "their" to "our"; "our" to "the" and "my" to "the". There were no objections. The motion to approve passed on a unanimous voice vote with 25 ayes, 5 excused - R. Abraham, K. Cable, M. Freedland, G. Mathu and R. Plesha.

DENIED - CONDITIONAL USE PERMIT NO. 1213 FILED BY JOHN D. GRIFFIN TO CONDUCT BUSINESS AS A FEDERAL FIREARMS BROKER IN THE TOWN OF HOLLAND The La Crosse County Planning, Resources and Development Committee, having considered an application filed by: John D. Griffin, W7743 Meadow Way, Holmen, WI 54636 and having held a public hearing on Monday, February 27, 2023 for a CONDITIONAL USE PERMIT for

17.05(1)(b)4. Home occupations and professional offices other than those defined under ss. 17.03(40) and 17.03(71), to conduct business as a federal firearms broker. in the Town of Holland and described as follows: SECOND ADDITION TO COUNTRY ESTATES LOT 12 BLOCK 7, Sec. 2, T.17N, R.8W. Tax parcel 8-1374-0. Property address: W7743 Meadow Way, Town of Holland. 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 5 in favor (Scheller, Erickson, Silva, Cornforth, Schlingen), 2 no (Hoyer, Hundt), and 0 abstentions, the committee recommended denial of CONDITIONAL USE PERMIT No. 1213. THE COUNTY BOARD took the following action this 16th day of March. Disapproved the application.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by K. Hoyer/P. Scheller to approve the denial. Discussion ensued. The motion to deny as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 5 excused - R. Abraham, K. Cable, M. Freedland, G. Mathu and R. Plesha.

CONDITIONAL USE PERMIT AMENDMENT NO. 972 FILED BY WILLIAM D. STRUPP O/B/O W & G STRUPP ESTATE LLC, STRUPP SANDBOX LLC, STRUPP EXCAVATING INC. AND COULEE REGION RIDERS CLUB TO EXPAND AN EXISTING NON-METALLIC MINE IN THE TOWN OF ONALASKA

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by: William D Strupp o/b/o W & G Strupp Real Estate LLC, Strupp Sandbox LLC, Strupp Excavating Inc., and Coulee Region Riders Club Inc., N6200 County Road XX, Onalaska, WI 54650 and having held a public hearing on Monday, February 27, 2023 for a CONDITIONAL USE PERMIT AMENDMENT for 17.03(c) Amendment of Conditional Use Permit 972 to expand an existing non-metallic mine in the Town of Onalaska and described as follows: Prt E1/2 S. 13 T. 17 R 8 & Prt of the Prt W1/2 S. 18 T. 17 R. 7, Sec. 0, T.17N, R.0W. Tax parcel 10-380-0, 10-391-0, 10-1439-0 & 10-1449-1, 10-1452-1, 10-1452-2. Property address: N6200 County Road XX, Town of Onalaska. 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 Seven (7) in favor (Hoyer, Scheller, Erickson, Silva, Cornforth, Hundt, Schlingen), ZERO (0) no, and ZERO (0) abstentions, the committee recommended Approval of CONDITIONAL USE PERMIT AMENDMENT No. 972. subject to the following FOURTEEN (14) conditions:

1. Conditions placed on the amendment of CU No. 972 supersede and replace conditions placed on the CU No. 972.
2. The owner(s) of the property to which this Conditional Use Permit is issued will substantially 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.
3. This approval does not preempt the Permittee's obligation to comply with all other applicable federal, state, and local regulations.
4. The Permittee shall obtain a Reclamation Permit from the Zoning and Land Information Department and provide financial assurance prior to beginning operations.
5. Excavation depth shall not exceed that specified by reclamation plan.

(129-22/23)

6. Hours of operation are from 6 a.m. to 6 p.m. Monday through Saturday.
7. No blasting is allowed.
8. Any tracking of material on a public highway associated with activity authorized by this permit shall be cleaned by the end of each workday.
9. The Permittee shall report all equipment associated with this business to the local assessor on an annual basis.
10. This permit includes stockpiling and sale of recycled asphalt and concrete, bio-soil, clay, and topsoil as indicated in the application.
11. A berm shall be constructed adjacent to County Road XX to effectively screen from view the mining and stockpiling activities from the traveling public. All berms shall be seeded so that vegetative cover is established and maintained.
12. A berm, vegetative screening or a combination thereof shall be constructed adjacent to US Highway 53 to effectively screen from view the mining and stockpiling activities from the traveling public.
13. All truck loads with sand leaving the site shall be covered.
14. This permit is non-transferrable.

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

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by K. Hoyer/R. Geary to approve as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 5 excused - R. Abraham, K. Cable, M. Freedland, G. Mathu and R. Plesha.

DENIED - CONDITIONAL USE PERMIT NO. 197-3/23 NO. 1212 FILED BY CHRISTOPHER J. VAALER TO OPERATE A SHORT-TERM VACATION RENTAL IN THE TOWN OF ONALASKA
The La Crosse County Planning, Resources and Development Committee, having considered an application filed by: Christopher J Vaaler, W8131 County Road ZB, Onalaska, WI 54650 and having held a public hearing on Monday, February 27, 2023 for a CONDITIONAL USE PERMIT for 17.05(1)(b)14 Transient residential uses to operate a short-term vacation rental in the Town of Onalaska and described as follows: Lakewood Addition Lot 12 Block 2, Sec. 25, T.17N, R.8W. Tax parcel 10-2139-0. Property address: W7527 County Road ZB, Town of Onalaska. 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 7 in favor (Hoyer, Scheller, Erickson, Silva, Cornforth, Hundt, Schlimgen), 0 no, and 0 abstentions, the committee recommended denial of CONDITIONAL USE PERMIT No. 1212. THE COUNTY BOARD took the following action this 16th day of March. Disapproved the application.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by K. Hoyer/R. Cornforth to approve the denial. Discussion ensued. Corporation Counsel Megan DeVore and Zoning and Planning Administrator Kathleen Stewart responded to questions from the Board. The motion to deny as recommended by the Committee passed on a unanimous voice vote with 25 ayes, 5 excused - R. Abraham, K. Cable, M. Freedland, G. Mathu and R. Plesha.

FIRST CONSIDERATION OF ORDINANCE

ORDINANCE NO. 202 TO AMEND S.16.15(2)(B) ENTITLED "GENERAL PROVISIONS" OF CHAPTER 16 [FLOODPLAIN ZONING] OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

(130-22/23)

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by K. Hoyer/G. Padesky to move the first reading. Discussion ensued. Zoning and Planning Administrator Kathleen Stewart 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. Upon adoption and publication, it will be incorporated into the La Crosse County General Code of Ordinances.

SUGGESTIONS FOR FUTURE AGENDA TOPICS

- Supervisor Cornforth asked that the board keep a watch on the impact that short-term rentals are having on the affordability of housing in the area.

ADJOURN

Motion by D. Mader/R. Erickson to adjourn at 7:39 PM passed on a unanimous voice vote with 25 ayes, 5 excused - R. Abraham, K. Cable, M. Freedland, G. Mathu and R. Plesha.

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, March 16, 2023 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 MARCH 2023.