

**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING
PROCEEDINGS; THURSDAY, OCTOBER 17, 2024**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, October 17, 2024 in the Administrative Center, Room 1700. The County Clerk, Ginny Dankmeyer, took attendance. 25 supervisors were present when Chair Kim Cable 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 Leibold, Kelly	Present
2 Geary, Ralph	Present
3 Pierce, David	Present
4 Freedland, Maureen	Present
5 Anderson, Emily	Present
6 Mathu, Grant	Present
7 Padesky, Gary	Present
8 Isola, Peg	Present
9 Wacek, Dawn	Present – attended Remotely
10 Cable, Kim	Present
11 Scheller, Patrick	Present at 06:23 PM
12 Erickson, Randy	Present
13 Tryggestad, Tina	Excused
14 Larson, Margaret	Excused
15 Kruse, Monica	Present
16 Ferries, Dan	Present
17 Pogreba, Jack	Excused
18 Baroni, Mike	Excused
19 Cornforth, Rick	Present
20 Doyle, Steve	Present
21 Balduzzi, Dave	Present
22 Kovacevich, Joe	Present
23 Elam, Travis	Present
24 Hoyer, Kevin	Present
25 Jacobsen, Dennis	Present
26 Hundt, David	Present
27 Wuensch, Paul	Present
28 Rothering, Ron	Present
29 Schlimgen, Ken	Present
30 Mader, Dillon	Present

PLEDGE OF ALLEGIANCE

COMMUNICATIONS AND ANNOUNCEMENTS:

County Board Chair Report – Kim Cable

- Supervisor Conference Reports
 - Supervisor Padesky announced the Sheriff’s Department is collecting supplies for the hurricane victims.

CONSENT AGENDA

Motion by R. Cornforth/G. Mathu to approve the minutes of the La Crosse County Board of Supervisors Monthly Meeting held September 19, 2024 passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 4 excused - M. Baroni, M. Larson, J. Pogreba and T. Tryggestad.

APPOINTMENT

Motion by P. Isola/R. Geary to appoint Arianna Cirincione to the Veterans Service Commission for the remainder of a term to expire December 31, 2025 passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 4 excused - M. Baroni, M. Larson, J. Pogreba and T. Tryggestad.

RESOLUTION NO. 16-10/24 RE: AUTHORIZATION TO RECEIVE 2024 DEMENTIA CRISIS STABILIZATION UNIT DEVELOPMENT GRANT

WHEREAS, the La Crosse County Board of Supervisors approved Resolution 20-9/23 to Approve Financing Plan, Use of American Rescue Plan Act Funding and Delegating Authority to Remodel Hillview Health Care Center into a Multiuse Facility; and **WHEREAS**, part of the Hillview campus redesign included a dementia crisis stabilization unit model to better meet the needs of the La Crosse region in crisis stabilization, and **WHEREAS**, the dementia crisis stabilization unit was designed as part of the Community Based Residential Facility (CBRF) services, and **WHEREAS**, the dementia crisis stabilization unit will serve as a temporary placement and stabilization for older adults with a diagnosis of dementia experiencing a crisis, and **WHEREAS**, the Wisconsin Department of Health Services has awarded the Hillview Health Care Center a Dementia Crisis Stabilization Unit Development grant of \$257,636 to assist in the start-up of these crisis stabilization services with the intent to enhance Medicaid Home and Community Based Services (HCBS). **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby accepts the \$257,636 in grant funding from the Wisconsin Department of Health Services; 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; **BE IT FURTHER RESOLVED**, that the Finance Department is authorized to make any necessary and appropriate budget adjustments relating to accepting this additional grant funding. **FISCAL NOTE:** Total grant award is \$257,636, with no County match required, and the award period ending March 31, 2025. The operating costs will be tracked in Fund 614 within the County financial system and overseen by the Long Term Care department, Hillview Health Care division.

VETERANS, AGING AND LONG TERM CARE COMMITTEE

Supervisor Padesky yielded the floor to Supervisor Ferries. Motion by D. Ferries/K. Hoyer to approve passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 4 excused - M. Baroni, M. Larson, J. Pogreba and T. Tryggestad.

RESOLUTION NO. 17-10/24 RE: AUTHORIZATION TO RECEIVE 2024 COMMUNITY PROJECT FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE HILLVIEW HEALTH CARE CENTER REMODEL

WHEREAS, the La Crosse County Board of Supervisors approved Resolution 20-9/23 to Approve Financing Plan, Use of American Rescue Plan Act Funding and Delegating Authority to Remodel Hillview Health Care Center into a Multiuse Facility; and **WHEREAS**, the Hillview campus redesign will support a range of community services, including an intergenerational day center, a dementia crisis stabilization unit, and a community based residential facility, and **WHEREAS**, U.S. Senator Tammy Baldwin selected the Hillview campus project for 2024 Community Project Funding, and **WHEREAS**, the funding was included in the Fiscal Year 2024 Transportation, Housing and Urban Development, and Related Agencies Appropriation Act. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby accepts the \$1 million in Community Project Funding from the U.S. Department of Housing and Urban Development; **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; **BE IT FURTHER RESOLVED**, that the Finance Department is authorized to make any necessary and appropriate budget adjustments relating to accepting this additional grant funding. **FISCAL NOTE:** Total grant award is \$1 million with no County match required, and the award period ending August 31, 2032. The operating costs will be tracked under the 610.775.5235 division within the County financial system and overseen by the Long Term Care department, Hillview Health Care division.

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VETERANS, AGING AND LONG TERM CARE COMMITTEE

Motion by D. Ferries/M. Kruse to approve passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 4 excused - M. Baroni, M. Larson, J. Pogreba and T. Tryggestad.

RESOLUTION NO. 18-10/24 RE: APPROVAL OF VILLAGE OF WEST SALEM'S EXERCISE OF THE OPTION IT HOLDS TO PURCHASE PORTIONS OF TAX PARCEL 16-1046-100 AND APPROVAL OF THE CERTIFIED SURVEY MAP

WHEREAS, La Crosse County owns property in the Village of West Salem commonly referred to as the "Lakeview Business Park"; and **WHEREAS**, In December of 2019, La Crosse County entered into an exclusive purchase option with the Village of West Salem whereby the Village could exercise an option to purchase land included in the option at a rate of \$25,000 per acre; and **WHEREAS**, In September of 2024, the Village of West Salem notified La Crosse County that it was exercising its option to purchase 10 acres being the westerly portion of tax parcels 16-1046-100 and as identified as Lot 1 of a proposed certified survey map (CSM), a copy of which is attached as Exhibit "A"; and **WHEREAS**, the CSM prepared by the La Crosse County Surveyor, attached as Exhibit "A", represents the surveying, division and mapping of Lot 1 and other lands; and **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board approves and accepts certified survey map (CSM) attached as Exhibit A, and the County Board Chair is authorized to sign it on behalf of the County; and **BE IT FURTHER RESOLVED** that La Crosse County Board Chair and the La Crosse County Clerk are hereby authorized to execute any and all documents necessary to effectuate the sale of Lot 1 to the Village of West Salem, including but not limited to a warranty deed, after approval by Corporation Counsel, and deliver the same at closing in return for the purchase price of \$250,000.00. **FISCAL NOTE**: Proceeds from the sale will be deposited into General Fund division 100.155.1450 within the County financial system.

EXECUTIVE COMMITTEE

Motion by D. Pierce/R. Erickson to approve passed on a unanimous voice vote with 25 ayes, 1 absent - P. Scheller, 4 excused - M. Baroni, M. Larson, J. Pogreba and T. Tryggestad.

RESOLUTION NO. 19-10/24 RE: APPROVE REALLOCATION OF UNSPENT AMERICAN RESCUE PLAN ACT (ARPA) FUNDING

WHEREAS, La Crosse County was allocated \$22,923,224 through the American Rescue Plan Act of 2021, which must be obligated by the end of 2024 and spent the end of 2026; and, **WHEREAS**, the La Crosse County Board of Supervisors approved the use of ARPA funds by approving the following resolutions for a total of \$23,804,150:

\$705,950 – [44-12-21 Resolution Re Authorization to Use American Rescue Plan Act \(ARPA\) Funds for COVID Related Expenditures in 2021.pdf](#)

\$2 million – [8-6/22 Resolution Re Approval of Expansion of Neighborhood Revitalization Acquisition and Demolition Grant Program and Allocation of \(ARPA\) Funding.pdf](#)

\$2 million – [10-7/22 Resolution Re Approval of a Stormwater Infrastructure Grant Fund and Allocation of American Rescue Plan Act \(ARPA\) Funding.pdf](#)

\$3 million – [42-12/22 Resolution Re Approve Use of American Rescue Plan Act \(ARPA\) Funding for Family Bridge Housing.pdf](#)

\$1.5 million – [3-4/23 Resolution Re Approve Installation of Solar on La Crosse County Buildings.pdf](#)

\$98,200 – [12-7/23 Resolution Re Approve Use of American Rescue Plan Act \(APRA\) Funding for Broadband Consultant.pdf](#)

\$2 million – [8-5/23 Resolution Re Approve Use of American Rescue Plan Act \(ARPA\) Funding for Skilled Trades Training.pdf](#)

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\$500,000 – 15-8/23 Resolution Re Approve Use of American Rescue Plan Act (APRA) Funding for Grants for Child Care Projects.pdf

\$12 million – 18-9/23 Resolution Re Approve Financing Plan, Use of American Rescue Plan Act (ARPA) Funding and Delegating Authority to Remodel Hillview Health Care Center into a.pdf; and,

WHEREAS, fluctuating priorities throughout the three year period caused certain funds allocated in earlier resolutions to be reallocated by later resolutions resulting in the total ARPA approved per resolutions to be higher than the original allocation; and **WHEREAS**, \$823,169 of ARPA funds have not been spent due to modifications in scope of work, final bids differing from original estimates and solar rebates received; and, **WHEREAS**, to retain the funds for local use, contracts must be in place by the end of 2024. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby approves the remainder of the unspent ARPA funds to be spent in the following ways:

1. Up to \$10,000 – audit and ongoing grant administration costs
2. Up to \$425,000 – solar installation on the Hillview Campus
3. \$388,169 or more – Neighborhood Revitalization Acquisition and Demolition Grant Program

For a total of \$823,169 remaining La Crosse County ARPA Allocation.

BE IT FURTHER RESOLVED, that the County Administrator, County Board Chair, Finance Director and County Clerk are authorized to take all appropriate actions to execute any documents to effectuate this Resolution after approval of Corporation Counsel. **FISCAL NOTE:** This resolution will allocate the remainder balance of ARPA funds. Plans have been developed to ensure all funds will be obligated by the end of 2024 and spent by the end of 2026. ARPA funds are tracked in division 295.770.3744 within the County financial system.

EXECUTIVE COMMITTEE

Motion by D. Pierce/R. Cornforth to approve. Motion by K. Schlimgen/D. Ferries to amend by deleting #3 "Neighborhood Revitalization Acquisition and Demolition Grant Program and replace with Hillview Campus Construction. Discussion ensued. Finance Director Nickelotti and Administrator Klekamp responded to questions from the Board. The motion to amend failed on a voice vote with 24 nays, 2 ayes - D. Ferries and K. Schlimgen, 4 excused - M. Baroni, M. Larson, J. Pogreba and T. Tryggestad. The motion to approve passed on a unanimous voice vote with 26 ayes, 4 excused - M. Baroni, M. Larson, J. Pogreba and T. Tryggestad.

ZONING ORDINANCE NO. Z458-10/24 RE: PETITION NO. 2081 FILED BY TOM & WADE SCHOMBERG O/B/O OCTAGON FARMS TO REZONE FROM THE EXCLUSIVE AGRICULTURE AND RURAL DISTRICTS TO THE RESIDENTIAL "A" DISTRICT FOR A PROPOSED SINGLE FAMILY SUBDIVISION PLAT IN THE TOWN OF BARRE

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 2081 to amend the La Crosse County Zoning Ordinance filed by: Tom & Wade Schomberg o/b/o Octagon Farms, N2764 County Rd YY, La Crosse, WI 54601 and having held a public hearing on Monday, September 30, 2024 for a ZONING PETITION to rezone from the Exclusive Agriculture and Rural Districts to the Residential "A" District for a proposed single family subdivision plat in the Town of Barre and described as follows: Prt NE/NW, Sec. 28, T.16N, R.6W. Tax parcel 2-317-3. Property address: County Road M, Town of Barre. And pursuant to s. 59.69(5)(e)2. Wis. Stats. and s. 17.10 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. 59.69(5)(e)4., Wis. Stats., along with the affected Town Board(s), under s.59.69(5)(e)3., Wis. Stats., have the authority to approve 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, Isola, Schlimgen, Scheller, Jacobsen, Rothering, Pierce), ZERO (0) no, and ZERO (0) abstentions, the committee recommended Approval of ZONING PETITION No. 2081 subject to no conditions. THE COUNTY BOARD took the following action this 17th day of October 2024. Approved subject to conditions as outlined.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by K. Hoyer/P. Isola to approve. Discussion ensued. The motion to approve as recommended by the Committee passed on a unanimous voice vote with 26 ayes, 4 excused - M. Baroni, M. Larson, J. Pogreba and T. Tryggestad.

RESOLUTION NO. 20-10/24 RE: ACCEPTANCE OF PUBLIC SERVICE COMMISSION OF WISCONSIN LIFELINE OUTREACH GRANT

WHEREAS, in 2023, La Crosse County applied and was approved for an \$18,337.40 grant through the Public Service Commission of Wisconsin's Broadband Equity, Access and Deployment (BEAD) Local Planning Grant Program; and **WHEREAS**, in 2023, La Crosse County hired a broadband specialist for the purpose of performing a broadband study, as a result of the La Crosse County Board of Supervisors approving resolution #12-7/23; and **WHEREAS**, in 2024, the La Crosse County Broadband Study was approved by the La Crosse County Broadband Committee, which recommended La Crosse County build capacity to perform broadband related duties; and **WHEREAS**, in 2024, La Crosse County applied and was approved for a \$30,000 grant through the Public Service Commission of Wisconsin's Lifeline Outreach Grant Program for the purpose of hiring a Broadband Specialist; and **WHEREAS**, La Crosse County pledged to match the Lifeline Outreach grant with \$18,000 from the BEAD Local Planning Grant. **NOW, THEREFORE BE IT RESOLVED**, that the La Crosse County Board hereby authorizes the acceptance of the \$30,000 Lifeline Outreach grant; and **BE IT FURTHER RESOLVED**, that La Crosse County will use \$18,000 from the BEAD Local Planning grant as a match to the Lifeline Outreach grant. **FISCAL NOTE:** Award funds of a total \$30,000 with an \$18,000 match required, and the award period ending June 30, 2025. The operating costs will be tracked under the 100.180.1000 division within the County financial system. The funds received by La Crosse County will be used to fund the Broadband Specialist's position.

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Motion by K. Hoyer/D. Pierce to approve passed on a unanimous voice vote with 26 ayes, 4 excused - M. Baroni, M. Larson, J. Pogreba and T. Tryggestad.

ORDINANCE NO. 215 TO AMEND S. 7.08 OF CHAPTER 7 OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN ENTITLED "ALL-TERRAIN VEHICLES"

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.** Except as otherwise specifically provided in this Chapter, the operator of an all-terrain vehicle on an approved route or 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, La Crosse County may establish ATV/UTV routes on County Highways under the following:
 - (a) **Conditions and Requirements**
 1. Since La Crosse County has no public trail opportunities, any new routes must connect to other routes or route opportunities.
 2. In approving new routes, the primary concern must be the safety of all members of the public and users of the Highway/route, including the density of the population along the proposed route, width of the Highway and shoulder, and current users of the road. Population density along any route should preferably not exceed 100

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residents per square mile. The terrain of the proposed route, current speed limit, and road configuration should also be considered as well as liability of users and residents along the route. The ADT (Average Daily Traffic) count of the proposed route should preferably not exceed 1,500 vehicles per day.

(b) Creation of ATV/UTV Routes

1. New routes may be requested by any La Crosse County Town or Municipality or by any organized and established ATV/UTV club located in La Crosse County by applying. Applications are available from the La Crosse County Highway Department. (No applications from organizations or clubs located outside La Crosse County will be considered)
2. The application contains 3 sections:
 - a. The first section is to be completed by the Municipality or Club requesting the application.
 - b. The second section is to be completed by the Highway Department
 - c. The third and final section is for use by the County Public Works and Infrastructure Committee.
3. Application Review: Once the first and second parts of the application have been completed, the Highway Commissioner will request that the route application be placed on the next Public Works and Infrastructure Committee agenda. The application along with a proposed amendment to this ordinance adding the new route will be reviewed by the Committee and, if approved by the committee, will go to the full Board for final approval consistent with the full Board's approval of Ordinance revisions under County Board Rules. After full Board approval, the Highway Commissioner will add the route. All route lists and maps are to be maintained by the County Highway Department.

(c) Discontinuation of Routes. This ordinance can be amended in the same manner as any other ordinance. A process shall be established by the Committee for the removal or modification of routes. Deletion or modification of existing routes must be introduced as an ordinance revision at the Committee level and then advanced to the full board pursuant to Board Rules.

(5) APPROVED ATV ROUTES

The following routes have been approved as ATV routes:

1. CTH A entire length from CTH C to STH 162
2. CTH AE entire length from CTH A to CTH TA
3. CTH B from Bangor Village Limit to CTH J & West Salem Village Limit to STH 162 & CTH M to CTH O
4. CTH C entire length from STH 108 north to south and West Salem Village Limit to CTH M
5. CTH D from CTH C to the Farmington Town Line
6. CTH DD entire length from CTH T to CTH D
7. CTH DE entire length from STH 16 to CTH C
8. CTH E entire length from STH 16 to CTH DE
9. CTH EE entire length from STH 162 to CTH T
10. CTH FO entire length from CTH OA to CTH F
11. CTH G entire length from STH 33 to CTH P
12. CTH H entire length from STH 33 to County Line
13. CTH I entire length from CTH M to STH 33
14. CTH II entire length from STH 162 to CTH I
15. CTH J from Rockland Village Limits to Monroe County Line
16. CTH JB entire length from STH 162 to STH 33
17. CTH JJ entire length from STH 162 to CTH J
18. CTH M from CTH D to CTH Q & CTH M (north end) Hamilton Town line to West Salem Village Limit and (south end) West Salem Village Limit to STH 14
19. CTH MH from CTH XX east to Holmen Village Limit
20. CTH N entire length from 162 to STH 14
21. CTH NN entire length from CTH M to STH 162

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22. CTH O entire length from CTH B to CTH M
 23. CTH OA entire length from CTH O to STH 33
 24. CTH P entire length south and east to County Lines
 25. CTH PI entire length STH 162 to County Line
 26. CTH Q entire length from CTH V to STH 108
 27. CTH T entire length from STH 162 to STH 53
 28. CTH TA entire length from CTH T to CTH A
 29. CTH TT entire length from CTH T to CTH V
 30. CTH U from the eastern Bangor Village Limit to the western Rockland Village Limit
 31. CTH V from CTH T to Holmen Village Limit
 32. CTH VV entire length from CTH T to Jackson County Line
 33. CTH X entire length CTH P to County Line
 34. CTH XX from Holland Town limits north to STH 35
 35. CTH Y entire length from CTH J to the Monroe County Line
 36. CTH YY entire length from CTH M to STH 33 and STH 33 to STH 14
- (6) CONDITIONS FOR THE PUBLIC USE OF ATV/UTV ROUTES
- (a) All ATV/UTV operators must obey and not exceed the posted speed limit.
 - (b) All operators must ride single file.
 - (c) All operators shall operate only on the extreme right side of the paved portion of the roadway. Operation on the shoulder, ditch, or right-of-way is prohibited and illegal.
 - (d) No open containers of alcoholic beverages are allowed while the machine is in motion.
 - (e) Headlights and taillights must be on at all times. Brake lights are required.
 - (f) All machines must be registered with the DNR and display the proper decals.
 - (g) All operators and passengers under the age of 18 must wear a DOT approved helmet.
 - (h) All operators must follow the DNR regulations for safety certificates.
 - (i) ATV/UTV's may only be operated on County routes between the hours of 5:00 a.m and 10:00 p.m.
- (7) EXCEPTIONS. The following exceptions to this ordinance will be allowed and must maintain compliance with DNR registration and operational regulations:
- (a) Private use – agricultural only
 - (b) Private use – on private lands owned by applicant or immediate family member only
 - (c) Municipal and government use
 - (d) Commercial ATV/UTV dealer use
- (8) ENFORCEMENT. This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.
- (9) PENALTIES. The Wisconsin ATV penalties as found in Wisconsin Statue 23.33(13) are adopted by reference.

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

**TINA TRYGGESTAD, COUNTY BOARD CHAIR;
GINNY DANKMEYER, COUNTY CLERK**

PUBLIC WORKS AND INFRASTRUCTURE

Motion by J. Kovacevich/G. Mathu to approve. Motion by J. Kovacevich/R. Erickson to amend by adding to section 4(c): A process shall be established by the committee for the removal or modification of routes. Discussion ensued. The motion to amend passed on a unanimous voice vote with 26 ayes, 4 excused - M. Baroni, M. Larson, J. Pogreba and T. Tryggestad. The motion to approve as amended passed on a voice vote with 25 ayes, 1 nay - K. Schlimgen, 4 excused - M. Baroni, M. Larson, J. Pogreba and T. Tryggestad.

RESOLUTION NO. 21-10/24 RE: APPROVAL OF AMENDMENT NO. 10 TO THE SOLID WASTE DISPOSAL SERVICE AGREEMENT BETWEEN LA CROSSE COUNTY AND NORTHERN STATES POWER COMPANY (XCEL ENERGY) REGARDING CHANGES IN EPA REGULATIONS AND FINANCIAL CONTRIBUTION TO ADDITIONAL INSURANCE

WHEREAS, La Crosse County and Northern States Power Company, now doing business as Xcel Energy, entered into a Solid Waste Disposal Agreement dated March 18, 1986 for the construction and operation of the Refuse Derived Fuel Facility on French Island; and, **WHEREAS**, over the years this agreement has been amended multiple times for various reasons, including the most recent amendment in 2017 which extended the terms of the contract to 2030; and **WHEREAS**, recent changes in the U.S. Environmental Protection Agency's regulations regarding PFOA (perfluorooctanoic acid) and PFOS (perfluorooctanesulfonic acid) have the potential to impact some of the terms and conditions in the current contract; and **WHEREAS**, La Crosse County and Xcel Energy have reached an agreement to amend the current contract with the following terms:

- Recognizing that, due to the ubiquitous presence of PFAS, the refuse derived fuel used in the waste to energy process may contain PFAS;
- Providing for an environmental impairment liability insurance product to protect both parties;
- Providing for La Crosse County to financially contribute to the cost of insurance based on the County's use of the facility, which cost is capped at \$75,000 per year;

WHEREAS, it is in the best interests of the County of La Crosse to enter into such an amendment. **NOW THEREFORE BE IT RESOLVED**, that the La Crosse County Board authorizes the County Board Chair to execute Amendment No. 10 to the Solid Waste Disposal Service Agreement in accordance with the above terms, after approval by Corporation Counsel. **FISCAL NOTE:** There are sufficient budget dollars in 2024 and 2025 to cover the additional cost from the contract amendment. Solid Waste operations are tracked in division 650.650.1000 in the County financial system.

PUBLIC WORKS AND INFRASTRUCTURE

Motion by J. Kovacevich/G. Padesky 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 26 ayes, 4 excused - M. Baroni, M. Larson, J. Pogreba and T. Tryggestad.

SUGGESTIONS FOR FUTURE AGENDA TOPICS

- Supervisor Elam asked for an update on the ERT.

ADJOURN

Motion by D. Hundt/G. Mathu to adjourn at 6:51 PM passed on a unanimous voice vote with 26 ayes, 4 excused - M. Baroni, M. Larson, J. Pogreba and T. Tryggestad.

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, October 17, 2024 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 18 OF OCTOBER 2024.