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**LA CROSSE COUNTY BOARD OF SUPERVISORS MONTHLY MEETING  
PROCEEDINGS; THURSDAY, MAY 15, 2025**

The La Crosse County Board of Supervisors Monthly Meeting was held on Thursday, May 15, 2025 in the Administrative Center, Room 1700. The County Clerk, Ginny Dankmeyer, took attendance. 20 supervisors were present when Chair Tina Tryggestad 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	Leibold, Kelly	Present
2	Geary, Ralph	Present
3	Pierce, David	Present at 06:24 PM
4	Freedland, Maureen	Present
5	Anderson, Emily	Present
6	Mathu, Grant	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 at 06:05 PM
16	Ferries, Dan	Present at 06:05 PM
17	Pogreba, Jack	Present at 06:05 PM
18	Baroni, Mike	Present at 06:05 PM
19	Cornforth, Rick	Present
20	Doyle, Steve	Present at 06:16 PM
21	Balduzzi, Dave	Present at 06:19 PM
22	Kovacevich, Joe	Present
23	Elam, Travis	Excused
24	Tweed, Kristie	Present
25	Jacobsen, Dennis	Present
26	Hundt, David	Present at 06:07 PM
27	Wuensch, Paul	Present
28	Rothering, Ron	Present
29	Schlimgen, Ken	Excused
30	Mader, Dillon	Present

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

**County Board Chair Report - Tina Tryggestad**

- Chair Tryggestad noted any Supervisor wanting to attend the WCA Conference in September needs to sign up with the Clerk; the Family & Children's Section is hosting the Brat Barn on Copeland Avenue on Friday; Hmong American Day will be at the Omni Center on Saturday starting at 10am to honor our Hmong Community and those who fought in the war: Lake Neshonoc is hosting their fundraiser on Saturday at Swarthout Park in West Salem.

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- Supervisor Conference Reports
  - Supervisor Isola attended the La Crosse School District Strategic Planning Focus Group.

#### **Administrator Report - Jane Klekamp**

- General Update
  - La Crosse is the 2<sup>nd</sup> County in the Wisconsin to be approved for a new Medicaid Funded Housing Program; ADRC found a meal site in West Salem and Bangor starting in June for three days a month; La Crosse is partnering with 7 Rivers Alliance, LADCO, and the Chamber of Commerce to host a business round table at 8:30 on June 3<sup>rd</sup> at the Admin Building to discuss the Regional Business Landscape; the annual Mental Health Walk is Thursday May 29<sup>th</sup> at noon from the HHS Building; and Administrator Klekamp and Associate Administrator Koopman are working with departments to link outcomes to the strategic plan; presentations planned for future Planning Meetings were reviewed; the intergenerational day center at Hillview was named the Life Center and will start doing outreach to county employees for use of that center.

#### **CONSENT AGENDA**

Motion by R. Geary/D. Wacek to approve the minutes of the County Board of Supervisors Planning Meeting held April 7, 2025, and the Re-Organizational Meeting held April 15, 2025 passed on a unanimous voice vote with 25 ayes, 1 absent - D. Balduzzi, 4 excused - S. Doyle, T. Elam, D. Pierce and K. Schlimgen.

#### **APPOINTMENTS**

Motion by E. Anderson/D. Mader to reappoint Sue Paudler to the Board of Adjustment as the 1st Alternate for a two year term to expire June 30, 2027; reappoint Kathryn Wood to the Board of Adjustment for a three year term to expire June 30, 2028; appoint Peg Isola to the Historic Sites Preservation Commission for the remainder of a term to expire December 31, 2026 passed on a unanimous voice vote with 25 ayes, 1 absent - D. Balduzzi, 4 excused - S. Doyle, T. Elam, D. Pierce and K. Schlimgen.

#### **RESOLUTION NO. 4-5/25 RE: TO CONTEST THE WISDOT'S PROPOSED MODIFICATIONS, INCLUDING CLOSURE, OF THE EXISTING PUBLIC RAILROAD CROSSINGS AT LIBERTY STREET/ST. CLOUD STREET AND AVON STREET/HAGAR STREET**

**WHEREAS**, on February 6, 2025, the Department of Transportation of the State of Wisconsin (WisDOT) filed a petition with the Wisconsin Office of the Commissioner of Railroads (OCR) to alter two public at-grade railroad crossings: one at the intersection of Liberty and St. Cloud Streets (Liberty/St. Cloud), and one at the intersection of Avon and Hagar Streets (Avon/Hagar); **WHEREAS**, the WisDOT petition requests closure of the Liberty/St. Cloud railroad crossing, which will eliminate roadway through-access at this intersection; **WHEREAS**, the Strategic Plan encouraged "joint advocacy between county and municipalities regarding infrastructure concerns." *Strategic Plan*, page 9. **WHEREAS**, to date, three City of La Crosse Committees have unanimously passed a similar resolution opposing the railroad crossing closure, advocates within the City are seeking support for the City's position on the railroad crossing, and the full City Council will vote on May 8, 2025 on the resolution's passage; **WHEREAS**, La Crosse County has an interest in maintaining public access to emergency services, and the lack of an available crossing or a reduction in the number of currently available crossings in this neighborhood would affect response times and efficiency of such services; **WHEREAS**, historic closures of platted at-grade railroad crossings have reduced the average density of available at-grade public railroad crossings to one every two miles, substantially hindering public access for the community; **WHEREAS**, the proposed location for closure and alteration is located in an area considered to be environmentally burdened and socially vulnerable, and would further contribute to this area's disenfranchisement; **WHEREAS**, the current number of at-grade crossings meets neither federal recommendations for closures (reference Highway-Rail Crossing Handbook 3rd Edition) nor accessibility minimums, and closure of the Liberty/St. Cloud crossing would further distance the City of La Crosse from such standards; **WHEREAS**, the closure of the public at-grade railroad crossing would result in traffic redistribution and therefore increase the average daily traffic at the only other available crossing, resulting in an increase in points of conflict at other neighborhood intersections and a permanent increase in the density of vehicle traffic at the remaining at-grade crossing; **WHEREAS**, the current configuration allows for alternative access crossing, and a reduction in the number of at-grade railroad crossings would result in only one crossing being available to the public, leaving the entire neighborhood without any available crossing when maintenance or construction is done

on the streets adjacent to the crossings; **WHEREAS**, Soo Line Railroad petitioned the OCR in 2015 to add an additional track at the same two at-grade railroad crossings, Liberty/St. Cloud and Avon/Hagar, but did not request closure of either at-grade crossing. The written decision acknowledges that these crossings provide the only north-south access for this part of the City. Further, the OCR's decision included no recommendation for closure and ordered both at-grade crossings to remain open to and be maintained for motor vehicle traffic and ADA compliant pedestrian use. The OCR specified that the Railroad could only close one crossing at a time when performing work, indicating the importance of keeping both crossings open; **WHEREAS**, the La Crosse County Strategic Plan ("Strategic Plan") outlined a vision that "La Crosse County's vibrant local economy and strong public services create the foundation for a healthy, safe and inclusive community." *La Crosse County Strategic Plan*, page 3. **WHEREAS**, the Strategic Plan highlighted "Healthy Infrastructure" in which the County would promote "intentional and sustainable infrastructure management ensures comprehensive access and safety." *Strategic Plan*, page 5. **WHEREAS**, the Strategic Plan emphasized that "(e)very member belongs and feels connected in our diverse community." *Strategic Plan*, page 5. **WHEREAS**, the Strategic Plan promoted strategies that are supported by data driven decision making. *Strategic Plan*, page 9. **WHEREAS**, the reduction in number of public at-grade railroad crossings would negatively impact access to neighborhood schools, parks, places of employment, local businesses, and more; **WHEREAS**, the request for closure is not reasonable and is detrimental to public safety and convenience. **NOW, THEREFORE, BE IT RESOLVED** by the La Crosse County Board that La Crosse County hereby opposes the closure of the public railroad crossing at Liberty Street and St. Cloud Street. **BE IT FURTHER RESOLVED** for all the reasons identified above that the County Board recommends the public railroad crossing at Liberty Street and St. Cloud Street remain open to motor vehicles and pedestrian access via sidewalks. **BE IT FURTHER RESOLVED** that the Clerk shall file this Resolution in the Electronic Records Filing System with the Public Service Commission of Wisconsin under Docket ID 9150-RX-638. **FISCAL NOTE:** No fiscal impact

#### **EXECUTIVE COMMITTEE**

Motion by K. Cable/D. Ferries to approve. Discussion ensued. The motion to approve passed on a unanimous voice vote with 25 ayes, 1 absent - D. Balduzzi, 4 excused - S. Doyle, T. Elam, D. Pierce and K. Schlimgen.

#### **RESOLUTION NO. 5-5/25 RE: CONFIRMING AND RATIFYING THE AUTHORITY OF COUNSEL FOR LA CROSSE COUNTY TO ADD ADDITIONAL DEFENDANTS TO OPIOID LITIGATION, INCLUDING IN MDL 2804**

**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 manufacturers, distributors, and retailers, among others, of opioid pharmaceuticals (the "Opioid Defendants") in an effort to hold the Opioid Defendants responsible for the opioid epidemic in the County's community; and **WHEREAS**, on behalf of the County, the Law Firms filed a lawsuit against the Opioid Defendants; and **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"); and **WHEREAS**, four (4) additional Wisconsin counties (Milwaukee, Dane, Waukesha, and Walworth) hired separate counsel and joined the Litigation; and **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 settlement discussions with the Opioid Defendants; and **WHEREAS**, to date, through nationwide settlements, the Law Firms have achieved considerable success on behalf of the County in holding the Opioid Defendants responsible for their role in creating or maintaining the opioid epidemic; and **WHEREAS**, through the course of ongoing discovery and investigation concerning the opioid epidemic and parties potentially responsible therefor, it was determined that meritorious opioid-related claims exist against additional parties, including but not limited to the entities listed on Exhibit A hereto, and that they should be added as defendants in the Litigation; and **WHEREAS**, the engagement agreement with the Law Firms provides "depending upon the results of initial investigations of the facts and circumstances surrounding the potential claim(s), there may be additional parties sought to be made responsible ....;" and **WHEREAS**, while the County believes the engagement agreement with the Law Firms provided the Law Firms with adequate authority to add additional parties to be held responsible, the County

understands that recently those parties questioned that authority, and therefore, for the avoidance of doubt, the County is adopting this Resolution confirming and ratifying the Law Firms' authority to add additional parties, including but not limited to the entities listed on Exhibit A, as defendants in the Litigation; and **WHEREAS**, to avoid any confusion surrounding the County's authorization to the Law Firms to amend the pleadings in the Litigation to include additional parties, including but not limited to the entities listed on Exhibit A as named defendants in MDL 2804, this Resolution is intended to serve as confirmation and ratification of such authorization; and **WHEREAS**, the County, by this Resolution, intends to confirm and ratify the authority of the Law Firms to amend the pleadings in the Litigation to add additional parties, including but not limited to the entities listed on Exhibit A as defendants in MDL 2804, or to commence appropriate federal or state court proceedings against such entities, and further intends to authorize Corporation Counsel to execute and deliver any and all other and further documents necessary to effectuate the intent of this Resolution; **NOW, THEREFORE, BE IT RESOLVED:** the La Crosse County Board of Supervisors hereby confirms and ratifies the authority of:

1. The Law Firms to file appropriate pleadings in MDL 2804 or appropriate federal or state court proceedings to add additional parties, including but not limited to the entities listed on Exhibit A as defendants.

2. The Corporation Counsel, Board Chair or other authorized official to execute and deliver any and all other and further documents necessary to effectuate the intent of this Resolution.

**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:** Dollars received from the Opioid Litigation are tracked under division 296.220.1000 within the County financial system.

#### **EXECUTIVE COMMITTEE**

Motion by K. Cable/G. Padesky to approve passed on a unanimous voice vote with 25 ayes, 1 absent - D. Balduzzi, 4 excused - S. Doyle, T. Elam, D. Pierce and K. Schlimgen.

#### **RESOLUTION NO. 6-5/25 RE: SUPPORT FOR INCREASING STATE BASE FUNDING FOR COUNTY CONSERVATION STAFFING TO \$20.2 MILLION**

**WHEREAS**, County Land Conservation Department (LCD) staff are relied upon to carry out a range of Wisconsin's state agricultural and urban best management programs that reduce non-point pollution, preserve farmland, protect water, reclaim non-metallic mines, limit aquatic invasive species control, manage forests, promote infiltration and reduce floods; and, **WHEREAS**, LCDs assist Wisconsin's farmers in many ways, including supporting producer-led watershed groups, developing nutrient management plans, engineering conservation systems, and applying best management practices that promote soil health and build profitability; and, **WHEREAS**, the shared conservation work of LCD professionals and landowners has major water quality benefits, including preventing soil erosion, protecting surface and groundwater, increasing infiltration, building healthy soils and restoring sustainable land use systems; and, **WHEREAS**, LCD experts are trusted, technical advisors that consult with landowners to understand their land management goals and then propose customized solutions that includes project planning and contracting, engineering, quality control, and securing of cost-share funding to reduce project expenses; and, **WHEREAS**, building a partnership based on trust and understanding with farmer and landowner clients cannot happen instantly, but rather, requires a sustained commitment over time from LCD professionals; and, **WHEREAS**, LCDs leverage cost-share funding from federal and private sources, providing a 2:1 (or greater) return on the state investment, and spurring local economic growth in industries including agriculture, construction, tourism, forestry, and recreation; and, **WHEREAS**, the State of Wisconsin codifies LCDs' role in carrying out state conservation standards via Wis. Stats Chap. 92, defining a goal that the State fund staff positions in every LCD at 100% of the first, 70% of the second, and 50% of each additional staff position; and, **WHEREAS**, the State of Wisconsin has not ensured baseline support of LCDs by meeting this funding goal since its inception, and in the 18-year period from 2006 to 2024, base funding relative to LCD staffing needs has decreased by 24%; and, **WHEREAS**, supporting county LCDs is widely promoted and accepted by conservation, government, environmental and other local groups alike; **NOW, THEREFORE, BE IT RESOLVED** that La Crosse County, does hereby urge the Wisconsin State Legislature to strengthen the viability of the State's County Land and Water Conservation Staffing program by increasing base funding for the program by \$11,035,900 on an annual basis to a total of \$20.2 million annually. **BE IT FURTHER RESOLVED** that a copy of the resolution be sent to WI Land+Water Conservation Association, all State Legislators, the

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Governor, DATCP Secretary, DNR Secretary, DOA Secretary, Joint Finance Committee, the Wisconsin Counties Association, and the Wisconsin Towns Association. **FISCAL NOTE:** Staff time is budgeted in Land Conservation division 100.205.1000 within the County financial system. There is no direct fiscal impact to La Crosse County at this time.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by P. Scheller/P. Isola to approve passed on a unanimous voice vote with 25 ayes, 1 absent - D. Balduzzi, 4 excused - S. Doyle, T. Elam, D. Pierce and K. Schlimgen.

**ZONING ORDINANCE NO. Z459-5/25 RE: PETITION NO. 2082 FILED BY OUTDOOR RECREATION ALLIANCE TO REZONE FROM GENERAL AGRICULTURE DISTRICT TO THE RECREATION AND NATURAL RESOURCES DISTRICT FOR A PUBLIC OUTDOOR RECREATION FACILITY IN THE TOWN OF SHELBY**

The La Crosse County Planning, Resources and Development Committee, having considered Petition No. 2082 to amend the La Crosse County Zoning Ordinance filed by: Outdoor Recreation Alliance, 125 7th St North, La Crosse, WI 54601 and having held a public hearing on Monday, April 28, 2025 for a ZONING PETITION to rezone from the General Agriculture District to the Recreation and Natural Resources District for a public outdoor recreation facility in the Town of Shelby and described as follows: Sec. , T.N, R.W. Tax parcel 11-555-0, 11-605-0, 11-1024-0, 11-1023-0, 11-673-0, 11-1025-0, 11-2026-0, 11-1105-0. Property address: W5723 St Rd 33, Town of Shelby. 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 Four (4) in favor (Scheller, Tweed, Pierce, Jacobson), Two (2) no (Schlimgen, Rothering), and One (1) excused (Isola), the committee recommended Approval of ZONING PETITION No. 2082 subject to the following Seven (7) conditions;

1. No discharge of firearms.
2. No hunting.
3. No recreational motorized vehicles (excluding accessibility equipment and e-Bikes classes 1 and 3).
4. Camping is limited to up to 10 individual tent campsites with not more than 6 campers or a single family per site.
5. No commercial animal establishments.
6. No explosives or fireworks.
7. No mines, quarries, and/or gravel pits.

THE COUNTY BOARD took the following action this 15<sup>th</sup> day of May 2025. Approved subject to conditions as outlined.

**PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by P. Scheller/M. Freedland to approve. Discussion ensued. Corporation Council Megan DeVore noted a correction on the zoning petition. Zoning Administrator Kathleen Stewart responded to questions from the board. The motion to approve as recommended by the Committee passed on a voice vote with 25 ayes, 3 nays - D. Hundt, D. Jacobsen and R. Rothering, 2 excused - T. Elam and K. Schlimgen.

**CONDITIONAL USE PERMIT NO. 1257 FILED BY TIM BUISMAN ON LAND ZONED EXCLUSIVE AGRICULTURAL DISTRICT IN ACCORDANCE WITH LA CROSSE COUNTY ORDINANCE FOR COMMERCIAL TRANSPORT TRAILERS OR CONTAINERS TO BE PLACED AND USED FOR AGRICULTURAL STORAGE IN THE TOWN OF GREENFIELD**

The La Crosse County Planning, Resources and Development Committee, having considered an application filed by: TIM BUISMAN W4896 COUNTY RD FO, LA CROSSE, WI 54601 and having held a public hearing on the 28<sup>th</sup> day of April 2025 for a Conditional Use Permit on land zoned Exclusive Agricultural District in accordance with La Crosse County Ordinance section 17.05(5)(d)2.h. Commercial transport trailers or containers to be placed and used for agricultural storage in the Town of Greenfield and described as follows: PRT of the NW/SE & NE/SW, Sec.23, T.15N, R.6W. Tax parcel 6-558-0. Property

address County Road M. Town of Greenfield. 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, Scheller, Tweed, Rothering, Pierce, Jacobson), Zero (0) opposed, Zero (0) abstentions, and One (1) excused (Isola) the committee recommended approval of Conditional Use Permit No. 1257 subject to the following FOUR (4) 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. This permit is nontransferable except that it may be transferred to entities in which Tim Buismann is a principal owner.
4. The commercial transportation container is for agricultural storage only, if the container is no longer utilized for agriculture storage, it is to be removed from the property within 12 months.

THE COUNTY BOARD took the following action this 15<sup>th</sup> day of May 2025. Approved subject to conditions as outlined.

#### **PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Motion by P. Scheller/D. Jacobsen to approve as recommended by the Committee passed on a unanimous voice vote with 28 ayes, 2 excused - T. Elam and K. Schlimgen.

#### **SUGGESTIONS FOR FUTURE AGENDA TOPICS**

- Supervisor Cornforth asked for a report from the highway department on how highway projects are prioritized and an update on the Civilian Review Board.

#### **ADJOURN**

Motion by J. Pogreba/G. Mathu to adjourn at 6:28 PM passed on a unanimous voice vote with 28 ayes, 2 excused - T. Elam and K. Schlimgen.

**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, May 15, 2025 and that it is the whole thereof. IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL THIS DAY 16 OF MAY 2025.**