

AGENDA

Eau Claire County Board of Supervisors
Wednesday, February 17, 2016 / 7 pm

Location:
Courthouse, County Boardroom (Room 1277)
721 Oxford Ave. Eau Claire, WI

Eau Claire County Mission Statement:

"To provide quality, innovative and cost-effective services that safeguard and enhance the well-being of residents and resources"

- (1) Indicates 1st Reading
- (2) Indicates 2nd Reading

- 1. Call to Order
- 2. Honoring of the Flag
Moment of Reflection: **Supervisor Gary Gibson**
- 3. Call of the Roll
- 4. Correction of the Journal of Proceedings (January 19, 2016) **(pg. 4-7)**
- 5. Unfinished Business

6. **PUBLIC COMMENT PERIOD**

7. **REPORTS TO THE COUNTY BOARD UNDER RULE 32**

Written Reports

- Alternate Care Report **(pg. 8)**
- 2016 Contingency Fund Report **(pg. 9)**
- 4th Quarter / OT and Comp Time Reports **(pg. 10-13)**

Oral Reports

- Clear Vision Award / by: Lance Gurney, Mike Huggins, Vicki Hoehn **(pg. 14)**
- CliftonLarsonAllen / Pre-audit Work / by: Brock Geyen, Principal Specializing in Public Sector
- Update on Legislative Activity / by: Kathryn Schauf, County Administrator

8. **PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

9. PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES OR MEMBERS UNDER SUSPENSION OF THE RULES

File No.

- 15-16/134 (1) Authorizing Payment of Vouchers Over \$10,000 Issued During the Month of January 2016 (pg. 15-16)
- 15-16/104 (1) Amending the 1982 Official Zoning District Boundary Map for the Town of Brunswick (pg. 17-30)
- 15-16/109 (1) Amending the 1982 Official Zoning District Boundary Map for the Town of Union (pg. 31-45)
- 15-16/114 (1) Amending the 1982 Official Zoning District Boundary Map for the Town of Clear Creek (pg. 46-60)
- 15-16/119 (1) Amending the 1982 Official Zoning District Boundary Map for the Town of Washington (pg. 61-77)

10. FIRST READING OF ORDINANCES AND RESOLUTIONS

File No.

- 15-16/082 (1) To Amend Section 2.04.010; Rule 1 – Meetings; To Amend Section 2.04.030 C., D. and E. of the Code; Rule 3 – Opening of Meeting; . . . (pg. 78-84)
- 15-16/139 (1) To Repeal and Recreate Section 3.20.005 B. Through F. of the Code: Salaries of Elected Officials (pg. 85-86)

11. REPORTS OF STANDING COMMITTEES AND SECOND READING

Committee on Administration

File No.

- 15-16/110 (2) To Amend Section 2.04.435 A. of the Code; Committee on Administration; To Amend Section 2.04.435 A. 1 of the Code . . . (from January 19, 2016 county board meeting). (pg. 87-89)
- 15-16/125 (2) Requesting the Wisconsin Legislature to Start the Process of Changing the Elected County Treasurer Position to an Appointed Position (from January 19, 2016 county board meeting). Report by the Committee on Administration recommends that the Resolution be placed on file) (pg. 90-92)

11. REPORTS OF STANDING COMMITTEES AND SECOND READING (con't)

Committee on Human Resources

- 15-16/133 (1) To Ratify a Labor Agreement Between Eau Claire County and the Wisconsin Professional Police Association Law Enforcement Employee Relations Division for the Non-Supervisory Unit Effective January 1, 2016 Through December 31, 2017 . . .
(pg. 93-94)
- 15-16/141 (1) Confirming the Appointment of Jamie Gower as the Eau Claire County Human Resources Director Effective March 8, 2016 (Committee will meet prior to the County Board meeting to confirm the appointment) (pg. 95-96)

Committee on Planning and Development

File No.

- 15-16/096 (2) To Amend Section 15.01.060 A. 11 of the Code; Permit Fees (from January 19, 2016 agenda) (pg. 97-98)

Committee on Finance & Budget

File No.

- 15-16/112 (2) To Amend Section 4.09.010 A. of the Code; Nonlapsing Accounts (from January 19, 2016 agenda). (pg. 99-100)
- 15-16/121 (1) Awarding Bid for Sale of Tax Deed Property to Orvin & Pamela Bystol for the Sum of \$5,000 . . . (pg. 101-103)
- 15-16/122 (1) Disallowing the Claim of Steven J. Durham Filed on December 29, 2015 Against Eau Claire County . . . (pg. 104-105)

12. REPORTS OF SELECT COMMITTEES AND SECOND READING

13. REPORTS OF COMMISSIONS AND BOARDS UNDER RULE 16

14. APPOINTMENTS, CONFIRMATIONS AND ELECTIONS BY THE BOARD

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-4710, (FAX) 839-1669 or 839-4735, tty: use Relay (711) or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
OF SUPERVISORS**

January 19, 2016

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, January 19, 2016, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Kevin Stelljes, who shared a video of the Eau Claire River recorded on January 1st, 2016.

Roll Call: 23 present: Supervisors Gary G. Gibson, Stella Pagonis, Corey S. Bauch, Katy Forsythe, Steve Chilson, Kevin Stelljes, Gordon C. Steinhauer, Mike Conlin, Colleen A. Bates, Kathleen Clark, Jean D. Schlieve, Nick Smiar, Joel Mikelson, Gregg Moore, James A. Dunning, Bruce Willett, Mark Beckfield, Sue Miller, John F. Manydeeds, Mark Olson, Tami Schraufnagel, Paul A. Lokken, Sr., Stephannie Regenauer
6 absent: Supervisors Paul Reck, Douglas Kranig, Ray L. Henning, Gerald L. Wilkie, Robin J. Leary, Patrick L. LaVelle

JOURNAL OF PROCEEDINGS (December 15, 2015)

On a motion by Supervisor Manydeeds, seconded by Supervisor Smiar, the Journal of Proceedings was approved.

PUBLIC COMMENT

No one wished to speak.

PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

Email correspondence from Representative Kathleen Bernier, 68th Assembly District, regarding Eau Claire County Resolution 15-16/106 opposing LRB 2148/1 changing the way property is forfeited after being seized in relation to a crime.

A letter was received from Representative Warren Petryk, 93rd Assembly District, regarding Eau Claire County Resolution 15-16/106 opposing LRB 2148/1 changing the way property is forfeited after being seized in relation to a crime.

The following written reports were presented to the Board:

- Alternate Care Report for November 2015
- Adult Mental Health Residential and Institutional Expenses and Revenues for November 2015
- Jail Population Report 2015
- 2015 Contingency Fund Report
- 2016 Contingency Fund Report

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES OR
MEMBERS UNDER SUSPENSION OF THE RULES**

There were no objections to suspending the rules to consider the item under suspension.

Resolution 15-16/118 AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF DECEMBER 2015

On a roll call vote, the resolution was unanimously adopted.

PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

A Webinar presentation regarding legislative activities was given by Kyle Christianson and Sarah Diedrick-Kasdorf of the Wisconsin Counties Association.

FIRST READING OF ORDINANCES AND RESOLUTIONS

Ordinance 15-16/096 TO AMEND SECTION 15.01.060 A. 11. OF THE CODE: PERMIT FEES

Action on said ordinance was postponed until the next meeting of the County Board.

Ordinance 15-16/110 TO AMEND 2.04.435 A. OF THE CODE: COMMITTEE ON ADMINISTRATION; TO AMEND SECTION 2.04.435 A. 14. OF THE CODE; COMMITTEE ON ADMINISTRATION; TO AMEND SECTION 2.50 OF THE CODE: VETERANS OFFICE; TO AMEND SECTION 2.50.300 C. 3. OF THE CODE: COUNTY VETERANS SERVICE COMMISSION; TO AMEND SECTION 2.50.500 OF THE CODE: VETERANS TRANSPORTATION; TO AMEND SECTION 2.50.550 OF THE CODE: SERVICES LIMITED TO COUNTY RESIDENCE; TO AMEND SECTION 2.90.250 B. OF THE CODE: VETERANS SERVICE OFFICE

Action on said ordinance was postponed until the next meeting of the County Board.

Ordinance 15-16/112 TO AMEND SECTION 4.09.010 A. OF THE CODE: NONLAPSING ACCOUNTS

Action on said ordinance was postponed until the next meeting of the County Board.

Resolution 15-16/125 REQUESTING THE WISCONSIN LEGISLATURE TO START THE PROCESS OF CHANGING THE ELECTED COUNTY TREASURER POSITION TO AN APPOINTED POSITION

The resolution was referred to the Committee on Administration.

REPORTS OF STANDING COMMITTEES AND SECOND READING

Committee on Administration

There were no objections to taking up Resolutions 15-16/127 and 15-16/116 at this time.

Resolution 15-16/127 AWARDING THE BID FOR LAKE ALTOONA DAM REPAIR PHASE 2 FOR THE EAU CLAIRE COUNTY PARKS AND FOREST DEPARTMENT TO IEI GENERAL CONTRACTORS FOR \$51,000

Motion by Supervisor Lokken, seconded by Supervisor Willett for adoption.

On a roll call vote, the resolution was unanimously adopted.

Committee on Finance and Budget

Resolution 15-16/116 SUPPORTING THE STRENGTHENING OF INTERNAL CONTROLS AND ALLOCATING \$50,000 OF CONTINGENCY

Motion by Supervisor Olson, seconded by Supervisor Dunning for adoption.

On a motion by Supervisor Conlin, seconded by Supervisor Chilson Amendment No. 1 was presented as follows: On page 1, Strike lines 18 - 20 in their entirety, Insert "NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors supports the retention of a consulting firm to review the internal control policies and accounting procedures to identify key internal control strengths and weaknesses in current processes and recommend such changes that will help the county protect its resources against waste, fraud and inefficiency."

On a roll call vote the amendment was adopted as follows:

22 ayes: Supervisors Gibson, Pagonis, Bauch, Forsythe, Chilson, Stelljes, Steinhauer, Conlin, Bates, Clark, Schlieve, Mikelson, Moore, Dunning, Willett, Beckfield, Miller, Manydeeds, Olson, Schraufnagel, Lokken, Regenauer

1 no: Supervisor Smiar

6 absent: Supervisors Reck, Kranig, Henning, Wilkie, Leary, LaVelle

On a roll call vote, the resolution as amended once was unanimously adopted.

Committee on Administration

Ordinance 15-16/081 TO REPEAL AND RECREATE 1.22.045 A. 6. OF THE CODE: JOURNAL OF PROCEEDINGS; TO REPEAL 1.22.045 B., C. AND G. OF THE CODE: JOURNAL OF PROCEEDINGS; TO AMEND 1.22.045 E. AND F. OF THE CODE: JOURNAL OF PROCEEDINGS; TO REPEAL 1.22.047 B. OF THE CODE: TRANSFER AND DESTRUCTION OF OBSOLETE PROCEEDINGS

On a motion by Supervisor Lokken, seconded by Supervisor Miller for enactment.

On a motion by Supervisor Bates, seconded by Supervisor Manydeeds, Amendment No. 1 was presented as follows:

On page 1, line 17 after "C.," Insert "F."

On page 1, line 19, Strike "s" in Subsections. Strike "and F." after "D."

On page 1, line 27, Insert "One bound copy will be filed with Area Research Center or State Historical Society."

On page 1, lines 29-34, Strike in their entirety.

On a roll call vote the amendment was unanimously adopted.

On a roll call vote, the ordinance, as amended once was unanimously enacted.

Ordinance 15-16/099 TO AMEND SECTION 2.09.010 A. OF THE CODE: BUSINESS HOURS

Motion by Supervisor Miller, seconded by Supervisor Lokken for enactment.

On a roll call vote, the ordinance was unanimously enacted.

Ordinance 15-16/105 TO REPEAL SECTION 1.22.100 OF THE CODE: SALE OF COUNTY CODE AND ANNUAL UPDATES BY COUNTY CLERK

Motion by Supervisor Lokken, seconded by Supervisor Willett for enactment.

On a roll call vote, the ordinance was unanimously enacted.

Ordinance 15-16/108 TO AMEND SECTION 2.04.010 A. OF THE CODE: RULE 1 – MEETINGS

Motion by Supervisor Manydeeds, seconded by Supervisor Willett for enactment.

On a roll call vote, the ordinance was unanimously enacted.

Resolution 15-16/111 AUTHORIZING AN EXTENSION OF THE EXISTING CELLULAR TOWER SITE AGREEMENT WITH SBA COMMUNICATIONS CORPORATION FOR A PERIOD OF 25 YEARS AT THE CURRENT SITE AT THE COUNTY HIGHWAY SHOP PROPERTY IN THE CITY OF ALTOONA; AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT EXTENSION AND ANY OTHER NECESSARY DOCUMENTS ON BEHALF OF EAU CLAIRE COUNTY

Motion by Supervisor Lokken, seconded by Supervisor Willett for adoption.

On a roll call vote, the resolution was unanimously adopted.

Resolution 15-16/124 APPOINTING CHRISTOPHER KRUSE AS MEDICAL EXAMINER FOR EAU CLAIRE COUNTY FOR AN INITIAL TERM FROM JANUARY 1, 2016 THROUGH JUNE 30, 2016 AND AUTHORIZING HIM TO APPOINT DEPUTY MEDICAL EXAMINERS; AUTHORIZING THE COUNTY ADMINISTRATOR TO

EXTEND THE INITIAL TERM UP TO 6 MONTHS AND TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION

Motion by Supervisor Lokken, seconded by Supervisor Schlieve for adoption.

On a roll call vote, the resolution was unanimously adopted.

Committee on Human Resources

Ordinance 15-16/090 TO AMEND SECTION 3.20.010 E. OF THE CODE: BENEFITS OF ELECTED OFFICIALS

Motion by Supervisor Lokken seconded by Supervisor Manydeeds for enactment.

On a roll call vote, the ordinance was enacted as follows:

22 ayes: Supervisors Gibson, Bauch, Forsythe, Chilson, Stelljes, Steinbauer, Conlin, Bates, Clark, Schlieve, Smiar, Mikelson, Moore, Dunning, Willett, Beckfield, Miller, Manydeeds, Olson, Schraufnagel, Lokken, Regenauer
1 no: Supervisor Pagonis
6 absent: Supervisors Reck, Kranig, Henning, Wilkie, Leary, LaVelle

Resolution 15-16/113 AUTHORIZING DELETION OF ONE ADMINISTRATIVE SPECIALIST III POSITION AND CREATION OF ONE CORRECTIONAL OFFICER POSITION

Motion by Supervisor Miller, seconded by Supervisor Schlieve for adoption.

On a roll call vote, the resolution was unanimously adopted.

Human Services Board

Resolution 15-16/123 CONFIRMING THE APPOINTMENT OF DIANE CABLE AS THE EAU CLAIRE COUNTY HUMAN SERVICES DIRECTOR EFFECTIVE FEBRUARY 15, 2016

Motion by Supervisor Mickelson, seconded by Supervisor Smiar for adoption.

On a roll call vote, the resolution was unanimously adopted.

REPORTS OF COMMISSIONS AND BOARDS UNDER RULE 16

Chippewa Valley Regional Airport

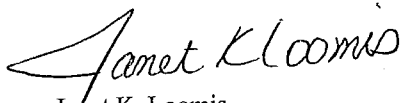
Resolution 15-16/117 TO REAPPLY FOR A "CLASS B" INTOXICATING LIQUOR LICENSE FOR USE BY THE RESTAURANT AND LOUNGE, CHIPPEWA VALLEY REGIONAL AIRPORT, UNDER SECTION 125.51(5)(b) 2., WIS. STATS

Motion by Supervisor Willett, seconded by Supervisor Lokken for adoption.

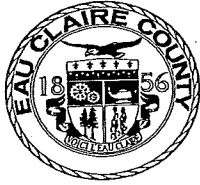
On a roll call vote, the resolution was unanimously adopted.

The Board adjourned at 9:08 p.m.

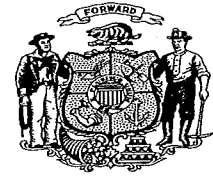
Respectfully submitted,



Janet K. Loomis
County Clerk



Eau Claire County
 DEPARTMENT OF HUMAN SERVICES
 721 Oxford Avenue, PO Box 840
 Eau Claire WI 54702-0840
 (715) 831-5700 • Fax (715) 831-5658
 www.co.eau-claire.wi.us
 Tom Wirth, Acting Director



ALTERNATE CARE REPORT
 For the Twelfth Month Ending December 31st, 2015
 Date Prepared 01/25/2016

Level of Care	Number of New Placements	Number of Clients	Number of Days	Number of New Placements	Number of Clients YTD	Number of Days YTD	Average Cost per day
	Dec-15	Dec-15	Dec-15	YTD			*not adjusted for revenue
Foster Care	3	79	2,205	77	141	23,066	\$39
Therapeutic Foster Care	1	21	552	23	35	5,201	\$180
Group Home	0	3	69	8	11	1,228	\$195
Residential Care Center	2	8	171	15	26	3,154	\$419
Corrections:							
Corrections-Institution	0	2	60	1	4	691	\$504
Corrective Group Home	0	0	0	0	0	0	
180 Day Program	0	1	30	2	3	611	\$158
Corrections AfterCare	0	1	30	0	1	220	\$0
Corrective Sanctions	0	1	30	1	1	714	\$0
Correction Res. Care Ctr.	0	1	26	1	2	274	\$0
Corrections TFC*	0	0	0	0	0	0	\$0
Corrections SPRITE	0	0	0	0	0	0	\$0
TOTAL	6	117	3,173	128	224	35,159	

Level of Care	Adjusted Budget	YTD Expense	Percent Used	Revenue Budget	YTD Revenue	Percent Collected	Projected Annualized Net Expense
	Foster Care	950,951	910,874	95.79%	83,905	84,136	100.28%
Therapeutic Foster Care	1,072,789	933,643	87.03%	57,584	30,626	53.18%	\$903,017
Group Home	126,190	239,608	189.88%	-	9,496		\$230,112
Residential Care Center	1,247,618	1,323,008	106.04%	33,380	59,303	177.66%	\$1,263,705
Corrections:							
Corrections-Institution	\$130,000	348,545					
Corrections AfterCare				\$1,000	\$4,995	499.50%	
180 Day Program	\$81,000	96,300					
Corrective Group Home		-					
Corrective Sanctions		-					
Correction Res. Care Ctr.		-					
Corrections TFC*		\$0					
Corrections SPRITE		\$0					
Corrections Totals:	211,000	444,845	210.83%	-1,000	4,995	-	\$439,850
TOTAL	3,608,548	3,851,978	106.75%	175,869	188,556	0.00%	\$3,663,422

Net Budget	Net Estimated 2015 Exp.	Year End Estimate Overspent
\$3,432,679	\$3,663,422	(\$230,743)

At current usage DHS estimated alternate care spending for 2015 to be:
 *TFC = Therapeutic Foster Care
 Percentage of Yr. through 12/31/2015 100.00%

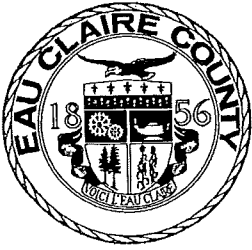
TO: Honorable Eau Claire County Board of Supervisors
FROM: Committee on Finance and Budget
DATE: January 13, 2016
SUBJ: **2016 Contingency Fund**

Pursuant to Section 2.04.485(C) of the Code of General Ordinances, the following is the status of the 2016 Contingency fund as of noon on January 13, 2016:

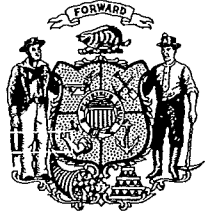
Jan 1 2016	2016 Contingency/Risk Pool Budget Allocation	\$ 100,000.00
Jan 1 2016	2016 Contingency/Potential Class Comp Adjustments	\$ 26,000.00
Jan 19 2016	Supporting the Strengthening of Internal Controls . . . (File No. 15-16/116)	<u>\$ 50,000.00</u>

Balance Available: **\$ 76,000.00**

**Reviewed by Finance Dept.
for Fiscal Impact**



FINANCE DEPARTMENT



R. SCOTT RASMUSSEN, CPA
FINANCE DIRECTOR
SCOTT.RASMUSSEN@CO.EAU-CLAIRE.WI.US
(715) 839-2827

AMY SIRES
PAYROLL & BENEFITS MANAGER
AMY.SIRES@CO.EAU-CLAIRE.WI.US
(715) 839-2959

To: The Honorable Eau Claire County Board of Supervisors
From: Finance Department
Date: December 31, 2015
Re: Required Statistical Reports – 4th Quarter 2015

The following 4th Quarter 2015 reports are provided pursuant to section 3.15.070 and 3.34.050 of the Code of General Ordinances:

- Overtime Utilization
- Compensatory Time Utilization
- Number of Employees

County of Eau Claire

4th Quarter 2015, Overtime Report - Regular

<u>Department</u>	<u>Budget Amount</u>	<u>Period Amount</u>	<u>YTD Expended</u>	<u>Budget Balance</u>	<u>% Spent</u>
Aging Disability & Resource	-	-	45.00	(45.00)	100.00% +
Airport	17,000.00	822.41	4,839.03	12,160.97	28.46%
Child Support		722.40	722.40	(722.40)	100.00% +
Clerk of Courts	1,200.00		54.92	1,145.08	4.58%
District Attorney	-	1,673.32	1,714.14	(1,714.14)	100.00% +
Finance	2,000.00	208.19	302.49	1,697.51	15.12%
Highway	183,800.00	21,309.91	96,797.72	87,002.28	52.66%
Human Resources	-		549.88	(549.88)	100.00% +
Human Services	87,460.00	37,715.50	121,347.80	(33,887.80)	100.00% +
Information Systems	-		1,077.80	(1,077.80)	100.00% +
Juvenile Div	2,000.00		47.77	1,952.23	2.39%
Juvenile Jail	23,000.00	3,375.88	10,798.52	12,201.48	46.95%
Maintenance	14,500.00	614.66	5,814.91	8,685.09	40.10%
Parks & Forest	300.00	193.63	377.16	(77.16)	100.00% +
Parks & Forest: County Forest	250.00	113.72	429.18	(179.18)	100.00% +
Parks & Forest: Lake Altoona	320.00	618.43	853.51	(533.51)	100.00% +
Parks & Forest: Lake Eau Claire	40.00	25.61	25.61	14.39	64.03%
Parks & Forest: Tower Ridge	1,500.00			1,500.00	0.00%
Planning & Development	1,000.00	59.50	502.12	497.88	50.21%
Sheriff: Huber	55,429.00	20,245.04	60,308.02	(4,879.02)	100.00% +
Sheriff: Investigative	40,738.00	8,777.55	43,583.81	(2,845.81)	100.00% +
Sheriff: Anti -Drug Grant	14,666.00	2,992.06	12,968.87	1,697.13	88.43%
Sheriff: Civil Process	9,777.00	1,945.09	7,988.99	1,788.01	81.71%
Sheriff: Courthouse Security	10,592.00	8,140.64	25,120.36	(14,528.36)	100.00% +
Sheriff: Crime & Comm Caretkg	44,642.00	34,595.00	121,743.32	(77,101.32)	100.00% +
Sheriff: Jail Secure	199,616.00	83,592.65	215,221.76	(15,605.76)	100.00% +
Sheriff: Traffic Control & Enf	61,922.00	24,919.96	88,062.72	(26,140.72)	100.00% +
Treasurer	1,000.00	200.50	1,170.60	(170.60)	100.00% +
U.W. Extension	2,000.00	1,019.68	3,147.59	(1,147.59)	100.00% +
Total Regular O/T	\$ 774,752.00	\$ 253,881.33	\$ 825,616.00	\$ (50,864.00)	106.57%

3rd Quarter 2015, Overtime Report - Temporary

<u>Department</u>	<u>Budget Amount</u>	<u>Period Amount</u>	<u>YTD Expended</u>	<u>Budget Balance</u>	<u>% Spent</u>
Clerk of Courts	\$ -	\$ -	\$ 39.17	\$ (39.17)	100.00% +
Extension			676.98	(676.98)	100.00% +
Highway	1,000.00		-	1,000.00	0.00%
Parks & Forest	-	31.18	263.03	(263.03)	100.00% +
Parks & Forest: Coon Forks			134.40	(134.40)	100.00% +
Parks & Forest: Lake Altoona			51.24	(51.24)	100.00% +
Parks & Forest: Big Falls	20.00		102.48	(82.48)	100.00% +
Total Temporary O/T	\$ 1,020.00	\$ 31.18	\$ 1,267.30	\$ (247.30)	124.25%

NOTE: A more detailed report can be obtained from the Finance Department/Payroll, if desired.

**Reviewed by Finance Dept.
for Fiscal Impact**

COMPENSATORY TIME
4th Quarter 2015

<u>Department</u>	<u>Hours Earned</u>	<u>Hours Paid Out</u>
Circuit Court Operations	0.60	0.00
Juvenile Court Intake	28.00	0.00
Administration	10.80	0.00
Airport	9.70	0.00
Human Resources	54.50	0.00
Information Systems	69.30	0.00
District Attorney	278.70	88.30
Corporation Counsel / Child Support	19.90	40.00
Maintenance	12.60	0.00
Sheriff - Field Svcs Division	344.00	20.20
Sheriff - Security Svcs Division	175.50	0.00
Sheriff - Administration	3.10	0.00
Aging Disability & Resource Center	39.50	0.00
Finance	10.80	0.00
Purchasing	13.00	0.00
Juvenile Detention	35.60	0.00
Extension	60.90	44.90
Human Services Org Svcs Div	89.10	33.90
Human Services Fiscal Div.	3.80	0.00
Human Services Adult Svcs	141.80	4.50
Human Services Emp & Econ Unit	537.50	110.20
Human Services Family Svcs	236.30	17.80
Highway	66.80	0.00
Parks & Forest	108.90	188.70
Planning & Development	62.60	0.00
TOTAL	2,413.30	548.50

Reviewed by Finance Dept.
for Fiscal Impact

Eau Claire County Finance Department
Number of Employees as of December 31, 2015

<u>Department / Division Name</u>	<u>Permanent</u>	<u>Non-Permanent</u>
Administration	7	0
Aging & Disability Resource Center	26	0
Airport	7	0
Circuit Court Operations	5	0
Clerk of Courts	20	0
Corporation Counsel & Child Support	21	0
County Clerk	4	0
County Treasurer	4	0
DHS: Adult Services Unit	28	0
DHS: Employment & Econ Resource Unit	39	0
DHS: Family Services Unit	42	0
DHS: Fiscal Services Unit	8	0
DHS: Organizational Services Division	13	0
District Attorney	13	0
Finance	10	0
Highway Administration	4	0
Highway Labor	51	4
Highway Supervisory	7	0
Human Resources	4	1
Information Systems	8	2
Juvenile Court Intake	5	0
Juvenile Detention	21	0
Maintenance	14	0
Parks & Forest	7	2
Planning & Development	29	0
Purchasing	6	0
Register in Probate	4	0
Register of Deeds	4	0
Sheriff, Administration	9	0
Sheriff, Field Services Division	32	0
Sheriff, Reserve Officers/Special Deputies	0	15
Sheriff, Security Services Division	62	0
U.W. Extension	3	2
Veterans Services	3	0
Total	<u>520</u>	<u>26</u>

**Reviewed by Finance Dept.
for Fiscal Impact**

Innovations in American Government Awards

Ash Center for Democratic Governance and Innovation at the Harvard
Kennedy School

February 11, 2016

The Innovations Award is designed to recognize government-led innovations that demonstrate enhanced public engagement and participation in the governance of towns, cities, states, and the nation.

Clear Vision has provided the spark and often the difficult work that has resulted in major works such as the Confluence Center and the Menomonie Street major events center, the sculpture tour of Eau Claire, a bike map and job resources brochure for Eau Claire County, community gardens, community day, the All-America City award of 2014 and of course the hundreds of citizens who have been trained in the Clear Vision process and now have the values, skills, and knowledge to continue to make a difference for everyone in our community.

The **Innovations in American Government Awards** program was founded in 1985 through a partnership between the Ford Foundation and the John F. Kennedy School of Government at Harvard University. The program's mission is to recognize, promote, and disseminate innovative programs, policies, and practices so that they can become widely adopted and established as best practices.

For 2015, over 400 programs applied for the award and Clear Vision Eau Claire was one of 10 semifinalists, and one of four finalists for the top award. Although we were not chosen for the top award, we have received recognition for our community efforts through a \$10,000 grant to replicate and disseminate the Clear Vision approach to community development.

Clear Vision values the collaboration that has been established with the City and County of Eau Claire, and we are looking forward with excitement and anticipation to our continued collective effort to make our home a better place for all citizens.

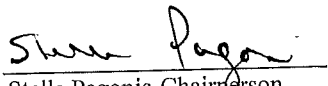
In 2000, the greater Eau Claire area confronted significant fiscal and public service decisions about funding for over \$400 million in community facilities needs for schools, performing arts facilities, libraries, courthouse expansions, sewer plants, parks, and downtown revitalization. In an effort to address these needs, local government officials convened an ad hoc group of government, business, education, and nonprofit leaders in March of that year to discuss how the community could work together more effectively. Partnering with the National Civic League, the group embarked on an inclusive, citizen-centered community visioning and strategic planning process. Over 500 diverse stakeholders were invited to participate in the kickoff to the Clear Vision Eau Claire process, whose mission statement was "to engage our community for the common good." Working also with the Center for Democracy and Citizenship at Augsburg College, Clear Vision created a model for civic engagement and public problem-solving that brings together everyday people and public leaders in collaborative work.

1
2 -AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF
3 JANUARY 2016-

4
5 RESOLVED by the Eau Claire County Board of Supervisors that the following accounts are
6 allowed and the County Clerk and County Treasurer are authorized to issue County order checks to
7 the vendors hereinafter and for the amounts set forth thereafter.

8	9	10	11	12
	<u>VENDOR</u>	<u>PAYMENT FOR:</u>		<u>AMOUNT</u>
11	Group Health Coop of Eau Claire	February 2016 Health Ins Premiums	\$	574,757.78
12	Roland Machinery Exchange	Equipment/Mobile Screener-Hwy	\$	233,396.00
13	Wisconsin Municipal Mutual Ins Co	Auto Liability, General Errors & Omissions Ins	\$	204,085.35
14	State of Wisconsin	December Fees	\$	183,092.12
15	City of Eau Claire Treasurer	Comm Center Payment-January	\$	128,263.33
17	Janke General Contractors Inc	Lake Altoona Dam Repairs	\$	127,363.59
18	Unitrends Inc	3-Yr Platinum Support-IS	\$	112,980.00
19	Town of Bridge Creek Treasurer	Payment for Timber Sales Severance	\$	110,040.18
20	Eau Claire City County Health Dept	December Payment	\$	91,666.67
21	Correctional Healthcare Companies	January/February 2016 Monthly Medical	\$	82,479.50
22	Town of Wilson Treasurer	Payment for Timber Sales Severance	\$	61,640.96
23	Xcel Energy	Courthouse Electric/Gas - December	\$	50,979.76
24	Heartland Business Systems	Cisco Contract	\$	45,585.00
25	Lutheran Social Services	Assessor/CTC -December Services	\$	45,166.33
26	US Bank Natl Assoc	Procard Payment - December	\$	44,942.99
27	Xerox Commercial Solutions LLC	Maintenance & Support - IS	\$	44,343.00
28	Bartingale Mechanical Inc	Air Handler Unit Replacement	\$	40,270.74
29	Aramark Services Inc	Inmate/Staff Meals - December	\$	40,259.75
30	Sacred Heart Hospital	ADRC Meals - November, December	\$	38,093.72
31	Town of Fairchild Treasurer	Payment for Timber Sales Severance	\$	36,899.33
32	Weidenhammer Systems Corp	Alio Annual Maintenance-IS	\$	32,226.64
33	Tank Depot	New Salt Brine Tank - Hwy	\$	31,370.98
34	City of Eau Claire Treasurer	Haz Mat Contract/Spill Response	\$	29,281.72
35	State of Wisconsin Treasurer	State Vital Records/Probate/Child Trust Fund	\$	28,022.59
36	West Central WI Regional Planning	EC River Watershed-LCC	\$	22,113.21
37	Eau Claire Area Economic Develop	1st Quarter Payment-2016	\$	22,000.00
38	Boxx Sanitation	Recycling - December	\$	21,754.24
39	Mead & Hunt Inc	10 Unit T-Hangar Construction	\$	21,236.60
40	Chippewa Valley Energy	Diesel Fuel - Hwy	\$	21,194.77
41	Cedar Corporation	Contracted Engineering - Hwy	\$	18,762.75
42	Heartland Business Systems	License for software - IS	\$	17,034.00
43	City of Eau Claire Treasurer	November 2015 Paratrans	\$	16,759.94
44	Delta Dental Plan of WI	Feb 2016 Dental Insurance Premium	\$	16,037.25
45	Ayres Associates	Additional Engineering Svcs-Lake Altoona Dam	\$	15,840.00
46	Waste Management Northern WI	Recycling - December	\$	15,595.20
47	Friends of Beaver Creek Reserve	January Payment	\$	15,000.00
48	Wisconsin Counties Association	County Board/Hwy/DHS	\$	14,757.00
49	Town of Lincoln Treasurer	Payment for Timber Sales Severance	\$	14,164.67
50	Arthur J Gallaher RMS Inc	Boiler & Machinery Renewal	\$	13,432.00
51	Environmental Systems	Desktop Basic Maintenance - IS	\$	13,295.20
52	Haas Sons Inc	Dense Base Material - Hwy	\$	13,000.00
53	Fuel Service DJ's Mart	Diesel - Airport	\$	12,742.50
54	Fleming Andre & Associates Inc	Contracted Engineering - Hwy	\$	12,507.25
55	Lincoln Financial Life Insurance Co	February 2016 Disability Premiums	\$	12,433.01

56	Xcel Energy	Airport Electric/Gas - December	\$	12,391.95
57	Minnesota Life Insurance Co	February 2016 Premiums	\$	12,166.82
58	Town of Seymour Treasurer	Payment for Timber Sales Severance	\$	11,693.40
59	Try Inc.	January Payment	\$	11,134.92
60	City of Eau Claire Treasurer	Water/Sewer - Airport	\$	11,115.90
61	Town of Ludington Treasurer	Payment for Timber Sales Severance	\$	10,547.04
62	Burke Truck & Equipment	Plow Truck Blades - Hwy	\$	10,383.00
63	Bartingale Mechanical Inc	Preventative Maintenance-January 2016	\$	10,047.75
64				
65		subtotal	\$	2,836,348.40
66				
67				
68				
69	County of Barron	IM Consortia Payment	\$	75,421.00
70	County of Burnett	IM Consortia Payment	\$	20,952.00
71	County of Douglas	IM Consortia Payment	\$	46,127.00
72	County of Dunn	IM Consortia Payment	\$	40,936.00
73	County of Pierce	IM Consortia Payment	\$	30,579.00
74	County of Polk	IM Consortia Payment	\$	46,207.00
75	County of St Croix	IM Consortia Payment	\$	60,284.00
76	County of Washburn	IM Consortia Payment	\$	19,219.00
77	United Way of the Greater Chippewa	Contractual Services	\$	10,000.00
78	New Visions Treatment Homes of WI	Contractual Services	\$	35,713.00
79	Northwest Passage LTD	Contractual Services	\$	10,385.00
80	Clinicare Corporation	Contractual Services	\$	20,518.90
81	Lutheran Social Services	Contractual Services	\$	27,962.03
82	Career Development Center	Contractual Services	\$	12,876.20
83	REM Wisconsin III Inc	Contractual Services	\$	44,658.52
84	Brotoloc Inc	Contractual Services	\$	51,702.30
85	Mt Washington Operator LLC	Contractual Services	\$	25,388.69
86	Cooperative Educational Service Agency	Contractual Services	\$	13,917.48
87	Clark County Health Care Center	Contractual Services	\$	10,271.68
88	Lutheran Social Services	Contractual Services	\$	86,642.10
89	MCHS Eau Claire Clinic	Contractual Services	\$	14,700.00
90	Northwest Counseling & Guidance	Contractual Services	\$	14,265.54
91	Rawhide Inc	Contractual Services	\$	10,401.12
92	Tradewinds Residence Inc	Contractual Services	\$	10,920.00
93	Trempealeau County	Contractual Services	\$	48,614.02
94	Vantage Point Clinic & Assessment	Contractual Services	\$	24,180.00
95	Western Dairyland Economic	Contractual Services	\$	19,553.39
96	Career Development Center	Contractual Services	\$	11,078.80
97				
98				
			Total	\$ 843,473.77
			Grand Total	\$ 3,679,822.17


 Stella Pagonis-Chairperson
 Committee on Finance and Budget

Reviewed by Finance Dept.
 for Fiscal Impact

FACT SHEET
File No. 15-16/104

RE: Rezoning Petition from Dennis Zacho to rezone a 5-acre +/- parcel of land from the AP Exclusive Agriculture District to A-2 Agriculture Residential District.

Legal Description and Location: NW¼ SW¼ of Section 28, T26N, R10W, Town of Brunswick (complete legal description attached)

Size of area to be rezoned: 5.0 acres +/-

ADJACENT ZONING & LAND USES:

LOCATION	ZONING	LAND USE
Subject	A-P	Single family residence / Agricultural fields
North	A-P	Agricultural fields
East	A-2	Single family residence / Agricultural fields
South	A-P	Agricultural fields
West	A-2	Agricultural fields

LAND USE PLANS: The Eau Claire County Future Land Use Map includes this property in the Rural Lands (RL) planning area, and the Town of Brunswick Future Land Use Map includes this property in the Rural Preservation (RP) planning area, which is consistent with this rezone request. Following is a description of the intent of the applicable County and Town comprehensive plan future land use categories:

Rural Lands (RL)

Eau Claire County Intent and Description: The primary intent of these areas is to, *“preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.”*

Rural Preservation (RP)

Town of Brunswick Intent and Description: The primary intent of this classification is to, *“The primary intent of these areas is to preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas. As mapped, this designation includes farmland, scattered open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, farmsteads, and limited low density single-family residential development. Future development in the RP area is expected to be consistent with the existing pattern of development, and the policies specified below for RP areas and other policies included in this Plan. Any new development shall be located in order to minimize the fragmentation of productive agricultural or forest land and to minimize any disruption to existing uses.”*

Staff Conclusions and Recommendation: Staff finds that the proposed rezoning request is consistent with the Eau Claire County Comprehensive Plan and the Town of Brunswick Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-2 zoning district is consistent and therefore allowed within the mapped Eau Claire County Rural Lands and Town of Brunswick Rural Preservation future land use designations.

Town Board Action: The Town of Brunswick Town Board met on Thursday, December 10, 2016, to consider the rezoning petition and recommended approval of the rezoning.

Committee Action: The Eau Claire County Committee on Planning and Development conducted the required public hearing on Tuesday, January 26, 2016 regarding the proposed rezoning.

On a vote of 5 in favor and 0 against, the Committee recommends approval of the rezoning petition to the County Board. The committee considered the applicant’s testimony as well as testimony from nearby residents and the Town Board’s and staff’s recommendations in their deliberations.

Respectfully submitted on behalf of the Committee on Planning and Development,



Matt Michels, AICP
 Senior Planner

1 Enrolled No.

ORDINANCE

File No. 15-16/104

2
3 - AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
4 TOWN OF BRUNSWICK -

5 The County Board of Supervisors of the County of Eau Claire does ordain as follows:
6

7
8 **SECTION 1**

9 That the 1982 Official Zoning District Boundary Map for the Town of
Brunswick, Eau Claire County described as follows:

10 **That part of the NW ¼ of the SW ¼ of Section 28, Township 26 North,**
11 **Range 10 West, Town of Brunswick, Eau Claire County, Wisconsin,**
12 **described as follows:**
13

14 **Commencing at the West ¼ corner of said Section 28; thence along**
15 **north line of the SW ¼, S89-56-29E, assumed bearing, 970.22 feet to**
16 **the point of beginning of the land to be described; thence continue**
17 **S89-56-29-E, along said north line, 355.40 feet to the northeast corner**
18 **of said SW ¼; thence S00-11-41E, along the east line of said SW ¼,**
19 **660.01 feet; thence N89-56-29-W, 355.40 feet; thence N00-11-41W,**
20 **660.01 feet to the point of beginning.**
21

22 **Said parcel containing 5.38 acres to be reclassified from the A-1**
23 **Exclusive Agricultural District to the A-2 Agriculture-Residential**
24 **District.**
25

26 **SECTION 2** Where a certified survey map is required and may alter the
27 above described property description, the official zoning district map for
28 the town shall be automatically amended to reflect the property description
29 of the certified survey map.
30

31 **ENACTED:** I hereby certify that the foregoing correctly represents the
32 action taken by the undersigned Committee on
33 January 26, 2016 by a vote of 5 for, 0 against.
34

35
36 

37 _____
38 Planning & Development Committee, Chairperson

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

Eau Claire County
 Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Sup. Dist. 9 - Gordon Steinhauer

Application Accepted:	11/20/2015
Accepted By:	Matt Michels
Receipt Number:	44964
Town Hearing Date:	9/10/2015
Scheduled Hearing Date:	1/26/2016
Application No:	RZN-0014-15
Appl Status:	Pending

Rezoning - County

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: **A1** Proposed Zoning District(s): **A2** Acres to be Rezoned: **5.0**

Part Of The Of Nw1/4 Sw1/4 Of Section 28, T26N, R10W (Complete Legal Description Attached)

Owner/Applicant Name(s): **Dennis H Zacho Trust** Address: **(ow) 311 E LOWES CREEK RD EAU CLAIRE** Telephone:

Site Address(es): **S 8845 COUNTY ROAD Z EAU CLAIRE**

Property Description: **Sec 28 Twn 26 Rge 10 Town of Brunswick Lot Area: 40.000 ACRES**

Zoning District(s): **A1**

Overlay District: Shoreland Flood Plain Airport Wellhead Protection Non-Metallic Mining

Check Applicable

PIN	Alternate No	Parcel No	Legal (partial)
1800422610283200001	004109403000	26.10.28.3-2	NW-SW

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

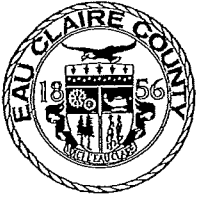
Owner/Agent Signature *see attached application* Date _____

Check if DATCAP must be notified _____

Check if DNR to Receive Copy _____

RECEIVED
 NOV 25 2015
 COUNTY CLERK

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Eau Claire County
 Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	
Accepted By:	
Receipt Number:	44964
Town Hearing Date:	
Scheduled Hearing Date:	

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: A-1 Proposed Zoning District(s): A-2

Acres to be rezoned: 5

Property Owner Name: Dennis Zacho Phone# 715-835-7331

Mailing Address: 311 E. Lowes Creek Road Eau Claire, WI 54701

Email Address: zachodennis@gmail.com

RECEIVED

Agent Name: Phone# NOV 25 2015

Mailing Address:

COUNTY CLERK

Email Address:

SITE INFORMATION

Site Address: S8845 County Road Z Eau Claire, WI 54701

Property Description: NW ¼ SW ¼ Sec. 28, T26N, R10W, Town of Brunswick See attached property description

Zoning District: A-1 Code Section(s):

Overlay District: Shoreland Floodplain Airport Wellhead Protection Non-Metallic Mining
 Check Applicable

Computer #(s): 004 1094 03 000

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

- | | |
|--|--|
| <input type="checkbox"/> Complete attached information sheet | <input type="checkbox"/> Contact the Town to coordinate a recommendation on the application |
| <input type="checkbox"/> Provide legal description of property to be rezoned | <input type="checkbox"/> Provide \$550.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$490.00 application processing fee and \$60.00 mapping surcharge fee) |

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature

Date 11-25-15

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason for your rezoning request:

The original parcel under ownership is 80 acres, consisting of a north and south 40 with a house and buildings located in the northeast corner of the north 40 fronting on County Highway Z. The area to be rezoned is 5 acres containing the house and buildings for the purpose of selling that 5 acres.

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

The proposed rezoning to A-2 is consistent with the land to the east which is now A-2. There are two lots of 5 acres or less containing homes either immediately adjacent on the east or across the road to the north of the proposed 5 acre lot. The zoning change will not alter in any way the use of the property or the neighborhood. It will be invisible for all practical purposes.

Rezoning petitions to change the zoning of a parcel from the A-1 Exclusive Agricultural Zoning District to any other District must be based upon findings that consider the following factors:

- 1) Whether the land considered for rezoning is suitable for uses allowed in the proposed zoning district based upon soil types, the site's location, and adjacent land uses
- 2) Whether the uses allowed in the proposed zoning district will be in conflict with remaining agricultural uses
- 3) Whether adequate public facilities and services are available or will be provided for uses allowed in the new zoning district
- 4) Whether the development allowed by the new zoning district will cause undue environmental degradation

If you are petitioning to rezone land from an A-1 District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

This zoning change will not alter in any way the use of the land or the character of the neighborhood.

1) proposed rezoning to A-2 is suitable with similar sized lots; adjoining land being A-2 now.

2) No

3) No

4) No

Property Description:

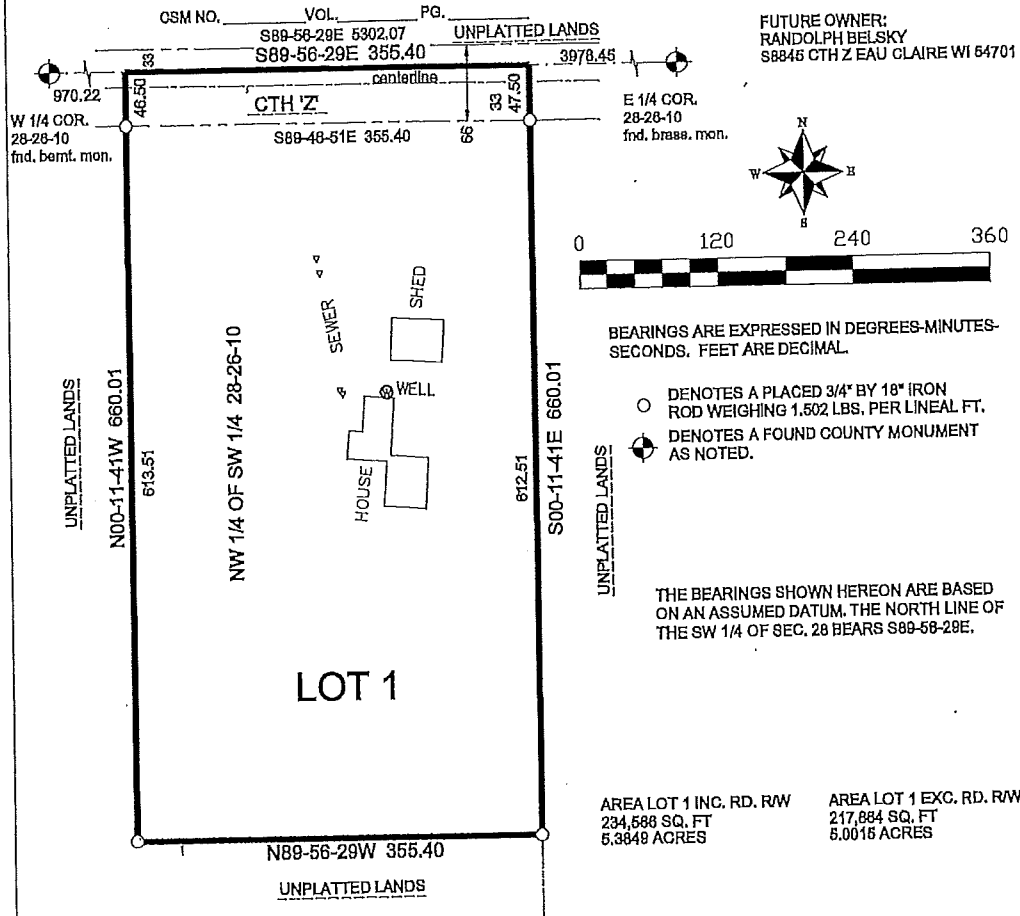
Commencing at the west $\frac{1}{4}$ corner of said section 28; thence along north line of the SW $\frac{1}{4}$, S89-56-29E, assumed bearing, 970.22 feet to the point of beginning of the land to be described; thence continue S89-56-29E, along said north line, 355.40 feet to the northeast corner of said SW $\frac{1}{4}$; thence S00-11-41E, along the east line of said SW $\frac{1}{4}$, 660.01 feet; thence N89-56-29W, 355.4 feet; thence N00-11-41W, 660.01 feet to the point of beginning.

CERTIFIED SURVEY MAP

FOR RANDOLPH BELSKY, LOCATED IN THE NW 1/4 OF THE SW 1/4
OF SEC. 28, TWP. 28 N., RGE. 10 W., TOWN OF BRUNSWICK, EAU CLAIRE CO., WI.,

CURRENT OWNER:
DENNIS H ZACHO TRUST
311 E. LOWES CREEK RD EAU CLAIRE WI 54701

FUTURE OWNER:
RANDOLPH BELSKY
S8846 CTH Z EAU CLAIRE WI 54701



BEARINGS ARE EXPRESSED IN DEGREES-MINUTES-SECONDS. FEET ARE DECIMAL.

- DENOTES A PLACED 3/4" BY 18" IRON ROD WEIGHING 1.502 LBS. PER LINEAL FT.
- DENOTES A FOUND COUNTY MONUMENT AS NOTED.

THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED DATUM. THE NORTH LINE OF THE SW 1/4 OF SEC. 28 BEARS S89-58-29E.

AREA LOT 1 INC. RD. RW 234,588 SQ. FT 5.3849 ACRES	AREA LOT 1 EXC. RD. RW 217,884 SQ. FT 5.0016 ACRES
--	--

SURVEYOR'S CERTIFICATE

I, Brandon W. King, Wisconsin Professional Land Surveyor, hereby certify that I have surveyed, divided and mapped a parcel of land located in part of the NW 1/4 of the SW 1/4 of Section 28, Township 28 North, Range 10 West, Town of Brunswick, Eau Claire County, Wisconsin, described as follows:

Commencing at the west 1/4 corner of said section 28; thence along north line of the SW 1/4, S89-58-29E, assumed bearing, 970.22 feet to the point of beginning of the land to be described; thence continue S89-58-29E, along said north line, 355.40 feet to the northeast corner of said SW 1/4; thence S00-11-41E, along the east line of said SW 1/4, 660.01 feet; thence N89-56-29W, 355.40 feet; thence N00-11-41W, 660.01 feet to the point of beginning.

Subject to all easements and restrictions of record.

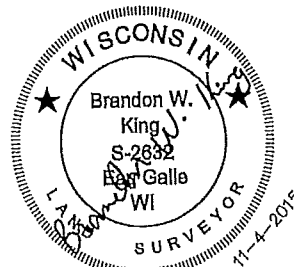
That I have made such survey, land division and map by the direction of Randolph Belsky, future owner of said land, that such map is a correct representation of the exterior boundaries of the land surveyed and the map made thereof and that I have fully complied with the Eau Claire County Subdivision Ordinance, the Town of Brunswick Subdivision Ordinance and the provisions of Chapter 238.34 of the Wisconsin Statutes in surveying, dividing and mapping the same.

APPROVED BY EAU CLAIRE COUNTY DEPT. OF PLANNING & DEVELOPMENT

APPROVED BY TOWN OF BRUNSWICK

CHAIR

CLERK



BRANDON KING LAND SURVEYING, LLC N324 COUNTY RD D EAU GALLE WI 715-639-5243
SHEET 1 OF 1 SHEETS
BKL.SLLC@GMAIL.COM



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0014-15 COMPUTER NUMBER: 004109403000

PUBLIC HEARING DATE: January 26, 2016

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER/AGENT: Dennis Zacho, 311 E. Lowes Creek Rd, Eau Claire, WI 54701

REQUEST: Rezone 5.0 acres +/- from A-P (Agricultural Preservation) District to A-2 (Agriculture-Residential) District to divide the existing residence and adjacent property from the 40 acre parcel

LOCATION: S8845 County Road Z, Eau Claire, WI 54701

LEGAL DESCRIPTION: NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, T26N, R10W, Town of Brunswick (complete legal description attached)

SUMMARY

The applicant proposes to rezone 5 acres of a 40 acre property from A-P Agricultural Preservation District to A-2 Agriculture-Residential to divide the existing residence and adjacent property from the agricultural land.

BACKGROUND

SITE CHARACTERISTICS:

- Northeast portion of property has existing single-family residence and other outbuildings
- Remainder of property contains agricultural fields and woodlands

CURRENT ZONING:

A-P Agricultural Preservation District. The A-P Agricultural Preservation District is established to:

- Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*
- Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;*
- Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;*

- G. Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and
- H. Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County's permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.

REQUESTED ZONING DISTRICT:

The petition is to rezone the property described above from the A-P Agricultural Preservation District to the A-2 Agriculture-Residential District. The purpose of the A-2 District is to "Provide areas for limited residential and hobby farm development in a rural atmosphere" and to "preserve the county's natural resources and open space." Minimum lot size in the A-2 District is five (5) acres.

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-P	Single family residence / Agricultural fields
North	A-P	Agricultural fields
East	A-2	Single family residence / Agricultural fields
South	A-P	Agricultural fields
West	A-2	Agricultural fields

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map and Town of Brunswick Future Land Use Map includes this property in the Rural Lands (RL) planning area, and the Town of Brunswick Future Land Use Map includes this property in the Rural Preservation (RP) planning area, which is consistent with this rezoning request. Following is a description of the intent of the applicable County and Town comprehensive plan future land use category and applicable policies:

Eau Claire County:

- Rural Lands Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- Applicable Policies:
 1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*
 2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*
 3. *For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:*

- a. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*

Town of Brunswick:

- Rural Preservation Comprehensive Plan Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas. As mapped, this designation includes farmland, scattered open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, farmsteads, and limited low density single-family residential development. Future development in the RP area is expected to be consistent with the existing pattern of development, and the policies specified below for RP areas and other policies included in this Plan. Any new development shall be located in order to minimize the fragmentation of productive agricultural or forest land and to minimize any disruption to existing uses.*
- Applicable Policies:
 - a. *Non-farm residential lots shall be a minimum of two (2) acres per unit, with the number of lots allowed being based upon a gross density of one (1) residential dwelling unit per five (5) acres held in single ownership. The balance of the land not included in the residential lots shall be placed in a permanent conservation easement for agriculture, forestry, and open space use.*
 - b. *Any new non-farm residential lot shall have a "Right to Farm" disclosure attached to it acknowledging that the potential non-farm owner has been informed that his lot has been established in an area where farming is the preferred land use, and stating that the owner understands that he must abide by the State of Wisconsin "Right to Farm" statute (WI Stat. 823.08). This language shall be recorded on the deed to the property, transferable to subsequent owners.*
 - c. *Non-farm residential development shall only occur on land that is marginal for agricultural productivity. At least 80% of any proposed new lot shall not contain Class I, II, or III soils. In addition, it is the preference of the Town of Brunswick that new non-farm residential lots that are approved in accord with these policies be located adjacent to or near existing non-farm development.*

The application has been found to be consistent with the intent and description and the applicable policies of the Eau Claire County and Town of Brunswick Comprehensive Plans.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also to be made that the rezone is consistent with the County's Comprehensive Plan.

The rezoning petition has been evaluated for consistency with the purpose of A-2 District and the uses allowed in the district. The request is consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the Future Land Use plans for the County and the Town of Brunswick
- The property is appropriately situated for the intended A-2 zoning with other A-2 zoned parcels adjacent to the east and has required roadway frontage for the A-2 district
- The proposed rezoning will not interfere with or be incompatible with existing agricultural uses in the vicinity
- The remaining A-P zoned property will be 35 acres, which meets the minimum lot requirements for the district.
- Existing uses in the area include a mixture of agricultural fields, woodlots, and residences

The rezoning petition has been evaluated for consistency with the purpose of A-2 District and the uses allowed in the district and have been found to be consistent with the purpose of the zoning code based on the aforementioned findings.

A-P Rezoning Standards

In addition, there are four standards for approving a rezoning of land from the A-P Agricultural Preservation zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards:

Standard 1 - *The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses.*

- **Soil Types** – As depicted on the attached Soils Map, the soil type on the property to be rezoned is dominated by Plainfield loamy sand (PfB), 1 to 6 percent slopes, which is classified as Capability Class 4, not a prime agricultural soil.
- **Historical Productivity** – the majority of the property to be rezoned is wooded or developed. Only a very small portion of the property has been in cultivation.
- **Site Location** – The site is located in proximity on the south side of County Highway Z. The current use include a residence.
- **Adjacent Land Uses** – Uses in the area are a mixture of cropland, woodland, and rural residential use. Zoning in the area is also a mixture of A-P and A-2 zoning in the near vicinity of this property. Agriculture is limited by topography and soil capability.

Standard 2 - *The rezoning is consistent with any applicable comprehensive plans.*

The proposed rezoning conforms to the future land use intent, purpose, and policies for the Eau Claire County and Town of Brunswick Comprehensive Plans.

Standard 3 - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan.*

The proposed rezoning conforms to this standard as it will not take highly productive soils out of agricultural production.

Standard 4 - *The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.*

The proposed rezoning conforms to this standard as the existing residence has is compatible with nearby agricultural operations. A Right-to-Farm Acknowledgement, recorded with the County Register of Deeds, will be required for the proposed lot.

Town Board Action: The Brunswick Town Board held a public hearing regarding this rezoning petition on December 10, 2015 and recommended approval.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County and Town of Brunswick Comprehensive Plan future land use designations
- Eau Claire County and Town of Brunswick Comprehensive Plan goals, objectives and policies
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in A-2 District

In addition, the following factors have also been considered:

- Input of surrounding property owners (within 660 feet). No correspondence has been received to date
- Town of Brunswick Board action

Staff finds that the proposed rezoning request is consistent with the Eau Claire County Comprehensive Plan and the Town of Brunswick Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-2 zoning district is consistent and therefore allowed within the mapped Eau Claire County Rural Lands and Town of Brunswick Rural Preservation future land use designations.

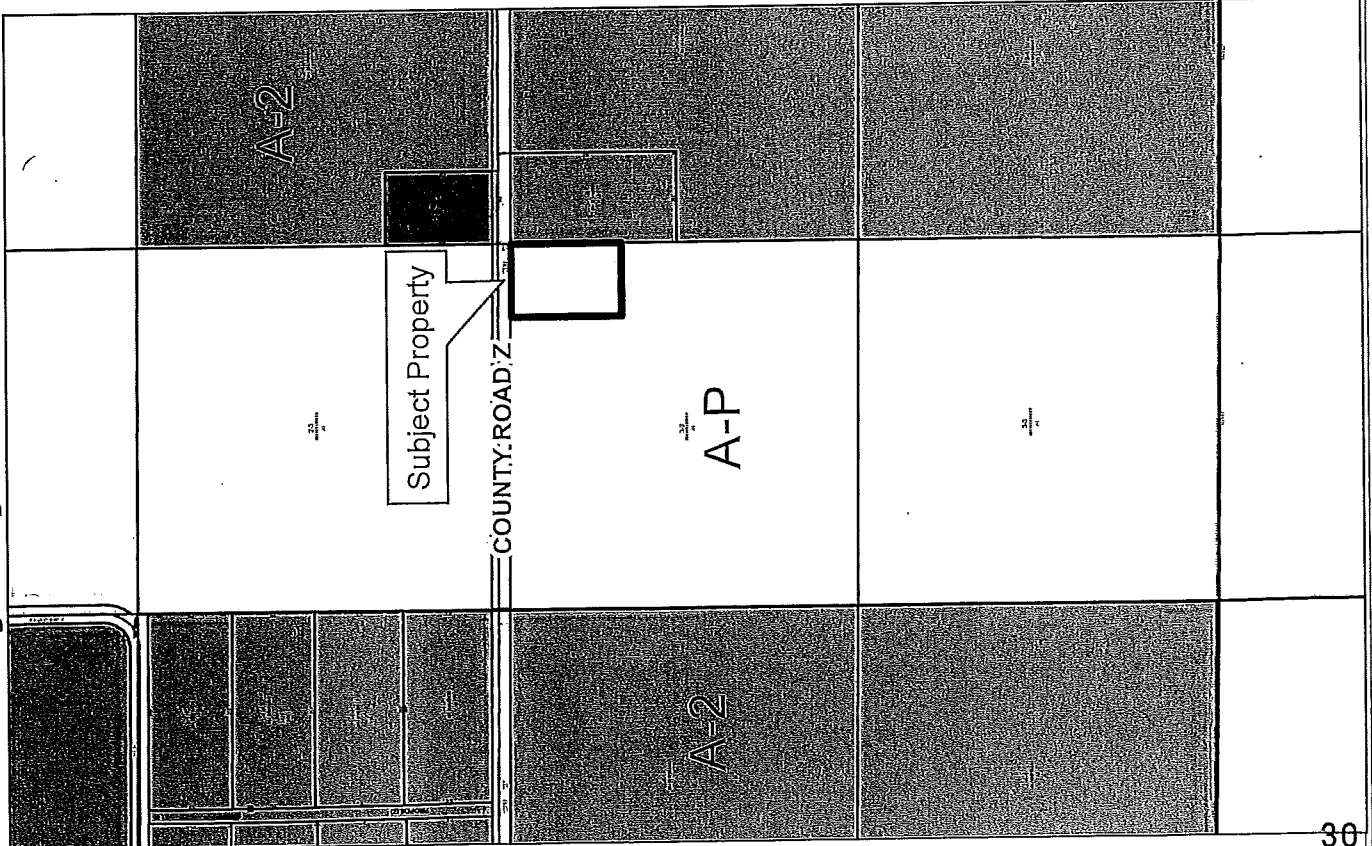
RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the rezoning petition to rezone the approximately 5-acre property from the A-P District to the A-2 District as depicted on the attached map and described in the attached legal description.

Zacho/Belsky Rezoning: RZN-0014-15

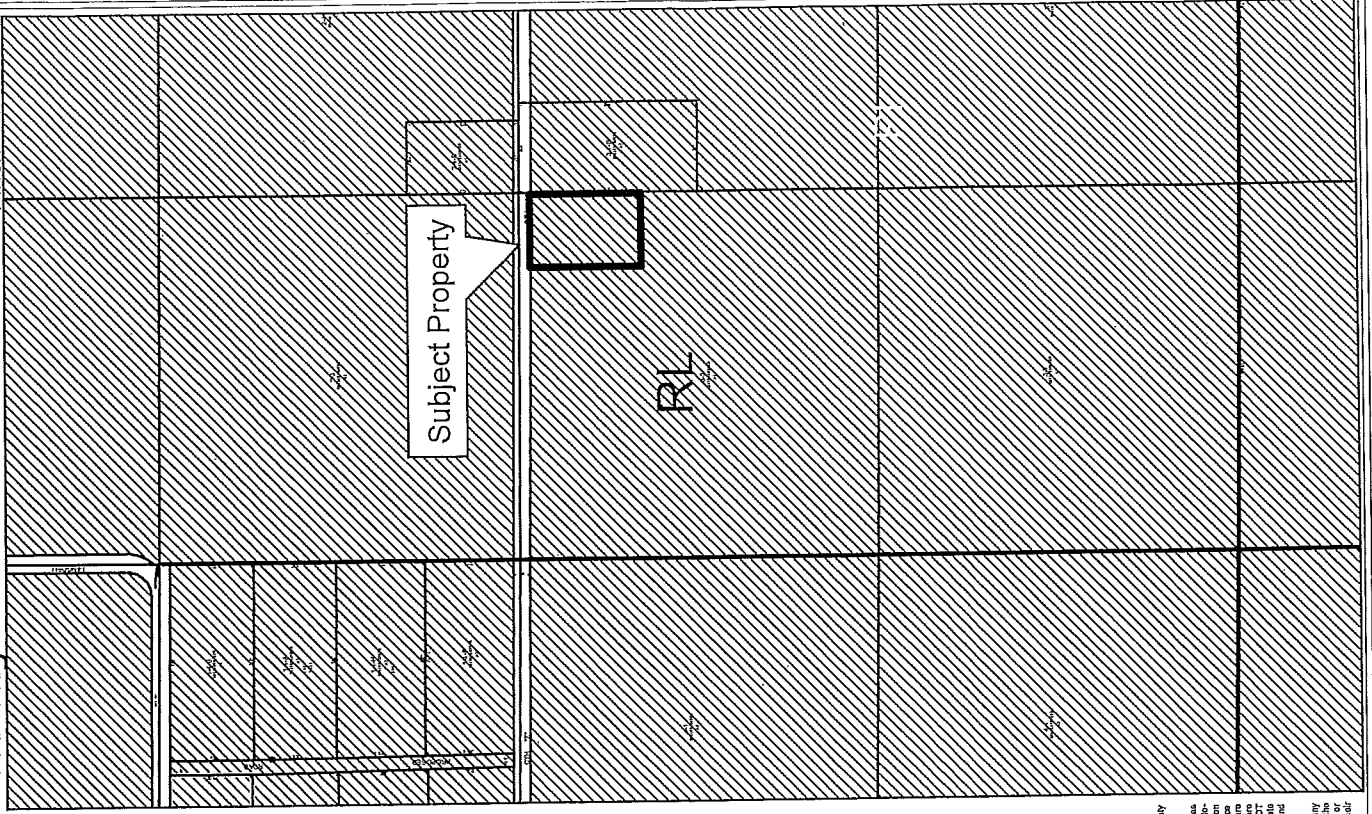
Existing Zoning

1 inch = 666.666667 feet

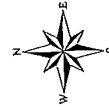


Existing Future Land Use

1 inch = 667 feet



Legend	
[Symbol]	Future Land Use
[Symbol]	Rural Residential Cluster Development
[Symbol]	Commercial/Industrial
[Symbol]	County Forest
[Symbol]	Natural Resource Protection
[Symbol]	Park & Recreational
[Symbol]	Public Institutional
[Symbol]	Recreational Commercial
[Symbol]	Rural Commercial
[Symbol]	Rural Hamlet
[Symbol]	Rural Industrial
[Symbol]	Rural Lands
[Symbol]	Rural Residential
[Symbol]	Rural Residential Mobile Home
[Symbol]	Rural Transition
[Symbol]	Urban Mixed Use



Parcel Mapping Notes:
 This technical report is based on the Eau Claire County Coordinate System NAD_1983_HARN_A-1_VI_EauClaire_Feet. This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for informational purposes only and should not be used for legal or financial purposes. The map is not a warranty of accuracy and the user assumes all responsibility for any errors or omissions. The map is not a warranty of accuracy and the user assumes all responsibility for any errors or omissions. The map is not a warranty of accuracy and the user assumes all responsibility for any errors or omissions. The map is not a warranty of accuracy and the user assumes all responsibility for any errors or omissions.

FACT SHEET
File No. 15-16/109

RE: Rezoning Petition from James E Volbrecht Revocable Trust to rezone a 60.03-acre +/- parcel of land from the A-1 Exclusive Agriculture District to the A-3 Agricultural District.

Legal Description and Location: Portion of the NE¼ of Section 17, T27N, R10W, Town of Union (complete legal description attached)

Size of area to be rezoned: 60.03 acres +/-

ADJACENT ZONING & LAND USES:

LOCATION	ZONING	LAND USE
Subject	A-1	Agricultural fields
North	A-2	Single family residences
East	A-1	Agricultural fields
South	A-P	Agricultural fields
West	A-2	Woodland

LAND USE PLANS: The Eau Claire County Future Land Use Map includes this property in the Rural Transition (RT) planning area, and the Town of Union Future Land Use Map includes this property in the Rural Residential (RR) and Exclusive Agriculture planning areas, which is consistent with this rezone request. Following is a description of the intent of the applicable County and Town comprehensive plan future land use categories:

Rural Transition (RT)

Eau Claire County Intent and Description: The primary intent of these areas is to, *identify certain lands in proximity to developed areas, to be preserved in mainly agricultural and open space uses until such time as more intensive development is appropriate.*

Rural Residential (RR)

Town of Union Intent and Description: The primary intent of this classification is to, *“preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas. As mapped, this designation includes farmland, scattered open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, farmsteads, and limited low density single-family residential development. Future development in the RP area is expected to be consistent with the existing pattern of development, and the policies specified below for RP areas and other policies included in this Plan. Any new development shall be located in order to minimize the fragmentation of productive agricultural or forest land and to minimize any disruption to existing uses.”*

Exclusive Agriculture

Town of Union Intent and Description: This classification, *“encompasses the areas of the Town where traditionally farming has occurred on prime farmlands, usually consisting of Soil Capability Class I, II and III soils, and soils that are not highly erodible. The objectives for this Planning Area are to preserve farmland and farming by applying low residential density (1 dwelling per 35 acres) and allow for density transfer that will preserve much more farmland than allowing for large lots...”*

Staff Conclusions and Recommendation: Staff finds that the proposed rezoning request is consistent with the Eau Claire County Comprehensive Plan and the Town of Union Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-3 zoning district is consistent and therefore allowed within the mapped Eau Claire County Rural Lands and Town of Brunswick Rural Preservation future land use designations.

Town Board Action: The Town of Union Town Board met on Thursday, December 10, 2016, to consider the rezoning petition and recommended approval of the rezoning.

Committee Action: The Eau Claire County Committee on Planning and Development conducted the required public hearing on Tuesday, January 26, 2016 regarding the proposed rezoning.

On a vote of 5 in favor and 0 against, the Committee recommends approval of the rezoning petition to the County Board. The committee considered the applicant’s testimony as well as testimony from nearby residents and the Town Board’s and staff’s recommendations in their deliberations.

Respectfully submitted on behalf of the Committee on Planning and Development,

Matt Michels

Matt Michels, AICP
Senior Planner

2
3 - AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
4 TOWN OF UNION -

5
6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7
8 **SECTION 1**

9 That the 1982 Official Zoning District Boundary Map for the Town of
10 Union, Eau Claire County described as follows:

11 **That part of the NW ¼ of the NE ¼ of Section 17, Township 27 North,**
12 **Range 10 West, Town of Union, Eau Claire County, Wisconsin, except**
13 **the North 580 feet of the West 750 feet thereof and also except a**
14 **parcel of land being in the NW ¼ of the NE ¼, Section 17, Township**
15 **27, Range 10 West, Town of Union, being more particularly described**
16 **as follows:**

17
18 **Beginning at the North quarter corner of said Section 17; thence**
19 **S00°50'46"W along the North-South quarter line of said Section, 580**
20 **feet; thence N89°40'11"E parallel with the North line of said NW ¼ of**
21 **the NE ¼, 5.00 feet; thence N01°38'25"E, 580.22 feet to said North**
22 **line; thence S89°40'11"W along the North line 13.04 feet to the point**
23 **of beginning.**

24
25 **Further except Lots 1 and 2 of Certified Survey Map No. 1172**
26 **recorded in Volume 6 of Certified Survey Maps on page 157.**

27
28 **AND**

29
30 **The NE ¼ of the NE ¼ of Section 17, Township 27 North, Range 10**
31 **West, except the North 580 feet of the East 750 feet thereof.**

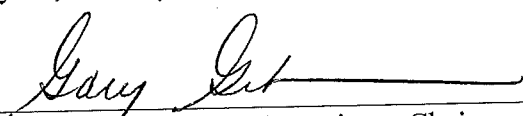
32
33 **Further except Lots 3 and 4 of Certified Survey Map No. 1172**
34 **recorded in Volume 6 of Certified Survey Maps on page 157.**

35
36 **Said parcels containing 60.03 acres to be reclassified from the A-1**
37 **Exclusive Agricultural District to the A-3 Agricultural District.**

38
39 **SECTION 2** Where a certified survey map is required and may alter the
40 above described property description, the official zoning district map for
41 the town shall be automatically amended to reflect the property description
42 of the certified survey map.

43
44 **ENACTED:** I hereby certify that the foregoing correctly represents the
45 action taken by the undersigned Committee on
46 January 26, 2016 by a vote of 5 for, 0 against.

47 **APPROVED BY**
48 **CORPORATION COUNSEL**
49 **AS TO FORM**

50


Planning & Development Committee, Chairperson

Sup. Dist 12: Colleen Bates

Eau Claire County
Department of Planning and Development
Eau Claire County Courthouse
721 Oxford Avenue, Room 3344
Eau Claire, Wisconsin 54703
(715) 839-4741

Application Accepted:	12/10/2015
Accepted By:	Matt Michels
Receipt Number:	45065
Town Hearing Date:	01/12/2016
Scheduled Hearing Date:	1/26/2016
Application No:	RZN-0015-15
Appl Status:	Pending

Rezoning - County

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: A1 Proposed Zoning District(s): A3 Acres to be Rezoned: 60.03

Portion Of The Ne1/4 Of Section 17, T27N, R10W, Town Of Union (Complete Legal Description Attached)

Owner/Applicant Name(s): James E Volbrecht Trust	Address: (ow) 1710 N VALLEY RD EAU CLAIRE	Telephone:
--	---	-------------------

Site Address(es):

Property Description: Sec 17 Twn 27 Rge 10 **Town of Union** **Lot Area:** 30.010 ACRES
30.020 ACRES

Zoning District(s): A1

Overlay District: Shoreland Flood Plain Airport Wellhead Protection Non-Metallic Mining

Check Applicable

PIN	Alternate No	Parcel No	Legal (partial)
1802222710171100001	022105407000	27.10.17.1-1-A	NE-NE, EX LOTS 3 & 4 OF CSM VOL 6 PG 157
1802222710171200001	022105408000	27.10.17.1-2-A	NW-NE, EX LOTS 1 & 2 OF CSM VOL 6 PG 157, EX PCL #1-2-D C

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature see attached application Date _____

Check if DATCAP must be notified _____ Check if DNR to Receive Copy _____

RECEIVED
DEC 10 2015
COUNTY CLERK

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Eau Claire County
 Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	Matt M.
Accepted By:	Matt M.
Receipt Number:	45025
Town Hearing Date:	1/12/16
Scheduled Hearing Date:	1/26/16

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: A1 Proposed Zoning District(s): A3
 Acres to be rezoned: 60.03

Property Owner Name: James E Volbrecht Residkable Trst Phone# 715 579-4953
 Mailing Address: 1710 N Valley RD Eau Claire, WI 54703
 Email Address:

Agent Name: _____ Phone# _____
 Mailing Address: _____
 Email Address: _____

RECEIVED
 DEC 10 2015
 COUNTY CLERK

SITE INFORMATION

Site Address:
 Property Description: N 1/2 NE 1/4 Sec. 17, T 27 N, R 10 W, Town of Union / Excluding lots 1, 2, 3, 4, 5, 6
 Zoning District: A1 Code Section(s): _____
 Overlay District: Shoreland Floodplain Airport Wellhead Protection Non-Metallic Mining
 Check Applicable
 Computer #(s): 022-1054-07-000
022-1054-08-000

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

- | | |
|---|--|
| <input checked="" type="checkbox"/> Complete attached information sheet | <input checked="" type="checkbox"/> Contact the Town to coordinate a recommendation on the application |
| <input checked="" type="checkbox"/> Provide legal description of property to be rezoned | <input type="checkbox"/> Provide \$550.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$490.00 application processing fee and \$60.00 mapping surcharge fee) |

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature James E. Volbrecht

Date 12-8-2015

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason for your rezoning request:

I would like to sell a 30 Ac parcel and allow new owners a housing Eligibility. Majority of land will stay in production ag.

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

I create a parcel that allows a hobby farm while leaving majority of land in production ag. By leaving land open we will have production ag in the area protecting farmland and conserving Natural Resources. There should be no concerns with health or safety.

Rezoning petitions to change the zoning of a parcel from the A-1 Exclusive Agricultural Zoning District to any other District must be based upon findings that consider the following factors:

- 1) Whether the land considered for rezoning is suitable for uses allowed in the proposed zoning district based upon soil types, the site's location, and adjacent land uses
- 2) Whether the uses allowed in the proposed zoning district will be in conflict with remaining agricultural uses
- 3) Whether adequate public facilities and services are available or will be provided for uses allowed in the new zoning district
- 4) Whether the development allowed by the new zoning district will cause undue environmental degradation

If you are petitioning to rezone land from an A-1 District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

1. The land is currently in an area with 5 Ac. Home sites all around and an A3 District would allow a house ~~with~~ while maintaining majority of farm land for Ag use.

2. It will stay in an Ag zoning just A3 vs. A1 thus allowing Ag to continue.

3. No public services other than Fire, which isn't going to increase needs w/ an additional home site.

4. Should be no environmental degradation seen as majority of land will stay in Ag use.

15-874-6123,
OLLY JENSEN
508 N TOWN HALL RD
EAU CLAIRE, WI 54703-8653

Real Estate Tax Bill For 2014
TOWN OF UNION
EAU CLAIRE COUNTY TREASURER
STATE OF WISCONSIN

2014397540

JAMES E VOLBRECHT
022-1054-08-000
Correspondence should refer to tax number.
See reverse side for important information.

Ass'd Value Land	Ass'd Value Improve	Total Ass'd Value	Avg. Assm't Ratio	Est. Fair Mkt. Land	Est. Fair Mkt. Improve	Total Est. Fair Mkt.	
4,800		4,800	1.0007	See Reverse, Use Value Assessment			
TAXING JURISDICTION		Est.	Aids Allocated to Tax District	2013 NET TAX	2014 NET TAX	% TAX CHG	GROSS PROPERTY TAX
STATE		0	0	N/A	0.82	N/A	73.03
COUNTY		249,095	259,450	N/A	21.48	N/A	FIRST DOLLAR CREDIT 0.00
TOWN OF UNION		135,419	139,623	N/A	6.15	N/A	LOTTERY CREDIT 0.00
SCHL - EAU CLAIRE		3,758,787	3,614,885	N/A	40.24 *	N/A	NET PROPERTY TAX 73.03
CVTC		101,396	123,324	N/A	4.34	N/A	
TOTALS		4,244,697	4,137,282	N/A	73.03	N/A	
		First Dollar Credit		N/A	0.00	N/A	
		Lottery & Gaming Credit		N/A	0.00	N/A	
		Net Property Tax		N/A	73.03	N/A	TOTALS 73.03

pd 1/23/15

Net 2014 county tax reduced by county 1st tax credit	6.28	Net Property Tax		NET ASSESSED VALUE RATE (Does not reflect credits)	0.015212890	TOTAL DUE FOR FULL PAYMENT PAY BY January 31, 2015 TO MUNICIPAL TREAS \$ 73.03
Net 2014 school tax reduced by school levy tax credit	7.42 *					
<p>IMPORTANT: This description is for tax bill use only and may not be a full legal description</p> <p>S17/T27/R10 ACRES: 30.020 PCL# 27.10.17.1-2-A PIN# 18022-2-271017-120-0001</p> <p>936/274 Q816/728 Q875/891</p> <p>022-1054-08-000</p> <p>JAMES E VOLBRECHT 1710 N VALLEY RD EAU CLAIRE, WI 54703-9433</p>						<p>WARNING: If not paid by due date, installment option is lost and total tax is delinquent and subject to interest and if applicable, penalty. SEE REVERSE SIDE.</p> <p>Or PAY 1st INSTALLMENT by January 31, 2015 TO MUNICIPAL TREAS \$ 73.03</p> <p>Or PAY 2nd INSTALLMENT by July 31, 2015 TO COUNTY TREASURER \$ 0.00</p>

NW-NE, EX LOTS 1 & 2 OF C8M VOL 6 PG 167, EX PCL #1-2-D DESC IN VOL 945/228

2014397540

TEAR HERE

2014397540
EAU CLAIRE COUNTY TREASURER

Be sure to mark 7/31/15 on your calendar for the 2nd installment. No reminders sent. We strongly encourage mailed payments-Receipts returned by mail. Send in pymt stubs. Courthouse Closed 12/24, 12/25, 1/1 & 1/10

If payment is made by check, receipt is not valid until check has cleared all banks.

Tax# 022-1054-08-000
Bill# 2014397540
JAMES E VOLBRECHT
1710 N VALLEY RD
EAU CLAIRE, WI 54703-9433

PROPERTY ADDRESS:

Tear off this stub and include in your second payment. If receipt is needed, send stamped self-addressed envelope.

TEAR HERE

SECOND INSTALLMENT	
\$ 0.00	
PAY BY July 31, 2015	

MAKE CHECK PAYABLE AND MAIL TO:
EAU CLAIRE COUNTY TREASURER
GLENDA J LYONS
721 OXFORD AVE
EAU CLAIRE, WI 54703-5478

WARNING: If not paid by due date, installment option is lost and total tax is delinquent and subject to interest and if applicable, penalty. SEE REVERSE SIDE.

15-074-01231
OLLY JENSEN
506 N TOWN HALL RD
EAU CLAIRE, WI 54703-0853

Real Estate Tax Bill For 2014
TOWN OF UNION
EAU CLAIRE COUNTY TREASURER
STATE OF WISCONSIN

2014397537

JAMES E VOLBRECHT
022-1054-07-000
Correspondence should refer to tax number.
See reverse side for important information.

Ass'd Value Land 6,000	Ass'd Value Improve 0	Total Ass'd Value 6,000	Avg. Assmt Ratio 1.0007	Est. Fair Mkt. Land See Reverse, Use Value Assessment	Est. Fair Mkt. Improve	Total Est. Fair Mkt.	
TAXING JURISDICTION	Est. State Aids Allocated to	Tax District	2013 NET TAX	2014 NET TAX	% TAX CHG	GROSS PROPERTY TAX	91.28
STATE	0	0	N/A	1.03	N/A	FIRST DOLLAR CREDIT	0.00
COUNTY	249,095	259,450	N/A	26.85	N/A	LOTTERY CREDIT	0.00
TOWN OF UNION	136,419	139,623	N/A	7.69	N/A	NET PROPERTY TAX	91.28
SCHL - EAU CLAIRE	3,758,787	3,614,885	N/A	50.29 *	N/A		
CVTC	101,396	123,324	N/A	5.42	N/A		
TOTALS	4,244,697	4,137,282	N/A	91.28	N/A	TOTALS	91.28
	First Dollar Credit		N/A	0.00			
	Lottery & Gaming Credit		N/A	0.00			
	Net 2014 county tax reduced by county sales tax credit	7.85					
	Net 2014 school tax reduced by school levy tax credit	9.28 *					

Feb 11/23/15

Net 2014 county tax reduced by county sales tax credit 7.85
Net 2014 school tax reduced by school levy tax credit 9.28 *

NET ASSESSED VALUE RATE (Does not reflect credits) 0.015212890

IMPORTANT: This description is for tax bill use only and may not be a full legal description.

S171727/R10 ACRES: 30.010
PGL# 27,10,17,1-1-A
PIN# 18022-2-271017-110-0001

TOTAL DUE FOR FULL PAYMENT
PAY BY January 31, 2015 TO MUNICIPAL TREAS
\$ 91.28

WARNING: If not paid by due date, installment option is lost and total tax is delinquent and subject to interest and if applicable, penalty. SEE REVERSE SIDE.

Or PAY 1st INSTALLMENT by January 31, 2015 TO MUNICIPAL TREAS \$ 91.28	Or PAY 2nd INSTALLMENT by July 31, 2015 TO COUNTY TREASURER \$ 0.00
--	---

NE-NE, EX LOTS 3 & 4 OF CSM VOL B PG 157

JAMES E VOLBRECHT
1710 N VALLEY RD
EAU CLAIRE, WI 54703-0433

022-1054-07-000

2014397537

TEAR HERE

TEAR HERE

2014397537

EAU CLAIRE COUNTY TREASURER
Be sure to mark 7/31/15 on your calendar for the 2nd installment. No reminders sent. We strongly encourage mailed payments-Receipts returned by mail. Send in pymt stubs, Courthouse Closed 12/24, 12/25, 1/1 & 1/19

Tax# 022-1054-07-000
Bill# 2014397537
JAMES E VOLBRECHT
1710 N VALLEY RD
EAU CLAIRE, WI 54703-0433

SECOND INSTALLMENT \$ 0.00	
PAY BY July 31, 2015	

MAKE CHECK PAYABLE AND MAIL TO:
EAU CLAIRE COUNTY TREASURER
GLENDA J LYONS
721 OXFORD AVE
EAU CLAIRE, WI 54703-5478

WARNING: If not paid by due date, installment option is lost and total tax is delinquent and subject to interest and if applicable, penalty. SEE REVERSE SIDE.

If payment is made by check, receipt is not valid until check has cleared all banks.
Tear off this stub and include in your second payment. If receipt is needed, send stamped self-addressed envelope.



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0015-15 **COMPUTER NUMBERS:** 022105407000
022105408000

PUBLIC HEARING DATE: January 26, 2016

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER/AGENT: James E Volbrecht Revocable Trust, 1710 N Valley Rd, Eau Claire WI, 54703

REQUEST: Rezone 60.03 acres +/- from A-1 (Exclusive Agriculture) District to A-3 (Agriculture) District to allow for a single family residence on the western 30-acre parcel

LOCATION: S8845 County Road Z, Eau Claire, WI 54701

LEGAL DESCRIPTION: Portion of the NE¼ of Section 17, T27N, R10W, Town of Union (complete legal description attached)

SUMMARY

Rezone 60.03 acres +/- from A-1 (Exclusive Agriculture) District to A-3 (Agriculture) District to allow for a single family residence on the western 30-acre parcel and to rezone the eastern 30-acre parcel to A-3 to comply with minimum lot size requirements when the western 30 acres is sold. The eastern 30 acres would be non-conforming if not rezoned out of A-1, which has a 35 acre minimum lot size.

BACKGROUND

SITE CHARACTERISTICS:

- Property is undeveloped and cultivated for agriculture
- Property slopes generally from northwest to southeast
- Eastern portion of property contains mapped wetlands

CURRENT ZONING:

A-1 Exclusive Agriculture District. The A-1 exclusive agricultural district is established to "preserve areas for farming or agricultural use and to minimize land use conflicts between farms and non-farms." Note that as of December 15, 2015 the A-1 zoning district is no longer a certified farmland preservation and is being revised the "de-certified" status. The changed status of the A-1 district should be considered when evaluating rezoning requests in this district.

REQUESTED ZONING DISTRICT:

The petition is to rezone the property described above from the A-1 Exclusive Agriculture District to the A-3 Agriculture-Residential District. The purpose of the A-3 District is to "The A-3 agricultural district is established to: (1) protect the agricultural base of the county; (2) preserve the county's natural resources and open space; (3) provide an area for limited residential and hobby farm development in a rural atmosphere; and (4) minimize urban sprawl and its associated public costs." Minimum lot size in the A-3 District is twenty (20) acres.

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-1	Agricultural fields
North	A-2	Single family residences
East	A-1	Agricultural fields
South	A-P	Agricultural fields
West	A-2	Woodland

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the northern portion of the property in the Rural Transition (RT) planning area and the southern portion of the property in the Rural Lands (RL) planning area.

The Town of Union Future Land Use Map includes the northern portion of the property in the Rural Residential (RR) planning area and the southern portion of the property in the Exclusive Agriculture planning area.

Following is a description of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies:

Eau Claire County:

- Rural Transition Intent and Description: *The primary intent of this classification is to identify certain lands in proximity to developed areas, to be preserved in mainly agricultural and open space uses until such time as more intensive development is appropriate.*
- Applicable Policies:
 1. *Continue to maintain and support farming and other agricultural uses, agriculture-related businesses, cottage industries, forestry, mineral extraction, open space, and utility uses until such time as it has been determined by local plans that these areas are needed for additional non-farm development*
 2. *For those Towns under County Zoning, density and zoning districts to be considered for new development shall be limited in accordance with all policies applicable to the Rural Lands classification, until such time as it has been determined by local officials in accordance with local plans, and the County Plan, that these areas are needed for additional non-farm development.*
- Rural Lands Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- Applicable Policies:
 3. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*

4. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*
5. *For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:*
 - a. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*

Town of Union:

- Rural Residential Comprehensive Plan Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas. As mapped, this designation includes farmland, scattered open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, farmsteads, and limited low density single-family residential development. Future development in the RP area is expected to be consistent with the existing pattern of development, and the policies specified below for RP areas and other policies included in this Plan. Any new development shall be located in order to minimize the fragmentation of productive agricultural or forest land and to minimize any disruption to existing uses.*
- Applicable Policies:
 - a. *Non-farm residential lots shall be a minimum of two (2) acres per unit, with the number of lots allowed being based upon a gross density of one (1) residential dwelling unit per five (5) acres held in single ownership. The balance of the land not included in the residential lots shall be placed in a permanent conservation easement for agriculture, forestry, and open space use.*
 - b. *Any new non-farm residential lot shall have a "Right to Farm" disclosure attached to it acknowledging that the potential non-farm owner has been informed that his lot has been established in an area where farming is the preferred land use, and stating that the owner understands that he must abide by the State of Wisconsin "Right to Farm" statute (WI Stat. 823.08). This language shall be recorded on the deed to the property, transferable to subsequent owners.*
 - c. *Non-farm residential development shall only occur on land that is marginal for agricultural productivity. At least 80% of any proposed new lot shall not contain Class I, II, or III soils. In addition, it is the preference of the Town of Union that new non-farm residential lots that are approved in accord with these policies be located adjacent to or near existing non-farm development.*
- Exclusive Agriculture Comprehensive Plan Intent and Description: *The Exclusive Agricultural Planning Area encompasses the areas of the Town where traditionally farming has occurred on prime farmlands, usually consisting of Soil Capability Class I, II and III soils, and soils that are not*

highly erodible. The objectives for this Planning Area are to preserve farmland and farming by applying low residential density (1 dwelling per 35 acres) and allow for density transfer that will preserve much more farmland than allowing for large lots. Density transfer allows landowners with large continuous properties to transfer the allowable development from up to nine 40 acre parcels to a 40 acre parcel that is least suited for agriculture. This would result in the least productive 40 acre parcel receiving 10 dwelling units on small lots developed with conservation design where the dwellings are placed in small clusters and 75% of the site is left in open space, and the nine 40 acre parcels well-suited for agriculture are put under a conservation easement to be used only for agriculture until such time as the property is rezoned.

Of course, any rezoning would be heavily scrutinized by the Plan Commission and Town Board to see if it would harm farmland or agricultural operations, and any existing development density would have to be applied to the overall density allowed in the new zoning district for the entire original property. So, between applying density transfer and conservation site design, development is not scattered, but is concentrated on the least productive 40 acres with 360 acres or more set aside for agricultural purposes. These Exclusive Agriculture development scenarios preserve the maximum gross density of the corresponding Eau Claire County A-1 and A-R zoning districts (1 dwelling per 35 acres) while maximizing the conservation of land for agriculture.

The proposed rezoning does not comply with the letter of the Town of Union Exclusive Agriculture land use category as the existing and proposed lot sizes are below 35 acres and the proposed A-3 zoning is not expressly discussed as a potential zoning district. However, staff supports the rezoning based on the findings outlined below in the *Analysis* section of this report, below.

Otherwise, the application has been found to be consistent with the intent and description and the applicable policies of the Eau Claire County RT and RR categories and the Town of Union RR land use category.

This property lies within the City of Eau Claire's Extraterritorial Jurisdiction (ETJ) outside of the Sewer Service Area (SSA) and, as such, has a maximum base density of one dwelling unit per five (5) acres. The proposed rezoning conforms to this standard.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also to be made that the rezone is consistent with the County's Comprehensive Plan.

The rezoning petition has been evaluated for consistency with the purpose of A-3 District and the uses allowed in the district. The request is consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the intent and purpose of the Future Land Use plans for the County and the Town of Union
- The applicant states that the majority of the property will remain in agricultural production
- The portion of the property most likely to be developed with a residence lies in the Rural Residential land use designation
- The property is excluded from the adopted County Farmland Preservation Plan

- The existing A-1 zoning district is no longer a certified farmland preservation district as it has been supplanted by the AP (Agricultural Preservation) district
- The northern portion of the property is designated Rural Residential, which enables development
- The proposed rezoning to A-3 would not allow any further land splits without a future rezoning
- Existing uses in the area include a mixture of agricultural fields, woodlots, and residences

A-1 Rezoning Standards

In addition, there are four standards for approving a rezoning of land from the A-1 Exclusive Agricultural zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards. Note that these standards, although still technically a part of the A-1 district standards for the time being, will be modified in the near future to reflect that the A-1 district is no longer a certified farmland preservation zoning district:

Standard 1 - *The land considered for rezoning is suitable for uses allowed in the proposed zoning district based upon soil types, the site's location, and adjacent land uses*

- **Soils** – The property contains a mix of prime and non-prime agricultural soils. In general, the area proposed for development in the north contains lower quality soils. Further, the property is no longer included in the Farmland Preservation Plan
- **Site Location** – The site is located on the south side of Folsom Street
- **Adjacent Land Uses** – Uses in the area are predominantly rural residential to the north, east and west of the property, with a mix of cropland and woodland to the south. Zoning in the area is also a mixture of A-1, A-2, and A-P zoning in the near vicinity of this property.

Standard 2 - *The uses allowed in the proposed zoning district will be in conflict with remaining agricultural uses* – There is a minor potential for conflicts between non-farm residents and surrounding agricultural uses due to noises, odors, and other conditions or characteristics associated with farming. However, a Right-to-Farm Acknowledgement, recorded with the County Register of Deeds, will be required for the proposed lots. No further land division would be enabled by this rezoning.

Standard 3 - *Whether adequate public facilities and services are available or will be provided for uses allowed in the new zoning district* – Adequate facilities and services are available.

Standard 4 - *Whether the development allowed by the new zoning district will cause undue environmental degradation* – The proposed rezoning would not result in any undue environmental degradation.

The rezoning petition has been evaluated for consistency with the purpose of A-3 District and the uses allowed in the district and have been found to be consistent with the purpose of the zoning code based on the aforementioned findings.

Town Board Action: The Union Town Board held a public hearing regarding this rezoning petition on December 10, 2015 and recommended approval.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County and Town of Union Comprehensive Plan future land use designations
- Eau Claire County and Town of Union Comprehensive Plan goals, objectives and policies

- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in A-3 District

In addition, the following factors have also been considered:

- Input of surrounding property owners (within 660 feet). No correspondence has been received to date
- Town of Union Board action

Staff finds that the proposed rezoning request is consistent with the Eau Claire County Comprehensive Plan and the Town of Union Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-3 zoning district is consistent and therefore allowed within the mapped Eau Claire County Rural Lands and Town of Union Rural Preservation future land use designations.

RECOMMENDATION

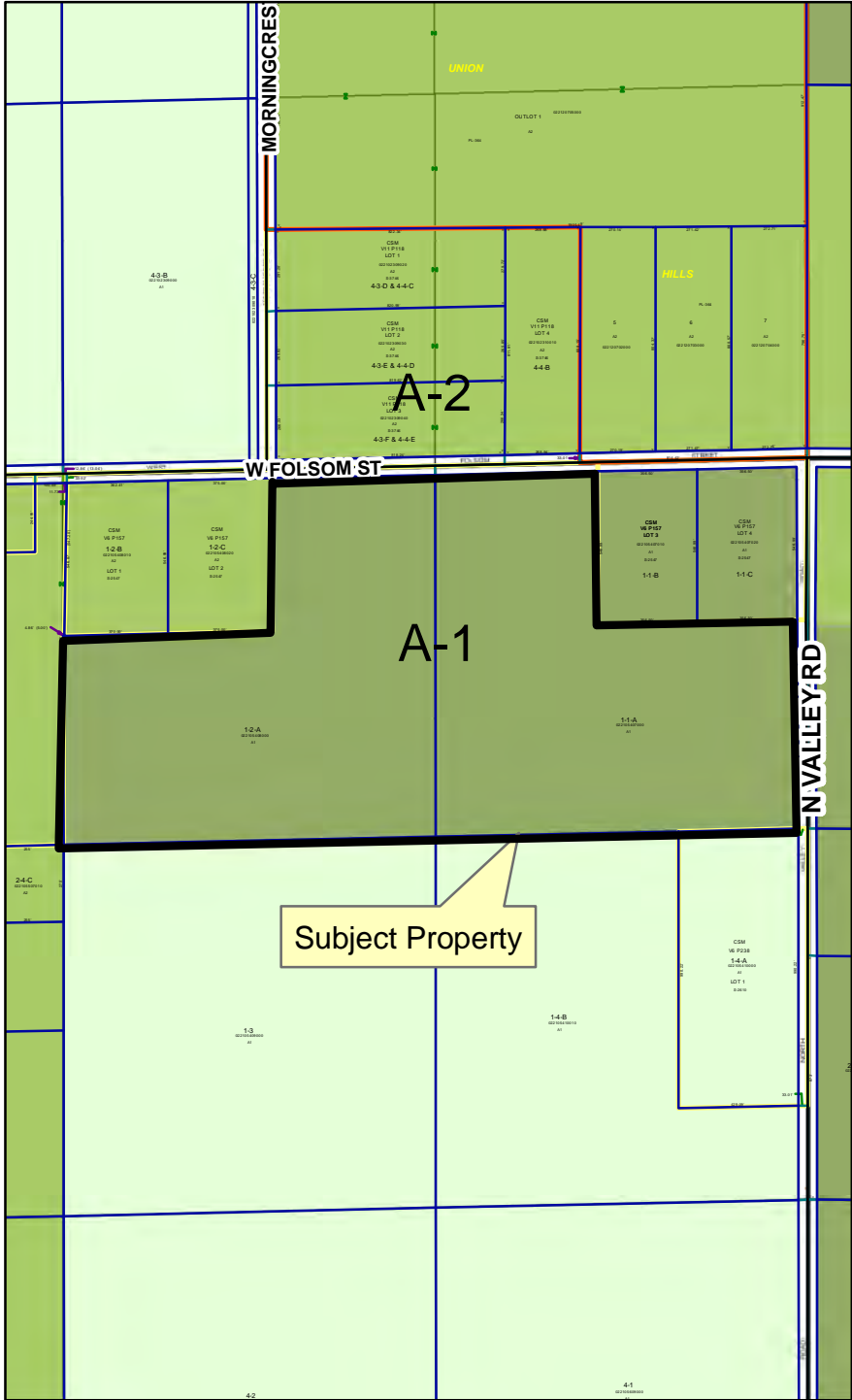
Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the rezoning petition to rezone the approximately 60.03-acre property from the A-1 District to the A-3 District as depicted on the attached map and described in the attached legal description.



Volbrecht Rezoning: RZN-0015-15

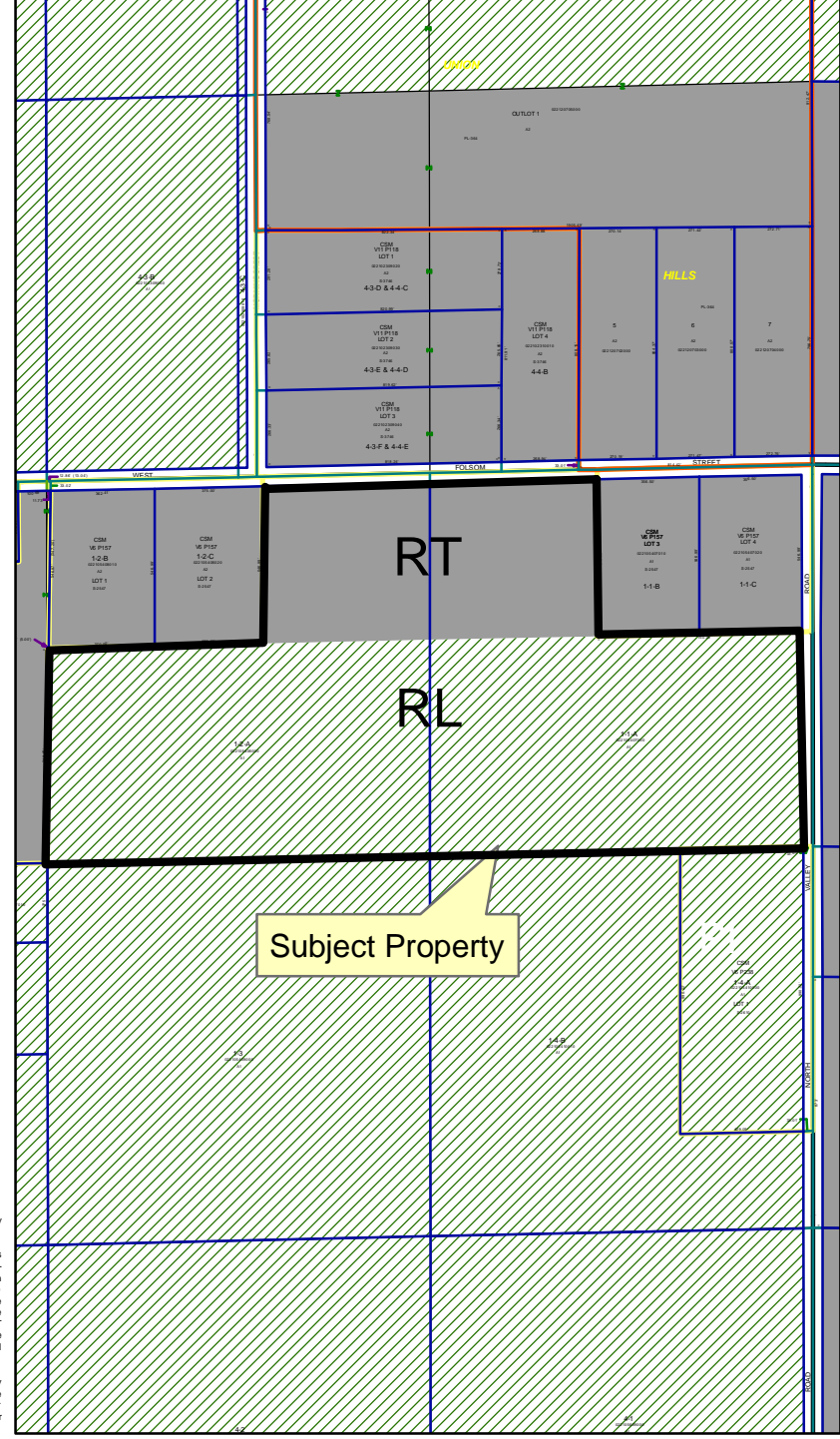
Existing Zoning

1 inch = 666.666667 feet



Existing Future Land Use

1 inch = 667 feet



Legend

Future Land Use

- Rural Residential Cluster Development
- Commercial/Industrial
- County Forest
- Natural Resource Protection
- Park & Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential Mobile Home
- Rural Transition
- Urban Mixed Use



Parcel Mapping Notes:
 The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.

FACT SHEET
File No. 15-16/114

RE: Rezoning Petition from Colleen F Kastel to rezone a 5-acre +/- parcel of land from the A-R Floating Agriculture Residential District and AP Agricultural Preservation District to A-2 Agriculture Residential District.

Legal Description and Location: Portion of the NW¼ NE¼ of Section 25, T25N, R8W, Town of Clear Creek (complete legal description attached)

Size of area to be rezoned: 5.0 acres +/-

ADJACENT ZONING & LAND USES:

LOCATION	ZONING	LAND USE
Subject	A-P	Single-family residences; Woodlands; Agricultural fields
North	A-3	Single family residence; Agricultural fields
East	A-P	Agricultural fields; Woodlands
South	A-P	Agricultural fields; Woodlands
West	A-2	Single-family residence; Woodlands

LAND USE PLANS: The Eau Claire County Future Land Use Map includes this property in the Rural Lands (RL) planning area, and the Town of Clear Creek Future Land Use Map includes this property in the Rural Preservation (RP) planning area, which is consistent with this rezone request. Following is a description of the intent of the applicable County and Town comprehensive plan future land use categories:

Rural Lands (RL)

Eau Claire County Intent and Description: The primary intent of these areas is to, *“preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.”*

Rural Preservation (RP)

Town of Clear Creek Intent and Description: The primary intent of this classification is to, *“preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat. This designation includes farmland, scattered open lands, woodlots, agricultural-related uses, and limited single-family residential development (see Maps B, C, and D). Some limited low-density development is anticipated in the RP areas. These developments shall be located in order to minimize the fragmentation of productive agricultural land and to minimize any disruption to existing farm operations. Requests to change the future land use designation of parcels shall be considered using the criteria listed in the Land Use Policies. The RP represents areas that are vital to the region’s agricultural & forestry economy and are key ingredients of the rural character and image of the Town of Clear Creek.”*

Staff Conclusions and Recommendation: Staff finds that the proposed rezoning request is consistent with the Eau Claire County Comprehensive Plan and the Town of Clear Creek Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-2 zoning district is consistent and therefore allowed within the mapped Eau Claire County Rural Lands and Town of Clear Creek Rural Preservation future land use designations.

Town Board Action: The Town of Clear Creek Town Board met on Monday, January 18, 2016, to consider the rezoning petition and recommended approval of the rezoning.

Committee Action: The Eau Claire County Committee on Planning and Development conducted the required public hearing on Tuesday, January 26, 2016 regarding the proposed rezoning.

On a vote of 5 in favor and 0 against, the Committee recommends approval of the rezoning petition to the County Board. The committee considered the applicant’s testimony as well as the Town Board’s and staff’s recommendations in their deliberations.

Respectfully submitted on behalf of the Committee on Planning and Development,



Matt Michels, AICP
 Senior Planner

2
3 - AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
4 TOWN OF CLEAR CREEK -

5 The County Board of Supervisors of the County of Eau Claire does ordain as follows:
6

7
8 **SECTION 1**

That the 1982 Official Zoning District Boundary Map for the Town of
9 Clear Creek, Eau Claire County described as follows:

10 **Being part of the NW ¼ of the NE ¼, Section 25, Township 25 North,**
11 **Range 8 West, Town of Clear Creek, Eau Claire County, Wisconsin.**
12 **Including a part of Lot 1, Certified Survey Map, Recorded in Volume**
13 **7 of Certified Survey Maps, pages 4-5, more particularly described as**
14 **follows:**

15
16 **Beginning at the North Quarter corner of said Section 25, thence**
17 **N88°50'31"E along the North line of the NE ¼ of said Section 25 a**
18 **distance of 290.09 feet; thence S00°09'48"W a distance of 784.96 feet;**
19 **thence S88°45'40"W a distance of 289.14 feet to the West line of said**
20 **NE ¼; thence N00°05'37"E along said West line a distance of 785.35**
21 **feet to the point of beginning. Said parcel containing 5.21 acres**
22 **including right of way (5.00 acres excluding right of way).**

23
24 **Said parcels containing 4.87 acres to be reclassified from the A-R**
25 **Floating Agricultural-Residential District and .34 acres to be**
26 **reclassified from the A-P Agricultural Preservation District, both to**
27 **the A-2 Agriculture-Residential District for a total of 5.21 acres.**

28
29 **SECTION 2** Where a certified survey map is required and may alter the
30 above described property description, the official zoning district map for
31 the town shall be automatically amended to reflect the property description
32 of the certified survey map.
33

34
35 **ENACTED:** I hereby certify that the foregoing correctly represents the
36 action taken by the undersigned Committee on
37 January 26, 2016 by a vote of 5 for, 0 against.

38
39 **APPROVED BY**
40 **CORPORATION COUNSEL**
41 **AS TO FORM**


Planning & Development Committee, Chairperson

Sup. District 5: Corey Bauch

Eau Claire County
Department of Planning and Development
Eau Claire County Courthouse
721 Oxford Avenue, Room 3344
Eau Claire, Wisconsin 54703
(715) 839-4741

Application Accepted:	12/18/2015
Accepted By:	Matt Michels
Receipt Number:	045122
Town Hearing Date:	1/11/16
Scheduled Hearing Date:	1/26/16
Application No:	RZN-0016-15
Appl Status:	Pending

Rezoning - County

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: **AR** Proposed Zoning District(s): **A2** Acres to be Rezoned: **5.0**
A1
Portion Of The Nw1/4 Of The Ne1/4, Section 25, T25N, R8W, Town Of Clear Creek, Eau Claire County, WI (Complete Legal Description Attached)

Owner/Applicant Name(s):	Address:	Telephone:
Colleen F Kastel	(ow) E 11545 E ROBIN RD OSSEO	715-835-6557(W) 715-597-6077(H)
Kevin K & Colleen F Kastel	(ow) E 11545 E ROBIN RD OSSEO	

Site Address(es):
E 11545 E ROBIN RD OSSEO

Property Description: Sec 25 Twn 25 Rge 08 **Town of Clear Creek** **Lot Area:** 15.340 ACRES
4.660 ACRES

Zoning District(s): A1 AR

Overlay District: Shoreland Flood Plain Airport Wellhead Protection Non-Metallic Mining
Check Applicable

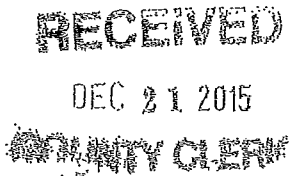
PIN	Alternate No	Parcel No	Legal (partial)
1800622508251200001	006106203000		NW-NE EX LOT 1 OF CSM VOL.7 PG.4 EX E 20 AC
1800622508251209000	006106203010	25.8.25.1-2-B	LOT 1 OF CSM V.7 PG.4 (#1291) LYG IN THE NW-NE CONT 4.66

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature see attached application Date _____

Check if DATCAP must be notified _____

Check if DNR to Receive Copy _____



At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Eau Claire County
 Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	12/18/15
Accepted By:	MM
Receipt Number:	45122
Town Hearing Date:	1/11/16
Scheduled Hearing Date:	1/26/16

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: AR *E A-1^{WMM}* Proposed Zoning District(s): ~~AR~~ A2

Acres to be rezoned: 5.2 *S.O. Ex. R/W*

Property Owner Name: Kevin and Colleen Kastel Phone# 715-839-1662 WORK
 Mailing Address: E 11545 E. Robln Road, Osseo WI 54758 (Use) 715-829-9265 Home
 Email Address:

Agent Name: Pete Gartmann / Real Land Surveying Phone# 715-514-4116
 Mailing Address: 635 Falrfax St., Altoona WI 54720
 Email Address: pgartmann@rls-aec.com

RECEIVED
 DEC 21 2015
 COUNTY CLERK

SITE INFORMATION

Site Address: E 11545 E. Robln Road, Osseo WI 54758

Property Description: NW ¼ NE ¼ Sec. 25, T25N, R8W, Town of Clear Creek

Zoning District: AR Code Section(s):

Overlay District: Shoreland Floodplain Airport Wellhead Protection Non-Metallic Mining

Computer #(s): 006 - 1062 - 03 - 010
 006 - 1062 - 03 - 000

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

Complete attached information sheet Contact the Town to coordinate a recommendation on the application

Provide legal description of property to be rezoned Provide \$550.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$490.00 application processing fee and \$60.00 mapping surcharge fee)

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature Colleen Kastel Date 12/17/15
PK 12/17/15

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason for your rezoning request:

The Family farm consists of 150 acres of A-1 zoning. Family farm was split and gifterd to daughters as part of the land dispersment. Family member would like to build on their portion of the property but the current zoning code would require them to build on a 40 acre tract over 1320 feet south to the nearest public road (E. Roblin Road). This requirement would make it cost prohibitive to build the driveway and run Electric and Telephone to the home site.

When evaluating a rezoning petition sent from the Gallatin County Department of Planning and Development, we will determine the purpose of the proposed zoning change and the land shown in the district are appropriate for the rezoning. We will also determine if the rezoning will impact the public health, safety, and general welfare of the community. We will also determine if the rezoning will impact the public health, safety, and general welfare of the community. We will also determine if the rezoning will impact the public health, safety, and general welfare of the community.

The existng home site on 4.66 acres of lands. Adjacent lands to the west are zoned A- 2.

We feel that by approving this application you are preserving agricultural lands that would be used for a driveway that would travers across the entire 40 acre tract. Family member also would like to build in the area of existng buidings so no tillable lands would be used for the new home site. If the intent of the A-1 zoning is to preserve quality farm land then this application should be granted on that basis.

REZONING APPLICATION CHECKLIST

Applications are due by Tuesday at 5:00 PM three weeks prior to the Committee on Planning and Development meeting. The application must include the items listed below. After a preliminary review, additional information may be needed. A hearing will not be scheduled until the application is deemed complete. Applications are considered complete when all materials and associated fees are received and approved by staff.

Required Application Items:

- Application must be signed by the property owner(s)
- A legal description of land and address of land to be rezoned
- Complete the attached supplemental rezoning information sheet
 - Describe the reason for the request
 - Describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance
 - Explain and justify why this particular property is under consideration for rezoning
 - For rezoning requests from A-1 to any zoning district other than the AR district must consider the factors in Section 18.04.055 A-D
 - For rezoning requests from the A-1 to the AR zoning district must consider the factors in Section 18.06.050 A-D
 - For rezoning requests out of the Shoreland-wetland district must consider Section 18.19.100 B

The rezoning procedures and details have been outlined in the rezoning brochure, which is available at the Department of Planning and Development.



2015 Property Record | Eau Claire County, WI

Assessed values not finalized until after Board of Review
Property Information is valid as of 2015-01-02

OWNERS

KEVIN K & COLLEEN F KASTEL

PROPERTY INFORMATION

Computer No: 006106203010
PIN: 1800622508251209000
Historical Map ID: 25.8.25.1-2-B
School District: Osseo-Falcholid

Section: 25
Town: 25N
Range: 08W

Property Address: E 11545 E ROBIN RD
Municipality: Town Of Clear Creek
Document History: 999/261

TAX INFORMATION

Gross Tax: 3,070.65
School Credit: 303.68
Lottery Credit: 127.57
First Dollar Credit: 78.97
Net Tax: 2,560.53

Table with columns: Amt Due, Amt Paid, Balance. Rows include RE Net Tax, Special Assmnt, Special Chrg, Delq Utility, MFL, RE Interest, Other Interest, Penalty, and TOTAL.

IN CARE OF

MAILING ADDRESS

KEVIN K & COLLEEN F KASTEL
E 11545 E ROBIN RD
OSSEO WI
54758

PROPERTY DESCRIPTION

LOT 1 OF CSM V.7 PG.4 (#1291) LYG IN THE NW-NE CONT 4.66 AC WITH RD R/W OR 4.46 AC WITHOUT RD R/W

ZONING

Table with columns: Zoning Code, Description. Row: AR, Floating Agriculture/Residential

LAND USE

Table with columns: Land Use Code, Description. Row: RS, Residential-Single Family

LAND VALUATION

Table with columns: Acres, Land, Improve, Total. Rows for Total Acres, Mill Rate, Fair Market Value, and Assessment Ratio.

INSTALLMENTS

Table with columns: Period, End Date, Amount. Rows for periods 1 and 2.

PAYMENT HISTORY (POSTED PAYMENTS)

Please allow up to 7 days for your payments to display.

Table with columns: Date, Receipt #, RE Tax, Other Tax, RE Int, Other Int, Penalty, Total, Payer Name

NOTES

Re-zone description for Kevin Kastel

Being part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 25, Township 25 North, Range 8 West, Town of Clear Creek, Eau Claire County Wisconsin. Including a part of Lot 1, Certified Survey Map, Recorded In Volume 7 of CSM's, Pages 4-5 more particularly described as follows:

Beginning at the North Quarter corner of said Section 25, thence N88°50'31"E along the North line of the NE $\frac{1}{4}$ of said Section 25 a distance of 290.09 feet;

Thence S00°09'48"W a distance of 784.96 feet;

Thence S88°45'40"W a distance of 289.14 feet to the West line of said NE $\frac{1}{4}$;

Thence N00°05'37"E along said West line a distance of 785.35 feet to the point of beginning.

Containing 227,323 square feet / 5.21 including right of way or 217,826 square feet / 5.00 acres excluding right of way.



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0016-15 COMPUTER NUMBERS: 006106203000
006106209000

PUBLIC HEARING DATE: January 26, 2016

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER/AGENT: Colleen F Kastel, E 11545 E Robin Rd, Osseo, WI 54758

REQUEST: Rezone 4.66 acres +/- from A-R (Floating Agricultural-Residential District) and .34 acres +/- from AP (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to remove the building restriction on the quarter quarter section adjacent to the lot to allow a family member to build a residence

LOCATION: E 11545 E Robin Rd, Osseo, WI 54758

LEGAL DESCRIPTION: Portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, T25N, R8W, Town of Clear Creek (complete legal description attached)

SUMMARY

Rezone 4.66 acres +/- from A-R (Floating Agricultural-Residential District) and .34 acres +/- from AP (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to remove the building restriction on the adjacent quarter quarter section associated with the A-R zoning to allow a family member to build a residence. The A-R zoning district requires a restriction on building on the remainder (at least 35 acres) of the quarter quarter section, typically through a deed restriction. However, in this case no deed restriction was recorded and the proposed rezoning would remove the A-R district building restriction.

BACKGROUND

SITE CHARACTERISTICS:

- Property has a single-family residence on the A-R zoned lot and a single-family residence on the northeast portion of the quarter quarter section
- Uses on property include a mix of agricultural fields and woodlands
- Property contains rolling terrain

CURRENT ZONING:

A-R Floating Agricultural Residential District. The A-R agricultural-residential district is established "to allow for limited residential development within the exclusive agricultural district and is not intended to be part of a farming operation."

A-P Agricultural Preservation District. The A-P district is established The A-P Agricultural Preservation District is established to:

- A. Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;
- B. Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;
- C. Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;
- D. Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;
- E. Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;
- F. Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;
- G. Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and
- H. Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County's permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.

REQUESTED ZONING DISTRICT:

The petition is to rezone the property described above from the A-R and A-P Districts to the A-2 Agriculture-Residential District. The A-2 agricultural district is established to "Provide areas for limited residential and hobby farm development in a rural atmosphere" and to "preserve the county's natural resources and open space." Minimum lot size in the A-2 District is five (5) acres.

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-P	Single-family residences; Woodlands; Agricultural fields
North	A-3	Single family residence; Agricultural fields
East	A-P	Agricultural fields; Woodlands
South	A-P	Agricultural fields; Woodlands
West	A-2	Single-family residence; Woodlands

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the northern portion of the property in the Rural Lands (RL) planning area.

The Town of Clear Creek Future Land Use Map includes the northern portion of the property in the Rural Preservation (RP) planning area.

Following is a description of the intent of the applicable County and Town of Clear Creek comprehensive plan future land use categories and applicable policies:

Eau Claire County:

- Rural Lands Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- Applicable Policies:
 1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*
 2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*
 3. *For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:*
 - a. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*

Town of Clear Creek:

- Rural Preservation (RP) Comprehensive Plan Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat. This designation includes farmland, scattered open lands, woodlots, agricultural-related uses, and limited single-family residential development (see Maps B, C, and D). Some limited low-density development is anticipated in the RP areas. These developments shall be located in order to minimize the fragmentation of productive agricultural land and to minimize any disruption to existing farm operations. Requests to change the future land use designation of parcels shall be considered using the criteria listed in the Land Use Policies. The RP represents areas that are vital to the region's agricultural & forestry economy and are key ingredients of the rural character and image of the Town of Clear Creek.*
- Notable Policies:
 1. *Farming and agricultural uses shall be established as the primary land uses within these areas. Uses that are incompatible with farming and agriculture shall be discouraged or prohibited (see policy 3 & 4).*
 2. *Within the RP classification, the gross density for any development shall be one (1) unit per 35 contiguous acres held in single ownership.*

...

4. Residential subdivisions shall be prohibited within Rural Preservation areas, and additional non-farm residential development is discouraged. Individual lots may be considered for non-farm residential use, and shall only be authorized if they are consistent with the following policies:
 - a. Non farm development shall only be allowed if it will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take significant tracts of land suitable for cultivation or other agricultural use out of production.
 - b. Any new non-farm residential lot shall have a "Right to Farm" disclosure attached to it acknowledging that the potential non-farm owner has been informed that his lot has been established in an area where farming is the preferred land use, and stating that the owner understands that he must abide by the State of Wisconsin "Right to Farm" statute ...
 - c. Non-farm residential development shall only occur on land that is marginal for agricultural productivity. At least 80% of any proposed new lot should not contain Class I, II, or III soils. In addition, it is the preference of the Town of Clear Creek that new non-farm residential lots that are approved in accord with these policies be located adjacent to or near existing non-farm development.
 - d. Rezoning property to the Floating Agriculture-Residential District shall be required for any lot that is proposed for non-farm residential use. Non-farm residential lots shall be at least one (1) acre in size, but no larger than five (5) acres. A permanent deed restriction or agricultural conservation easement shall be placed on at least 35 acres of land for each non-farm residential lot created.
5. The following Eau Claire County zoning districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, and F-1 Forestry District.

The application has been found to be consistent with the intent and description and the applicable policies of the Eau Claire County Rural Lands land use category. The application does not conform to several policies of the Clear Creek Comprehensive Plan, including 4c, 4d, and 5. However, the Clear Creek Town Board held a public hearing on January 18, 2016 and voted to recommend approval of the rezoning.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also to be made that the rezone is consistent with the County's Comprehensive Plan.

The rezoning petition has been evaluated for consistency with the purpose of A-2 District and the uses allowed in the district. The request is consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the Eau Claire County Future Land Use plan
- The property is appropriately situated for the intended A-2 zoning with other A-2 zoned parcels adjacent to the west
- The proposed rezoning will not interfere with or be incompatible with existing agricultural uses in the vicinity
- Existing uses in the area include a mixture of agricultural fields, woodlots, and residences

The rezoning petition has been evaluated for consistency with the purpose of A-2 District and the uses allowed in the district and have been found to be consistent with the purpose of the zoning code based on the aforementioned findings.

A-P Rezoning Standards

In addition, there are four standards for approving a rezoning of land from the A-P Agricultural Preservation zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards:

Standard 1 - *The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses.*

- **Soil Types** – The property to be rezoned from A-P to A-2 is within the Boone-Plainbo complex, 12 to 45 percent slopes, which is classified as a Class 7 soil, not a prime soil.
- **Historical Productivity** – The property to be rezoned is wooded and there is no evidence of historical productivity.
- **Site Location** – The property is accessed from Robin Road.
- **Adjacent Land Uses** – Uses in the area are a mixture of cropland, woodland, and rural residential use. Zoning in the area is also a mixture of A-P and A-2 zoning in the near vicinity of this property. Agriculture is limited by topography and soil capability.

Standard 2 - *The rezoning is consistent with any applicable comprehensive plans.*

The proposed rezoning conforms to the future land use intent, purpose, and policies for the Eau Claire County comprehensive plan. As discussed, the rezoning does not conform with several Town of Clear Creek Comprehensive Plan policies, but the Town Board recommends approval of the rezoning.

Standard 3 - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan.*

The proposed rezoning conforms to this standard as it will not take highly productive soils out of agricultural production.

Standard 4 - *The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.*

The proposed rezoning conforms to this standard as the existing residence has is compatible with nearby agricultural operations. A Right-to-Farm Acknowledgement, recorded with the County Register of Deeds, will be required for the proposed lot.

Town Board Action: The Clear Creek Town Board held a public hearing regarding this rezoning petition on January 18, 2015 and recommended approval.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County and Town of Clear Creek Comprehensive Plan future land use designations
- Eau Claire County and Town of Clear Creek Comprehensive Plan goals, objectives and policies
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in A-3 District

In addition, the following factors have also been considered:

- Input of surrounding property owners (within 660 feet). No correspondence has been received to date
- Town of Clear Creek Board action

Staff finds that the proposed rezoning request is consistent with the Eau Claire County Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-2 zoning district is consistent and therefore allowed within the mapped Eau Claire County Rural Lands land use designation.

RECOMMENDATION

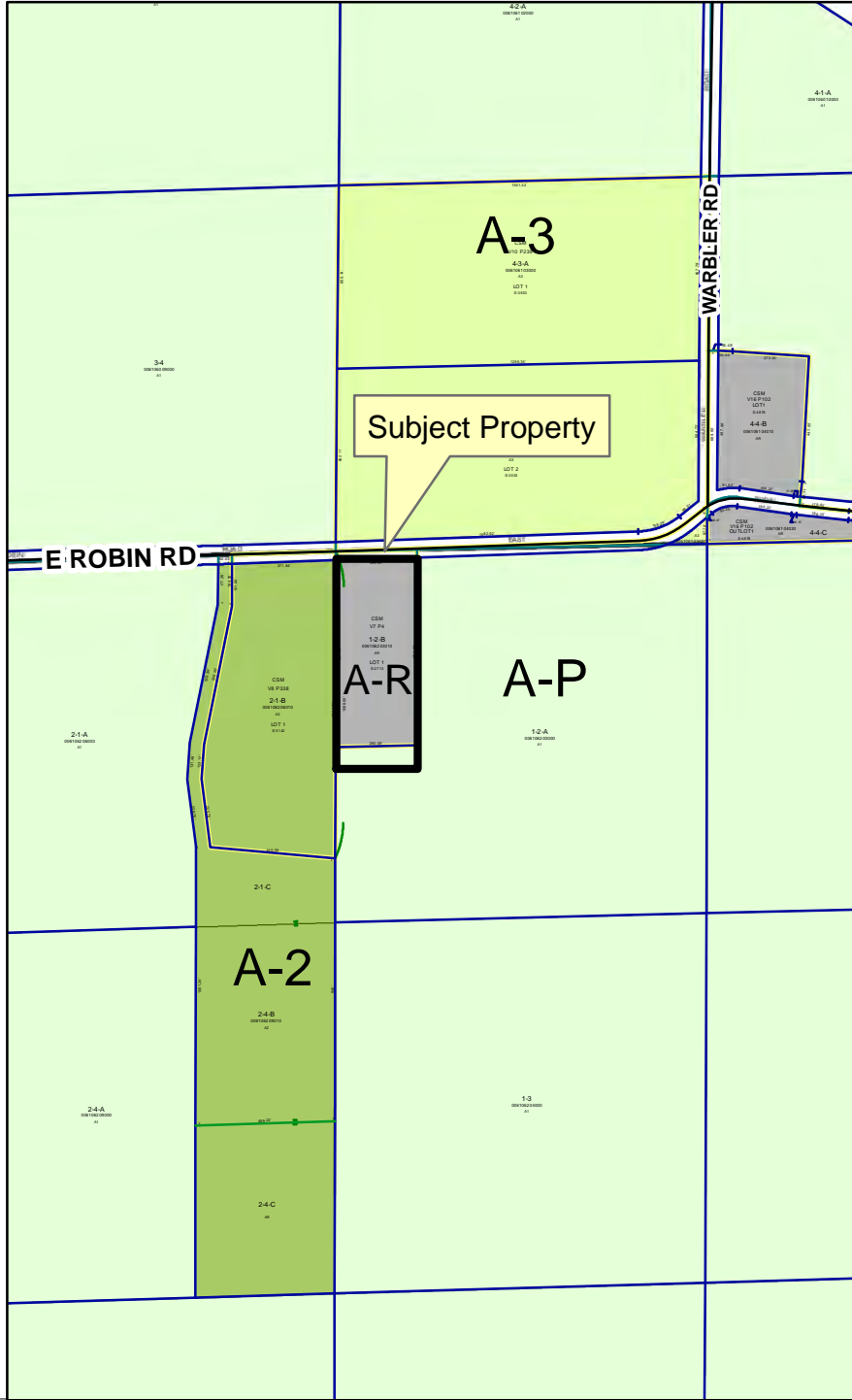
Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the rezoning petition to rezone the approximately 5-acre property from the A-P District to the A-2 District as depicted on the attached map and described in the attached legal description.



Kastel Rezoning: RZN-0016-15

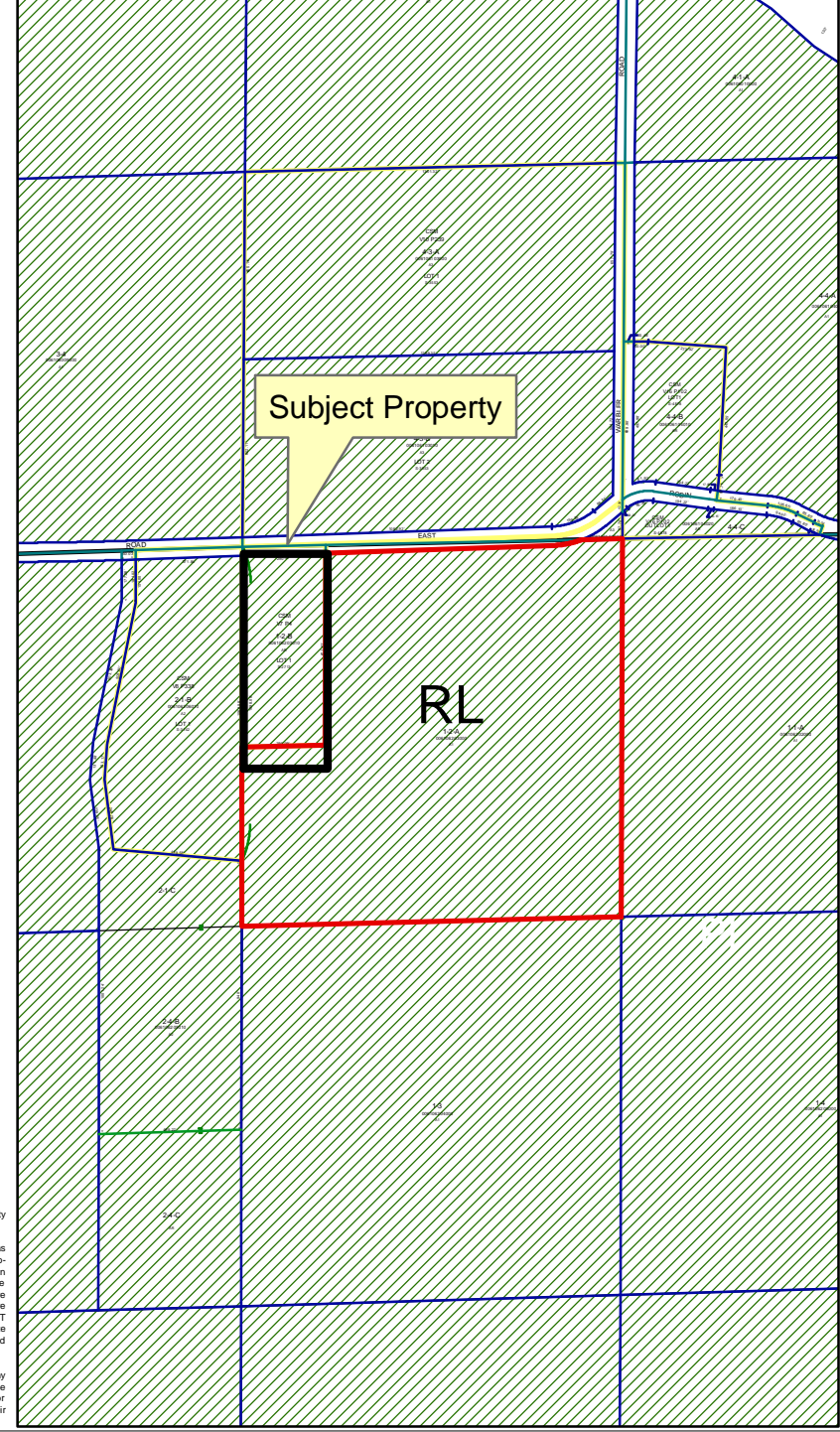
Existing Zoning

1 inch = 666.666667 feet



Existing Future Land Use

1 inch = 667 feet



Legend

Future Land Use

- Rural Residential Cluster Development
- Commercial/Industrial
- County Forest
- Natural Resource Protection
- Park & Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential Mobile Home
- Rural Transition
- Urban Mixed Use



Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin 'Credentialed' Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.

FACT SHEET
File No. 15-16/119

RE: Rezoning Petition from Southern Oaks, LLP, represented by Peter J Gartmann/Real Land Surveying, LLC, to rezone a 75.72-acre +/- parcel of land from the A-2 Agriculture Residential District to R-H Rural Homes and C-3 Highway Business Districts.

Legal Description and Location: Portion of the SW¼ of Section 11, T26N, R9W, Town of Washington (complete legal description attached)

Size of area to be rezoned: 75.72 acres +/-

ADJACENT ZONING & LAND USES:

LOCATION	ZONING	LAND USE
Subject	A-2	Undeveloped
North	A-2	Single family residences
East	R-H & A-2	Single family residences
South	A-2 & C-3	Commercial development & vacant
West	R-H & C-3	Single family residences & vacant commercial

LAND USE PLANS: The Eau Claire County Future Land Use Map includes this property in the Rural Transition (RT) planning area, and the Town of Washington Future Land Use Map includes this property in the Rural Residential Cluster Development (RRCD) planning area, which is consistent with this rezoning request. Following is a description of the intent of the applicable County and Town comprehensive plan future land use categories:

Rural Transition (RT)

Eau Claire County Intent and Description: The primary intent of these areas is to, *“identify certain lands in proximity to developed areas, to be preserved in mainly agricultural and open space uses until such time as more intensive development is appropriate. As mapped, this designation includes farmland, scattered open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, and limited low density single-family residential development. The RT areas potentially represent prime candidates for intergovernmental agreements that lay out specific plans for land use, boundary changes, and fiscal arrangements.”*

Rural Residential Cluster Development (RRCD)

Town of Washington Intent and Description: The primary intent of this classification is to, *“identify areas suitable for future rural residential neighborhoods only using conservation subdivision design techniques. Most of the area classified as RRCD is located near existing rural subdivisions.”*

Staff Conclusions and Recommendation: Staff finds that the proposed rezoning request is consistent with the Eau Claire County Comprehensive Plan and the Town of Washington Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed R-H zoning district is consistent and therefore allowed within the mapped Eau Claire County Rural Lands and Town of Washington Rural Preservation future land use designations.

Town Board Action: The Town of Washington Town Board met on Thursday, January 21, 2016, to consider the rezoning petition and recommended approval (5-0 vote) of the rezoning.

Committee Action: The Eau Claire County Committee on Planning and Development conducted the required public hearing on Tuesday, January 26, 2016 regarding the proposed rezoning.

On a vote of 5 in favor and 0 against, the Committee recommends approval of the rezoning petition to the County Board. The committee considered the applicant’s testimony as well as testimony from nearby residents and the Town Board’s and staff’s recommendations in their deliberations.

Respectfully submitted on behalf of the Committee on Planning and Development,



Matt Michels, AICP
Senior Planner

2
3 - AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
4 TOWN OF WASHINGTON -

5
6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7
8 **SECTION 1**

9 That the 1982 Official Zoning District Boundary Map for the Town of
Washington, Eau Claire County described as follows:

10
11 **A parcel of land located in the SW ¼ of the SW ¼, Section 11,**
12 **Township 26 North, Range 9 West, Town of Washington, Eau Claire**
13 **County, Wisconsin being more particularly described as follows:**

14
15 **Commencing at the Southwest corner of said Section; Thence**
16 **N.02°34'22"W., along the West line of said Section, 161.68 feet to its**
17 **intersection with the North right of way line of C.T.H. II and the Point**
18 **of Beginning; Thence continuing N.02°34'22"W., along the West line**
19 **of said Section, 1113.25 feet; Thence S.69°00'41"E. 308.72 feet;**
20 **Thence Southwesterly, along the arc of a curve concave**
21 **Northwesterly, the long chord which bears S.23°47'22"W. 58.63 feet**
22 **and having a radius of 600.00 feet; Thence S.26°35'24"W. 289.28 feet;**
23 **Thence Southerly, along the arc of a curve concave Easterly, the long**
24 **chord which bears S.09°56'19"E. 321.42 feet and having a radius of**
25 **270.00 feet; Thence S.46°28'02"E. 121.78 feet; Thence Southerly,**
26 **along the arc of a curve concave Westerly, the long chord which bears**
27 **S.13°11'33"E. 300.83 feet and having a radius of 274.15 feet to a point**
28 **on said North Right of Way line of C.T.H. II; Thence N.69°55'05"W.,**
29 **along said North line, 33.00 feet; Thence S.20°04'56"W., along said**
30 **North line, 30.00 feet; Thence S.60°26'55"W., along said North line,**
31 **52.50 feet; Thence N.69°55'04"W., along said North line, 37.50 feet;**
32 **Thence N.78°06'33"W., along said North line, 139.46 feet; Thence**
33 **N.82°16'34"W., along said North line, 39.25 feet to the Point of**
34 **Beginning.**

35
36 **Parcel described contains 5.04 acres to be reclassified from the A-2**
37 **Agriculture-Residential District to the C-3 Highway Business District.**

38
39 **SECTION 2**

40 That the 1982 Official Zoning District Boundary Map for the Town of
Washington, Eau Claire County described as follows:

41
42 **A parcel of land located in the SW ¼ of the SW ¼ and NW ¼ of the**
43 **SW ¼, Section 11, Township 26 North, Range 9 West, Town of**
44 **Washington, Eau Claire County, Wisconsin being more particularly**
45 **described as follows:**

46
47 **Commencing at the southwest corner of said Section; Thence**
48 **N.02°34'22"W., along the West line of said Section, 161.68 feet to its**
49 **intersection with the North Right of Way line of C.T.H. II; Thence**
50 **continuing N.02°34'22"W., along the West line of said Section,**

1 1113.25 feet to the Point of Beginning; Thence continuing
2 N.02°34'22"W., along the West line of said Section, 1429.02 feet to the
3 Northwest corner of said NW ¼ of the SW ¼; Thence N.89°12'48"E.
4 1315.19 feet to the Northeast corner of said NW ¼ of the SW ¼;
5 Thence S.02°09'17"E., along the East line of said NW ¼ of the SW ¼
6 and said SW ¼ of the SW ¼, a distance of 2040.03 feet to the
7 Northeast corner of the East 200 feet of the South 650 feet of said SW
8 ¼ of the SW ¼; Thence S.88°37'27"W. 200.02 feet to the Northwest
9 corner of the East 200 feet of the South 650 feet of said SW ¼ of the
10 SW ¼; Thence S.02°09'17"E., parallel with the East line of said SW ¼
11 of the SW ¼, a distance of 615.66 feet to a point on the North Right of
12 Way line of C.T.H. II; Thence S.85°59'14"W., along said North line,
13 473.50 feet; Thence Westerly, along said North line and along the arc
14 of a curve concave Northerly, the long chord which bears
15 N.82°02'33"W. 293.78 feet and having a radius of 699.29 feet. Thence
16 N.21°15'37"W., along said North line, 53.28 feet; Thence
17 N.20°05'03"E., along said North line, 30.00 feet; Thence
18 N.69°55'01"W., along said North line, 33.00 feet; Thence Northerly,
19 along the arc of a curve concave Westerly, the long chord which bears
20 N.13°11'33"W. 300.83 feet and having a radius of 274.15 feet; Thence
21 N.46°28'02"W. 121.78 feet; Thence Northerly, along the arc of a
22 curve concave Easterly, the long chord which bears N.09°56'19"W.
23 321.42 feet and having a radius of 270.00 feet; Thence N.26°35'24"E.
24 289.28 feet; Thence Northeasterly, along the arc of a curve concave
25 Westerly, the long chord which bears N.23°47'22"E. 58.63 feet and
26 having a radius of 600.00 feet; Thence N.69°00'41"W. 308.72 feet to
27 the Point of Beginning.

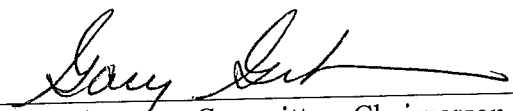
28
29 Parcel described contains 71.29 acres to be reclassified from the A-2
30 Agriculture-Residential District to the RH Rural Homes District.

31
32
33 **SECTION 3**

34 Where a certified survey map is required and may alter the above
35 described property description, the official zoning district map for the
36 town shall be automatically amended to reflect the property description of
37 the certified survey map.

38 ENACTED: I hereby certify that the foregoing correctly represents the
39 action taken by the undersigned Committee on
40 January 26, 2016 by a vote of 5 for, 0 against.

41
42
43 APPROVED BY
44 CORPORATION COUNSEL
AS TO FORM



Planning & Development Committee, Chairperson

15-16/119

SUP. DISTRICT 10 - Mike Conlin

Eau Claire County
Department of Planning and Development
Eau Claire County Courthouse
721 Oxford Avenue, Room 3344
Eau Claire, Wisconsin 54703
(715) 839-4741

Application Accepted: 1/4/2016
Accepted By: Matt Michels
Receipt Number: 45155
Town Hearing Date: 01/21/2016
Scheduled Hearing Date: 1/26/2016
Application No: RZN-0002-16
Appl Status: Pending

Rezoning - County

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: **A2** Proposed Zoning District(s): **RH** Acres to be Rezoned: **75.72**
Portion Of The Sw1/4 Sw1/4 Of Section 11, T26N, R9W, Town Of Washington (Complete Legal Description Attached)

Owner/Applicant Name(s): Peter J & Ann K Gartmann Southern Oaks Land Co	Address: (appl) 635 FAIRFAX ST ALTOONA (ow)	Telephone: 715-514-4116(H)
--	--	--------------------------------------

Site Address(es):

Property Description: Sec 11 Twn 26 Rge 09 **Town of Washington** **Lot Area:** 40.000 ACRES
35.720 ACRES

Zoning District(s): A2

Overlay District: Shoreland Flood Plain Airport Wellhead Protection Non-Metallic Mining
Check Applicable

PIN	Alternate No	Parcel No	Legal (partial)
1802422609113200001	024116604000	26.9.11.3-2	NW-SW
1802422609113300001	024116605000	26.9.11.3-3-A	SW-SW EX THE E 200' OF THE S 650' EX HWY RW CONT 1.28

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature see attached application Date _____

Check if DATCAP must be notified _____ Check if DNR to Receive Copy _____

RECEIVED
JAN 04 2016
COUNTY CLERK

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Eau Claire County
 Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	
Accepted By:	
Receipt Number:	
Town Hearing Date:	
Scheduled Hearing Date:	

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: A2 Proposed Zoning District(s): RH / C-3
 Acres to be rezoned: 75 4.2 Acres C-3 / 70.8 acres RH

Property Owner Name: Southern Oaks Land Co. LP Phone# 715-797-1522
 Mailing Address: 5 8336 ORIOLE DR EAU CLAIRE WI 54701
 Email Address: pamela.wachsbaily@gmail.com

Agent Name: Peter J. Gartmann / Real Land Surveying, LLC Phone# 715-514-4116
 Mailing Address: 635 Fairfax St, Altoona WI 54720
 Email Address: pgartmann@rls-aec.com

RECEIVED

SITE INFORMATION

Site Address: Hwy "93" - Deerfield Road
 Property Description: SW 1/4 SW 1/4 Sec. 11, T28N, R9W, Town of Washington / NW-SW, Sec. 11, T28N, R9W
 Zoning District: Code Section(s):
 Overlay District: Shoreland Floodplain Airport Wellhead Protection Non-Metallic Mining
 Check Applicable
 Computer #(s): 02 - 411 - 66 - 05000
 02 - 411 - 66 - 04000

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Contact the Town to coordinate a recommendation on the application
<input checked="" type="checkbox"/> Provide legal description of property to be rezoned	<input checked="" type="checkbox"/> Provide \$550.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$490.00 application processing fee and \$60.00 mapping surcharge fee)

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature: *[Signature]* Date: 12-30-15
Rockwell-Wachsbaily - Annals 12/30/15

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

REZONING APPLICATION CHECKLIST

Applications are due by Tuesday at 5:00 PM three weeks prior to the Committee on Planning and Development meeting. The application must include the items listed below. After a preliminary review, additional information may be needed. A hearing will not be scheduled until the application is deemed complete. Applications are considered complete when all materials and associated fees are received and approved by staff.

Required Application Items:

- Application must be signed by the property owner(s)
- A legal description of land and address of land to be rezoned
- Complete the attached supplemental rezoning information sheet
 - Describe the reason for the request
 - Describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance
 - Explain and justify why this particular property is under consideration for rezoning
 - For rezoning requests from A-1 to any zoning district other than the AR district must consider the factors in Section 18.04.055 A-D
 - For rezoning requests from the A-1 to the AR zoning district must consider the factors in Section 18.06.050 A-D
 - For rezoning requests out of the Shoreland-wetland district must consider Section 18.19.100 B

The rezoning procedures and details have been outlined in the rezoning brochure, which is available at the Department of Planning and Development.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason for your rezoning request:

Commercial and residential development

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

The area meets the Town of Washington and Eau Claire Counties Comprehensive plans for development. It fits within the City of Eau Claire's Extra Territorial Zone requirements.

Allowing this subdivision will lessen the pressure on development in other areas not as well suited for development. A meeting was held with the Town/ County and City on zoning and development issues and there was a consensual governmental support.

The proposed development will connect Sandstone Road with Talmadge Road, both now are dead end roads. Both of these roads now will have direct access onto S.T.H. "93" / Deerfield Road at the access point designated by the Wisconsin DOT.

Rezoning petitions to change the zoning of a parcel from the A-1 Exclusive Agricultural Zoning District to any other District must be based upon findings that consider the following factors:

- 1) Whether the land considered for rezoning is suitable for uses allowed in the proposed zoning district based upon soil types, the site's location, and adjacent land uses
- 2) Whether the uses allowed in the proposed zoning district will be in conflict with remaining agricultural uses
- 3) Whether adequate public facilities and services are available or will be provided for uses allowed in the new zoning district
- 4) Whether the development allowed by the new zoning district will cause undue environmental degradation

If you are petitioning to rezone land from an A-1 District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

[Empty response area for describing zoning consistency]

December 22, 2015

Legal descriptions for rezoning of parcel on north side of C.T.H. II, east of S.T.H. 93 in Section 11:

Parcel to be rezoned to C3:

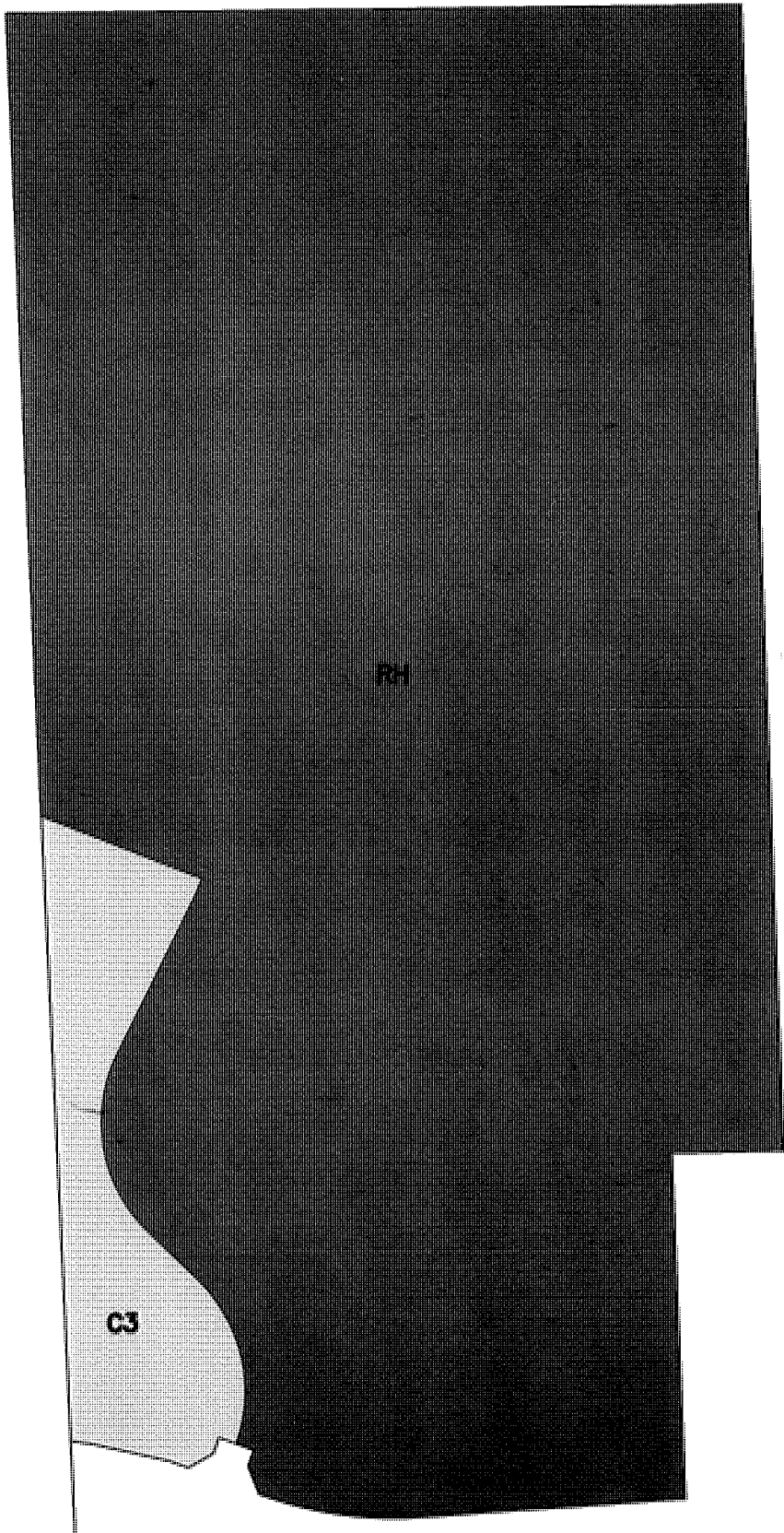
A PARCEL OF LAND LOCATED IN THE SW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$, SECTION 11, T26N, R9W, TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION;
- THENCE N.02°34'22"W., ALONG THE WEST LINE OF SAID SECTION, 161.68 FEET TO ITS INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF C.T.H. II AND THE POINT OF BEGINNING;
- THENCE CONTINUING N.02°34'22"W., ALONG THE WEST LINE OF SAID SECTION, 1113.25 FEET;
- THENCE S.69°00'41"E. 308.72 FEET;
- THENCE SOUTHWESTERLY, ALONG THE ARC OF A CURVE CONCAVE NORTHWESTERLY, THE LONG CHORD WHICH BEARS S.23°47'22"W. 58.63 FEET AND HAVING A RADIUS OF 600.00 FEET;
- THENCE S.26°35'24"W. 289.28 FEET;
- THENCE SOUTHERLY, ALONG THE ARC OF A CURVE CONCAVE EASTERLY, THE LONG CHORD WHICH BEARS S.09°56'19"E. 321.42 FEET AND HAVING A RADIUS OF 270.00 FEET;
- THENCE S.46°28'02"E. 121.78 FEET;
- THENCE SOUTHERLY, ALONG THE ARC OF A CURVE CONCAVE WESTERLY, THE LONG CHORD WHICH BEARS S.13°11'33"E. 300.83 FEET AND HAVING A RADIUS OF 274.15 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE OF C.T.H. II;
- THENCE N.69°55'05"W., ALONG SAID NORTH LINE, 33.00 FEET;
- THENCE S.20°04'56"W., ALONG SAID NORTH LINE, 30.00 FEET;
- THENCE S.60°26'55"W., ALONG SAID NORTH LINE, 52.50 FEET;
- THENCE N.69°55'04"W., ALONG SAID NORTH LINE, 37.50 FEET;
- THENCE N.78°06'33"W., ALONG SAID NORTH LINE, 139.46 FEET;
- THENCE N.82°16'34"W., ALONG SAID NORTH LINE, 39.25 FEET TO THE POINT OF BEGINNING.

Parcel to be rezoned to RH:

A PARCEL OF LAND LOCATED IN THE SW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ AND NW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$, SECTION 11, T26N, R9W, TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION;
- THENCE N.02°34'22"W., ALONG THE WEST LINE OF SAID SECTION, 161.68 FEET TO ITS INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF C.T.H. II;
- THENCE CONTINUING N.02°34'22"W., ALONG THE WEST LINE OF SAID SECTION, 1113.25 FEET TO THE POINT OF BEGINNING;
- THENCE CONTINUING N.02°34'22"W., ALONG THE WEST LINE OF SAID SECTION, 1429.02 FEET TO THE NORTHWEST CORNER OF SAID NW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$;
- THENCE N.89°12'48"E. 1315.19 FEET TO THE NORTHEAST CORNER OF SAID NW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$;
- THENCE S.02°09'17"E., ALONG THE EAST LINE OF SAID NW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ AND SAID SW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$, A DISTANCE OF 2040.03 FEET TO THE NORTHEAST CORNER OF THE EAST 200 FEET OF THE SOUTH 650 FEET OF SAID SW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$;
- THENCE S.88°37'27"W. 200.02 FEET TO THE NORTHWEST CORNER OF THE EAST 200 FEET OF THE SOUTH 650 FEET OF SAID SW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$;
- THENCE S.02°09'17"E., PARALLEL WITH THE EAST LINE OF SAID SW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$, A DISTANCE OF 615.66 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF C.T.H. II;
- THENCE S.85°59'14"W., ALONG SAID NORTH LINE, 473.50 FEET;
- THENCE WESTERLY, ALONG SAID NORTH LINE AND ALONG THE ARC OF A CURVE CONCAVE NORTHERLY, THE LONG CHORD WHICH BEARS N.82°02'33"W. 293.78 FEET AND HAVING A RADIUS OF 699.29 FEET.
- THENCE N.21°15'37"W., ALONG SAID NORTH LINE, 53.28 FEET;
- THENCE N.20°05'03"E., ALONG SAID NORTH LINE, 30.00 FEET;
- THENCE N.69°55'01"W., ALONG SAID NORTH LINE, 33.00 FEET;
- THENCE NORTHERLY, ALONG THE ARC OF A CURVE CONCAVE WESTERLY, THE LONG CHORD WHICH BEARS N.13°11'33"W. 300.83 FEET AND HAVING A RADIUS OF 274.15 FEET;
- THENCE N.46°28'02"W. 121.78 FEET;
- THENCE NORTHERLY, ALONG THE ARC OF A CURVE CONCAVE EASTERLY, THE LONG CHORD WHICH BEARS N.09°56'19"W. 321.42 FEET AND HAVING A RADIUS OF 270.00 FEET;
- THENCE N.26°35'24"E. 289.28 FEET;
- THENCE NORTHEASTERLY, ALONG THE ARC OF A CURVE CONCAVE WESTERLY, THE LONG CHORD WHICH BEARS N.23°47'22"E. 58.63 FEET AND HAVING A RADIUS OF 600.00 FEET;
- THENCE N.69°00'41"W. 308.72 FEET TO THE POINT OF BEGINNING.

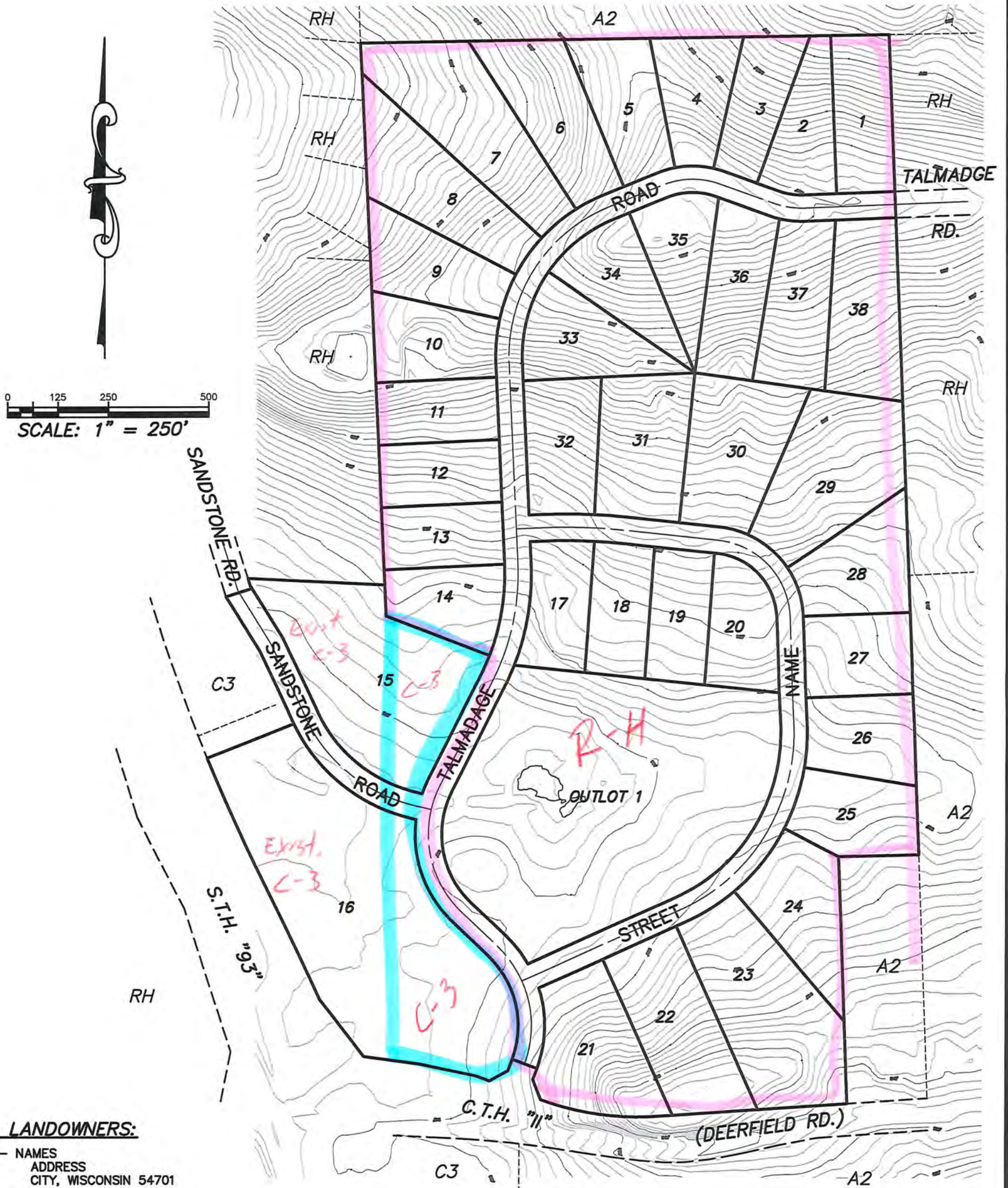


3

RH

PRELIMINARY PLAT OF PLAT NAME

IN THE SW $\frac{1}{4}$ -SW $\frac{1}{4}$ AND NW $\frac{1}{4}$ -SW $\frac{1}{4}$, SECTION 11
AND IN THE SE $\frac{1}{4}$ -SE $\frac{1}{4}$, SECTION 11, T26N, R9W,
TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN



LANDOWNERS:

- NAMES
ADDRESS
CITY, WISCONSIN 54701

SUBDIVIDERS:

- NAMES
ADDRESS
CITY, WISCONSIN 54701

APPROVING AUTHORITIES:

- CITY OF EAU CLAIRE
- TOWN OF WASHINGTON
- EAU CLAIRE COUNTY

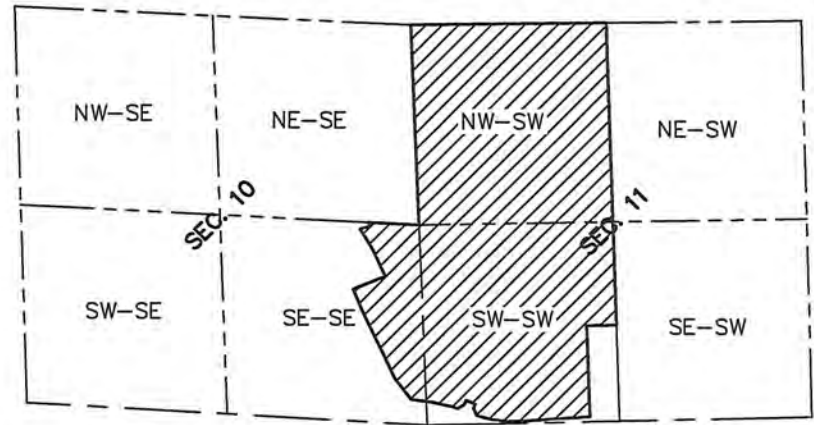
OBJECTING AUTHORITIES

- DEPARTMENT OF ADMINISTRATION
- DEPARTMENT OF TRANSPORTATION

SURVEYOR

- PETER J. GARTMANN R.L.S. No. 2279
REAL LAND SURVEYING
635 FAIRFAX ST.
ALTOONA, WISCONSIN 54720

LOCATION SKETCH
OF THE SE $\frac{1}{4}$, SEC. 10 AND SW $\frac{1}{4}$, SEC. 11, T26N, R9W

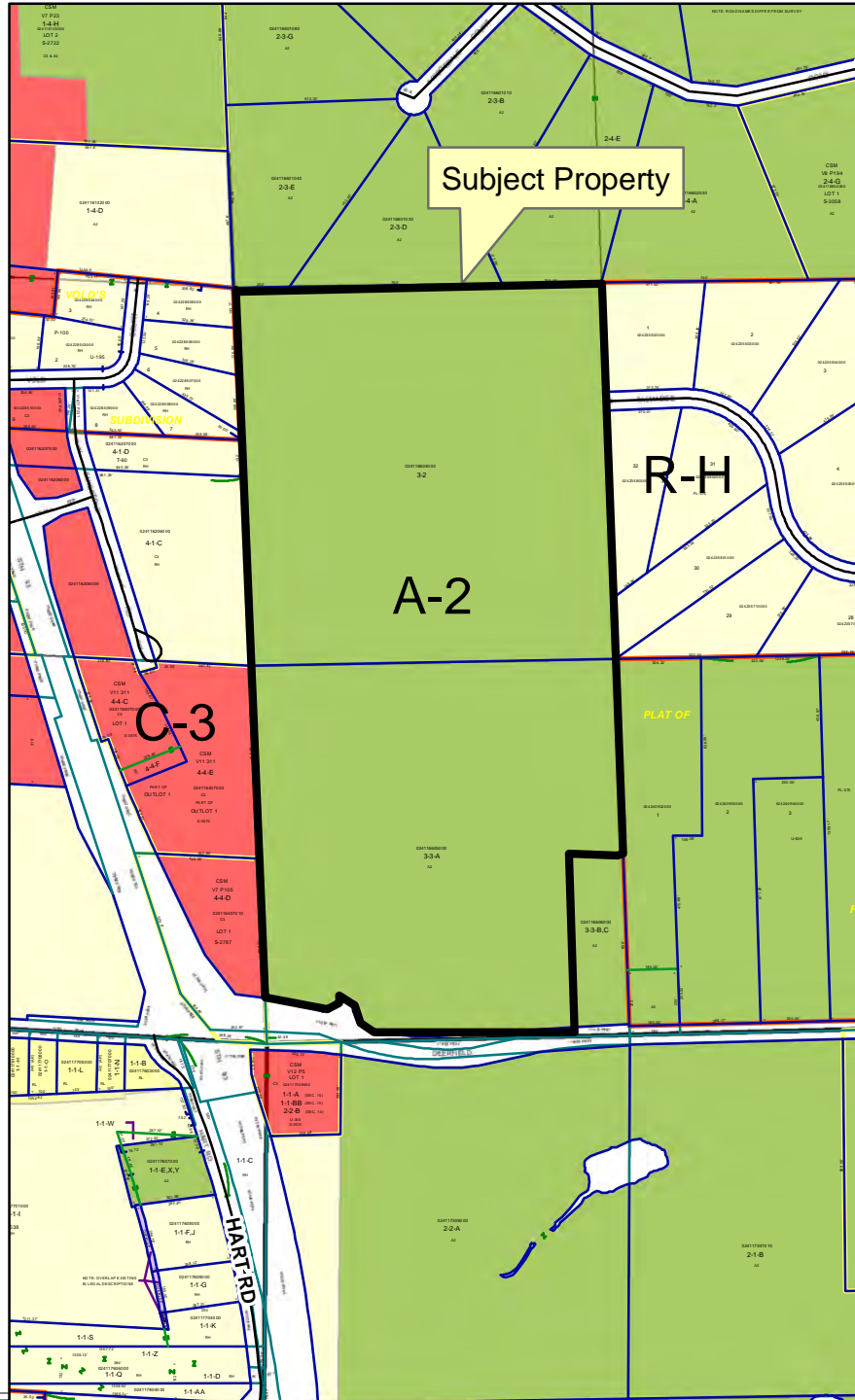




Southern Oaks Rezoning: RZN-0002-16

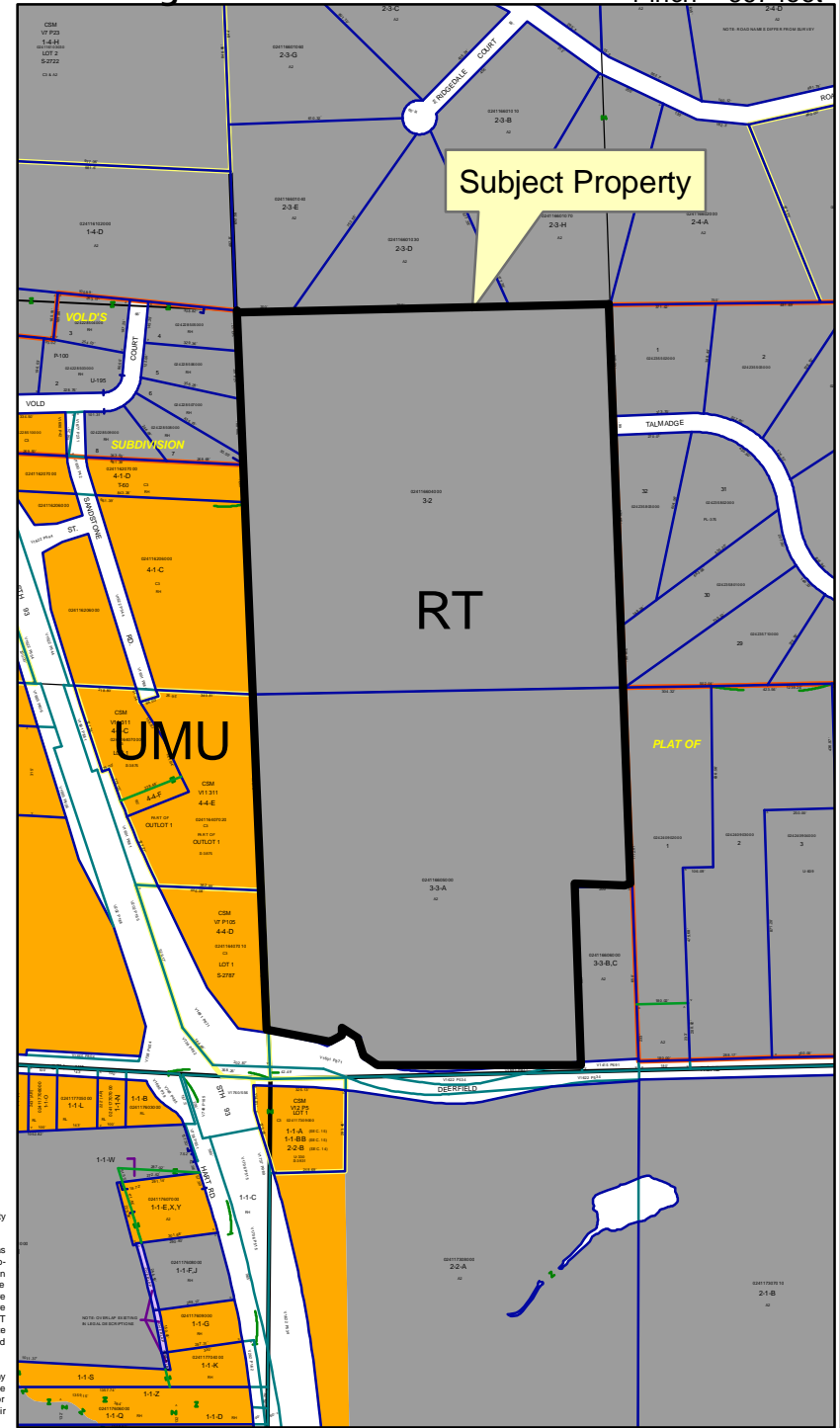
Existing Zoning

1 inch = 666.66667 feet



Existing Future Land Use

1 inch = 667 feet



- Legend**
- Future Land Use**
- Rural Residential Cluster Development
 - Commercial/Industrial
 - County Forest
 - Natural Resource Protection
 - Park & Recreational
 - Public Institutional
 - Recreational Commercial
 - Rural Commercial
 - Rural Hamlet
 - Rural Industrial
 - Rural Lands
 - Rural Residential
 - Rural Residential Mobile Home
 - Rural Transition
 - Urban Mixed Use



Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0002-16 COMPUTER NUMBER: 004109403000

PUBLIC HEARING DATE: January 26, 2016

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER/AGENT: Southern Oaks Land Co.

REQUEST: Rezone 75.72 acres +/- from A-2 (Agriculture-Residential) District to R-H (Rural Homes) and C-3 (Highway Business) Districts to develop a single family residential subdivision and commercial development on the western side of the property

LOCATION: Northeast corner of Highway 93 and Deerfield Road

LEGAL DESCRIPTION: Portion of the SW¼ of Section 11, T26N, R9W, Town of Washington (complete legal description attached)

SUMMARY

The applicant proposes to rezone 75.72 acres +/- of property from A-2 (Agriculture-Residential) to R-H Rural Homes and C-3 (Highway Business) Districts to develop a single-family residential subdivision and commercial development on the western side of the property in proximity to State Highway 93.

BACKGROUND

SITE CHARACTERISTICS:

- Northeast portion of property has existing single-family residence and outbuildings
- A large drainage runs east to west across the southern portion of the property
- Remainder of property contains woodlands

CURRENT ZONING:

A-2 Agriculture-Residential District. The A-2 District is established to "A. Provide an area for limited residential and hobby farm development in a rural atmosphere; and B. Preserve the county's natural resources and open space." Minimum lot size in the A-2 District is five (5) acres.

REQUESTED ZONING DISTRICTS:

The petition is to rezone the property described above from the A-1 Exclusive Agriculture District to the R-H Rural Homes District and C-3 Highway Business District.

The purpose of the RH District is to "provide for suburban large-lot development with individual on-site water and sewage disposal facilities." Minimum lot size in the RH District is one (1) acre.

C-3 Highway Business District. The C-3 Highway Business District is established to "provide an area for the development of those commercial activities that require large lots or attract concentrations of automobile traffic which make the uses incompatible with the predominantly retail uses in other commercial districts."

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-2	Undeveloped
North	A-2	Single family residences
East	R-H & A-2	Single family residences
South	A-2 & C-3	Commercial development & vacant
West	R-H & C-3	Single family residences & vacant commercial

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes this property in the Rural Transition (RT) planning area, and the Town of Washington Future Land Use Map includes this property in the Rural Residential Cluster Development (RRCD) planning area, which is consistent with this rezone request. Following is a description of the intent of the applicable County and Town comprehensive plan future land use category and applicable policies:

Eau Claire County:

- Rural Transition Intent and Description: “The primary intent of this classification is to identify certain lands in proximity to developed areas, to be preserved in mainly agricultural and open space uses until such time as more intensive development is appropriate. As mapped, this designation includes farmland, scattered open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, and limited low density single-family residential development. The RT areas potentially represent prime candidates for intergovernmental agreements that lay out specific plans for land use, boundary changes, and fiscal arrangements.”
- Applicable Policies: The following policies are applicable to this rezoning petition.
 1. *Continue to maintain and support farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utility uses until such time as it has been determined by local plans that these areas are needed for additional non-farm development.*
 2. *For those Towns under County Zoning, density and zoning districts to be considered for new development shall be limited in accordance with all policies applicable to the Rural Lands classification, until such time as it has been determined by local officials in accordance with local plans, and the County Plan, that these areas are needed for additional non-farm development.*

Town of Washington:

- Rural Residential-Cluster Development Comprehensive Plan Intent and Description: The primary intent of this classification is to, “*identify areas suitable for future rural residential neighborhoods only using conservation subdivision design techniques. Most of the area classified as RRCD is located near existing rural subdivisions.*”
- Applicable Policies: The following policies are applicable to this rezoning petition. Staff comments, where provided, follow the policy *in italics*.
 1. *Within the RRCD classification, limit new development to a maximum gross density of one residential dwelling unit per two (2) acres held in single ownership.*

2. *All proposed subdivisions shall be designed using conservation subdivision techniques, based on the following policies:*
 - a. *Additional bonus lots resulting in a gross density exceeding two (2) units per acre may be granted per the requirements of a conservation subdivision ordinance, as developed by the Town of Washington or Eau Claire County. The proposed subdivision is designed to utilize the Planned Unit Development (PUD) provisions of Section 18.27 of the Eau Claire County Zoning Ordinance, which limits the "number of principal structures by dividing the net acreage of the PUD tract by the required lot area per structure required within the zoning district in which the PUD is located."*
 - b. *A minimum of 40% of the gross acreage of the parent parcel shall be placed under a permanent conservation easement.*
 - c. *Lots within a conservation subdivision shall not exceed five (5) acres per unit, with the exception of the remaining farmstead. Minimum lot sizes shall be one (1) acre per unit. Lower lot sizes may be granted for lots served by public or group sanitary & water utilities.*
 - d. *To the extent possible, land placed under conservation easements should be contiguous to other open spaces, sensitive natural areas, or agricultural areas in order to provide larger corridors of open space*

4. *The following Eau Claire County zoning districts will be considered for approval within RRCD areas: RH Rural Homes District and the R-1-L Single Family Residential Large Lot.*

The proposed RH zoning is consistent with the intent and description and the applicable policies of the Eau Claire County and also appears to be consistent with the Town of Washington Comprehensive Plan. The small portion of proposed C-3 zoning on the western edge of the property (see attached Conceptual Plan) is not strictly consistent with the comprehensive plan. However, the rezoning of a portion of the property to C-3 allows a more efficient transportation circulation pattern by allowing Talmadge Road and Sandstone Road to connect. Also, please note that the actual subdivision design will require revisions to comply with the above-noted Town of Washington Comprehensive Plan policies, which will take place subsequent to the rezoning of the property during the subdivision plat review.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also to be made that the rezone is consistent with the County's Comprehensive Plan.

The rezoning petition has been evaluated for consistency with the purpose of A-2 District and the uses allowed in the district. The request is consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the Future Land Use plans for the County and the Town of Washington
- The property is appropriately situated for the intended R-H zoning and will provide connectivity with Talmadge Road in the Thistledown development to the east.
- Existing uses in the area include a mixture of single-family residences, commercial businesses, and vacant property.

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also to be made that the rezone is consistent with the County's Comprehensive Plan.

The rezoning petition has been evaluated for consistency with the purpose of RH District and the uses allowed in the district. The request is consistent with the purpose of the zoning code based on the following findings:

Town Board Action: The Washington Town Board will consider this rezoning petition on Thursday, January 21, 2016.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County and Town of Washington Comprehensive Plan future land use designations
- Eau Claire County and Town of Washington Comprehensive Plan goals, objectives and policies
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in A-2 District

In addition, the following factors have also been considered:

- Input of surrounding property owners (within 660 feet). No correspondence has been received to date
- Town of Washington Board action

Other residential and commercial uses similar to what is proposed exist adjacent to the subject property.

Staff finds that the proposed rezoning request substantially conforms with the Eau Claire County Comprehensive Plan and the Town of Washington Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed R-H zoning district is consistent and therefore allowed within the mapped Eau Claire County Rural Residential and Town of Washington Rural Residential Cluster Development future land use designations.

RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the rezoning petition to rezone the approximately 75.72-acre property from the A-2 District to the R-H District and C-3 District as depicted on the attached map and described in the attached legal description.

FACT SHEET

TO FILE NO. 15-16/082

Section 1. The county board has never met for more than two days on the annual budget. This amendment does not preclude the county board from continuing the budget meeting as long as proper public notice is given as required by the open meetings law.

Section 2. This section: eliminates the “unfinished business” agenda item which item is never used and does not comply with the open meetings law since it does not identify a subject matter to be discussed; clarifies in conjunction with changes made in Section 7 which items are considered under first reading and second reading to clarify existing practice and eliminating the need to list items under suspension of rules since a motion to suspend the rules can always be made; consolidates reports of standing committees, committees, boards and commissions and second reading of ordinances under one agenda item: and replaces references to Rues 16 and 32 with code sections for easier reference; and eliminates the confirmation and elections by chair language which is not used.

Section 3. Removes redundant language.

Section 4. Updates the language to more accurately reflect the Wisconsin Statute that is cited and also replaces the reference to Rule 16 with the code section for easier reference.

Section 5. This section deletes the phrase “avoid personalities” since it is not clear what it means in this context and appears to be redundant with the existing language of only speaking to the merits of the question, refraining from attacking or questioning the motives of another member and using another members name in a demeaning or derogatory manner. The second thing that is addressed is the “Method of Address” which is updated to either refer to whoever is chairing the meeting as “Mister Chair or Madame Chair” and all supervisors as “Supervisor ____” (last name).

Section 6. The proposed changes are to reflect the layout of the new county boardroom. The old county boardroom acted as an extra courtroom and there was a bench area and a specific table set aside for the media adjacent to where supervisors sat.

Section 7. The main goal of these changes is to make it clear where items will appear in the county board agenda. This section treats comprehensive plan amendments the same as rezonings, both of which require a public hearing and recommendation of the local government unit involved prior to action by the committee on planning and development. Along with vouchers these agenda items will be considered for action under second reading instead of under suspension of rules. In addition the last sentence is deleted since all legislation is listed in the same manner on the county board agenda.

Section 8. This section replaces the reference to Rule 16 with the code section to allow for easier reference.

Section 9. This section replaces the reference to Rules 12, 15 and 16 with the code sections to allow for easier reference.

Section 10. Updates the rule of allowing members to utilize videoconferencing as an alternative to using a speaker phone under the limited circumstances set forth for holding meetings.

Section 11. This section replaces the reference to Rule 32 with the code section to allow for easier reference.

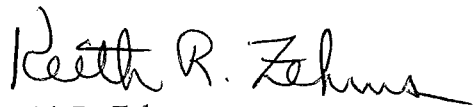
Section 12. This section eliminates the requirement that the county board chair appointments must all be considered by the committee on administration or another committee and simply requires confirmation by a majority vote of the supervisors present and does not require a separate resolution.

Section 13. This section replaces the reference to Rule 12 with the code section to allow for easier reference.

Section 14. This section replaces the reference to Rule 16 with the code section to allow for easier reference.

Section 15. Repeals 2.04.350. This subject is governed by Wisconsin Statutes. Statutory provisions for removal for county board supervisors or other elected county officers are different and reflected in separate state statutes.

Respectfully Submitted,



Keith R. Zehms
Corporation Counsel

KRZ/yk

Ordinance/15-16.082 Fact

2
3 - TO AMEND SECTION 2.04.010 C. OF THE CODE: RULE 1 – MEETINGS; TO
4 AMEND SECTION 2.04.030 C., D. AND E. OF THE CODE: RULE 3—OPENING OF
5 MEETING; TO AMEND SECTION 2.04.040 B.2. OF THE CODE: RULE 4—VOTING; TO
6 AMEND SECTION 2.04.040 E. 3. AND 4. OF THE CODE: RULE 4—VOTING; TO AMEND
7 SECTION 2.04.050 B. AND C. OF THE CODE: RULE 5—SPEAKING AT MEETINGS; TO
8 AMEND SECTION 2.04.080 A. OF THE CODE: RULE 8—RULES OF CHAMBERS; TO
9 AMEND SECTION 2.04.110 D. OF THE CODE: RULE 11—CALENDAR OF REGULAR
10 MEETINGS; TO AMEND SECTION 2.04.150 A. OF THE CODE: RULE 15—SELECT AND
11 SPECIAL COMMITTEES; TO AMEND SECTION 2.04.280 C. OF THE CODE: RULE 28—
12 RESOLUTIONS, ORDINANCES AND AMENDMENTS; TO AMEND SECTION 2.04.310 B.
13 OF THE CODE: RULE 31-COMMITTEE MEETINGS; TO AMEND SECTION 2.04.330 OF
14 THE CODE: RULE 33—REPORTS OF CONVENTION DELEGATES; TO AMEND
15 SECTION 2.04.340 B. OF THE CODE: RULE 34—CONSIDERATION AND
16 CONFIRMATION OF APPOINTMENTS; TO REPEAL SECTION 2.04.350 OF THE CODE:
17 RULE 35—REQUEST FOR IMPEACHMENT OR REMOVAL FROM OFFICE; TO AMEND
18 SECTION 2.04.435 B. OF THE CODE: COMMITTEE ON ADMINISTRATION; TO AMEND
19 SECTION 2.05.001 E. OF THE CODE: LEGISLATIVE POLICY AND INTENT-

20
21 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

22
23 **SECTION 1.** That Subsection C. of Section 2.04.010 of the code be amended to read:

24
25 C. The meeting on the Tuesday after the 2nd Monday of November in each year
26 shall be the annual meeting at which time the board shall conduct a public hearing on and
27 thereafter adopt the county budget and tax levy for the ensuing fiscal year, in addition to its
28 regular business. Unless otherwise ordered, the board shall adjourn at 11:00 p.m. until 1:00 p.m.
29 the next day and likewise shall adjourn to 7:00 p.m. each succeeding day until the business of the
30 annual meeting is concluded.

31
32 **SECTION 2.** That Subsections C., D. and E. of Section 2.04.030 of the code be
33 amended to read:

34
35 C. Order of Business for Regular Meetings. The order of business shall be as
36 follows for all regular meetings of the board, except as otherwise provided by rules for the
37 annual and organizational meetings:

- 38 1. Call to order;
- 39 2. Honoring of the flag and moment of reflection;
- 40 3. Call of the roll;
- 41 4. ~~Correction~~ Approval of the journal of proceedings;
- 42 5. ~~Unfinished business;~~
- 43 65. Public comment;
- 44 76. Reports to the county board under ~~Rule 32~~ 2.04.320;
- 45 87. Presentation of petitions, claims, and communications;
- 46 98. ~~Presentation of resolutions or~~ First reading of ordinances by committees ~~or~~
47 ~~members under suspension of the rules;~~
- 48 109. First reading of ordinances and resolutions by members;
- 49 110. Reports of standing committees, committees, commissions and boards

1 under 2.04.160 and 2nd second reading of ordinances. The committee chair(s) responsible for
2 reporting shall give an oral report and fact sheet by staff explaining the reasons for the committee
3 action;

- 4 ~~12. Reports of select committees and 2nd reading;~~
- 5 ~~13. Reports of commissions and boards under Rule 16 ;~~
- 6 ~~1411. Appointments, confirmations and elections by the board;~~

7 D. Order of Business for Annual Meeting. The order of business shall be as follows
8 for the annual meeting:

- 9 1. Call to order;
- 10 2. Honoring of the flag and moment of reflection;
- 11 3. Call of the roll;
- 12 4. ~~Correction~~ Approval of the journal of proceedings;
- 13 5. Public hearing on the annual budget;
- 14 6. Presentation of petitions, claims and communications;
- 15 7. Budget deliberations-1st vice-chair presides;
- 16 8. ~~Unfinished business;~~
- 17 ~~98. Reports to the county board under Rule 32 2.04.320;~~
- 18 ~~109. Presentation of resolutions or First reading of ordinances by committees or~~

19 ~~members under suspension of the rules;~~

- 20 ~~110. First reading of ordinances and resolutions by members;~~
- 21 ~~1211. Reports of standing committees, committees, commissions and boards~~

22 under 2.04.160 and second reading of ordinances. The committee chair(s) responsible for
23 reporting shall give an oral report and fact sheet by staff explaining the reasons for the committee
24 action;

- 25 ~~1312. Reports of select committees and second reading;~~
- 26 ~~1413. Reports of commissions and boards under Rule 16 2.04.160;~~
- 27 ~~1514. Appointments, confirmations and elections by the chair;~~

28 E. Order of Business for the Organizational Meeting. The order of business shall be
29 as follows for the organizational meeting:

- 30 1. Call to order;
- 31 2. Presentation of the colors and honoring of the flag;
- 32 3. Moment of reflection;
- 33 4. Certificate of election;
- 34 5. Administration of the oath of office;
- 35 6. Call of the roll;
- 36 7. Election of board officers;
- 37 8. Adoption of the rules of order;
- 38 9. ~~Correction~~ Approval of the journal of proceedings;
- 39 10. ~~Unfinished business;~~

40 ~~1110. Public Comment;~~

41 ~~1211. Reports to the county board under Rule 32 2.04.320;~~

42 ~~1312. Presentation of petitions, claims, and communications;~~

43 ~~1413. Presentation of resolutions or First reading of ordinances by committees or~~

44 ~~members under suspension of the rules;~~

45 ~~1514. First reading of ordinances and resolutions by members;~~

46 ~~1615. Reports of standing committees, committees, commissions and boards~~

47 under 2.04.160 and second reading of ordinances. The committee chair(s) responsible for
48 reporting shall give an oral report and fact sheet by staff explaining the reasons for the committee
49 action;

- 1 17. Reports of select committees and second reading;
2 18. Reports of commissions and boards under Rule 16 ;
3 1916. Appointments, confirmations and elections by the board;
4

5
6 **SECTION 3.** That paragraph 2. of Subsection B. of Section 2.04.040 of the code be
7 amended to read:

8
9 2. All members shall be in their seats when voting. Prior to the
10 announcement by the chair of the final vote on any question, members have the right to change
11 their vote by rising for recognition and so announcing the change to the clerk. Thereafter,
12 members shall not be allowed to change their vote, ~~even by unanimous consent.~~

13
14 **SECTION 4.** That paragraph 3. and 4. of Subsection E. of Section 2.04.040 of the code
15 be amended to read:

16
17 3. Any public ~~construction referendum~~ work done directly by the county
18 under Wis. Stat. § 59.52(29), (3/4);

19 4. Any motion to withdraw a matter from committee unless notice has been
20 given as provided in ~~Rule 16 2.04.160~~ codified in 2.04.160(2/3).

21
22 **SECTION 5.** That Subsections B. and C. of Section 2.04.050 of the code be amended to
23 read:

24
25 B. Limitations of Speech. No member shall speak a 2nd time on a question during
26 any meeting until any other member desiring to speak on same shall have been heard. No
27 member shall speak more than twice on a question nor for more than 5 minutes at any one time
28 without first obtaining leave of a majority of the members present. Merely asking or answering a
29 question for a member shall not be counted as speaking in debate. Each member shall speak
30 only to the merits of the question under consideration, maintain a courteous tone, ~~avoid~~
31 ~~personalities,~~ refrain from attacking or questioning the motives of any other member and avoid
32 the mention of other members' names in a demeaning or derogatory manner.

33 C. Method of Address. At all times the chair shall be addressed as "Mister
34 ~~Chairman"~~ or "Madame Chairwoman" ~~as the case maybe, or in the alternative as mister/madame~~
35 ~~chairperson, respectively. Members shall refer to all officers and fellow members by title only,~~
36 ~~the acceptable address for~~ and fellow members being as "Supervisor _____" or "Mr./Mrs./Ms.

37
38 **SECTION 6.** That Subsection A. of Section 2.04.080 of the code be amended to read:

39
40 A. —All persons not members of the board shall be excluded from ~~within the area of~~
41 ~~bench of the board chambers~~ reserved for the board during its meetings except the county
42 administrator, the corporation counsel, the county clerk, or designees of such persons, and
43 ~~reporters for the public news media,~~ unless such persons are present at the invitation of the board
44 or authorized to address the board pursuant to ~~Rule 32-2.04.320.~~

45
46 **SECTION 7.** That Subsection D. of Section 2.04.110 of the code be amended to read:

47
48 D. The calendar shall be prepared under the direction of the county administrator in
49 accord with the orders of business provided in 2.04.030. Approval of vouchers, rezoning and

1 comprehensive plan reviews will be listed under second reading. Ordinances received from
2 committees will be listed under first reading and resolutions under second reading. Ordinances
3 and resolutions received from members will be listed under first reading. All legislation
4 received from committees will be listed as follows: rezoning and approval of vouchers under
5 suspension, ordinances under first reading and resolutions under second reading. All standing
6 committee reports shall be listed by committee in the order that they are designated in Rule 12
7 2.04.120, and all select committee reports shall be listed alphabetically by committee name.
8 Legislation under first reading shall be listed by synopsis of title. Legislation under second and
9 subsequent readings shall be listed by full title with a notation thereafter of the date of first
10 reading and the calendar supplement pages on which it appeared or, if distribution of legislation
11 occurred at a meeting, a notation to that effect.

12
13 **SECTION 8.** That Subsection A. of Section 2.04.150 of the code be amended to read:

14
15 A. Select and special committees may be created by resolution, specifying the
16 committee charge, number of members and termination date. Select committees shall consist
17 solely of members of the board, and special committees shall have at least 1 member of the
18 board. Select and special committees created without a termination date shall expire on the 3rd
19 Tuesday of April next following creation thereof. Said committees shall have such authority as
20 shall be granted by resolution, except that the reports of special committees shall be referred to a
21 standing committee pursuant to ~~Rule 16~~ 2.04.160.

22
23 **SECTION 9.** That Subsection C. of Section 2.04.280 of the code be amended to read:

24
25 C. Resolutions and ordinances may only be introduced by a member or a committee
26 under ~~Rule 12 or 15~~ 2.04.120 or 2.04.150. Amendments to proposed legislation may be
27 introduced by a member or a committee under ~~Rule 16~~ 2.04.160. Prior to introduction or
28 placement on the calendar, all such proposed enactments shall be subscribed as follows:

29
30 **SECTION 10.** That Subsection B. of Section 2.04.310 of the code be amended to read:

31
32 B. No standing committee meeting shall be held without the majority of the members
33 in physical attendance, except in case of extreme emergency as approved by the committee chair.
34 Other committees, commissions, boards and councils may meet via telephone conference phone
35 using a speaker phone or videoconferencing at the discretion of the chair, but only if all available
36 county board members are in physical attendance at the meeting site.

37
38 **SECTION 11.** That Section 2.04.330 of the code be amended to read:

39
40 2.04.330 Rule 33--Reports of convention delegates. All county board members serving
41 as delegates to a state or national conference or convention shall provide a written report within
42 15 days of the conference or convention to the county board, which may be supplemented by an
43 oral report under ~~Rule 32~~ 2.04.320.

44
45 **SECTION 12.** To amend Subsection B. of Section 2.04.340 of the code:

46
47 B.—Every nomination by the chair of the county board for any appointment to any
48 governmental body or position which requires the confirmation of the county board shall be by
49 majority vote of the supervisors present, considered prior to submittal for confirmation by the

1 ~~committee on administration, or such other committee or governmental body provided by~~
2 ~~ordinance. Confirmation action shall be by resolution introduced by the committee or~~
3 ~~governmental body.~~

4 **SECTION 13.** To amend Subsection B. of Section 2.04.435 of the code:

5
6 2.04.435 Committee on administration.

7 B. The chair and vice-chair of the county board shall be the chair and vice-chair of
8 the committee, respectively. The chairs of all other standing committees in ~~Rule 12~~ 2.04.120
9 shall be ex-officio members of the committee without voting privileges.

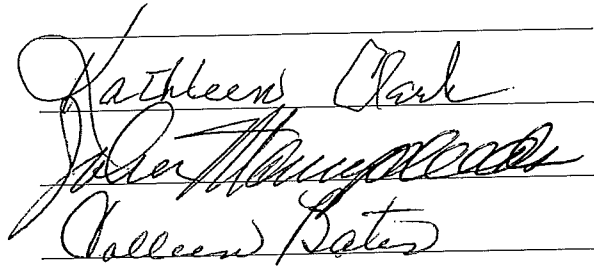
10 **SECTION 14.** To amend Subsection E. of Section 2.05.001 of the code:

11
12 2.05.001 Legislative policy and intent.

13 E. All legislation introduced as provided in D. shall be referred to a standing
14 committee as provided in ~~Rule 16~~ 2.04.160 ~~codified in 2.04.160.~~

15
16 **SECTION 15.** That Section 2.04.350 of the code be repealed.

17
18
19
20 ADOPTED:

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38


Committee Administration

KRZ/yk

Dated this 9 day of February, 2015.

ORDINANCE/15-16.082

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

FACT SHEET

TO FILE NO. 15-16/139

Pursuant to County Code Section 3.20.001 A.

A. Prior to May 1st of each even numbered year the committee shall review salaries of all county elected officials and make recommendations by resolution to the board in accordance with Wis. Stat. § 59.22(1)(a) and for each position up for election.

The Committee on Human Resources at its meeting on February 5, 2016, unanimously approved an \$8,259 increase for 2017; and 2% increase for 2018, 2019, and 2020 for the elected officials whose positions are up for election. The 4-year term will be January 1, 2017, through January 1, 2020, for the County Treasurer, County Clerk, and Register of Deeds. The salaries were previously established for the Clerk of Circuit Court and County Sheriff for their 4-year term in 2014. The summary of changes for that election period were as follows:

Position	2015	2016	2017	2018
Clerk of Circuit Court	Increase of \$6,899	1.5%	1.5%	1.5%
County Sheriff	Increase of \$9,528	1.5%	1.5%	1.5%

Subsection B. Reflects the 2016 salaries which have been previously approved by the county board.

Subsection C. Reflects the 2017 salaries. The clerk of circuit court and county sheriff salaries were previously established and cannot be changed. The salaries of the county clerk, county treasurer and register of deeds were each increased \$8,259 based on comparable wage information from other counties reviewed by the Committee on Human Resources.

Subsection D. Reflects the 2018 salaries. The clerk of circuit court and county sheriff salaries were previously established and cannot be changed. The salaries of the county clerk, county treasurer and register of deeds were increased 2%

Subsection E. Reflects the 2019 salaries. The salaries of the county clerk, county treasurer and register of deeds were increased 2%.

Subsection F. Reflects the 2020 salaries. The salaries of the county clerk, county treasurer and register of deeds were increased 2%.

Respectfully Submitted,

Amanda Twitchell

2
3 - TO REPEAL AND RECREATE SECTION 3.20.005 B. THROUGH F. OF THE
4 CODE: SALARIES OF ELECTED OFFICIALS -
5

6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:
7

8 SECTION 1. That Subsections B. and F. of Section 3.20.005 of the code be
9 repealed and recreated to read:

10
11 B. The total annual compensation of the elected officials for calendar year
12 2016 shall be as follows:

- 13 1. County clerk \$59,114
- 14 2. County treasurer \$59,114
- 15 3. Register of deeds \$59,114
- 16 4. Clerk of circuit court \$71,050
- 17 5. County sheriff \$94,903

18 C. The total annual compensation of the elected officials for calendar year
19 2017 shall be as follows:

- 20 1. County clerk \$67,373
- 21 2. County treasurer \$67,373
- 22 3. Register of deeds \$67,373
- 23 4. Clerk of circuit court \$72,116
- 24 5. County sheriff \$96,326

25 D. The total annual compensation of the elected officials for calendar year
26 2018 shall be as follows:

- 27 1. County clerk \$68,720
- 28 2. County treasurer \$68,720
- 29 3. Register of deeds \$68,720
- 30 4. Clerk of circuit court \$73,197
- 31 5. County sheriff \$97,771

32 E. The total annual compensation of the elected officials for calendar year
33 2019 shall be as follows:

- 34 1. County clerk \$70,094
- 35 2. County treasurer \$70,094
- 36 3. Register of deeds \$70,094

37 F. The total annual compensation of the elected officials for calendar year
38 2020 shall be as follows:

- 39 1. County clerk \$71,496
- 40 2. County treasurer \$71,496
- 41 3. Register of deeds \$71,496

42
43 I certify that the foregoing correctly represents the
44 action taken by the undersigned committee on
45 February 5, 2016 by a vote of 5 for, 0 against.

46 APPROVED BY
CORPORATION COUNSEL
AS TO FORM
47 Reviewed by Finance Dept.
48 for Fiscal Impact

49
50 Kathleen Clark, Chair
Committee on Human Resources

FACT SHEET

TO FILE NO. 15-16/110

This ordinance codifies the change in title from veterans service officer to veteran services director which reflects the position title in the classification and compensation study and the change in the name of the office from veterans service to veteran services approved by the committee on administration on December 8, 2015.

Fiscal Impact: No Fiscal Impact

Respectfully Submitted,



Keith R. Zehms
Corporation Counsel

KRZ/yk

Ordinance/15-16.110 Fact

2
 3 - TO AMEND 2.04.435 A. OF THE CODE: COMMITTEE ON ADMINISTRATION;
 4 TO AMEND SECTION 2.04.435 A. 14. OF THE CODE: COMMITTEE ON
 5 ADMINISTRATION; TO AMEND SECTION 2.50 OF THE CODE: VETERANS
 6 OFFICE; TO AMEND SECTION 2.50.300 C. 3 OF THE CODE: COUNTY
 7 VETERANS SERVICE COMMISSION; TO AMEND SECTION 2.50.500 OF THE
 8 CODE: VETERANS TRANSPORTATION; TO AMEND SECTION 2.50.550 OF THE
 9 CODE: SERVICES LIMITED TO COUNTY RESIDENCE; TO AMEND SECTION
 10 2.90.250 B. OF THE CODE: VETERANS SERVICE OFFICE; -

11
 12 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

13
 14 **SECTION 1.** That Subsection A. of Section 2.04.435 of the code be amended to read:

15
 16 2.04.435 Committee on administration.

17 A. The committee shall be responsible to the county board for the departmental
 18 policy and oversight of the offices of the county administrator, corporation counsel, information
 19 systems director, facilities director, veterans services ~~office~~ director and veterans service
 20 commission. In addition the committee shall have the following specific duties:

21
 22 **SECTION 2.** That paragraph 14. of Subsection A. of Section 2.04.435 of the code be
 23 amended to read:

24
 25 14. Enforce standards for the disbursal of aid under Wis. Stat. § 45.86, to
 26 needy veterans by the veterans' services ~~office~~ staff under the supervision of the veterans'
 27 service commission.

28
 29 **SECTION 3.** That Chapter 2.50 of the code be amended to read:

30
 31 2.50 Veterans Services

32
 33 Chapter 2.50

34
 35
 36 VETERANS SERVICES

37
 38 **SECTION 4.** That paragraph 3. of Subsection C. of Section 2.50.300 of the code be
 39 amended to read:

40
 41 3. The county veterans services ~~office~~ director shall serve ex-officio as
 42 executive secretary of the commission and shall perform the duties provided in Wis. Stat. §§
 43 45.80 and 45.81. The secretary shall keep and record all minutes as directed by the commission,
 44 furnish copies to the commissioners, file the original copies with the county clerk, and act as
 45 liaison with the committee designated by the county board.

46
 47 **SECTION 5.** That Section 2.50.500 of the code be amended to read:

48
 49 2.50.500 Veterans transportation. The veterans services ~~office~~ director may obtain

1 qualified persons to transport eligible veterans from the county to a Veterans Administration
2 hospital or service center. Each such person shall be paid a per diem of \$25 and reimbursement
3 for mileage authorized in the Human Resources Manual. County fleet cars shall be made
4 available for use whenever possible.

5
6 **SECTION 6.** That Subsection B. of Section 2.50.550 of the code be amended to read:

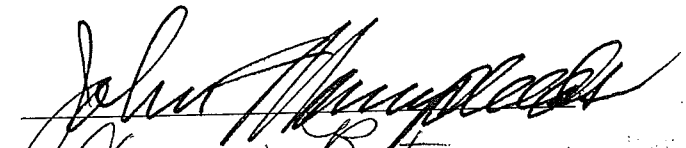
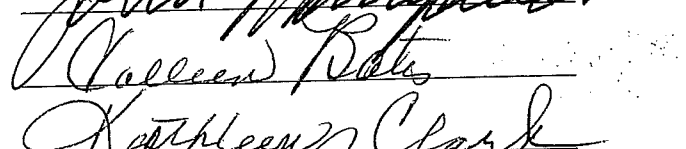
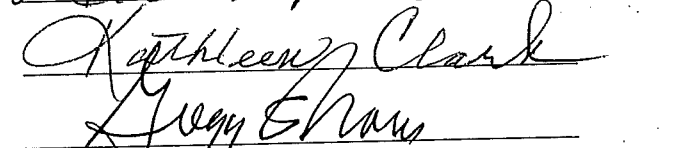
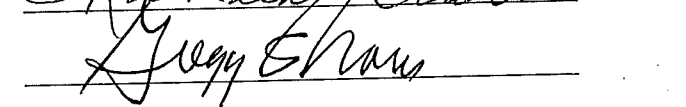
7
8 B. Unless otherwise provided, all veterans services authorized under this chapter
9 shall be provided only to veterans who are residents of this county, inclusive of students enrolled
10 at any post-secondary educational institution in the county. Veterans residing outside this county
11 shall be referred to the veterans-services ~~office~~ director of the county of residence.

12
13 **SECTION 7.** That Section 2.90.250 be amended to read:

14
15 2.90.250 Veterans Services ~~Office~~.

16
17
18 2.90.250 Veterans Services Office.

19
20 ADOPTED:

21
22 
23 
24 
25 

26
27
28
29
30
31
32 Committee on Administration

33
34 KRZ/yk

35 Dated this 12 day of January, 2015.

36
37
38 ORDINANCE/15-16.110

Reviewed by Finance Dept.
for Fiscal Impact

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

FACT SHEET

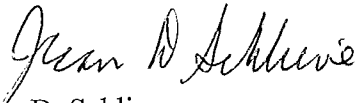
TO FILE NO. 15-16/125

This Resolution requests the state legislature to initiate the process of changing the elected position of county treasurer to an appointed position. Currently under Wis. Stat. § 17.21 (3) a vacancy in the county treasurer is filled by appointment by the county board. This process was used in 2013 when a select committee consisting of the county board chair, 1st vice chair, 2nd vice chair along with the finance & budget committee chair and vice chair was responsible for reviewing and interviewing candidates for the county treasurer position and forwarding a recommendation to the county board to fill the vacancy in the office of county treasurer. The recruitment process used was the same as recruitment for all appointed county positions. This process resulted in 33 applications for the position which was narrowed to 7 applicants by the select committee. The select committee reviewed each applicants training and experience and interviewed the prior to making its recommendation. This process resulted in adoption of a Resolution on July 16, 2013 appointing Glenda Lyons as Eau Claire County Treasurer effective September 7, 2013 through January 2, 2017.

Under Article XII of the Wisconsin Constitution, amending the constitution requires a majority vote of both houses of the legislature, then after the next general election another majority vote of both houses of the legislature and final approval by a majority of the popular vote cast by Wisconsin citizens.

Fiscal Impact: None

Respectfully Submitted,



Jean D. Schlieve
Supervisor, District 14

KRZ/yk

Ordinance/15-16.125 Fact

TO THE HONORABLE EAU CLAIRE COUNTY BOARD OF SUPERVISORS

Report of the Committee on Administration
File No. #15-16/125

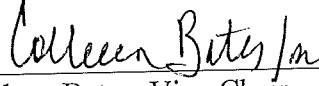
ANALYSIS

The Committee on Administration has reviewed a resolution requesting the Wisconsin legislature to initiate the process of changing the elected county treasurer position to an appointed position.

RECOMMENDATION

BE IT RESOLVED by the Eau Claire County Board of Supervisors that File No. 15-16/125 be and is hereby placed on file.

I hereby certify that the foregoing correctly represents the action taken by the undersigned committee on February 9, 2016 by a vote of 3 for, 0 against.



Colleen Bates, Vice-Chair
Committee on Administration

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

/sr

Reviewed by Finance Dept.
for Fiscal Impact

1 Enrolled No.

RESOLUTION

File No. 15-16/125

2
3 - REQUESTING THE WISCONSIN LEGISLATURE TO START THE PROCESS OF
4 CHANGING THE ELECTED COUNTY TREASURER POSITION TO AN APPOINTED
5 POSITION -
6

7 WHEREAS, the office of county treasurer was a made a constitutional office in 1882 as a
8 result of amendment to Article IV, Section 4. of the Wisconsin Constitution; and
9

10 WHEREAS, the county treasurer previously elected every 2 years, is now elected every 4
11 years; and
12

13 WHEREAS, due to a mid-term retirement in 2013 the current county treasurer was appointed
14 by the Eau Claire County Board of Supervisors pursuant to Wis. Stat. § 59.52(1) (b) effective
15 September 7, 2013 through January 2, 2017; and
16

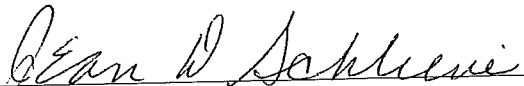
17 WHEREAS, the appointment was based on qualifications including education and experience
18 through an application and interview process; and
19

20 WHEREAS, counties are best served if the county treasurer is appointed after the process of
21 review of applications and interviews of the most qualified applicants; and
22

23 WHEREAS, amending the Wisconsin Constitution requires the majority vote of both houses
24 of the legislature, in two successive legislative sessions and final approval by a majority of the
25 popular vote cast by Wisconsin citizens.
26

27 NOW THEREFORE BE IT RESOLVED by the Eau Claire County Board of Supervisors that
28 it requests state legislature begin the process of changing the position of county treasurer from
29 elected to appointed ultimately giving the voters of the state of Wisconsin the opportunity to make
30 the final decision.
31

32 BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors directs the
33 county clerk to forward this resolution to the governor, assembly members and senators representing
34 Eau Claire County, and the Wisconsin Counties Association.
35
36

37
38 
39 Jean D. Schlieve
40 Supervisor, District 14
41

42 JS/yk

43 Dated this 13 day of January, 2015.

ORDINANC/15-16/125

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

FACT SHEET

TO FILE NO. 15-16/133

The County and the Wisconsin Professional Police Association Law Enforcement Employee Relations Division for the Sheriff's Department Non-Supervisory Unit have reached a tentative agreement for a successor two-year (2016-2017) agreement. The Non-Supervisory Unit has ratified the Agreement. The total package cost for 2016 decreased 2.37% and is within the amount budgeted for 2016. The Committee on Human Resources has approved the negotiated agreement and recommends it to the County Board of Supervisors as follows:

2014

Wages

2016-2% effective January 1 and an additional .5% July 1.
2017-2% effective January 1 and an additional .5% effective July 1.

Health Insurance

Only the amount of premium contribution is subject to bargaining. The employee premium contribution remained at 12%, the same as all other county employees. Plan design changes implemented January 1, 2016 reduced employer health insurance levy costs by \$408,800 for all county employees. This adjustment was included in the 2016 approved budget. For 2017 an estimated increase of 5% is included in the costing.

Dental Insurance

Effective January 1, 2016 employee premium contribution will increase from 10%-20% for all employees hired prior to January 1, 2014 who are participating in the dental plan. All employees hired on or after January 1, 2014 continue to be responsible for paying the entire premium. Costing includes a projected turnover of one person each year having a single plan and one having a family plan.

Field Training Officer Pay

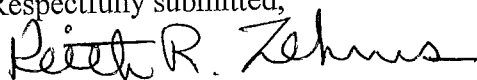
Effective January 1, 2016 FTO pay of \$1.00/hour will be paid to train new employees.

The total decreased package cost for 2016 is \$ 62,220 or a 2.37% decrease from 2015 and for 2017 there is a total increased package cost \$75,296 or a 2.94% increase over 2016.

Other Contract Changes

The promotion process for permanent detectives was changed from being seniority based to being merit based. Letters of Agreement for Order-In Procedure, Guard Duty and Scheduling were continued and a number of non-substantive language changes were made to clarify the Agreement.

Respectfully submitted,



Keith R. Zehms

Corporation Counsel KRZ
ORDINANCE15-16.133

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3
4 - TO RATIFY A LABOR AGREEMENT BETWEEN EAU CLAIRE COUNTY AND THE
5 WISCONSIN PROFESSIONAL POLICE ASSOCIATION LAW ENFORCEMENT
6 EMPLOYEE RELATIONS DIVISION FOR THE NON-SUPERVISORY UNIT
7 EFFECTIVE JANUARY 1, 2016 THROUGH DECEMBER 31, 2017; AUTHORIZING
8 THE CHAIR OF THE COUNTY BOARD, CHAIR OF THE COMMITTEE ON HUMAN
9 RESOURCES AND COUNTY ADMINISTRATOR TO EXECUTE SAID CONTRACT ON
10 BEHALF OF EAU CLAIRE COUNTY -

11
12 WHEREAS, the Committee on Human Resources has completed negotiations with the
13 Wisconsin Professional Police Association Law Enforcement Employee Relations Division for the
14 Non-Supervisory Unit for January 1, 2016 through December 31, 2017 (see enclosed fact sheet for
15 details); and

16
17 WHEREAS, the Committee on Human Resources passed a motion approving such
18 negotiations and hereby recommends to the County Board the ratification of the results of the
19 negotiated agreement.

20
21 NOW, THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors
22 hereby ratifies the labor agreement between Eau Claire County and Wisconsin Professional Police
23 Association Law Enforcement Employee Relations Division For the Non-Supervisory Unit effective
24 January 1, 2016, through December 31, 2017;

25
26 BE IT FURTHER RESOLVED, that the Chair of the County Board, Chair of the Committee
27 on Human Resources and County Administrator are hereby authorized to execute said agreement on
28 behalf of Eau Claire County.

ADOPTED:

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33 Reviewed by Finance Dept.
34 for Fiscal Impact
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39 APPROVED BY
40 CORPORATION COUNSEL
41 AS ATTORNEY

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Kathleen Clark
Mark R. Calm
Sue Miller
Makings
M. Miller

Committee on Human Resources

KRZ

Dated this 5th day of February, 2016.

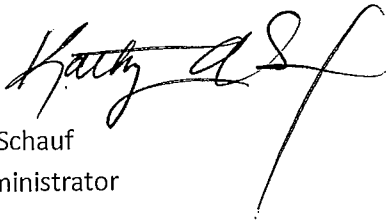
FACT SHEET
File No. 15-16/141

The Human Resources Director position became vacant in mid December 2015; subsequently, an extensive recruitment process began which included a survey of the Committee on Human Resources, interviews and background checks.

After these steps were concluded, the County Administrator made an employment offer and recommends the appointment of Jamie Gower as the new Human Resources Director at Grade U of the salary scale (\$46.66 per hour).

Pursuant to Wisconsin State Statutes §59.18(2)(b), all non-elected department head positions recommended for appointment by the County Administrator require confirmation of the full County Board. The Human Resources Director selection process followed all code and procedure standards.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kathy A. Schauf', written in a cursive style.

Kathryn A. Schauf
County Administrator

Fiscal note: adequate funds have been budgeted for this position.

1 Enrolled No.

2 RESOLUTION

3 File No. 15-16/141

4 -CONFIRMING THE APPOINTMENT OF JAMIE GOWER AS THE EAU CLAIRE COUNTY
5 HUMAN RESOURCES DIRECTOR EFFECTIVE MARCH 8, 2016 -

6 WHEREAS, the Eau Claire County Human Resources Director position became vacant mid
7 December 2015 and an extensive recruitment process was initiated, which included a survey of the
8 Committee on Human Resources, interviews and background checks; and

9 WHEREAS, an accepted offer of employment has been made to Jamie Gower, at Grade U
10 (\$46.66 per hour); and

11 WHEREAS, the county administrator recommends the appointment of Jamie Gower as the
12 Eau Claire County Human Services Director; and

13 WHEREAS, at its meeting on February 17, 2016, the Committee on Human Resources
14 confirmed the appointment of Jamie Gower to the position of Human Resources Director; and

15 NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors,
16 pursuant to WI Stats. 59.18 (2)(b), hereby confirms the appointment of Jamie Gower as the Eau
17 Claire County Human Resources Director, effective March 8, 2016.

18 ADOPTED:

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Committee on Human Resources

Dated this ___ day of _____, 2016.

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

Reviewed by Finance Dept.
for Fiscal Impact

FACT SHEET

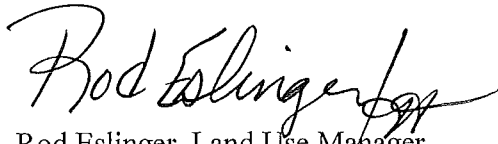
TO FILE NO. 15-16/096

The Committee on Planning and Development held a hearing on December 8, 2015 to review ordinance 15-16/096 to amend Section 15.01.060 of the County Code relating refunds for uniform dwelling code (UDC) permits. Refunds are requested from time to time by applicants who decide not to build. Upon request, in those circumstances the planning and development department will refund the UDC fee minus administrative costs associated with the permit review and the cost of the UDC seal fee.

After considering the staff's recommendation, the committee deliberated the matter and voted 4-0 to approve ordinance 15-16/090. No one spoke at the public hearing. Corporation Counsel has reviewed the proposed ordinance.

There are no anticipated fiscal impacts.

Respectfully submitted on behalf of the Committee on Planning and Development:

A handwritten signature in black ink that reads "Rod Eslinger" followed by a stylized flourish.

Rod Eslinger, Land Use Manager
Land Use Control Division

1 Enrolled No.

ORDINANCE

File No. 15-16/096

2
3 - TO AMEND SECTION 15.01.060 A. 11 OF THE CODE: PERMIT FEES -

4
5 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

6
7 SECTION 1. That paragraph 11. of Subsection A. of Section 15.01.060 of the
8 code be amended to read:

9
10 11. Refunds: Refunds for projects not started shall be based on the fee
11 paid minus UDC seal fee of \$3039, \$75100 plan review fee when plans are required and
12 erosion control fee of \$6070.

13
14 ADOPTED:

15
16 *Gary L...*
17 *James Channing*
18 *[Signature]*
19 *[Signature]*
20
21
22 *Sam Pagan*
23

24
25 Committee on Planning & Development

26 KRZ/yk

27
28 Dated this 8th day of December, 2015.

29
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31 ORDINANCE/15-16.096
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APPROVED BY
CORPORATION COUNSEL
AS TO FORM

Reviewed by Finance Dept.
for Fiscal Impact

**FACT SHEET
TO FILE NO. 15-16/112**

Donations have been solicited and received by Veteran Services to be designated for veterans transportation. In order to earmark those funds and ensure they are used for the purposes of the donors, a non-lapsing account is requested so funds can be carried over from year to year.

Regarding the Veterans-Direct relief account, object code (701) needs to be identified in the ordinance.

Respectfully submitted,



Sharon Rasmusson
County Administrator's office

1 Enrolled No.

2 ORDINANCE

3 File No. 15-16/112

4 -TO AMEND SECTION 4.09.010 A. OF THE CODE; NONLAPSING ACCOUNTS-

5 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

6 SECTION 1. That Subsection A. of Section 4.09.010 of the code be amended to read:

7 4.09.010 Nonlapsing accounts.

8 A. The following accounts or subaccounts are designated as nonlapsing, subject to review
9 and amendment by the county board to the end of each fiscal year:

- | | | |
|----|-------------------------|----------------------------------|
| 10 | <u>100-20-55500-200</u> | <u>Veterans - Transportation</u> |
| 11 | <u>100-20-55500-701</u> | <u>Veterans - Direct relief</u> |

12 ENACTED:

13 I hereby certify that the foregoing correctly represents
14 the action taken by the undersigned Committee on
15 December 10, 2015, by a vote of 4 for, 0 against.

16 

17 James A. Dunning, Vice-Chair
18 Committee on Finance & Budget

19 /sr

20 APPROVED BY
21 CORPORATION COUNSEL
22 AS TO FORM

23 Reviewed by Finance Dept.
24 for Fiscal Impact

1 Enrolled No.

RESOLUTION

File No. 15-16/121

2
3 AWARDING BID FOR SALE OF TAX DEED PROPERTY TO ORVIN & PAMELA BYSTOL FOR THE
4 SUM OF \$5,000.00; DIRECTING CORPORATION COUNSEL TO PREPARE QUIT CLAIM DEED ON
5 THE DESCRIBED PROPERTY; DIRECTING THE COUNTY CLERK TO EXECUTE SAID QUIT CLAIM
6 DEED ON BEHALF OF EAU CLAIRE COUNTY

7
8 WHEREAS, in accordance with Chapter 4.20 of the Eau Claire County Code, bids were solicited for the
9 sale of tax deed property; and

10
11 WHEREAS, a bid was received on said described parcel.

12
13 NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors awards the bid
14 for the sale of tax deed property as follows:

15 -----
16 SALE PARCEL #FA2015-2 vacant lot 1017 Brookline Ave. - City of Eau Claire

17 PURCHASER	18 <u>MINIMUM BID</u>	19 <u>BID AMOUNT</u>
20 Orvin Lawrence Bystol	\$ 5,000.00	\$5,000.00
21 Pamela Jo Bystol		
22 Husband and Wife as Survivorship Marital Property		

23
24 Computer #221-10-1346
25 PIN # 18221-2-270915-220-2078

26
27 Lot 16, Block 7, Seymour Park Addition to the Town of Seymour, now annexed to and a part of the City
28 of Eau Claire, Eau Claire County, Wisconsin.

29
30 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to execute said quit claim deed
31 on behalf of Eau Claire County.

32
33 ADOPTED:

Robin J. Leary

Janet Channing

Nicholas J. Hansen

W. J. K. Cole

Steve Poppen

Committee on Finance & Budget

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40 APPROVED BY
41 CORPORATION COUNSEL
42 AS TO FORM
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48 Reviewed by Finance Dept.
49 for Fiscal Impact
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Dated - Jan. 21, 2016

scm

	2016	PROFIT & LOSS	1017 Brookline Ave. Eau Claire	Fact Sheet						
Sale	Resolution #	Parcel Number	Buyer	General Taxes	Special Taxes	Interest	Penalty	County Expenses	Awarded Bid	Profit/(Loss)
January 2016	15-16/121	221-10-1346	Orvin & Pamela Bystol	\$1,984.21	\$0.00	\$530.47	\$265.24	\$416.21	\$5,000.00	1,803.87
									Profit/Loss:	1,803.87

EAU CLAIRE COUNTY * TAX DEED SALE MAP * FALL 2015 SALE

SALE PARCEL #FA2015-2

COMPUTER #221-10-1346

MINIMUM BID \$5,000

LOT SIZE:
APPROX. 50'x150'

Lot 16, Block 7, Seymour Park Addition to the Town of Seymour, now annexed to and a part of the City of Eau Claire, Eau Claire County, Wisconsin.

Computer #221-10-1346, City of Eau Claire

vacant lot - 1017 Brookline Ave.



FACT SHEET

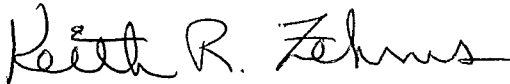
TO FILE NO. 15-16/122

This resolution disallows the claim of Steven Durham regarding the damage to his vehicle on December 4, 2015. Mr. Durham claims that on that date he was driving on I94, the right lane was closed and was marked with signage due to chip sealing being performed by Eau Claire County. He stated that Exit 70 was open so he proceeded back into the right lane behind a semi-truck that threw up some of the chip sealing that had been put on the road which caused damage to his vehicle. Mr. Durham is claiming that the chip sealing was not properly applied and therefore Eau Claire County is liable for the damages to his vehicle. Rich Walthers, Highway Patrol Superintendent states the work area was properly marked as is required by the Manual on Uniform Traffic Control Devices. Jackie Kaul, Liability Claim Representative from WMMIC the County's liability carrier states the county has immunity based on the signage displayed, it was an active construction site and it was the claimant's choice to follow the semi that kicked up the debris.

Based on this investigation of the facts, it has been determined that Eau Claire County has no liability for this claim.

The county's liability insurance carrier WMMIC recommended that the claim be disallowed and I concur with that recommendation.

Respectfully Submitted,



Keith R. Zehms

KRZ/yk

Ordinance/15-16/122

2
3 -DISALLOWING THE CLAIM OF STEVEN J. DURHAM FILED ON DECEMBER 29, 2015
4 AGAINST EAU CLAIRE COUNTY; DIRECTING THE COUNTY CLERK TO NOTIFY THE
5 CLAIMANT OF SAID DISALLOWANCE-

6
7 WHEREAS, on December 29, 2015, Steven J. Durham, filed a claim against Eau Claire
8 County through the county clerk; and

9
10 WHEREAS, Steven J. Durham claims that on December 4, 2015 Eau Claire County was
11 performing crack sealing on I94, the right lane was closed as indicated by signage placed before
12 the operation but exit 70 was still open and he proceeded to return to the right lane to take exit 70
13 to US Hwy 53. A semi-truck was in front of him and kicked up the chip seal material causing
14 damage to his vehicle; and

15
16 WHEREAS, Rich Walthers, Eau Claire County Patrol Superintendent states that signage
17 was in place and met the Manual on Uniform Traffic Control Devices (MUTCD) requirement for
18 the operations being performed; and

19
20 WHEREAS, Jackie Kaul, Liability Claim Representative from WMMIC the County's
21 liability carrier states the county has immunity based on the signage displayed, it was an active
22 construction site and it was the claimant's choice to follow the semi that kicked up the debris;
23 and

24
25 WHEREAS, after a review of the incident by Eau Claire County's Patrol Superintendent,
26 Rich Walther and by WMMIC the County's liability carrier it is determined that Eau Claire
27 County has no liability for this claim.

28
29 NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of
30 Supervisors does hereby formally disallow the claim of Steven J. Durham against the County of
31 Eau Claire.

32
33 BE IT FURTHER RESOLVED that the county clerk is hereby directed to notify Steven J.
34 Durham of the disallowance.

35
36 ADOPTED:

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41 APPROVED BY
42 CORPORATION COUNSEL
43 AS TO FORM
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50 Committee on Finance & Budget

47 KRZ/yk

48 Dated this 21st day of January, 2016