

AGENDA

Eau Claire County Board of Supervisors  
Tuesday, July 19, 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 1<sup>st</sup> Reading
- (2) Indicates 2<sup>nd</sup> Reading

1. Call to Order
2. Honoring of the Flag and Moment of Reflection (Supervisor Tami Schraufnagel)
3. Call of the Roll
4. Approval of the Journal of Proceedings (June 21, 2016) (pg. 4-6)

5. PUBLIC COMMENT

6. REPORTS TO THE COUNTY BOARD UNDER 2.04.320

Oral Reports (Annual Reports by Departments)

- Information Systems / by: Dave Hayden, Director
- Aging & Disability Resource Center / by: Jennifer Owen, Director
  
- County Administrator Update / by: Kathryn Schauf, County Administrator
  - ◆ 2017 County Budget

Written Reports

- 2016 Contingency Fund Report (pg. 7)
- Alternate Care Report (pg. 8)
- Adult Mental Health & Children's Institution Expenses & Revenues (pg. 9)
- 2<sup>nd</sup> Quarter Comp Time/OT Report (pg. 10-13)
- Jail Population Report (pg. 14)

7. PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

8. FIRST READING OF ORDINANCES BY COMMITTEES

File No.

16-17/018 (1) To Create Chapter 9.96 of the Code: Pawnbrokers (pg. 15-25)

16-17/020 (1) To Repeal Section 4.19.030 C. & D. of the Code; Interest and Penalties on Delinquent Taxes (pg. 26-27)

9. FIRST READING OF ORDINANCES AND RESOLUTIONS BY MEMBERS

10. REPORTS OF STANDING COMMITTEES, COMMITTEES, COMMISSIONS AND BOARDS UNDER 2.04.160 AND SECOND READING OF ORDINANCES

File No.

16-17/006 (2) To Create Chapter 2.95 of the Code; Living Wage (pg. 28-34)

Offered by the Following Supervisors:

Nick Smiar, Colleen Bates, Sue Miller, Jerry Wilkie, Bruce Willett, Tami Schraufnagel and Jim Dunning

Human Services Board

Report and Amendment #1 (pg. 35-36)

Committee on Finance & Budget

Amendment #2 (pg. 37)

Committee on Human Resources

Report of the Committee (pg. 38)

Offered by Supervisor Mark Beckfield

Amendments #4-6 (pg. 39-41)

Offered by Supervisor Nick Smiar

Amendment #7 (pg. 42)

Committee on Administration

File No.

16-17/014 (2) To Amend Certain Section of the County Changing the title of Airport Manager to Airport Director (from 6/21/2016 county board meeting) (pg. 43-50)

16-17/032 (1) Reaffirming and Adopting the Updated 2016-2018 Strategic Plan for Eau Claire County (pg. 51-54)

10. **REPORTS OF STANDING COMMITTEES, COMMITTEES, COMMISSIONS AND BOARDS**  
**UNDER 2.04.160 AND SECOND READING OF ORDINANCES** (con't)

**Committee on Human Resources**

**File No.**

16-17/028 (1) Authorizing Deletion of One (.73 FTE) Human Resources Assistant Position and Creation of One (.73 FTE) Administrative Associate IV Position (pg. 55-56)

**Committee on Planning & Development**

**File No.**

16-17/011 (2) To Amend Section 18.27.020 D. and F. of the Code; General Regulations (from 6/21/2016 county board meeting) (pg. 57-60)

16-17/022 (1) Amending the 1982 Official Zoning District Boundary Map for the Town of Pleasant Valley (pg. 61-62)

16-17/029 (1) Ordering Attachment to the Lake Altoona District (pg. 63-71)

**Committee on Finance & Budget**

**File No.**

16-17/015 (1) Disallowing the Claim of Sandra L. West Filed on May 6, 2016 Against Eau Claire County; Directing the County Clerk to Notify the Claimant of Said Disallowance (pg. 72--73)

16-17/025 (1) Disallowing the Claim of Robert H. Shugarts Filed on May 23, 2016 Against Eau Claire County; Directing the County Clerk to Notify the Claimant of Said Disallowance (pg. 74-75)

16-17/027 (1) Authorizing Payment of Vouchers Over \$10,000 Issued During the Month of June 2016 (pg. 76-77)

16-17/030 (1) Resolution Authorizing the Borrowing of Not to Exceed \$13,000,000; and Providing for the Issuance and Sale of General Obligation Bonds Therefor (pg. 78-80)

11. **APPOINTMENTS**

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**

**June 21, 2016**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, June 21, 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 Katy Forsythe.

Roll Call: 26 present: Supervisors Gary G. Gibson, Sandra McKinney, Douglas Kranig, Stella Pagonis, Carl Anton, Katy Forsythe, Steve Chilson, Kevin Stelljes, Gordon C. Steinhauer, Mike Conlin, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Judy Gatlin, Nick Smiar, David P. Mortimer, Gregg Moore, James A. Dunning, Gerald L. Wilkie, Bruce Willett, Sue Miller, Robin J. Leary, Heather DeLuka, Mark Olson, Stephannie Regenauer, Patrick L. LaVelle  
3 absent: Supervisors Mark Beckfield, Tami Schraufnagel, Brandon Buchanan

\*Supervisor Mark Beckfield arrived later.

**JOURNAL OF PROCEEDINGS MAY 17, 2016**

On a motion by Supervisor Clark, seconded by Supervisor Willett, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

The following persons spoke regarding the Living Wage ordinance:  
Glory Adams, Eleanor Wolf, Myron Buchholz, Mike Wollman

**REPORTS TO THE COUNTY BOARD UNDER 2.04.320**

Undersheriff Dan Bresina presented an oral annual report for the sheriff's department.

County Administrator Kathryn Schauf presented an update on the following:

- 2017 County Budget
- Internal Controls

Executive Director Lynn Nelson and Fund Manager Beth Waldhart presented an update on activities at West Central Wisconsin Regional Planning Commission.

\*Supervisor Mark Beckfield arrived.

The following written reports were presented to the Board:

- June 15, 2016 Contingency Fund Report
- Alternate Care Report Ending April 30, 2016
- Adult Mental Health & Children's Institution Expenses & Revenues Through April 30, 2016

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

Correspondence was received from Kathy Bernier, 68<sup>th</sup> Assembly District Representative, regarding Eau Claire County's resolution 15-16/154 supporting a Change in State Law for Civilian Correctional Officers Protective Status.

Correspondence was received from Kathy Bernier, 68<sup>th</sup> Assembly District Representative, regarding Eau Claire County's resolution 16-17/003 supporting State Legislation Examining Alternative Juvenile Justice Models.

Correspondence from the Village of Fairchild and the Town of Fairchild requesting exemption from the county library system was referred to the committee on finance and budget.

**FIRST READING OF ORDINANCES BY COMMITTEES**

**Ordinance 16-17/011 TO AMEND SECTION 18.27.020 D. AND F. OF THE CODE; GENERAL REGULATIONS**

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

**Ordinance 16-17/014 TO AMEND SECTION 1.50.030 B. OF THE CODE: ISSUANCE OF CITATIONS; TO AMEND SECTION 12.01.010 D. OF THE CODE: BUILDING REQUIREMENTS—GENERAL; TO AMEND SECTION 12.01.040 C. 1. & 3. OF THE CODE: INSURANCE COVERAGE; TO AMEND SECTION 12.01.070 OF THE CODE: ENFORCEMENT; TO AMEND SECTION 12.02.060 OF THE CODE: AIRCRAFT BROKERAGE; TO AMEND SECTION 12.05.001 OF THE CODE: PURPOSE; TO AMEND SECTION 12.10.020 OF THE CODE: CLUB MEMBERSHIP; TO AMEND SECTION 12.11.020 OF THE CODE TERMS OF LEASES; TO AMEND SECTION 12.11.030 A. & C. OF THE CODE: EXTENSION OF LEASE TERMS; TO AMEND SECTION 12.11.040 OF THE CODE: LEASE TRANSFERS, SUBLEASES; TO AMEND SECTION 12.11.050 OF THE CODE: LEASE RATES; TO AMEND SECTION 12.11.060 A., C., E., F. & G. OF THE CODE: LEASE REQUESTS; TO AMEND SECTION 12.11.070 C. & D. OF THE CODE: LEASED PREMISES LOCATIONS AND UTILITIES; TO AMEND SECTION 12.11.090 OF THE CODE: ADVERTISING SIGNS ON PREMISES; TO AMEND SECTION 12.11.100 OF THE CODE: LEASE TERMINATION; TO AMEND SECTION 12.11.110 A. OF THE CODE: MANDATORY LEASE CLAUSES; TO AMEND SECTION 12.23.010 B. OF THE CODE: LEASE MANAGEMENT; TO AMEND SECTION 12.25.005 A. & B. OF THE CODE: DEFINITIONS; TO AMEND SECTION 12.25.020 OF THE CODE: DESIGNATION OF PARKING AREAS; TO AMEND SECTION 12.25.070 OF THE CODE: PARKING AREA MAPS; TO AMEND SECTION 12.25.090 OF THE CODE: POLICING AND ENFORCEMENT; TO AMEND SECTION 12.25.100 A., B. & C. OF THE CODE: REMOVAL OF ILLEGALLY PARKED VEHICLES; TO AMEND SECTION 12.26.005 A. & B. OF THE CODE: DEFINITIONS; TO AMEND SECTION 12.26.020 OF THE CODE: PEDESTRIAN TRAFFIC ON AIRPORT; TO AMEND SECTION 12.26.030 OF THE CODE: POLICING AND ENFORCEMENT; TO AMEND SECTION 12.30.020 OF THE CODE: COLLECTION OF FUEL FLOWAGE FEE; TO AMEND SECTION 18.60.040 J. OF THE CODE: DEFINITIONS**

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

**REPORTS OF STANDING COMMITTEES, COMMITTEES, COMMISSIONS AND BOARDS  
UNDER 2.04.160 AND SECOND READING OF ORDINANCES**

**Committee on Human Resources**

**Ordinance 16-17/006 TO CREATE CHAPTER 2.95 OF THE CODE: LIVING WAGE**

Motion by Supervisor Clark, seconded by Supervisor Smiar for enactment.

Motion by Supervisor Clark, seconded by Supervisor Conlin, to adopt the recommendation by the committee on human resources "BE IT RESOLVED by the Eau Claire County Board of Supervisors that File No. 16-17/006 has been extended for up to 60 days for review and discussion purposes pursuant to Eau Claire County Code 2.04.160 C."

Motion by Supervisor Wilkie, seconded by Supervisor Smiar to amend the recommendation as follows:  
On Page 27, Line 2, Strike "for up to 60 days" and Insert "until July 15, 2016".

On a roll call vote, the amendment to the recommendation was defeated as follows:

9 ayes: Supervisors McKinney, Gatlin, Smiar, Wilkie, Willett, Miller, Leary, DeLuka, and Regenauer.

18 noes: Supervisors Gibson, Kranig, Pagonis, Anton, Forsythe, Chilson, Stelljes, Steinhauer, Conlin, Henning, Bates, Clark, Mortimer, Moore, Dunning, Beckfield, Olson, LaVelle

2 absent: Supervisors Schraufnagel, Buchanan

On a roll call vote, the recommendation by the committee on human resources was adopted as follows:

24 ayes: Supervisors Gibson, McKinney, Kranig, Pagonis, Anton, Forsythe, Chilson, Stelljes, Steinhauer, Conlin, Henning, Bates, Clark, Gatlin, Mortimer, Moore, Dunning, Wilkie, Willett, Beckfield, DeLuka, Olson, Regenauer, LaVelle

3 noes: Smiar, Miller, Leary

2 absent: Supervisors Schraufnagel, Buchanan

**Resolution 16-17/021 AMENDING THE EAU CLAIRE COUNTY HUMAN RESOURCES EMPLOYEE POLICY MANUAL**

Motion by Supervisor Conlin, seconded by Supervisor LaVelle for adoption.  
On a roll call vote, the resolution was unanimously adopted.

**Committee on Planning & Development**

**Ordinance 16-17/009 TO CREATE SECTION 8.25 OF THE COUNTY CODE: KEEPING OF HONEY BEES; TO CREATE SECTIONS 18.07.020 D., 18.08.020 D. AND 18.09.020 D. OF THE CODE: RULES AND DEFINITIONS; TO CREATE SECTION 18.07.020 D. OF THE CODE: PERMITTED ACCESSORY USES; TO CREATE SECTION 18.08.020 D. OF THE CODE: PERMITTED ACCESSORY USES; TO CREATE SECTION 18.09.020 D. OF THE CODE: PERMITTED ACCESSORY USES**

Motion by Supervisor Bates, seconded by Supervisor Leary for enactment.  
On a roll call vote, the ordinance was unanimously enacted.

**Highway Committee**

**Resolution 16-17/023 CREATING COUNTY TRUNK HIGHWAY DESIGNATION "HHI"**

Motion by Supervisor Henning, seconded by Supervisor Forsythe for adoption.  
On a roll call vote, the resolution was unanimously adopted.

**Resolution 16-17/024 SUPPORTING A SUSTAINABLE SOLUTION FOR FIXING WISCONSIN ROADS**

Motion by Supervisor Beckfield, seconded by Supervisor Conlin for adoption.  
On a roll call vote, the resolution was unanimously adopted.

**Committee on Parks and Forest**

**Ordinance 16-17/005 TO AMEND SECTION 16.30.520 A. 1. OF THE CODE: COUNTY FOREST USE REGULATIONS**

Motion by Supervisor Gibson, seconded by Supervisor Stelljes for enactment.  
On a roll call vote, the ordinance was unanimously enacted.

**Committee on Finance & Budget**

**Resolution 16-17/019 AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF MAY 2016**

Motion by Supervisor Willett, seconded by Supervisor LaVelle for adoption.  
On a roll call vote, the resolution was unanimously adopted.

**Appointments**

**CONFIRMING CITIZEN APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS AND COUNCILS BY CHAIRMAN GREGG MOORE**

Motion by Supervisor Smiar, seconded by Supervisor Bates, for adoption.  
On a roll call vote, the appointments were unanimously adopted.

The board adjourned at 9:08 p.m.

Respectfully submitted,

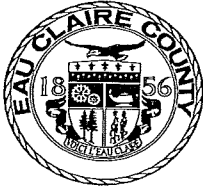


Janet K. Loomis  
County Clerk

TO: Honorable Eau Claire County Board of Supervisors  
 FROM: Committee on Finance and Budget  
 DATE: July 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 July 13, 2016:

Jan 1 2016	2016 Contingency/Risk Pool Budget Allocation	\$ 100,000.00
Jan 1 2016	2016 Contingency/Potential Class Comp Adjustments	<u>\$ 26,000.00</u>
	Total	\$ 126,000.00
Jan 19 2016	Supporting the Strengthening of Internal Controls . . . (File No. 15-16/116)	<u>\$ (50,000.00)</u>
Balance Available:		<b>\$ 76,000.00</b>



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  
 Diane Cable, Director



**ALTERNATE CARE REPORT**  
 For the Five Months Ending May 31st, 2016  
 Date Prepared 06/28/2016

Level of Care	Number of New	Number of	Number	Number of New	Number of	Number of	Average Cost
	Placements	Clients	of Days	Placements			
	May-16	May-16	May-16	YTD	Clients YTD	Days YTD	per day
Foster Care	12	94	2,476	36	112	11,309	\$36
Therapeutic Foster Care	5	24	553	9	28	2,763	\$195
Group Home	1	5	96	4	6	421	\$221
Residential Care Center	0	11	341	9	15	1,097	\$470
<b>Corrections:</b>							
Corrections-Institution	0	5	122	0	5	514	\$397
Corrective Group Home	0	0	0	0	0	0	
180 Day Program	0	0	0	0	1	7	\$150
Corrections AfterCare	0	0	0	0	1	9	\$0
Corrective Sanctions	1	1	15	1	2	43	\$0
Correction Res. Care Ctr.	0	0	0	0	0	0	
Corrections TFC*	0	0	0	0	0	0	\$0
Corrections SPRITE	0	0	0	0	0	0	\$0
<b>TOTAL</b>	<b>19</b>	<b>140</b>	<b>3,603</b>	<b>59</b>	<b>170</b>	<b>16,163</b>	

\*not adjusted for revenue

Level of Care	Adjusted	YTD	Percent	Revenue	YTD	Percent	Projected
	Budget	Expense	Used	Budget	Revenue	Collected	Annualized Net Expense
Foster Care	850,100	403,182	47.43%	89,500	40,283	45.01%	\$870,958
Therapeutic Foster Care	862,550	539,525	62.55%	25,700	9,975	38.81%	\$1,270,920
Group Home	50,333	93,181	185.13%	8,000	1,120	14.00%	\$220,946
Residential Care Center	1,610,288	515,910	32.04%	20,700	11,032	53.29%	\$1,211,707
<b>Corrections:</b>							
Corrections-Institution	\$130,000	204,252					
Corrections AfterCare							
180 Day Program	\$120,692	1,050		\$5,000	\$228	4.56%	
Corrective Group Home		-					
Corrective Sanctions		-					
Correction Res. Care Ctr.		-					
Corrections TFC*		\$0					
Corrections SPRITE		\$0					
Corrections Totals:	250,692	205,302	81.89%	5,000	228	-	\$492,178
<b>TOTAL</b>	<b>3,623,963</b>	<b>1,757,100</b>	<b>48.49%</b>	<b>148,900</b>	<b>62,638</b>	<b>42.07%</b>	<b>\$4,066,709</b>

Net Budget	Net Estimated 2016 Exp.	Year End Estimate Overspent
\$3,475,063	\$4,066,709	(\$591,646)

At current usage DHS estimated alternate care spending for 2016 to be:

\*TFC = Therapeutic Foster Care

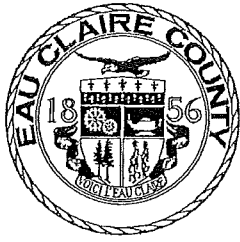
Percentage of Yr. through 05/31/2016 41.67%



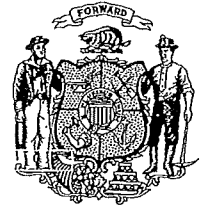
Eau Claire County Department of Human Services  
 Adult Mental Health Residential and Institutional Expenses and Revenues  
 Children's Institution for Mental Disease and Developmentally Disabled Center Expenses and Revenues  
 For the Five Months Ending May 31, 2016

Standard Program Categories	Expense Annual Budget	YTD		YTD	Revenue Annual Budget	YTD		YTD
		5/31/2016 Expense Budget	5/31/2016 Actual Expenses	5/31/2016 Expense Budget Variance Under (Over)		5/31/2016 Revenue Budget	5/31/2016 Actual Revenue	5/31/2016 Revenue Under Variance (Over)
Adult Family Homes	384,600	160,250	119,691	40,559	13,805	5,752	7,871	(2,119)
Community Based Care/Treatment Center	954,934	397,889	538,181	(140,292)	53,143	22,143	36,547	(14,404)
Developmentally Disabled Center/Nursing Home	-	-	3,200	(3,200)	-	-	-	-
Institutions for Mental Disease, aka, Winnebago Health Institution and Trempealeau County Health Care Center ***	551,782	229,909	265,328	(35,419)	-	-	11,758	(11,758)
Supportive Home Care	146,033	60,847	56,672	4,175	-	-	-	-
Totals	2,037,349	848,895	983,072	(134,177)	66,948	27,895	56,176	(28,281)
Adult Programs Excess (deficiency) of revenue over expenditures	(105,895)							
Children's Institution for Mental Disease Expenses and Revenues***	75,000	31,250	136,600	(105,350)	-	-	153,502	(153,502)
Children's Developmentally Disabled Center/Nursing Home	-	-	30,214	(30,214)	-	-	-	-
Totals	75,000	31,250	166,814	(135,564)	-	-	153,502	(153,502)
Children's Program Excess (deficiency) of revenue over expenditures	17,938							

\*\*\* Winnebago Health Institute performs collection activities. This report reflects the expense and revenue; however we do not receive the revenue, we are charged the net expense.



# 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: June 30, 2016

Re: Required Statistical Reports – 2<sup>nd</sup> Quarter 2016

The following 2<sup>nd</sup> Quarter 2016 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

2nd Quarter 2016 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>
Airport	15,000.00	884.47	2,460.04	12,539.96	16.40%
Child Support	-	-	110.72	(110.72)	100.00% +
Clerk of Courts	100.00	-	-	100.00	0.00%
District Attorney	-	82.55	309.26	(309.26)	100.00% +
Expo Center	-	308.85	308.85	(308.85)	100.00% +
Facilities	14,500.00	731.09	2,497.17	12,002.83	17.22%
Finance	1,000.00	-	457.52	542.48	45.75%
Highway	156,600.00	19,945.00	61,852.44	94,747.56	39.50%
Housing Authority	1,000.00	103.08	108.51	891.49	10.85%
Human Resources	-	157.78	1,496.97	(1,496.97)	100.00% +
Human Services	-	24,139.41	52,407.82	(52,407.82)	100.00% +
Juvenile Div	2,000.00	206.30	206.30	1,793.70	10.32%
Juvenile Jail	15,500.00	3,681.96	5,902.62	9,597.38	38.08%
Parks & Forest General & Admin	300.00	114.19	240.85	59.15	80.28%
Parks & Forest: County Forest	250.00	12.30	79.92	170.08	31.97%
Parks & Forest: Lake Altoona	320.00	-	-	320.00	0.00%
Parks & Forest: Lake Eau Claire	40.00	-	-	40.00	0.00%
Parks & Forest: Tower Ridge	1,500.00	-	-	1,500.00	0.00%
Planning & Development	-	190.54	221.88	(221.88)	100.00% +
Sheriff: Huber	65,014.00	17,070.53	37,751.78	27,262.22	58.07%
Sheriff: Investigative	48,457.00	11,404.84	18,701.01	29,755.99	38.59%
Sheriff: Anti -Drug Grant	18,768.00	5,542.99	8,097.19	10,670.81	43.14%
Sheriff: Civil Process	7,259.00	2,094.83	4,246.01	3,012.99	58.49%
Sheriff: Courthouse Security	14,519.00	2,292.53	6,576.40	7,942.60	45.30%
Sheriff: Crime & Comm Caretkg	110,248.00	52,317.84	71,231.03	39,016.97	64.61%
Sheriff: Jail Secure	217,307.00	69,484.95	121,479.51	95,827.49	55.90%
Sheriff: Traffic Control & Enf	73,108.00	21,464.82	34,925.31	38,182.69	47.77%
Treasurer	2,000.00	185.38	282.10	1,717.90	14.11%
U.W. Extension	2,000.00	-	924.21	1,075.79	46.21%
<b>Total Regular O/T</b>	<b>\$ 766,790.00</b>	<b>\$ 232,416.23</b>	<b>\$ 432,875.42</b>	<b>\$ 333,914.58</b>	<b>56.45%</b>

2nd Quarter 2016 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>
Parks & Forest	20.00	104.40	104.40	(84.40)	522.00%
Parks & Forest: Big Falls	20.00	8.45	8.45	11.55	42.25%
<b>Total Temporary O/T</b>	<b>\$ 40.00</b>	<b>\$ 112.85</b>	<b>\$ 112.85</b>	<b>\$ (72.85)</b>	<b>282.13%</b>

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

COMPENSATORY TIME  
2nd Quarter 2016

<u>Department</u>	<u>Hours Earned</u>	<u>Hours Paid Out</u>
Administration	14.10	0.00
Aging Disability & Resource Center	17.00	0.00
Airport	15.50	16.20
Circuit Court Operations	0.20	0.00
Clerk of Courts	0.50	0.00
Corporation Counsel / Child Support	13.20	0.00
District Attorney	22.20	3.40
Finance	8.70	0.00
Highway	101.90	77.60
Human Resources	25.90	5.10
Human Services Org Svcs Div	80.20	0.00
Human Services Adult Svcs	89.50	47.40
Human Services Emp & Econ Unit	331.80	34.70
Human Services Family Svcs	302.20	35.80
Human Services Fiscal Div.	9.20	0.00
Information Systems	46.00	0.00
Juvenile Court Intake	50.50	5.30
Juvenile Detention	43.50	22.60
Maintenance	43.30	0.00
Parks & Forest	292.10	1.80
Planning & Development	133.00	18.80
Purchasing	7.60	0.00
Sheriff - Administration	18.10	0.00
Sheriff - Field Svcs Division	561.00	13.90
Sheriff - Security Svcs Division	275.70	0.00
 TOTAL	 <u>2,502.90</u>	 <u>282.60</u>

Eau Claire County Finance Department  
Number of Employees as of June 30, 2016

<u>Department / Division Name</u>	<u>Permanent</u>	<u>Non-Permanent</u>	<u>Dept #</u>
Highway Administration	4	0	401
Highway Supervisory	7	2	402
Highway Labor	51	2	403
Circuit Court Operations	5	0	500
Register in Probate	4	0	501
Clerk of Courts	20	0	502
Juvenile Court Intake	5	0	503
Administration	6	6	505
Airport	7	0	506
County Clerk	3	1	507
Human Resources	4	1	508
Information Systems	11	1	509
County Treasurer	4	0	511
District Attorney	17	0	512
Corporation Counsel & Child Support	22	1	513
Register of Deeds	4	0	514
Maintenance	15	0	515
Sheriff, Field Services Division	32	0	517
Sheriff, Reserve Officers/Special Deputies	0	14	518
Sheriff, Security Services Division	67	0	519
Sheriff, Administration	8	0	520
Aging & Disability Resource Center	25	0	523
Veterans Services	3	0	526
Finance	10	0	527
Purchasing	6	0	528
Juvenile Detention	19	0	529
U.W. Extension	2	2	532
DHS: Organizational Services Division	16	0	701
DHS: Fiscal Services Unit	8	0	703
DHS: Adult Services Unit	27	0	705
DHS: Employment & Econ Resource Unit	38	0	707
DHS: Family Services Unit	42	0	720
Parks & Forest	11	15	531 / 533
Planning & Development	26	2	535 / 536
Total	<u>529</u>	<u>47</u>	

# Eau Claire County Jail Population Report - June 2016



The tables and graph below include data collected through June 30, 2016. Over the past eight months, the Eau Claire County Jail has seen a significant increase in its Secure Population. There has been a substantial decrease in the number of OWI offenders in the jail, but that decrease has been replaced by an increase in methamphetamine offenders. Approximately 20% of all jail bed days in 2016 have been consumed by inmates facing methamphetamine-related charges.

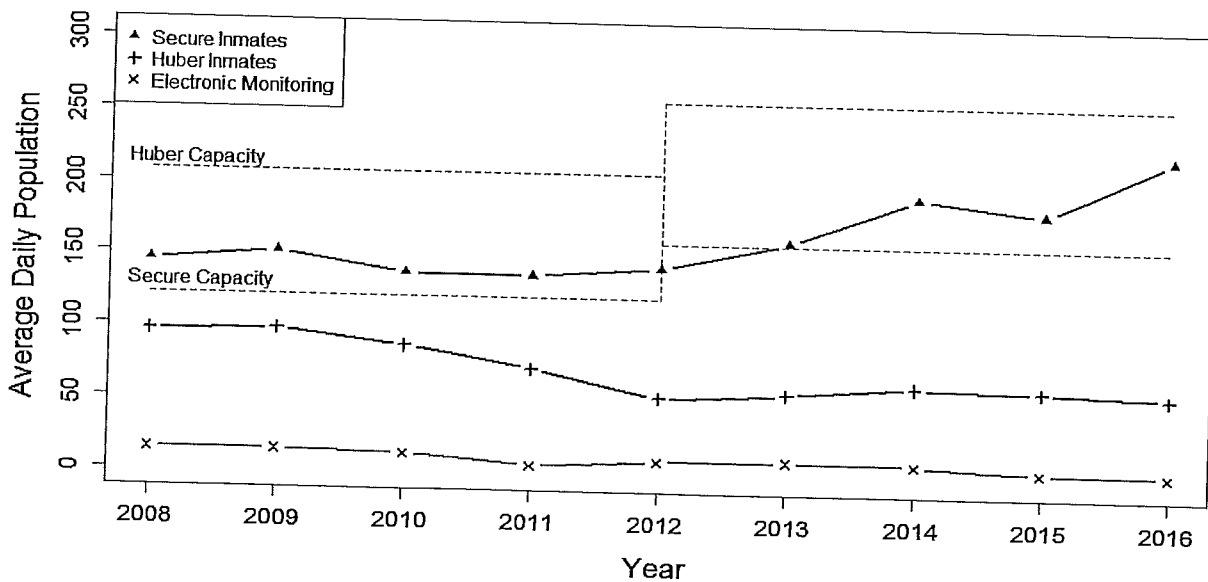
Eau Claire County Jail	Jun-16	2016 YTD	2015	2014	2013	2012
Average Daily Population						
Secure In-House	224	215	176	186	156	123
Secure Transfers	7	8	8	8	6	20
Total Secure	231	223	184	194	162	143
Huber	54	58	61	63	57	53
Electronic Monitoring	4	4	5	9	10	9
Other*	4	3	3	3	6	4
Total	293	288	253	269	235	209

\*Other includes transfers, inmates in hospitals, inmates in other counties for court, etc.

Eau Claire County Jail	2016 YTD	2016 Projected	2015	2014	2013	2012
Bookings and Releases						
Jail Bookings	2,429	4,885	4,751	4,496	4,556	4,051
Jail Releases	2,415	4,857	4,735	4,474	4,534	4,054
Print and Releases	109	219	232	234	248	220

\*Print and Releases numbers are estimates based on release code. Calculation was adjusted in June 2015 and all numbers in this report have been updated to ensure alignment going forward.

**Eau Claire County Jail - Average Daily Population**



## FACT SHEET

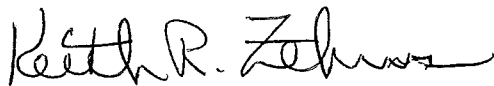
TO FILE NO. 16-17/018

This ordinance regulates pawnbrokers, secondhand article and secondhand jewelry dealers. These businesses provide opportunities for individuals to readily transfer stolen property unless regulated. The City of Eau Claire recently updated its ordinance to address concerns addressed by the City of Eau Claire Police Department regarding stolen property being sold in these businesses. The sheriff's office has requested a similar ordinance be drafted for Eau Claire County.

This ordinance mirrors very closely the City of Eau Claire ordinance so that there will be uniform regulation of pawnbrokers, secondhand article and secondhand jewelry dealers within the City of Eau Claire and outside the City of Eau Claire. The forms and procedures used by the City of Eau Claire are easily adaptable for use by Eau Claire County. It is hoped that this ordinance will discourage these types of businesses currently located in the City of Eau Claire from moving outside of the city limits. The county ordinance has an exception for secondhand book dealers, since there has been no criminal activity associated with secondhand book dealers. The only second hand book dealer that is located in the county would be put out of business if this ordinance applied to it.

Wis. Stat. § 134.71 (7) (a) authorizes counties to regulate and license pawnbrokers. The ordinance meets the test set forth in Mommsen v. Schueller, 228 Wis. 2d 627, 630-631, 599 NW 2d, 21, 22-23 (Ct. App. 1999). In addition this ordinance is consistent with the county home rule power as set forth in Wis. Stat. § 59.03 in which the legislature confers broad power to counties to pass ordinances on matters of local concerns and ordinances that do not conflict with existing state law or policy. State. ex. rel. Ziervogel v. Washington County Bd. of Adjustment, 2004 WI, 23, 37, 269 Wis. 2d 549, 676 NW 2d 401.

Fiscal Impact: Minimal  
Respectfully Submitted,



Keith R. Zehms  
Corporation Counsel

KRZ/yk

Ordinance/16-17/018 Fact

2  
3 - TO CREATE CHAPTER 9.96 OF THE CODE: PAWNBROKERS -

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

6  
7 SECTION 1. That Chapter 9.96 of the code be created to read:

8  
9 Chapter 9.96

10  
11 PAWNBROKERS

12  
13  
14  
15 Sections:

- 16 9.96.010 Purpose.
- 17 9.96.015 Adoption of State Statute.
- 18 9.96.020 Definitions.
- 19 9.96.030 Inspection of items.
- 20 9.96.040 License.
- 21 9.96.050 Display of license.
- 22 9.96.060 License application.
- 23 9.96.070 Investigation of license applicant.
- 24 9.96.080 License issuance.
- 25 9.96.090 Requirements.
- 26 9.96.100 Receipt required.
- 27 9.96.110 Label required.
- 28 9.96.120 Prohibited acts.
- 29 9.96.130 License denial, suspension or revocation.
- 30 9.96.140 Fees.
- 31 9.96.150 Penalty.

32  
33  
34  
35  
36 9.96.010 Purpose.

37 A. The county board finds that the services offered by pawnshops, secondhand  
38 article dealers, and secondhand jewelry dealers provide an opportunity for individuals to readily  
39 transfer stolen property to those businesses. The board also finds that consumer protection  
40 regulation is warranted in transactions involving these businesses. The board further finds that  
41 pawnshops, secondhand article dealers, and secondhand jewelry dealers have outgrown the  
42 county's current ability to effectively or efficiently identify criminal activity related to them.  
43 The purpose of this chapter is to prevent pawnshops, secondhand article dealers, and secondhand  
44 jewelry dealers from being used to facilitate the commission of crimes and to assure that they  
45 comply with basic consumer protection standards, thereby protecting the public health, safety,  
46 and general welfare of the citizens, and pursuant to the authority granted by Wis. Stat. § 134.71.

47 B. This chapter implements and establishes the required use of the Automated Pawn  
48 System (APS) to help the sheriff's office better regulate current and future pawnshops to  
49 decrease and stabilize costs associated with the regulation of pawnshops, and to increase



1 identification of criminal activities in pawnshops through the timely collection and sharing of  
2 transaction information.

3  
4 9.96.015 Adoption of State Statute. In addition to the rights and definitions enumerated  
5 herein the county board hereby adopts Wis. Stat. §134.71. by reference including any future  
6 amendments, revisions, or modifications provided such amendments, revisions, or modifications  
7 do not restrict Eau Claire County's authority to enforce the provisions of this chapter.

8  
9 9.96.020 Definitions. In this chapter:

10 A. "Article" means any item of value.

11 B. "Billable transaction" means every reportable transaction except renewals,  
12 redemptions, voids, or extensions of existing pawns or purchases previously reported and  
13 continuously in the pawnbroker's possession.

14 C. "Charitable organization" means a corporation, trust, or community chest, fund,  
15 or foundation organized and operated exclusively for religious, charitable, scientific, literary, or  
16 educational purposes, or for the prevention of cruelty to children or animals, no part of the net  
17 earnings of which insures to the benefit of any private shareholder or individual.

18 D. "Customer" means a person with whom a pawnbroker, secondhand article dealer,  
19 or secondhand jewelry dealer or an agent thereof, engages in a transaction of purchase, sale,  
20 receipt, or exchange of any secondhand article.

21 E. "Pawnbroker" means any person who engages in the business of lending money  
22 on the deposit or pledge of any article or purchasing any article with an expressed or implied  
23 agreement or understanding to sell it back at a subsequent time at a stipulated price. To the  
24 extent that a pawnbroker's business includes buying personal property previously used, rented,  
25 leased, or selling it on consignment, the provisions of this chapter shall be applicable. A person  
26 is not acting as a pawnbroker when engaging in any of the following:

27 1. Any transaction at an occasional garage or yard sale, an estate sale, a gun,  
28 knife, gem, or antique show, or a convention.

29 2. Any transaction entered into by a person engaged in the business of junk  
30 collector, junk dealer, or scrap processor, as described in Wis. Stat. 70.995(2)(x).

31 3. Any transaction while operating as a charitable organization or conducting  
32 a sale, the proceeds of which are donated to a charitable organization.

33 4. Any transaction between a buyer of a new article and the person who sold  
34 the article when new that involves any of the following:

35 a. The return of the article.

36 b. The exchange of the article for a different, new article.

37 5. Any transaction as a purchaser of a secondhand article from a charitable  
38 organization if the secondhand article was a gift to the charitable organization.

39 6. Any transaction as a seller of a secondhand article that the person bought  
40 from a charitable organization if the secondhand article was a gift to the charitable organization.

41 F. "Reportable transaction" means every transaction conducted by a pawnbroker in  
42 which an article or articles are received through a pawn, purchase, consignment, or trade, or in  
43 which a pawn is renewed, extended, voided, or redeemed, or for which a unique transaction  
44 number or identifier is generated by their point-of-sale software, and is reportable except:

45 1. The bulk purchase or consignment of new or used articles from a  
46 merchant, manufacturer, or wholesaler having an established permanent place of business, and  
47 the retail sale of said articles, provided the pawnbroker must maintain a record of such purchase  
48 or consignment that describes each item, and must mark each item in a manner that relates it to  
49 that transaction record.

1                   2.     Retail and wholesale sales of articles originally received by pawn or  
2 purchase, and for which all applicable hold and/or redemption periods have expired.

3                   G     “Secondhand” means owned by any person, except a wholesaler, retailer, or  
4 licensed secondhand article dealer or secondhand jewelry dealer, immediately before the  
5 transaction at hand.

6                   H     “Secondhand article dealer” means any person, other than an auctioneer, who  
7 primarily engages in the business of purchasing or selling secondhand articles other than books,  
8 except when engaging in any of the following:

9                   1.     Any transaction at an occasional garage or yard sale, an estate sale, a gun,  
10 knife, gem or antique show or a convention.

11                   2.     Any transaction entered into by a person while engaged in a business for  
12 which the person is licensed under Wis. Stats. §§ 134.71(2) or (4), or while engaged in the  
13 business of junk collector, junk dealer or scrap processor as described in Wis. Stat. §  
14 70.995(2)(x).

15                   3.     Any transaction while operating as a charitable organization or conducting  
16 a sale the proceeds of which are donated to a charitable organization.

17                   4.     Any transaction between a buyer of a new article and the person who sold  
18 the article when new which involves either:

19                   a.     The return of the article; or

20                   b.     The exchange of the article for a different, new article.

21                   5.     Any transaction as a purchaser of a secondhand article from a charitable  
22 organization if the secondhand article was a gift to the charitable organization.

23                   6.     Any transaction as a seller of a secondhand article which the person  
24 bought from a charitable organization if the secondhand article was a gift to the charitable  
25 organization.

26                   I.     “Secondhand jewelry dealer” means any person, other than an auctioneer, who  
27 engages in the business of any transaction consisting of purchasing, selling, receiving or  
28 exchanging secondhand jewelry, except for the following:

29                   1.     Any transaction at an occasional garage or yard sale, an estate sale, a gun,  
30 knife, gem or antique show or a convention.

31                   2.     Any transaction with a licensed secondhand jewelry dealer.

32                   3.     Any transaction entered into by a person while engaged in a business of  
33 smelting, refining, assaying or manufacturing precious metals, gems or valuable articles if the  
34 person has no retail operation open to the public.

35                   4.     Any transaction between a buyer of new jewelry and the person who sold  
36 the jewelry when new which involves either:

37                   a.     The return of the jewelry; or

38                   b.     The exchange of the jewelry for different, new jewelry.

39                   5.     Any transaction as a purchaser of secondhand jewelry from a charitable  
40 organization if the secondhand jewelry was a gift to the charitable organization.

41                   6.     Any transaction as a seller of secondhand jewelry which the person bought  
42 from a charitable organization if the secondhand jewelry was a gift to the charitable organization.

43  
44  
45                   9.96.030 Inspection of items. At all times during the term of the license, the pawnbroker,  
46 secondhand article dealer, and secondhand jewelry dealer must allow the sheriff’s office to enter  
47 the premises where the licensed business is located, including all off-site storage facilities,  
48 during normal business hours, except in an emergency, for the purpose of inspecting such

1 premises and inspecting the items, wares, merchandise, and records therein to verify compliance  
2 with this chapter or other applicable laws.

3  
4 9.96.040 License. No person may operate as a pawnbroker, secondhand article dealer, or  
5 secondhand jewelry dealer in the county unless the person first obtains a pawnbroker,  
6 secondhand article dealer, or secondhand jewelry dealer license under this chapter.

7  
8 9.96.050 Display of license. Each license issued under this chapter shall be displayed in  
9 a conspicuous place visible to anyone entering a licensed premise.

10  
11 9.96.060 License application. A person wishing to operate as a pawnbroker, secondhand  
12 article dealer, or secondhand jewelry dealer shall apply for a license to the county clerk. The  
13 clerk shall furnish application forms approved by the sheriff's office that shall require all of the  
14 following:

15 A. The applicant's name, place and date of birth, residence address, and residence  
16 addresses for the 10-year period prior to the date of the application.

17 B. The name and address of the business and of the owner of the business premises.

18 C. Whether the applicant is a natural person, corporation, limited liability company,  
19 or partnership, and:

20 1. If the applicant is a corporation, the state where incorporated and the  
21 names and addresses of all officers and directors.

22 2. If the applicant is a partnership, the names and addresses of all partners.

23 3. If the applicant is a limited liability company, the names and addresses of  
24 all members.

25 4. The name of the manager or proprietor of the business.

26 5. Any other information that the clerk may reasonably require.

27 D. A statement as to whether the applicant, including an individual, agent, officer,  
28 director, member, partner, manager, or proprietor, has been convicted of any crime, statutory  
29 violation punishable by forfeiture, or county or municipal ordinance violation. If so, the  
30 applicant must furnish information as to the time, place, and offense of all such convictions.

31 E. Whether the applicant or any other person listed in D. above has ever used or been  
32 known by a name other than the applicant's name, and if so, the name or names used and  
33 information concerning dates and places used.

34 F. Whether the applicant or any other person listed in D. above has previously been  
35 denied or had revoked or suspended a pawnbroker, secondhand article dealer, or secondhand  
36 jewelry dealer license from any other governmental unit. If so, the applicant must furnish  
37 information as to the date, location, and reason for the action.

38  
39 9.96.070 Investigation of license applicant. The sheriff's office shall investigate each  
40 applicant and any other person listed in 9.96.060 C. above for a pawnbroker, secondhand article  
41 dealer, or secondhand jewelry dealer license. The department shall furnish the information  
42 derived from that investigation in writing to the county clerk. The investigation shall include  
43 each agent, officer, member, partner, manager, or proprietor.

44  
45 9.96.080 License issuance.

46 A. The county clerk shall grant the license if all of the following apply:

47 1. The applicant, including an individual, a partner, a member of a limited  
48 liability company, a manager, a proprietor, or an officer, director, or agent of any corporate

1 applicant, does not have an arrest or conviction record, subject to Wis. Stats. §§ 111.321,  
2 111.322 and 111.335.

3 2. The applicant provides to the county clerk a bond of \$2,500 with not less  
4 than 2 sureties for the observation of all municipal ordinances or state or federal laws relating to  
5 pawnbrokers. The bond must be in full force and effect at all times during the term of the  
6 license.

7 B. No license issued under this may be transferred.

8 C. Each license is valid from January 1 until the following December 31.  
9

10 9.96. 090 Requirements.

11 A. Identification. No pawnbroker, secondhand article dealer, or secondhand jewelry  
12 dealer may engage in a transaction of purchase, receipt, or exchange of any secondhand article  
13 from a customer without first securing adequate identification from the customer. At the time of  
14 the transaction, the pawnbroker, secondhand article dealer, or secondhand jewelry dealer shall  
15 require the customer to present one of the following types of identification:

16 1. Current, valid Wisconsin driver's license;

17 2. Current, valid Wisconsin identification card;

18 3. Current, valid photo identification card or photo driver's license issued by  
19 another state or province of Canada.

20 B. Transactions with minors.

21 1. Except as provided in B. 2., no pawnbroker, secondhand article dealer, or  
22 secondhand jewelry dealer may engage in a transaction of purchase, receipt, or exchange of any  
23 secondhand article from any minor, defined as a person under the age of 18 years.

24 2. A pawnbroker, secondhand article dealer, or secondhand jewelry dealer  
25 may engage in a transaction described under B. 1. if the minor is accompanied by his or her  
26 parent or guardian at the time of the transaction and the parent or guardian signs the transaction  
27 form and provides identification as required by this section.

28 C. Records required. At the time of any reportable transaction other than renewals,  
29 extensions, or redemptions, every pawnbroker, secondhand article dealer, or secondhand jewelry  
30 dealer must immediately record in English the following information by using ink or other  
31 indelible medium on forms or in a computerized record approved by the sheriff's office:

32 1. A complete and accurate description of each item, including, but not  
33 limited to any trademark, identification number, serial number, model number, brand name, or  
34 other identifying mark on such an item.

35 2. The purchase price, amount of money loaned upon or pledged therefore.

36 3. The maturity date of the transaction and the amount due, including  
37 monthly and annual interest rates and all pawn fees and charges.

38 4. Date, time, and place the item of property was received by the  
39 pawnbroker, secondhand article dealer, or secondhand jewelry dealer, and the unique alpha  
40 and/or numeric transaction identifier that distinguishes it from all other transactions in the  
41 pawnbroker, secondhand article dealer, or secondhand jewelry dealer's records.

42 5. Full name, current residence address, current residence telephone number,  
43 date of birth, and accurate description of the person from whom the item of property was  
44 received, including sex, height, weight, race, color of eyes, and color of hair.

45 6. The identification number and state of issue from any of the following  
46 forms of identification of the seller:

47 a. Current, valid Wisconsin driver's license;

48 b. Current, valid Wisconsin identification card;

1 c. Current, valid photo identification card or photo driver's license  
2 issued by another state or province of Canada.

3 7. The signature of the person identified in the transaction.

4 8. Renewals, extensions, and redemptions. The pawnbroker, secondhand  
5 article dealer, or secondhand jewelry dealer shall provide the original transaction identifier, the  
6 date of the current transaction, and the type of transaction for renewals, extensions, and  
7 redemptions.

8 9. Record retention. Data entries shall be retained for at least 1 year from the  
9 date of transaction.

10 10. For every secondhand article purchased, received, or exchanged by a  
11 pawnbroker, secondhand article dealer, or secondhand jewelry dealer from a customer off the  
12 pawnbroker, secondhand article dealer, or secondhand jewelry dealer's premises, or consigned to  
13 the pawnbroker, secondhand article dealer, or secondhand jewelry dealer for sale on their  
14 premises, the pawnbroker, secondhand article dealer, or secondhand jewelry dealer shall keep a  
15 written inventory. In this inventory the pawnbroker, secondhand article dealer, or secondhand  
16 jewelry dealer shall record the name and address of each customer, the date, time, and place of  
17 the transaction, and a detailed description of the article that is the subject of the transaction. The  
18 customer shall sign his or her name on a declaration of ownership of the secondhand article  
19 identified in the inventory and shall state that he or she owns the secondhand article. The  
20 pawnbroker, secondhand article dealer, or secondhand jewelry dealer shall retain an original and  
21 a duplicate of each entry and declaration of ownership relating to the purchase, receipt, or  
22 exchange of any secondhand article for not less than one year after the date of the transaction,  
23 except as provided in E., and shall make duplicates of the inventory and declarations of  
24 ownership available to any law enforcement officer for inspection at any reasonable time.

25 D. Holding period.

26 1. Except as provided in D. 3., any secondhand article purchased or received  
27 by a pawnbroker, secondhand article dealer, or secondhand jewelry dealer shall be kept on the  
28 premises or other place for safekeeping for not less than 30 days, unless a shorter holding period  
29 is expressly permitted by state law, after the date of purchase or receipt, unless the person known  
30 by the pawnbroker to be the lawful owner of the secondhand article redeems it or unless the  
31 secondhand article dealer or secondhand jewelry dealer takes and maintains a digital photograph  
32 of the item in which case the holding period shall be 21 days.

33 2. During the period set forth in D. 1., the secondhand article shall be held  
34 separate from saleable inventory and may not be altered in any manner. The pawnbroker,  
35 secondhand article dealer, or secondhand jewelry dealer shall permit any law enforcement officer  
36 to inspect the secondhand article during this period. Within 24 hours after a request of a law  
37 enforcement officer during this period, a pawnbroker, secondhand article dealer, or secondhand  
38 jewelry dealer shall make available for inspection any secondhand article which is kept off the  
39 premises for safekeeping.

40 3. D. 1. and 2. do not apply to a secondhand article consigned to a  
41 pawnbroker.

42 E. Redemption period. Any person pledging, pawning or depositing any item for  
43 security must have a minimum of 60 days from the date of that transaction to redeem the item  
44 before it may be forfeited and sold. During the 60-day holding period, items may not be  
45 removed from the licensed location. Pawnbrokers, secondhand article dealers, and secondhand  
46 jewelry dealers are prohibited from redeeming any item to anyone other than the person to whom  
47 the receipt was issued, to any person identified in a written and notarized authorization to redeem  
48 the property identified in the receipt, or to a person identified in writing by the pledger at the  
49 time of the initial transaction and signed by the pledger, or with the approval of the sheriff's

1 office. Written authorization for release of property to persons other than the original pledger  
2 must be maintained along with the original transaction record in accordance with C. 9.

3 F. Sheriff order to hold property.

4 1. Investigative hold. Whenever a law enforcement officer from any agency  
5 notifies a pawnbroker, secondhand article dealer, or secondhand jewelry dealer not to sell an  
6 item, the item must not be sold or removed from the premises. The investigative hold shall be  
7 confirmed in writing by the originating agency within 72 hours and will remain in effect for 15  
8 days from the date of initial notification, or until the investigative order is canceled, or until an  
9 order to confiscate is issued, pursuant to 2., whichever comes first.

10 2. Order to confiscate.

11 a. If an item is identified as stolen or evidence in a criminal case, the  
12 sheriff's office may physically confiscate and remove it from the shop, pursuant to a written  
13 order from the sheriff's office.

14 b. When an item is confiscated, the person doing so shall provide  
15 identification upon request of the pawnbroker, secondhand article dealer, or secondhand jewelry  
16 dealer, and shall provide the pawnbroker, secondhand article dealer, or secondhand jewelry  
17 dealer with the name and phone number of the confiscating officer and the case number related  
18 to the confiscation.

19 c. When an order to confiscate is no longer necessary, the sheriff's  
20 office shall so notify the pawnbroker, secondhand article dealer, or secondhand jewelry dealer.

21 G. Daily reports to sheriff.

22 1. Pawnbrokers must submit every reportable transaction to the sheriff's  
23 office daily in the following manner. Pawnbrokers must provide to the sheriff's office all  
24 information required in C. and other required information, by transferring it from their computer  
25 to the APS via modem. All required records must be transmitted completely and accurately after  
26 the close of business each day in accordance with standards and procedures established by the  
27 sheriff's office using procedures that address security concerns of the pawnbroker and the  
28 sheriff's office. The pawnbroker must display a sign of sufficient size in a conspicuous place on  
29 the premises which informs all patrons that all transactions are reported daily to the department  
30 and APS.

31 2. Billable transaction fees. Pawnbrokers will be charged for each billable  
32 transaction reported to the sheriff's office. These fees are intended to pay for the cost of  
33 participation in the APS and costs of enforcing this chapter.

34 3. If a pawnbroker is unable to successfully transfer the required reports by  
35 modem, the pawnbroker must provide the sheriff's office with printed copies of all reportable  
36 transactions by 12:00 noon the next business day.

37 4. If the problem is determined to be in the pawnbroker's system and is not  
38 corrected by the close of the first business day following the failure, the pawnbroker must  
39 provide the required reports as detailed in 3., and shall be charged a daily reporting failure fee of  
40 \$10.00 until the error is corrected, or, if the problem is determined to be outside the  
41 pawnbroker's system, the pawnbroker must provide the required reports in 3. and resubmit all  
42 such transactions via modem when the error is corrected.

43 5. Regardless of the cause or origin of the technical problems that prevented  
44 the pawnbroker from uploading the reportable transactions, upon correction of the problem, the  
45 pawnbroker shall upload every reportable transaction from every business day the problem has  
46 existed.

47 6. The provisions of this section notwithstanding, the sheriff's office may,  
48 upon presentation of extenuating circumstances, delay the implementation of the daily reporting  
49 penalty.

1                   7.     G. shall not apply to businesses that did not have 200 reportable  
2 transactions in the past calendar year. However, any such pawnbroker must follow the daily  
3 reporting procedure for each reportable transaction by submitting a written transaction form  
4 approved by the sheriff's office to the department on the business day following the date of the  
5 reportable transaction.

6                   H.     Exception for customer return or exchange. Nothing in this section applies to the  
7 return or exchange from a customer to a pawnbroker of any secondhand article purchased from  
8 the pawnbroker.  
9

10                  9.96.100 Receipt required. Every pawnbroker, secondhand article dealer, or secondhand  
11 jewelry dealer must provide a receipt to the party identified in every reportable transaction and  
12 must maintain a duplicate of that receipt for 3 years. The receipt must include at least the  
13 following information:

14                  A.     The name, address, and telephone number of the licensed business.

15                  B.     The date and time the item was received by the pawnbroker, secondhand article  
16 dealer, or secondhand jewelry dealer.

17                  C.     Whether the item was pawned or sold, or the nature of the transaction.

18                  D.     An accurate description of each item received, including, but not limited to, any  
19 trademark, identification number, serial number, model number, brand name, or other identifying  
20 mark on such an item.

21                  E.     The signature or unique identifier of the pawnbroker, secondhand article dealer,  
22 or secondhand jewelry dealer or employee that conducted the transaction.

23                  F.     The amount advanced or paid.

24                  G.     The monthly and annual interest rates, including all pawn fees and charges.

25                  H.     The last regular day of business by which the item must be redeemed by the  
26 pledger without risk that the item will be sold, and the amount necessary to redeem the pawned  
27 item on that date.

28                  I.     The full name, residence address, residence telephone number, and date of birth  
29 of the pledger or seller.

30                  J.     The identification number and state of issue from any of the following forms of  
31 identification of the seller:

32                          1.     Current, valid Wisconsin driver's license.

33                          2.     Current, valid Wisconsin identification card.

34                          3.     Current, valid photo driver's license or identification card issued by  
35 another state or province of Canada.

36                  K.     Description of the pledger or seller, including approximate sex, height, weight,  
37 race, color of eyes, and color of hair.

38                  L.     The signature of the pledger or seller.  
39

40                  9.96.110 Label required. Pawnbrokers, secondhand article dealer, or secondhand jewelry  
41 dealer must attach a label to every item at the time it is pawned, purchased, or received in  
42 inventory from any reportable transaction. Permanently recorded on this label must be the  
43 number or name that identifies the transaction in the shop's records, the transaction date, the  
44 name of the item and the description or the model and serial number of the items as reported to  
45 the sheriff's office, whichever is applicable, and the date the item is out of pawn or can be sold, if  
46 applicable. Labels shall not be reused.  
47  
48  
49

1           9.96.120 Prohibited acts.

2           A.     No person under the age of 18 years may pawn or sell or attempt to pawn or sell  
3 goods with any pawnbroker, secondhand article dealer, or secondhand jewelry dealer, nor may  
4 any pawnbroker, secondhand article dealer, or secondhand jewelry dealer receive any goods  
5 from a person under the age of 18 years, except as permitted by 9.96.090 B. 2.

6           B.     No pawnbroker, secondhand article dealer, or secondhand jewelry dealer may  
7 receive any goods from a person of unsound mind or an intoxicated person.

8           C.     No pawnbroker, secondhand article dealer, or secondhand jewelry dealer may  
9 receive any goods unless the seller presents identification in the form of a valid driver's license,  
10 a valid state of Wisconsin identification card, or current, valid photo driver's license or  
11 identification card issued by the state of residency of the person from whom the item was  
12 received.

13          D.     No pawnbroker, secondhand article dealer, or secondhand jewelry dealer may  
14 receive any item of property that possesses an altered or obliterated serial number or other  
15 identification number, or any item of property that has had its serial number removed.

16          E.     No person may pawn, pledge, sell, consign, leave, or deposit any article of  
17 property not their own, nor shall any person pawn, pledge, sell, consign, leave, or deposit the  
18 property of another, whether with permission or without, nor shall any person pawn, pledge, sell,  
19 consign, leave, or deposit any article of property in which another has a security interest with any  
20 pawnbroker, secondhand article dealer, or secondhand jewelry dealer.

21          F.     No person seeking to pawn, pledge, sell, consign, leave, or deposit any article of  
22 property with any pawnbroker, secondhand article dealer, or secondhand jewelry dealer shall  
23 give a false or fictitious name, nor give a false date of birth, nor give a false or out-of-date  
24 address of residence or telephone number, nor present a false or altered identification or the  
25 identification of another to any pawnbroker, secondhand article dealer, or secondhand jewelry  
26 dealer.

27  
28           9.96.130 License denial, suspension, or revocation.

29          A.     A license issued hereunder may be denied, revoked, or suspended by the county  
30 clerk upon administrative determination that the licensee has committed fraud,  
31 misrepresentation, or provided a false statement in the application for a license, or violated this  
32 chapter or Wis. Stats. §§134.71, 943.34, 948.62 or 948.63, or violated any local, state, or federal  
33 law substantially related to the businesses licensed under this chapter.

34          B.     The county clerk may deny, suspend, or revoke any license issued under this  
35 section upon administrative determination that the applicant is not a citizen of the United States  
36 or a resident alien, or upon whom it is impractical or impossible to conduct a background or  
37 financial investigation due to the unavailability of information.

38          C.     Appeal from a determination made under this section shall be made to the  
39 committee on judiciary and law enforcement.

40           1.     Notice of Appeal. Appeals to the committee can be made by any person  
41 having a license denied, revoked or suspended within 30 days after the decision by filing a  
42 written notice of appeal with the county clerk. The committee shall hold a hearing within 30  
43 days of the filing of the appeal, or at such time as agreed upon by both parties. The appellant  
44 shall be notified at the address provided on the appeal by either certified mail receipt requested  
45 or registered mail post marked at least 10 days before the hearing. The county clerk shall  
46 provide the committee all of the papers constituting the record upon which the action appealed  
47 was taken



1           2. Hearing. At the hearing the appellant and the county clerk may be  
2 represented by counsel, may present evidence, and may call and examine witnesses and cross-  
3 examin witnesses of the other party. The chair or acting chair shall conduct the hearing.  
4 If applicable, the presiding member may administer oaths to witnesses, issue subpoenas and seek  
5 advice of counsel. The rules of evidence provided in Wis. Stat. § 227.45, for administrative  
6 proceedings shall be followed. The clerk of the committee may receive and mark all exhibits, if  
7 any. If either or both parties request that the hearing be recorded on audio or video tape or  
8 requests a stenographic recording, the staff shall make the necessary arrangements bu the  
9 expense shall be borne by the requesting party, or split equally if requested by both parties. Such  
10 request shall be made at least 5 days before the hearing.

11           3. Decision. The board may issue an oral decision at the time of the hearing.  
12 Within 10 days of the completion of the hearing, the aggrieved person may request the board to  
13 reduce its decision to written form, which the board shall do within 10 days of receipt. The  
14 board shall have the power to affirm or reverse the administrative determination. Such decisions  
15 shall be consistent with applicable law and, when issued in written form, shall be final  
16 determinations for the purpose of judicial review.

17  
18           9.96.140 Fees.

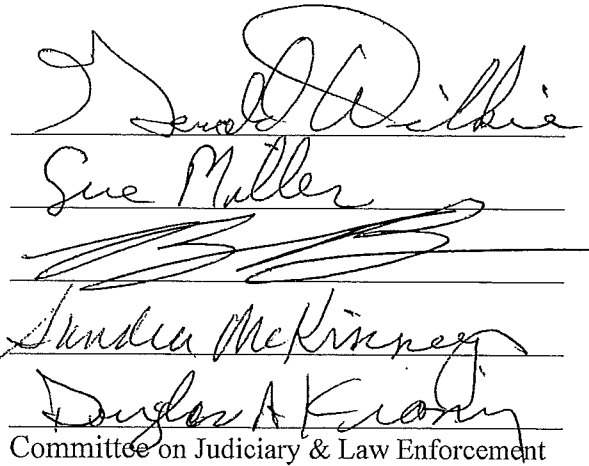
19           A. The license fee under this chapter for the pawnbroker shall be \$210, for a second  
20 hand article dealer \$27, for a second hand jewelry dealer \$30 and for a mall/flea market \$165.

21           B. A billable transaction fee of \$1 shall be charged for each billable transaction, and  
22 such fees shall be billed to each pawnbroker monthly and are due and payable within 30 days of  
23 the billing date. Failure to pay within that time period is a violation of this chapter.

24  
25           9.96.150 Penalty. Any person who is convicted of violating any of the provisions of this  
26 chapter shall forfeit not less than \$5 nor more than \$2,000, plus the costs of prosecution, and in  
27 default of such payment, shall be imprisoned in the county jail until such forfeiture and costs are  
28 paid, but not exceeding 90 days. Each day of violation shall constitute a separate offense.

29  
30  
31           ADOPTED:

32  
33  
34  
35  
36           APPROVED BY  
37           CORPORATION COUNSEL,  
38           AS TO FORM

39  
40  
41  
42             
43           Committee on Judiciary & Law Enforcement

44           KRZ/yk

45  
46           Dated this 7<sup>th</sup> day of July, 2016.

## FACT SHEET

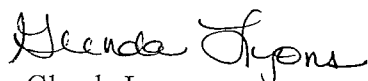
TO FILE NO. 16-17/020

**Section 1:** Governing bodies of taxation districts may pass an ordinance by August 15<sup>th</sup> of the year before the ordinance is effective to authorize payments of special assessments in installments.

**Section 2:** This Section requires a specific taxpayer notice regarding interest and penalties charged by Eau Claire County. This provision is no longer valid since the State of Wisconsin has prescribed for many years what the tax bill backer must say. The standard template is required for all Wisconsin counties.

**Section 3:** This Section is also no longer valid since for many years the county treasurer has settled in full with local municipalities in August. The advantage to settling in full is that 100% of the amount collected retained 100% by the county, including not only interest but also penalties.

Fiscal Impact: None  
Respectfully Submitted,



Glenda Lyons  
Treasurer

KRZ/yk

Ordinance/16-17.020 Fact

1 Enrolled No.

2 ORDINANCE

3 File No. 16-17/020

4 - TO REPEAL SECTION 4.19.030 C. & D. OF THE CODE: INTEREST AND  
5 PENALTIES ON DELINQUENT TAXES-

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

8 SECTION 1. That Section 4.19.015 is amended to read:  
9

10 4.19.015 Special assessment, special charges and other taxes. All special assessments,  
11 special charges and special taxes that are placed on the tax roll shall be paid in full on or  
12 before January 31st. If not paid they shall be deemed delinquent, subject to interest and  
13 penalties from February 1<sup>st</sup> except as otherwise provided in Wis. Stat. § 74.11(3).  
14

15 SECTION 2. That Subsection C. of Section 4.19.030 of the code be repealed.  
16

17 SECTION 3. That Subsection D. of Section 4.19.030 of the code be repealed.  
18

19 ADOPTED:  
20  
21  
22  
23

24  
25  
26 APPROVED BY  
27 CORPORATION COUNSEL,  
28 AS TO FORM  
29  
30

31  
32 *James A. Running*  
33 *Rubin J. Leary*  
34 *M. David R. Conner*  
35 *Steve Pagen*  
36 Committee on Finance & Budget  
37  
38  
39

KRZ/yk

36 Dated this 23 day of June, 2016.  
37  
38  
39

## FACT SHEET

### TO FILE NO. 16-17/006

The numbers on the amendments are based solely on when the corporation counsel's office was made aware that an amendment would be offered. How the county clerk numbers the amendments depends on at what point in the meeting they are offered and acted on. There is also the potential that certain amendments could be offered to amend a separate amendment under consideration by the board. This fact sheet summarizes each amendment received by July 15.

**Original Ordinance.** This ordinance requires that certain contractors, subcontractors, lessees, concessionaires, and recipients of economic development financial assistance doing business with Eau Claire County are subject in 2017 to paying a minimum hourly wage rate equal to 110% of the federal poverty income level for a family of four divided by 2,080 hours or \$12.84 per hour. The rate increases annually by 5% through 2021 when it would be 130% of the federal poverty income level.

Service contracts or leases of less than \$30,000 per year or provided by companies with 20 or fewer employees are exempt. In addition professional service contracts, the purchase of goods or commodities or their delivery, equipment leases and maintenance, contracts with other governmental units and contracts where a state or federal funder has a prevailing wage requirement are excluded. Based on information provided to staff it is estimated that in 2017, 28 DHS contracts, 4 ADRC contracts and 1 general service contract would be subject to the ordinance.

Increased costs based on the survey results in the Human Services Department are \$5.84 million over the years 2017-2021 plus an additional cost of \$203,342 in 2018 based on survey results received by the purchasing department which includes ADRC contracts. The projected increased cost for Eau Claire County Employee wages and benefits if the entire wage grid were adjusted is \$5.2 million from 2018 through 2021.

**Amendment #1.** This amendment offered by the Human Services Board excludes child alternate care contracts and contracts administered through the State Third Party Administrator for children with long-term care support needs. This amendment also establishes the 2017 minimum hourly wage rate at 100% of the federal poverty income level or \$11.68 per hour and increases the rate annually by 3.75% through 2021 to 115% of the federal poverty income level.

This amendment would reduce the increased cost in the Human Services Department to \$4.44 million over the years 2017 through 2021, would not change the additional cost of \$203,342 estimated by the purchasing department, would reduce the number of DHS contracts affected to 18 and would reduce the projected increase in Eau Claire County Employee wages and benefits to less than \$10,000 in 2021.

**Amendment #2.** This amendment offered by the Finance and Budget Committee does two things. First, it makes all references to economic development financial assistance consistent to avoid confusion and second it deletes the 2/3 vote requirement for the county board to waive the provisions of the ordinance since there is no provision of law which requires a super majority vote. This change complies with Wis. Stat. 59.02(2).

**Amendment #3.** This amendment is not included since it was considered but not approved by the ADRC Board.

**Amendment #4.** This amendment offered by supervisor Beckfield changes the name of the ordinance from “living wage” to “minimum wage”. The only reference remaining is the definition of “living wage”.

**Amendment #5.** This amendment offered by supervisor Beckfield excludes all Human Services contracts. As a result there would be no increased cost in the Human Services Department. In 2018 4 ADRC contracts and 1 general service contract would be subject to the ordinance with an additional cost of \$203,342.

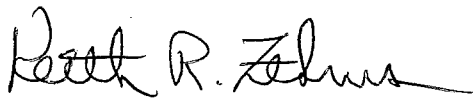
**Amendment #6.** This amendment offered by supervisor Beckfield changes the definition of living wage to equal 100% of the federal poverty guideline, with no annual adjustment.

This amendment would reduce the increased cost in the Human Services Department to \$2.97 million over the years 2017 through 2021, would not change the additional cost of \$203,342 estimated by the purchasing department, would reduce the number of DHS contracts affected to 18 and would result in no increase in Eau Claire County Employee wages and benefits.

**Amendment #7.** This amendment offered by supervisor Smiar defines “professional services”.

Fiscal Impact: Varies depending on what version of the ordinance the county board adopts and the annual budgets adopted by the board.

Respectfully Submitted,



Keith R. Zehms  
Corporation Counsel

KRZ/yk

Ordinance/16-17.006 Fact

2  
3 - TO CREATE CHAPTER 2.95 OF THE CODE: LIVING WAGE -

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

6  
7 SECTION 1. That Chapter 2.95 of the code be created to read:

8  
9 Chapter 2.95

10  
11 LIVING WAGE

12  
13 Sections:

- 14
- 15 2.95.001 Policy.
- 16 2.95.005 Definitions.
- 17 2.95.010 Standards Requirement
- 18 2.95.020 Contracting Requirements.
- 19 2.95.030 Maintenance and Monitoring of Records.
- 20 2.95.040 Severability and Savings.
- 21

22  
23 2.95.001 Policy. It shall be the policy of the County that certain contractors,  
24 subcontractors, lessees and recipients of financial assistance doing business with the County  
25 shall be subject to the requirements of this chapter. This living wage ordinance shall apply to all  
26 contractors, subcontractors, and recipients of financial assistance as defined herein party to an  
27 agreement covered under this chapter with any County unit, division, office, department, or sub-  
28 unit thereof, and County quasi-public entity including:

- 29 A. A service contract as defined in 2.95.005 A. or an agreement to provide personal  
30 care and supportive home care to persons with disabilities or the frail elderly provided by  
31 agencies that exclusively contract with the County, involving an amount greater than or equal to  
32 \$30,000; and,
- 33 B. A lease agreement involving the County funding or a public asset involving an  
34 amount greater than or equal to \$30,000; and
- 35 C. A concession agreement involving an amount greater than or equal to \$30,000;  
36 and,
- 37 D. Economic development financial assistance involving an amount of financial  
38 assistance from the County greater than or equal to \$1,000,000.

39  
40 2.95.005 Definitions. For all agreements covered under this chapter, the following  
41 definitions shall apply:

42 A. Service contract means an agreement between the County or related entity and  
43 another party that provides a set of services, primarily related to staff services including, but not  
44 limited to, housekeeping, security, landscaping, maintenance, clerical services, food services,  
45 and other non-professional services, as well as personal care, or supportive home care provided  
46 to persons with disabilities or the frail elderly by a preferred provider.

- 47 1. Service contracts do not include:
  - 48 a. Purchase of goods or commodities or its delivery.
  - 49 b. Equipment lease and maintenance.

- 1 c. Professional services contracts.  
2 d. Contracts with any school district, municipality, or any other  
3 governmental unit.  
4 e. Contracts in which State or Federal funder has a prevailing wage  
5 requirement.

6 B. Concession agreement means an agreement between the County or related entity  
7 and another party to allow the organization the exclusive or semi-exclusive right to operate a  
8 particular enterprise usually making use of some resource of the County or related entity  
9 requiring payment to the County or related entity fees, rent, or percentage of revenues derived  
10 from the particular enterprise.

11 C. Lease means an agreement between the County or related entity as lessor and  
12 another party as lessee to provide exclusive use of real property, a particular asset or resource in  
13 exchange for rental payments or a fee, and which involves financial assistance consistent with  
14 Wis. Stat. ch. 104.001(3). The following leases are exempted:

15 1. Cultural institutions: Leases with institutions including the Friends of  
16 Beaver Creek Reserve and any other cultural organization that receives contributions from  
17 County.

18 2. Nonprofit: Leases with nonprofit corporations, unless the nonprofit  
19 corporation passes through to a for-profit entity an amount greater than or equal to \$1,000,000, in  
20 which case the for-profit entity shall be subject to this chapter as a subcontractor as in 2.95.010  
21 A.2.

22 3. Other local units of government: Leases with any school district,  
23 municipality or any other governmental or quasigovernmental unit.

24 D. Economic development financial assistance means any form of assistance,  
25 consistent with Wis. Stat. ch. 104.001(3), of an amount greater than or equal to \$1,000,000,  
26 provided to a recipient directly by the County in the form of loan rates below those  
27 commercially available, loan forgiveness or guarantees, bond financing or forgiveness, sales or  
28 leases of land or real property or other assets for an amount below fair market value, or grants of  
29 land or real property, or other valuable consideration, or any other assets provided to develop  
30 real property, to foster economic development or to create or retain jobs or for other similar  
31 purposes which inure to the benefit of the recipient. The following are exempted:

32 1. Nonprofit corporations: Economic development financial assistance  
33 provided to nonprofit corporations, unless the nonprofit corporation passes through to a for-profit  
34 entity an amount greater than or equal to \$1,000,000, in which case the for-profit entity shall be  
35 subject to this chapter as a subcontractor as in 2.95.010 A.2.

36 2. Cultural institutions: Economic development financial assistance to the  
37 Friends of Beaver Creek Reserve, any other cultural organization that receives contributions  
38 from County.

39 3. Other units of government: Economic development financial assistance  
40 provided to any school district, municipality or any other governmental or quasi-governmental  
41 unit.

42 E. Living wage means a minimum hourly wage rate equal to the following  
43 percentage levels of the poverty income level set forth annually by the U.S. Department of  
44 Health and Human Services for a family of four (4), divided by 2,080 hours:

- 45 1. 110%, as of January 1, 2017  
46 2. 115%, as of January 1, 2018  
47 3. 120%, as of January 1, 2019  
48 4. 125%, as of January 1, 2020  
49 5. 130%, as of January 1, 2021

1  
2 F. Contractor means a person or an entity that has a service contract, lease, or  
3 concession agreement with the County covered under this chapter.

4 G. Subcontractor means a person or an entity:

5 1. Having an agreement or arrangement with a contractor to furnish a service  
6 for the benefit of the County that would be covered under this chapter; or,

7 2. Having an agreement or arrangement with a contractor to operate on a  
8 property that is subject to a lease or concession agreement with the County that would be  
9 covered under this chapter; or,

10 3. Purchasing or leasing from a recipient of financial assistance; or,  
11 managing or operating an enterprise employing people on the premises of property developed or  
12 improved as a result of financial assistance.

13 H. Recipient means a person or entity receiving economic development financial  
14 assistance as defined in 2.95.005 D. but does not include a person or entity indirectly benefiting  
15 from incidental effects of County policies, regulations or ordinances.

16  
17 2.95.010 Standards Requirement.

18 A. All employees performing part- or full-time work for a contractor, subcontractor,  
19 lessee or recipient of economic development financial assistance covered under this chapter and  
20 all direct employees of the County, shall be paid the Living Wage rate defined in 2.95.005 E.,  
21 except as provided in paragraph 3. of this section.

22 1. Tipped employees, employees paid on commission, or employees whose  
23 compensation consists of more than hourly wages shall be paid an hourly wage, when coupled  
24 with the other compensation, that will at least equal the minimum wage rate.

25 2. Contractors and subcontractors as defined in 2.95.005 G. 1. and 2. shall be  
26 subject to the requirements of this chapter for the duration of the agreement with the County.  
27 Employees of contractors and subcontractors shall be covered under the requirements of this  
28 chapter for the hours worked in performance of covered agreements.

29 3. Recipients of economic development financial assistance and  
30 subcontractors as defined herein shall be subject to the requirements of this chapter for a period  
31 equal to one year for every \$100,000 provided in economic development financial assistance,  
32 rounded to the nearest whole year; and employees of such recipients and subcontractors shall be  
33 covered under the requirements of this chapter for work performed on the premises of a project  
34 benefiting from financial assistance.

35 4. The living wage rate requirement will be updated annually on the last  
36 business day of September.

37 B. Excluded employees:

38 1. The provisions in this chapter shall exclude:

- 39 a. Student learners as defined by Wis. Stat. ch. 104.01(7); and,  
40 b. Employees of sheltered workshops as defined by Wis. Stat. ch.  
41 104.01 (6); and,  
42 c. Employees under the age of 18; and,  
43 d. Employees not performing work under a County service contract,  
44 concession, or lease; and,  
45 e. Employees not working in a financially assisted economic  
46 development project; and,  
47 f. Interns; and,  
48 g. Volunteers receiving stipends; and  
49 h. Any other category of employee excluded under Wis. Stat. ch. 104.



1 i. Employees of a contractor, subcontractor, concessionaire or  
2 recipient of financial assistance otherwise covered under this chapter where the employer  
3 otherwise subject to the provisions of this chapter employs no more than 20 employees and  
4 where the employer otherwise subject to the provisions of this chapter is not an affiliate or  
5 subsidiary of another business entity dominant in its field of operation.

6 j. Employees of a member who receives personal care and supportive  
7 home care through a self-directed service program model in the County.

8 2. The requirements of this section may be modified or waived as regards  
9 employees who are covered by a collective bargaining agreement between the employer and a  
10 bona fide union, where the parties to such collective bargaining agreement expressly specify  
11 their intent in the agreement.

12  
13 2.95.020 Contracting Requirements.

14 A. Department heads or their designee shall include requirements for compliance  
15 with this chapter in:

16 1. Every bid, request for proposal, or request for qualifications for services,  
17 leases, concessions or economic development financial assistance covered under this chapter,

18 2. All new service, lease, and concession agreements, and all new  
19 agreements involving financial assistance; and,

20 3. All renewals or amendments of agreements for services, leases,  
21 concessions, or economic development financial assistance covered under this chapter after the  
22 effective date of this ordinance.

23 B. Contractors, subcontractors, and recipients of economic development financial  
24 assistance must submit to the department a notarized affidavit certifying that they will comply  
25 with the requirements of this chapter prior to contract or subcontract award or receipt of any  
26 financial assistance.

27 C. Contractors, subcontractors and recipients of financial assistance shall not use the  
28 requirements of this chapter to reduce the wages of employees.

29 D. County reserves the right to inspect and audit any payroll records of any  
30 contractor or subcontractor or recipient of financial assistance for which this chapter applies, for  
31 any reason and at any time.

32  
33 2.95.030 Maintenance and Monitoring of Records. The Purchasing Department will  
34 maintain all records required by this chapter. The Purchasing Department will:

35 A. Retain a log of all contracts, noting which contracts are covered by this chapter.

36 B. Retain notarized affidavits from all contractors subject to the provisions of this  
37 chapter that they understand and will comply with its provisions.

38 C. Retain a one-page document, filled out annually by all contractors subject to the  
39 provisions of this chapter, asserting that they remain in compliance with the provisions of this  
40 chapter and providing the required wage range information.

41  
42 2.95.040 Severability and Savings. If any provision of this chapter or application thereof  
43 is judged invalid, the invalidity shall not affect other provisions or application of the chapter  
44 which can be given effect without the invalid provisions or application, and to this end the  
45 provisions of this chapter are declared severable.

46  
47 2.95.050 Waiver by County Board/Rights of Enforcement. The County recognizes that  
48 from time to time it may be in the County's best interest to enter into contracts, leases or other  
49 agreements, including agreements involving financial assistance, which have been negotiated,



TO THE HONORABLE EAU CLAIRE COUNTY BOARD OF SUPERVISORS

Report of the Human Services Board  
File No. #16-17/006

ANALYSIS

The Human Services Board reviewed the ordinance which generates a living wage. The ordinance creates language that would be inserted into contracts with vendors who provide services on behalf of Eau Claire County.

RECOMMENDATION

BE IT RESOLVED by the Eau Claire County Board of Supervisors that File No. 16-17/006 is hereby approved with Amendment No. 1.

I hereby certify that the foregoing correctly represents the action taken by the undersigned committee on June 27, 2016 by a vote of 6 for, 2 against.

  
\_\_\_\_\_  
Colleen Bates, Chair  
Human Services Board

/sr

Reviewed by Finance Dept.  
for Fiscal Impact

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

**EAU CLAIRE COUNTY BOARD OF SUPERVISORS**

**AMENDMENT NO. 1**

**TO FILE NO. 16-17/006**

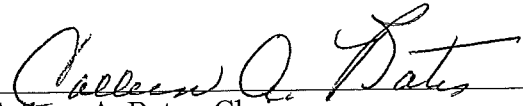
**OFFERED BY NICK SMIAR**

**AMEND THE ORDINANCE, AMENDMENT AS FOLLOWS:**

1. On page 2, line 6, insert "f. Child alternate care contracts."
2. On page 2, line 6, insert "g. Child contracts that are administered through the State TPA (Third Party Administrator)."
3. On page 2, lines 45-49, strike
  1. 110%, as of January 1, 2017
  2. 115%, as of January 1, 2018
  3. 120%, as of January 1, 2019
  4. 125%, as of January 1, 2020
  5. 130%, as of January 1, 2021",insert
  1. 100%, as of January 1, 2017
  2. 103.75%, as of January 1, 2018
  3. 107.5%, as of January 1, 2019
  4. 111.25%, as of January 1, 2020
  5. 115%, as of January 1, 2021."

I certify that the foregoing correctly represents the action taken by the undersigned committee on June 27, 2016 by a vote of 6 for, 2 against.

**APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM**

  
Colleen A. Bates, Chair  
Human Services Board

KRZ/yk  
Ordinance/16-17/006 Amendment #1

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

EAU CLAIRE COUNTY BOARD OF SUPERVISORS

AMENDMENT NO. 2

TO FILE NO. 16-17/006

OFFERED BY COMMITTEE ON FINANCE & BUDGET

AMEND THE ORDINANCE, AMENDMENT AS FOLLOWS:

1. On page 1, lines 24 and 26, after "recipients of" insert, "economic development".
2. On page 2, line 16, after "contributions from, insert, "the."
3. On page 3, line 10, after "recipient of" insert, "economic development".
4. On page 4, line 2, 27, and 30 after "recipients of" or "recipient of" insert, "economic development."
5. On page 5, line 3, strike "[through a vote carrying two thirds of all seats on the county board]".

\_\_\_\_\_  
*Sean Pagan*  
\_\_\_\_\_  
*James Channing*  
\_\_\_\_\_  
*Robert J. Healy*  
\_\_\_\_\_  
*M. R. Colton*  
Committee on Finance & Budget

Dated: June 22, 2016

KRZ/yk

Ordinance/16-17/006 Amendment 2

APPROVED BY  
CORPORATION COUNSEL,  
AS TO FORM

Reviewed by Finance Dept.  
for Fiscal Impact

TO THE HONORABLE EAU CLAIRE COUNTY BOARD OF SUPERVISORS

Committee on Human Resources

File No. 16-17/006

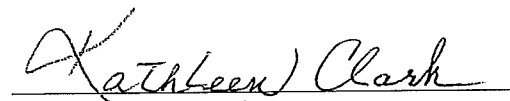
ANALYSIS

The Committee on Human Resources has reviewed the proposed ordinance 2.95 of the CODE: LIVING WAGE

RECOMMENDATION

BE IT RESOLVED by the Eau Claire County Board of Supervisors that File No. 16-17/006 be and is hereby adopted.

I hereby certify that the foregoing correctly represents the action taken by the undersigned committee on July 8, 2016, by a vote of 3 for, 2 against.



Kathleen Clark, Chair  
Committee on Human Resources

JKG/jnm

ORDINANCE\Rept.16-17/006

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

Reviewed by Finance Dept.  
for Fiscal Impact

**EAU CLAIRE COUNTY BOARD OF SUPERVISORS**

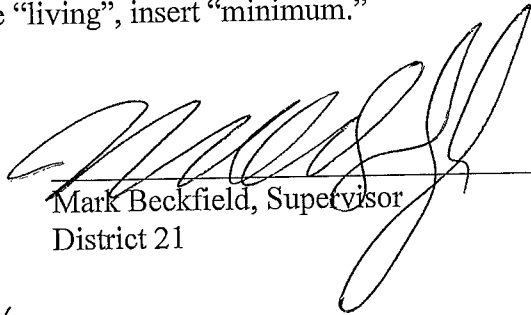
**AMENDMENT NO. 4**

**TO FILE NO. 16-17/006**

**OFFERED BY MARK BECKFIELD**

**AMEND THE ORDINANCE, AMENDMENT AS FOLLOWS:**

1. On page 1, line 3, 11, 25, strike "living", insert "minimum."
2. On page 3, line 20 & 35, strike "living", insert "minimum."



---

Mark Beckfield, Supervisor  
District 21

Dated: 7/13/16

KRZ/yk

Ordinance/16-17/006 Amendment 4

**APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM**

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**Reviewed by Finance  
for Fiscal Impact**

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**EAU CLAIRE COUNTY BOARD OF SUPERVISORS**

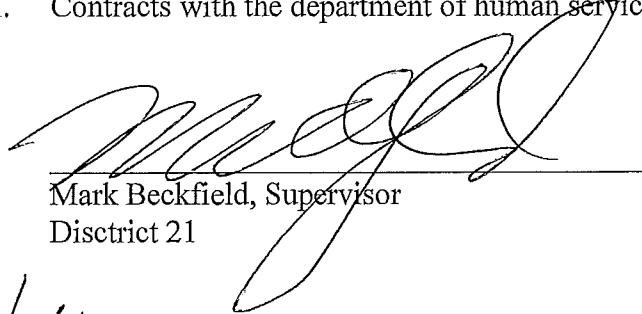
**AMENDMENT NO. 5**

**TO FILE NO. 16-17/006**

**OFFERED BY MARK BECKFIELD**

**AMEND THE ORDINANCE, AMENDMENT AS FOLLOWS:**

1. On page 2, line 6, insert "i. Contracts with the department of human services."



Mark Beckfield, Supervisor  
District 21

Dated: 7/13/16

KRZ/yk

Ordinance/16-17/006 Amendment #5

**APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM**

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



**EAU CLAIRE COUNTY BOARD OF SUPERVISORS**

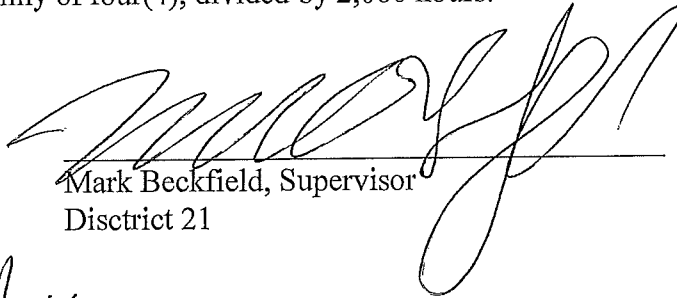
**AMENDMENT NO. 6**

**TO FILE NO. 16-17/006**

**OFFERED BY MARK BECKFIELD**

**AMEND THE ORDINANCE, AMENDMENT AS FOLLOWS:**

1. On page 2, strike lines 42-49, insert "Living wage means a minimum hourly wage rate equal to 100% of the poverty income level set forth annually by the U.S. Department of Health and Human Services for a family of four(4), divided by 2,080 hours."

  
\_\_\_\_\_  
Mark Beckfield, Supervisor  
District 21

Dated: 2/13/16

KRZ/yk

Ordinance/16-17/006 Amendment #6

**APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM**

\_\_\_\_\_

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

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**EAU CLAIRE COUNTY BOARD OF SUPERVISORS**

**AMENDMENT NO. #7**

**TO FILE NO. 16-17/006**

**OFFERED BY NICK SMIAR**

**AMEND THE ORDINANCE, AMENDMENT AS FOLLOWS:**

1. On page 3, line16, insert "I. Professional services shall typically include services customarily rendered by architects, engineers, surveyors, real estate appraisers, certified public accountants, attorneys, financial personnel, medical services, system planning, management, and other consultants."

\_\_\_\_\_  
Nick Smiar, Supervisor  
District 15

Dated: \_\_\_\_\_

KRZ/yk

Ordinance/16-17/006 Amendment #7

**APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM**

\_\_\_\_\_

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

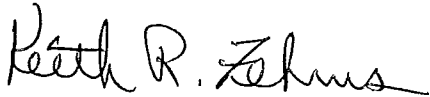
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**FACT SHEET**

**TO FILE NO. 16-17/014**

This ordinance simply changes the title of Airport Manager to Airport Director to be consistent with the classification/compensation study.

Fiscal Impact: None  
Respectfully Submitted,



Keith R. Zehms  
Corporation Counsel

KRZ/yk

Ordinance/16-17.014 Fact

2  
3 - TO AMEND SECTION 1.50.030 B. OF THE CODE: ISSUANCE OF  
4 CITATIONS; TO AMEND SECTION 12.01.010 D. OF THE CODE: BUILDING  
5 REQUIREMENTS—GENERAL; TO AMEND 12.01.040 C. 1. & 3. OF THE  
6 CODE: INSURANCE COVERAGE; TO AMEND 12.01.070 OF THE CODE:  
7 ENFORCEMENT; TO AMEND 12.02.060 OF THE CODE: AIRCRAFT  
8 BROKERAGE; TO AMEND SECTION 12.05.001 OF THE CODE: PURPOSE; TO  
9 AMEND SECTION 12.10.020 OF THE CODE: CLUB MEMBERSHIP; TO  
10 AMEND SECTION 12.11.020 OF THE CODE TERMS OF LEASES; TO AMEND  
11 SECTION 12.11.030 A. & C. OF THE CODE: EXTENSION OF LEASE TERMS;  
12 TO AMEND SECTION 12.11.040 OF THE CODE: LEASE TRANSFERS,  
13 SUBLEASES; TO AMEND SECTION 12.11.050 OF THE CODE: LEASE  
14 RATES; TO AMEND SECTION 12.11.060 A., C., E., F. & G. OF THE CODE:  
15 LEASE REQUESTS; TO AMEND SECTION 12.11.070 C. & D. OF THE CODE:  
16 LEASED PREMISES LOCATIONS AND UTILITIES; TO AMEND SECTION  
17 12.11.090 OF THE CODE: ADVERTISING SIGNS ON PREMISES; TO AMEND  
18 SECTION 12.11.100 OF THE CODE: LEASE TERMINATION; TO AMEND  
19 SECTION 12.11.110 A. OF THE CODE: MANDATORY LEASE CLAUSES; TO  
20 AMEND SECTION 12.23.010 B. OF THE CODE: LEASE MANAGEMENT; TO  
21 AMEND SECTION 12.25.005 A. & B. OF THE CODE: DEFINITIONS; TO  
22 AMEND SECTION 12.25.020 OF THE CODE: DESIGNATION OF PARKING  
23 AREAS; TO AMEND SECTION 12.25.070 OF THE CODE: PARKING AREA  
24 MAPS; TO AMEND SECTION 12.25.090 OF THE CODE: POLICING AND  
25 ENFORCEMENT; TO AMEND SECTION 12.25.100 A., B. & C. OF THE CODE:  
26 REMOVAL OF ILLEGALLY PARKED VEHICLES; TO AMEND SECTION  
27 12.26.005 A. & B. OF THE CODE: DEFINITIONS; TO AMEND SECTION  
28 12.26.020 OF THE CODE: PEDESTRIAN TRAFFIC ON AIRPORT; TO AMEND  
29 SECTION 12.26.030 OF THE CODE: POLICING AND ENFORCEMENT; TO  
30 AMEND SECTION 12.30.020 OF THE CODE: COLLECTION OF FUEL  
31 FLOWAGE FEE; TO AMEND SECTION 18.60.040 J. OF THE CODE:  
32 DEFINITIONS -  
33

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

35  
36 SECTION 1. That Subsection B. of Section 1.50.030 of the code be amended to read:

37  
38 Title 12, Subtitle 1. Aeronautics

Airport ~~manager~~director and airport  
security police

39  
40 SECTION 2. That Subsection D. of Section 12.01.010 of the code be amended to read:

41 D. A written request for a land lease must be submitted to the airport  
42 ~~manager~~director before the ~~manager~~director will approve a land lease. Land lease requests must  
43 include:  
44

45 SECTION 3. That paragraphs 1. & 3. Of Subsection C. of Section 12.01.040 of the code be  
46 amended to read:  
47

48 C. General Requirements

1           1.       Certificates of Insurance shall be furnished to the airport ~~manager~~director.  
2 The lessor and Eau Claire County must be listed as an additional insured.

3           3.       Policies shall contain a provision that coverage will not be cancelled or  
4 materially changed unless 30 days prior written notice is given to the airport ~~manager~~director.

5  
6           **SECTION 4.** That Section 12.01.070 of the code be amended to read:

7  
8           12.01.070 Enforcement. The commission or its designee shall have the authority to  
9 request enforcement through the City of Eau Claire Police Department, airport ~~manager~~director,  
10 airport security police or prosecution by the corporation counsel for any violations of the terms  
11 and conditions of this Subtitle. The commission reserves the right to waive, modify or eliminate  
12 any or all minimum standards temporarily or permanently consistent with Wisconsin Bureau of  
13 Aeronautics and Federal Aviation Administration guidelines at its sole discretion if it deems it to  
14 be in the best interest of the airport.

15  
16           **SECTION 5.** That Section 12.02.060 of the code be amended to read:

17  
18           12.02.060 Aircraft Brokerage. An operator or F.B.O. may engage in brokerage, as  
19 defined as brokering, acquisition and sales of aircraft but shall not be required to comply with the  
20 provisions of this Chapter. Aircraft brokerage requires approval of the airport ~~manager~~director  
21 and may be subject to Chapter 12.11 commercial lease provisions.

22  
23           **SECTION 6.** That Section 12.05.001 of the code be amended to read:

24  
25           12.05.001 Purpose.

26           These services can meet minimum standards through sub-lease from an operator that does  
27 meet standards only through written agreement with the airport subject to approval by the airport  
28 ~~manager~~director.

29  
30           **SECTION 7.** That Section 12.10.020 of the code be amended to read:

31  
32           12.10.020 Club Membership. Each club will keep current a complete list of the club's  
33 membership and a record of club finances, available to the airport ~~manager~~ upon request.

34  
35           **SECTION 8.** That Section 12.11.020 of the code be amended to read:

36  
37           12.11.020 Terms of leases. The terms and provisions of all leases issued by the  
38 commission shall be commensurate with the capital investment of the lessor and lessee and shall  
39 be of sufficient duration for the amortization of the investment but in no case shall be for more  
40 than 40 years subject to approval of the ~~manager~~director.

41  
42           **SECTION 9.** That Subsection A. & C. of Section 12.11.030 of the code be amended to  
43 read:

44  
45           A.       The terms and length of lease renewals shall be determined by the  
46 ~~manager~~director based on current land lease guidelines set by the commission.

47           C.       It is also to be understood that leaseholds cannot continue indefinitely; therefore,  
48 when, in the opinion of the airport ~~manager~~ director on behalf of the commission, the leased

1 structures have reached the end of their useful life or it would be in the best interests of the  
2 county to terminate the lessor-lessee relationship, leases will be terminated by the  
3 ~~manager~~director. In the event that at the termination of a leasehold, structures or fixtures remain  
4 which were erected or affixed to the property by the lessee and title to which has not been turned  
5 over to the airport by the terms of the lease, such structures or fixtures shall be removed by the  
6 lessee within 90 days of the termination date. Upon failure of the lessee to so comply, the airport  
7 may, at its option, either assume ownership of the structure and fixtures or demolish them and  
8 charge the costs thereof against the former lessee.

9  
10 **SECTION 10.** That Section 12.11.040 of the code be amended to read:

11  
12 12.11.040 Lease transfers, subleases. In order for the ~~manager~~ director to consider or  
13 grant any lease transfer or subleases of a lease, the lessee making such a request must have  
14 satisfied all terms and conditions of its current lease, and have no moneys due and owing to the  
15 airport. Transfer of an existing lease without alteration to another party, is subject to approval of  
16 the ~~manager~~ director. No sub-lease will be allowed unless lessee enters into a Hangar Keepers  
17 Agreement with the airport and payment of the established fee for the right to conduct the  
18 business of renting hangar space.

19  
20 **SECTION 11.** That Section 12.11.050 of the code be amended to read:

21  
22 12.11.050 Lease rates. Lease rates shall be established under Chapter 12.23, by the  
23 commission. Rate adjustments during the term of the lease shall be set forth within the lease.

24  
25 **SECTION 12.** That Subsections A., C., E., F. & G. of Section 12.11.060 of the code be  
26 amended to read:

27  
28 12.11.060 Lease requests.

29 A. The standard procedure for requesting a lease involves the solicitation of or  
30 receipt by the ~~manager~~ director of a written proposal by a prospective lessee, or the receipt by the  
31 ~~manager~~ director of a written proposal from a party seeking to sublease space from an existing  
32 leaseholder.

33 C. Requests by existing lessees for additional leased areas will be considered only if  
34 the lessee has no moneys owed to the airport under the terms of its present lease, and only if it  
35 has been, in the judgment of the ~~manager~~ director, conscientious in adhering to the provisions of  
36 the current lease.

37 E. Commercial leases: All requests for commercial leases require the filing with the  
38 ~~manager~~ director of a written application which must include:

- 39 1. Name, address and telephone number of applicant(s);
- 40 2. A detailed description of the proposed operation;
- 41 3. A detailed description and layout plan of all  
42 proposed facilities (building, parking lots, ramp areas, etc.);
- 43 4. The background and qualifications of the applicant(s) and the number of  
44 proposed employees;
- 45 5. The number and type of aircraft and other equipment necessary to conduct  
46 the intended operation; and
- 47 6. Statements and documents demonstrating the financial stability of the  
48 applicant(s).

49 F. Terminal Building Leases: All requests for terminal building leases require the

1 filing with the ~~manager~~ director of a written application which must include:

- 2 1. Name, address, and telephone number of applicant(s).
- 3 2. A detailed description of the proposed operation.
- 4 3. A detailed description of proposed modifications to existing county  
5 facilities.
- 6 4. The background and qualifications of the applicant and the number of  
7 proposed employees.
- 8 5. Statements and documents demonstrating the financial ability of the  
9 applicant(s).

10  
11 G. Other lease requests: All requests for leases other than aircraft storage, terminal  
12 building leases or commercial leases require the filing with the ~~manager~~ director of a written  
13 application outlining the nature of the desired lease and the applicant's intended use of airport  
14 land or facilities.

15  
16 **SECTION 13.** That Subsections C. & D. of Section 12.11.070 of the code be amended  
17 to read:

18  
19 C. The lessee is responsible for arranging for connection and service with the local  
20 utility companies, and paying for all charges associated with such utilities. The location of any  
21 of the above facilities must receive prior approval of the ~~manager~~ director before any construction  
22 activity is initiated.

23 D. Lot sizes are to be determined by the proposed facilities and activities of the  
24 lessee, but are generally based on the square footage of the building footprint. Specific requests  
25 for locations shall be considered by the ~~manager~~ director; however, the commission reserves all  
26 rights pertaining to the location of facilities on its airport.

27  
28 **SECTION 14.** That Section 12.11.090 of the code be amended to read:

29  
30 12.11.090 Advertising signs on premises. Pursuant to the conduct of the lessee's  
31 business operation, it shall be allowed to erect suitable advertising signs on the leased premises.  
32 Prior to the erection of any such advertising signs, however, the lessee must submit details  
33 regarding the form, type, size, location, and method of installation to the ~~manager~~ director for  
34 review and approval. Only upon receipt of written approval from the ~~manager~~ director may  
35 installation work begin on any lessee signing project. Signs located off of the leased premises  
36 will be limited to identification and directional type only and the size and location must be  
37 approved by the commission. All signs must comply with all local ordinances.

38  
39 **SECTION 15.** That Section 12.11.100 of the code be amended to read:

40  
41 12.11.100 Lease termination. Failure to comply with any of the provisions of the lease  
42 documents shall serve as grounds for the ~~manager~~ director to terminate the lease or operational  
43 rights of the offending lessee at the airport.

44  
45 **SECTION 16.** That Subsection A. of Section 12.11.110 of the code be amended to read:

46  
47 12.11.110 Mandatory lease clauses.  
48 A. Each lease for ground space at the airport entered into by the ~~manager~~ director  
49 shall include such of the following clauses as are required from time to time, by the state and

1 federal governments:

2  
3 **SECTION 17.** That Subsection B. of Section 12.23.010 of the code be amended to read:

4  
5 B. The airport ~~manager~~director is authorized, on behalf of Eau Claire County, to  
6 execute all leases of airport real property for hangar usage, fixed base operations and commercial  
7 air operations, subject to the following conditions:

8  
9 **SECTION 18.** That Subsections A. & B. of Section 12.25.005 of the code be amended  
10 to read:

11 A. "Airport" means the Chippewa Valley Regional Airport.

12 B. "Airport ~~Manager~~Director" or "~~manager~~director" means the person duly  
13 appointed by the airport commission to manage the airport.  
14

15  
16 **SECTION 19.** That Section 12.25.020 of the code be amended to read:

17  
18 12.25.020 Designation of parking areas. The ~~manager~~director shall cause to be erected  
19 and maintained appropriate signs to designate the parking, loading and restricted areas  
20 hereinafter established. The ~~manager~~director shall also be empowered to reserve parking stalls  
21 for disabled persons and to erect official signs to designate the same, in conformity with Wis.  
22 Stat. § 346.50 (3). Such signs as are erected under this section shall conform with official state  
23 regulations, where applicable.

24  
25 **SECTION 20.** That Section 12.25.070 of the code be amended to read:

26  
27 12.25.070 Parking area maps. The location of the parking areas, defined at 12.25.030  
28 through 12.25.060 shall be designated on a map of the airport to be maintained by the airport  
29 ~~manager~~director.

30  
31 **SECTION 21.** That Section 12.25.090 of the code be amended to read:

32  
33 12.25.090 Policing and enforcement. It shall be the duty of the ~~manager~~director,  
34 personnel and the security police to enforce the regulations contained within this chapter and to  
35 issue citations for violations hereof. Prosecution of violations shall be the responsibility of the  
36 corporation counsel.

37  
38  
39 **SECTION 22.** That Section 12.25.100 of the code be amended to read:

40  
41 12.25.100 Removal of illegally parked vehicles.

42 A. No vehicles shall be parked or stopped in loading zones, auto rental parking areas  
43 or business parking areas unless the owner or occupant thereof has the consent of the airport  
44 ~~manager~~ director or the party under whose control the given parking area is placed. Any vehicle  
45 illegally parked or stopped may be removed and impounded by the airport ~~manager~~ director or  
46 designee and released to the owner thereof only upon presentation of proper identification and  
47 payment of all towing and storage charges and forfeitures assessed under this chapter.

48 B. The airport ~~manager~~ director or designee may remove and impound any vehicle  
49 which is illegally parked, disabled or abandoned, which creates an operational hazard whether in



1 the general parking area or elsewhere upon the airport premises. Such vehicles shall be released  
2 to the owner thereof only upon presentation of proper identification and payment of all towing  
3 and storage charges and forfeitures assessed under this chapter.

4 C. Upon impoundment of a vehicle under this section, the airport ~~manager~~ director  
5 or designee shall ascertain the name and address of the owner and shall notify the owner by  
6 registered or certified mail of the action which has been taken.

7 D. Neither the county nor the commission shall not be liable for damage which  
8 occurs to any vehicle which might result during the impoundment process.

9  
10 **SECTION 23.** That Subsections A. & B of Section 12.26.005 of the code be amended to  
11 read:

12  
13 A. The terms "airport," "airport ~~manager~~ director," "commission," "person,"  
14 "personnel," "security policy," and "vehicle" shall have the meanings set forth at 12.25.005.

15 B. "Emergency equipment" means ambulances, crash rescue and firefighting  
16 apparatus and such other equipment as the airport ~~manager~~ director may, from time to time,  
17 designate as being necessary to safeguard airport runways, taxiways, ramps, buildings and other  
18 property.

19  
20 **SECTION 24.** That Section 12.26.020 of the code be amended to read:

21  
22 12.26.020 Pedestrian traffic on airport. No pedestrian shall be allowed beyond the  
23 terminal area, the apron or aircraft tie-down area unless for the purpose of egress from or ingress  
24 to an aircraft, or unless authorized by the airport ~~manager~~ director. Pedestrian traffic is prohibited  
25 on the runway and upon outlying areas of the airport except for those employees of the county,  
26 state and federal government or contractors engaged in airport construction or maintenance  
27 work.

28  
29 **SECTION 25.** That Section 12.26.030 of the code be amended to read:

30  
31 12.26.030 Policing and enforcement. It shall be the duty of the airport ~~manager~~ director,  
32 personnel and the security police to enforce the regulations of this chapter and to issue citations  
33 for violations hereof. Prosecutions of violations shall be the responsibility of the corporation  
34 counsel.

35  
36 **SECTION 26.** That Section 12.30.020 of the code be amended to read:

37  
38 12.30.020 Collection of fuel flowage fee.

39 A. Each bulk oil distributor who delivers aviation fuel to any person or organization  
40 on the premises of the Chippewa Valley Regional Airport shall, within the first 25 days of the  
41 month next following delivery, prepare a statement of such aviation fuel deliveries and shall mail  
42 or deliver the same, together with a check covering the total amount of the fee imposed under  
43 12.30.010 to the airport ~~manager~~ director. All checks shall be made payable to Eau Claire  
44 County.

45 B. Every person or organization receiving aviation fuel shall monthly submit to the  
46 airport ~~manager~~ director a list of all aviation fuel delivered to them and shall keep a record of all  
47 fuel invoices in their office, available for inspection by the commission.

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24

SECTION 27. That Subsection J. of Section 18.60.040 of the code be amended to read:

J. "ManagerDirector" means the ~~manager~~director of the Chippewa Valley Regional Airport.

ADOPTED:

*Guy Henry*  
 \_\_\_\_\_  
*Donald A. Dalke*  
 \_\_\_\_\_  
*Carleen Bates*  
 \_\_\_\_\_  
*Wm M. D. J.*  
 \_\_\_\_\_  
*Kathleen Clark*  
 \_\_\_\_\_  
 Committee on Administration

KRZ/yk

Dated this 14 day of June, 2016.

ORDINANCE/16-17.014

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

2  
3  
4 - REAFFIRMING AND ADOPTING THE UPDATED 2016-2018 STRATEGIC PLAN FOR  
5 EAU CLAIRE COUNTY-

6  
7 WHEREAS, the county board conducted two strategic planning work sessions on May 17 and  
8 June 21, 2016 to review and update the county mission statement, core values and strategic plan  
9 issues which is summarized in the attached Eau Claire County Strategic Plan document; and

10  
11 WHEREAS, the county board and staff utilized the PEST analysis strategic planning method;  
12 and

13  
14 WHEREAS, recommendations were developed at the June 21, 2016 county board strategic  
15 planning work session for further county board action as follows:

- 16  
17 1. Reaffirm the county mission statement and core values.  
18 2. Adopt the priority strategic issues identified in the strategic planning work sessions.  
19 3. Adopt broad strategic goals for each strategic priority as proposed by department heads,  
20 county board supervisors and summarized by the committee on administration.

21  
22 WHEREAS, the committee on administration has completed its tasks and recommends that the  
23 county board reaffirm the county mission statement and adopt the updated revised county  
24 strategic plan for Eau Claire County Government Operations, including core values, strategic  
25 priorities including goals; and

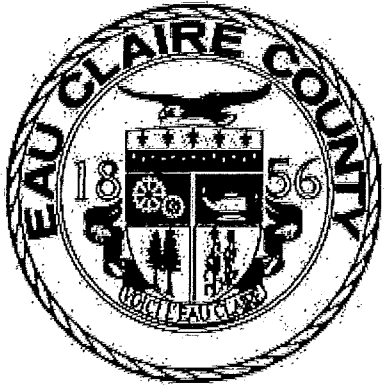
26  
27 NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that  
28 the county board adopts the 2016-2018 Strategic Plan for Eau Claire County.

29  
30 ADOPTED:

31  
32 I certify that the foregoing correctly represents the  
33 action taken by the undersigned committee on  
34 July 12, 2016 by a vote of 5 for, 0 against.

35  
36  
37 APPROVED BY  
38 CORPORATION COUNSEL  
39 AS TO FORM  
40

41  
42  
43   
44 \_\_\_\_\_  
45 Gregg Moore, Chair  
46 Committee on Administration



## Strategic Plan 2016- 2018

### Mission:

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

### Values:

#### **Good Stewards of County Resources**

*Plan and manage assets to enhance our community resources for the benefit of current and future generations.*

#### **Fiscally Responsible**

*Invest in innovative programming while balancing short and long term needs.*

#### **Responsive to Our Citizens**

*Listen to the diverse voices in our community. Create programming that aligns with changing needs.*

#### **Open and Accountable**

*We will listen and invite community input and access; and communicate all decisions, actions, and outcomes in a clear, respectful, timely, and transparent way.*

#### **Innovative**

*Take risks; explore options before deciding on a solution. Value persistence and continually improve the way we do our work.*



## Priority: Ensure Financial Stability

- **Goal:** Beginning with the 2018 budget, the Finance Committee will ensure that county borrowing does not exceed annual debt service in order to avoid placing an undue burden on the planners of future budgets.
- **Goal:** County Administrative staff will develop a new data tracking system by January 1, 2018 to account for the county-wide investments in infrastructure to provide better information to county decision makers when they make long term budget decisions.
- **Goal:** In order to maintain fiscal accountability, staff will have in place a reporting mechanism by January 1, 2018 which allows governing committees and the board as a whole to better perform their responsibility of fiscal oversight.

## Priority: Innovate and Adapt

- **Goal:** Beginning with the 2017 budget, the county board will establish an innovation fund of \$50,000 annually to serve as seed money to support new and creative approaches to provide county services.
- **Goal:** To promote a culture of innovation across all sectors of county government, county staff will create a virtual or physical idea lounge to promote and share best practice or innovative ideas used by staff and supervisors by January 1, 2018.
- **Goal:** To better serve county residents, the staff and board will review county code and current administrative policies and procedures and make revisions as needed to foster an environment of innovation and flexibility across all aspects of county government by December 31, 2019.
- **Goal:** To increase citizen understanding of county government, county staff will develop a series of public service messages that showcase innovative or creative practices used to meet citizen needs by June 1, 2018.

## Priority: Improve Collaboration

- **Goal:** To improve overall service quality, county department heads will work together to identify 3 cross-departmental or cross-system collaborations annually that result in more efficient service or operations annually for the 2017, 2018, and



2019 budget years. Collaborations will be identified and shared with the county board by October 1, prior to the beginning of each budget year.

- **Goal:** To help increase the impact of county services, county staff will focus on collaborations with 2 different external stakeholders and report annually to the county board by September 1 each year on the impact of those collaborations beginning with the 2017 budget year.

## Accountability Plan

All goals will have a goal owner. The goal owner will be responsible for developing an implementation plan; coordinating all activity and ensuring deadlines are met. Goal owners will be identified and shared with the board by September 1, 2016.

The Board of Supervisors is responsible for monitoring overall progress on the plan. To assist in that process, the Core Team will create a dashboard to measure progress on achieving individual goals. The Core Team will coordinate with the County Board Chair on the design of the dashboard and frequency of reporting.



**FACT SHEET**

**TO FILE NO. 16-17/028**

Human Resources is requesting to delete one (1) 0.73 FTE Human Resources Assistant (HRA) position and create one (1) 0.73 FTE Administrative Associate IV position.

Whenever there is a position vacancy, departments are asked to review current operations to determine if there are more efficient methods for the delivery of services.

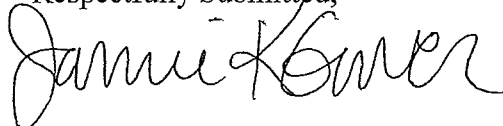
Upon reviewing the department's human resource knowledge base, workflow and operations the proposed change will provide the department, the community, and internal customers with a model that allows for continued high levels of service.

The approximate fiscal impact, for 2017, of these changes will result in a net savings of \$4,800.

			<b>WRS</b>	<b>Life</b>	
<b>Name</b>	<b>Salary</b>	<b>FICA</b>	<b>Employer</b>	<b>Insurance</b>	<b>Total</b>
		<b>7.65%</b>	<b>6.60%</b>		
2017 Full year (.73 FTE)					
HR Assistant 6 months step 1	\$14,435	\$1,104	\$953	\$20	\$16,512
HR Assistant 6 months step 2	\$14,726	\$1,127	\$972	\$20	\$16,845
Total					\$33,357
Administrative Associate IV 6 months step 1	\$12,357	\$945	\$816	\$20	\$14,138
Administrative Associate IV 6 months step 2	\$12,603	\$964	\$832	\$20	\$14,419
Total					\$28,557
Net Savings					(\$4,800)

Fiscal Impact: Net savings of \$4,800

Respectfully Submitted,



Jamie Gower  
Human Resources

1 Enrolled No.

RESOLUTION

File No. 16-17/028

2  
3 - AUTHORIZING DELETION OF ONE (.73 FTE) HUMAN RESOURCES ASSISTANT  
4 POSITION AND CREATION OF ONE (.73 FTE) ADMINISTRATIVE ASSOCIATE IV  
5 POSITION-

6  
7 WHEREAS, the Eau Claire County Code of General Ordinances requires that all regular  
8 positions or changes therein be submitted to the board for authorization; and  
9

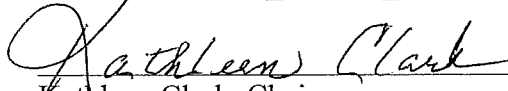
10 WHEREAS, at their regularly scheduled meeting on July 8, 2016, the committee on human  
11 resources respectively approved a request from the human resources department to delete one  
12 human resources assistant position (.73 FTE) and create one administrative associate IV position (.73  
13 FTE) to better meet the organizational needs of the human resources department; and  
14

15 WHEREAS, the approximate savings is \$4,800 and is budgeted within the operating budget  
16 of the human resources department.  
17

18 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors  
19 hereby approves deletion of one human resources assistant position and creation of one  
20 administrative associate IV position.  
21

22  
23 ADOPTED:  
24  
25

26 I certify that the foregoing correctly represents the  
27 action taken by the undersigned committee on July 8,  
28 2016 by a vote of 5 for, 0 against.  
29

30   
31 Kathleen Clark, Chair  
32 Committee on Human Resources  
33

34 /JM

35  
36 Dated this 8<sup>th</sup> day of July, 2016.  
37  
38

39  
40 APPROVED BY  
41 CORPORATION COUNSEL  
42 AS TO FORM  
43

Reviewed by Finance Dept.  
for Fiscal Impact



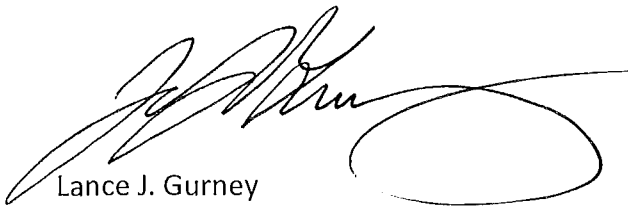
**FACT SHEET**

**TO FILE NO. 16-17/011**

The purpose of the proposed amendments to Chapter 18.27 Planned Unit Development is to integrate specific policies and procedures relating to conservation subdivisions that were stipulated within an Intergovernmental Agreement between the City of Eau Claire and the Towns of Union, Brunswick, Pleasant Valley, Washington and Seymour in 2011. Specifically, the proposed ordinance: makes modifications to the definition of “net acreage” for purposes of applying density provisions for land divisions within the City of Eau Claire extraterritorial plat approval jurisdiction; inserts clear language within Chapter 18.27 of the zoning code that is consistent with the provisions of the aforementioned Intergovernmental Agreement as they may relate to density, open space requirements, and what may be included within the net acreage for the purpose of determining maximum number of lots allowed within a conservation subdivision; and, adds “utility infrastructure” as permitted uses within open space or common areas with provisions for continued maintenance.

The proposed code amendments are provided in response to a request submitted by the Towns of Washington and Seymour, along with the City of Eau Claire to further implement the Intergovernmental Agreement between the aforementioned parties to ensure consistency between local codes, provisions within the Intergovernmental Agreement, and applicable comprehensive plans in accordance with the requirements of §66.1001.

Respectfully Submitted,



Lance J. Gurney  
Director, Planning and Development

LJG

Ordinance/16-17.011

2  
3 - TO AMEND SECTION 18.27.020 D. AND F. OF THE CODE: GENERAL  
4 REGULATIONS --

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

7  
8 SECTION 1. That Subsections D. and F. of Section 18.27.020 of the code be  
9 amended to read:

10  
11 18.27.020 General Regulations.

12 D. The number of principal structures which may be constructed within a PUD shall  
13 be determined by dividing the net acreage of the PUD tract by the required lot area per structure  
14 required within the zoning district in which the PUD is located. Net acreage is defined as the  
15 gross area, less ~~land dedicated for public and private streets~~ environmentally sensitive areas as  
16 defined in 18.76.003 A. 11.

17 1. Proposed lots located within a conservation subdivision and the  
18 extraterritorial plat review boundaries for the City of Eau Claire or the City of Altoona, but  
19 outside of the sewer service area (SSA), shall have a minimum lot size of at least one (1) acre  
20 unless reduced in accordance with 18.27.020 H. At least 40% of the net acreage within the  
21 parent parcel shall be placed under a conservation easement or comparable protection and  
22 maintained as open space.

23 2. Net acreage will be inclusive of areas dedicated for public or private  
24 streets for the purpose of determining the maximum number of lots permitted within a  
25 conservation subdivision.

26 F. Land to be set aside as open space or common area shall be clearly indicated on  
27 the plan. Provisions for the continued maintenance of common open space, recreational facilities,  
28 parking facilities, utility infrastructure, private roads or other common property, shall be  
29 guaranteed by property owner's association articles of incorporation, protective covenants, or  
30 deed restrictions in a form acceptable to the county corporation counsel. Such guaranteeing  
31 instruments shall be recorded with the plat.

32  
33 ENACTED:

34  
35   
36 \_\_\_\_\_  
37   
38 \_\_\_\_\_

39  
40   
41 \_\_\_\_\_  
42 Steve Pagan  
43 Committee on Planning & Development

42 LG:yk  
43 Dated this 24<sup>th</sup> day of MAY, 2016.

ORDINANCE/16-17.011

Reviewed by Finance Dept.  
for Fiscal Impact

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

**EAU CLAIRE COUNTY COMPREHENSIVE PLAN AMENDMENT  
DEPARTMENT OF PLANNING AND DEVELOPMENT STAFF REPORT  
Plan Amendment 2016-17/011**

**DATE PREPARED:** May 19, 2016

**PUBLIC HEARING DATE:** May 24, 2016

**PETITIONER:** Eau Claire County Planning and Development

**LEGAL DESCRIPTION AND LOCATION:** Applicable in the Extra-Territorial Areas of the City of Eau Claire including portions of the Towns of Union, Brunswick, Washington, Pleasant Valley and Seymour.

**APPLICABLE ZONING REGULATIONS AND STATUTORY REQUIREMENTS:**

**Section 18.01.001 Authority.** Pursuant to Wis. Stat. §§59.69, 59.692, 59.694, and 87.30, and the authority vested in the county under those provisions, the county hereby adopts the following Zoning Code.

**Section 18.01.010 Purpose.** It shall be the purpose of this subtitle, through the regulation of the use of lands and structures, through the establishment of physical standards, through the creation of separate zoning districts, and through the mechanisms provided herein for enforcement and administration to: A. Promote the public health, safety, comfort, convenience and general welfare of the citizens of Eau Claire County; B. To protect and conserve the natural resources of the county, including agricultural lands, forests, wetlands, surface and groundwater, by conserving the most appropriate use of land; C. To protect and conserve the social character and economic stability and preserve property values; D. To prevent the overcrowding of land and undue congestion of population; E. To provide adequate light, air and convenient access to property by regulating the use of land and buildings and the bulk of structures in relationship to surrounding properties; F. To facilitate adequate and economic provisions of services such as roads, water and sewer, schools, and police and fire protection; G. To encourage the use of land and buildings which are compatible with nearby existing and planned land uses, and to prohibit and control existing land uses deemed incompatible with nearby land uses; H. To prevent harm to persons and property by flood, fire, explosion, toxic fumes or other hazards.

**Chapter 18.27 Planned Unit Developments**

**18.27.001 Purpose.** The purpose of this chapter is to provide a procedure for the allowance of planned unit developments (PUD) wherein more than one structure or use on a single lot and integrated development of more than one lot as a single tract shall be allowed.

**Section 18.31.050 Amending the Zoning Code. A. Authority.**

In order to meet the public necessity, convenience, general welfare, and promote good zoning practice, the county board of supervisors may, by ordinance, amend the district boundaries or amend or supplement the regulations established herein.

**BACKGROUND INFORMATION AND DETAILS OF THE REQUEST:**

The purpose of the proposed amendments to Chapter 18.27 Planned Unit Development is to integrate specific policies and procedures relating to conservation subdivisions that were stipulated within an Intergovernmental Agreement between the City of Eau Claire and the Towns of Union, Brunswick, Pleasant Valley, Washington and Seymour in 2011.

Specifically, the proposed ordinance: makes modifications to the definition of “net acreage” for purposes of applying density provisions for land divisions within the City of Eau Claire extraterritorial plat approval jurisdiction; inserts clear language within Chapter 18.27 of the zoning code that is consistent with the provisions of the aforementioned Intergovernmental Agreement as they may relate to density, open space

requirements, and what may be included within the net acreage for the purpose of determining maximum number of lots allowed within a conservation subdivision; and, adds "utility infrastructure" as permitted uses within open space or common areas with provisions for continued maintenance.

**TOWN BOARD ACTION:** The Planning and Development Department has not received any opposition to the proposed amendment to date. However, staff has had several discussions with Town Board members who sought more information and/or clarification in terms of application or effect on their respective towns. The proposed code amendments are provided in response to a request submitted by the Towns of Washington and Seymour, along with the City of Eau Claire to further implement the Intergovernmental Agreement between the aforementioned parties to ensure consistency between local codes, provisions within the Intergovernmental Agreement, and applicable comprehensive plans.

In accord with State Statutes, Towns under County Zoning have an opportunity to file resolutions in support or opposition to a text amendment to the county zoning code. If a majority of towns with county zoning file resolutions in opposition in accord with the specified time limitations, the proposed amendment will be denied or voided. Towns can file resolutions 10 days prior to the hearing, at the hearing, or 10 days after the hearing (note all towns under County Zoning have filed with the County a resolution extending their time for disapproving any proposed amendments to 20 days.) The Towns under County Zoning have 30 days after the hearing to file a disapproving resolution with the County Clerk. If a majority of Towns with County Zoning file opposing resolutions within these timeframes, the Committee on Planning and Development may not recommend approval of the petition without change, but may only recommend approval with change or recommend disapproval to the County Board. If the County Board approves the amendment, Towns have up to 40 days to file resolutions, and if a majority of Towns file resolutions in opposition, the County Board action to approve the text amendment is repealed.

**ANALYSIS:** When evaluating a petition to amend the regulations in the zoning code, *a determination should be made that this amendment is necessary for the public necessity, convenience and general welfare, and that it promotes good building practice. Furthermore, the amendment should uphold the purpose of the zoning code.*

A finding can be made that the proposed ordinance amendments will meet the purpose of the zoning code. A finding can also be made that the amendments will ensure that the public health and safety of the citizens of Eau Claire County will be protected. The ordinance amendment sought is a clarification of an existing provision that is sought by the Towns of Washington and Seymour along with the City of Eau Claire within its extraterritorial plat review jurisdiction which establishes policy to permit the division of land for new development. A finding can also be made that the proposed amendment will further promote good building practice by allowing for more efficient use of land to accommodate new development, provide protection and conservation of sensitive natural resources through permanent open space preservation within a conservation subdivision, and ensure adequate provisions of services through the integrated review and development of a single property into multiple building sites.

**STAFF CONCLUSIONS AND RECOMMENDATION:** Staff has concluded that the proposed amendment is necessary for public necessity, convenience and general welfare of Eau Claire County. The proposed amendment also clarifies provisions for conservation subdivisions within the Planned Unit Development section of the zoning code in order to promote good building practice and upholds the purpose of the zoning code. Staff therefore recommends that the committee forward a recommendation to the County Board to approve the code amendment as shown in Ordinance 16-17/011.

**FACT SHEET**  
**File No. 16-17/022**

**RE:** Rezoning Petition from Dave Strassman, representing Samuel M. & Jeraldine A. Helfenstine, to rezone 40 acres +/- from to A-P (Agricultural Preservation District) to A-3 (Agricultural District) for the purpose of constructing a single family residence.

**Legal Description and Location:** Portion of the NW¼ NE¼ of Section 8, T25N, R9W, Town of Pleasant Valley (complete legal description attached)

**Size of area to be rezoned:** 40 acres +/-

**ADJACENT ZONING & LAND USES:**

LOCATION	ZONING	LAND USE
Subject	A-P	Undeveloped/fallow fields
North	A-P	Agricultural fields
East	A-P; A-3	Single family residence, agricultural fields and undeveloped land
South	A-3	Single family residence
West	A-3	Single family residence and 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 Pleasant Valley Future Land Use Map includes this property in the Rural Preservation (RP) planning area. 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 Pleasant Valley 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.”


**Staff Conclusions and Recommendation:** Staff finds that the proposed rezoning request substantially conforms with the Eau Claire County Comprehensive Plan and the Town of Pleasant Valley finds that the proposed rezoning conforms with the Town of Pleasant Valley 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 Pleasant Valley Rural Preservation future land use designations.

**Town Board Action:** The Town of Pleasant Valley Town Board considered this rezoning petition on Monday, June 13, 2016 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, June 28, 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 PLEASANT VALLEY -

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

7  
8 **SECTION 1** That the 1982 Official Zoning District Boundary Map for the Town of  
9 Pleasant Valley, Eau Claire County described as follows:

10  
11 **The NW-NE in Section 8, T25N-R09W, Town of Pleasant Valley, Eau**  
12 **Claire County.**

13  
14 **Said described lands contain 40 acres to be reclassified from the A-P**  
15 **Agricultural Preservation District to the A-3 Agricultural District.**

16  
17 **SECTION 2** Where a certified survey map is required and may alter the above  
18 described property description, the official zoning district map for the  
19 town shall be automatically amended to reflect the property description of  
20 the certified survey map.

21  
22 **ENACTED:** I hereby certify that the foregoing correctly represents the  
23 action taken by the undersigned Committee on  
24 June 28, 2016 by a vote of **5** for, **0** against.

25  
26   
27 \_\_\_\_\_  
28 Planning & Development Committee, Chairperson

**APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM**

4 - ORDERING ATTACHMENT TO THE LAKE ALTOONA DISTRICT -  
5  
6

7 WHEREAS, a petition to attach two properties to the Lake Altoona District was submitted to  
8 the Eau Claire County Clerk on May 4, 2016 pursuant to Wis. Stat. 33.33(2) by the Lake Altoona  
9 Board of Commissioners and forwarded to the Eau Claire County Committee on Planning and  
10 Development for review and public hearing, and;

11  
12 WHEREAS, written notice of a public hearing identifying the properties affected by the  
13 proposed attachment was mailed to the last known address of each landowner within the lake district  
14 in addition to the two property owners and a Class 1 public hearing notice was published on May 17,  
15 2016 pursuant to Wis. Stat. 33.26 (1) & (2) and;

16  
17 WHEREAS, the Eau Claire County Committee on Planning and Development considered the  
18 attachment petition at a public hearing held on May 24, 2016 at 7:00 p.m. at the Eau Claire County  
19 Courthouse at which time the public was invited to attend and be heard. Written comments and  
20 additional testimony have also been accepted up to an including a subsequent meeting of the  
21 Committee on Planning and Development on July 12, 2016.

22  
23 WHEREAS, in review of the testimony and comments received, the Eau Claire County  
24 Committee on Planning and Development is able to make the following findings pursuant to Wis.  
25 Stat. 33.26 (3):

- 26  
27 1. That the petition has been properly brought forth by the Board of  
28 Commissioners for the Lake Altoona District in accord with Wis. Stat. 33.33  
29 (2)(b).  
30 2. That the district is necessary. – reaffirming Resolutions #277-74 adopted  
31 December 17, 1974 and Resolution 79-80/#290 adopted December 4, 1979.  
32 3. That the public health, comfort, convenience, necessity or public welfare will  
33 be promoted by the establishment of the district - reaffirming Resolutions  
34 #277-74 adopted December 17, 1974 and Resolution 79-80/#290 adopted  
35 December 4, 1979.  
36 4. That the property included in the district will be benefited by the district's  
37 establishment, and;

38  
39 WHEREAS, the Eau Claire County Committee on Planning and Development recommends  
40 the petition to attach two properties to the Lake Altoona District be granted and the attached order be  
41 approved.

42  
43 NOW, THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors  
44 makes the following findings:

- 45  
46 1. That the petition to attach properties to the Lake Altoona District has been properly  
47 brought forth in accord with Wis. Stat. 33.33 (2).

- 1                   2. That the district is necessary.  
2                   3. That the public health, comfort, convenience, necessity or public welfare will be  
3                   promoted by the establishment of the district.  
4                   4. That the property included in the district will be benefited by the district's  
5                   establishment.  
6

7                   BE IT FURTHER RESOLVED that pursuant to Wis. Stat. 33.26 the Eau Claire County  
8 Board of Supervisors orders the attachment of properties to the Lake Altoona District.  
9

10                  BE IT FURTHER RESOLVED that the boundaries of the district shall be amended to include  
11 the following described parcels through attachment:  
12

13                  Parcel 1:       Lots 3 & 4, Block 2, Lake View Addition, Town of Washington, Eau  
14                                   Claire County, Wisconsin

15                                   Further described as: Tax Parcel 024-2006-05-000  
16  
17

18                  Parcel 2:       Lot 8, Block 2, Lake View Addition, Town of Washington, Eau Claire  
19                                   County, Wisconsin

20                                   Further described as: Tax Parcel 024-2006-10-000  
21  
22

23                  BE IT FURTHER RESOLVED that any person aggrieved by the County Board's decision  
24 may petition for circuit court review within 30 days of the decision.  
25

26                  ADOPTED:

27                                   *Gary Gutz*  
28                                   \_\_\_\_\_  
29                                   *James A. Deering*  
30                                   \_\_\_\_\_  
31                                   \_\_\_\_\_  
32                                   \_\_\_\_\_  
33                                   *Steve Pagan*  
34                                   \_\_\_\_\_  
35

36                                   Committee on Planning and Development  
37

38                  Dated this 12 day of July, 2016.  
39  
40

41                  YK/LG

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM





## EAU CLAIRE COUNTY COMMITTEE ON PLANNING & DEVELOPMENT STAFF ANALYSIS AND RECOMMENDATION

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### PETITION TO ATTACH TERRITORY TO THE LAKE ALTOONA DISTRICT:

PUBLIC HEARING DATE: May 24, 2016

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STAFF CONTACT: Lance J. Gurney, Director

APPLICANT: Board of Commissioners – Lake Altoona District

PUBLIC HEARING DATE: May 24, 2016

REQUEST: Petition to attach two contiguous properties to the Lake Altoona District

---

### SUMMARY

The Board of Commissioners for the Lake Altoona District submitted a petition to attach two properties to the District's boundary to the County Clerk for Eau Claire County on May 4, 2016. The mechanism for attachment of property to a lake district is set forth in Wis. Stat. §33.33(2), which refers to the procedures and standards provided in Wis. Stat. §33.26(3). For attachment proceedings, the County Board is charged with appointing a committee to conduct the hearing (P&D Committee appointed via Resolution 16-17/013) within 30 days of receipt of the petition, which was conducted on May 24, 2016. The P&D Committee has three months from the date of the hearing to report to the County Board of its findings and recommendations. Within 6 months of the date of the hearing, the County Board shall issue its order either approving or denying the attachment as supported by its findings.

---

### BACKGROUND

#### Lake Altoona District:

On December 10, 1974, a petition was filed with Eau Claire County requesting establishment of a public inland lake protection and rehabilitation district for Lake Altoona. Following the required public hearing held in accordance with Wis. Stat. §33.26, the County Board issued its finding of facts to support the creation of the Lake District and adopted Resolution #277-74 ordering creation of the Lake Altoona District as of January 3, 1975. This order was reaffirmed on December 4, 1979 by Resolution 79-80/#290 by the Eau Claire County Board of Supervisors.

The two properties that are the subject of this attachment petition were included within the official boundary and map adopted as part of the creation in both 1974 and 1979.

---

### APPLICABLE STATUTORY REQUIREMENTS

*Wis. Stat. §33.33 (2) Attachment.* Contiguous territory may be attached to a district upon petition by the owner or motion of the commissioners.

- (a) *Petition.* A petition by an owner, directed to the district and requesting attachment, may be accepted by a majority vote of the commissioners, upon which the attachment shall become effective.

- (b) *Motion.* If the commissioners by motion initiate attachment proceedings, they shall notify the owners of the territory contemplated for attachment and the county board. The County Board shall schedule a hearing on the motion, using the procedure of s. 33.26 as far as is applicable. Following the hearing, the board shall make a finding on the necessity of attachment of territory, using the standards of s. 33.26(3), and shall declare the territory to be either attached or not. Appeals of the board's decision shall be taken under s. 33.26(7).

History: 1973 c. 301; 1975 c. 197; 1981 c. 20; 1989 a. 159; 2003 a. 275.

It is not always necessary for the petitioner in a detachment proceeding to prove that there has been a change in circumstances since the district was created. The finding of benefit to property required under s. 33.26(3) in forming a district is not the same as the finding that the property is not benefited required under s. 33.33(3) to detach a property from the district. The s. 33.26(3) finding is general and predictive. Section 33.33(3) requires an individualized evaluation of property under present circumstances. *Donaldson v. Board of Commissioners of Rock-Koshkonong Lake District*, 2004 WI 67, 272 Wis. 2d 146, 680 N.W.2d 762, 01-3396.

Although not specified, the right to review under sub. (3) is by statutory certiorari. *Donaldson v. Board of Commissioners of Rock-Koshkonong Lake District*, 2004 WI 67, 272 Wis. 2d 146, 680 N.W.2d 762, 01-3396.

***Wis. Stat. §33.26 Hearings, time, notice, boundaries, approval, limitations.***

(1) Upon receipt of the petition the county board shall arrange a hearing to be held not later than 30 days from the date of presentation of the petition, and shall appoint a committee to conduct the hearing. At the hearing all interested persons may offer objections, criticisms or suggestions as to the necessity of the proposed district as outlined and to the question of whether their property will be benefited by the establishment of such district. Any person wishing to object to the organization of such district may, before the date set for the hearing, file objections to the formation of such district with the county clerk.

(2) Notice announcing the hearing and stating the boundaries of the proposed district shall be published in a paper of general circulation in the county in which the proposed district is located as a class 1 notice, under ch. 985, and shall be mailed by the county board to the last-known address of each landowner within the proposed district.

(3) The committee shall report to the county board within 3 months after the date of the hearing. Within 6 months after the date of the hearing, the board shall issue its order under this subsection. If the board finds, after consideration of the committee's report and any other evidence submitted to the board, that the petition is signed by the requisite owners as provided in s. 33.25, that the proposed district is necessary, that the public health, comfort, convenience, necessity or public welfare will be promoted by the establishment of the district, and that the property to be included in the district will be benefited by the establishment of the proposed district, the board, by order, shall declare its findings, shall establish the boundaries and shall declare the district organized and give it a corporate name by which it shall be known. Thereupon the district shall be a body corporate with the powers of a municipal corporation for the purposes of carrying out this chapter. If the board does not so find, the board, by order, shall declare its findings and deny the petition.

(5) The department shall be notified in writing of the hearing for the creation of the district at the time the hearing date is set.

(6) In establishing the district, the county board may change the boundaries from those originally proposed. However, lands not originally proposed for inclusion may not be included until a public hearing is held under this section.

(7) Any person aggrieved by the action of the board may petition the circuit court for judicial review. A verified petition shall be presented to the court not more than 30 days after the decision of the board, and shall specify the grounds upon which the appeal is based.

History: 1973 c. 301; 1979 c. 34 s. 2102 (39) (g); 1981 c. 20; 1991 a. 316; 1993 a. 167; 1995 a. 227; 2003 a. 275.

Although not specified, the right to review under sub. (7) is by statutory certiorari. *Donaldson v. Board of Commissioners of Rock-Koshkonong Lake District*, 2004 WI 67, 272 Wis. 2d 146, 680 N.W.2d 762, 01-3396.

## FINDINGS/STANDARDS

*Wis. Stat. §33.26(3) sets forth four standards or findings that must be verified and made by Eau Claire County in order to approve the attachment request, as follows:*

*a. The petition is signed by the requisite number of owners, or in this case is made by the Lake District Board of Commissioners in accord with Wis. Stat. §33.33(2).*

The Board of Commissioners for the Lake Altoona District did properly initiate attachment proceedings as provided by statute to cause the matter to come before the Eau Claire County Board of Supervisors.

*b. The district is necessary.*

The Eau Claire County Board, on two separate previous occasions, has determined that the creation and existence of the Lake Altoona District is necessary, as is evidenced by Resolution #277-74 adopted in 1974 and Resolution 79-80/#290 adopted in 1979.

*c. The public health, comfort, convenience, necessity or welfare would be promoted by the establishment of the district.*

Eau Claire County has a long history of working cooperatively with the Lake Altoona District to maintain and improve water quality and access to the lake by implementation of a variety of projects including but not limited to: water quality monitoring for bacteria, lake management planning, sediment mitigation, installation of fish habitat, and boat ramp enhancements. Many of these projects continue on an annual basis in order to counteract the impacts land use impacts continue to have within the lake's and river systems watershed.

In the case of both (b) and (c), Wis. Stat. §33.33(2) recognizes that not all of the standards or findings may be applicable in the case of Attachment. Given that the district has already been created by order by the Eau Claire County Board of Supervisors with findings that support both requirements, staff believes these findings have been fully satisfied.

*d. The property included in the district would benefit from the establishment of the district.*

For purposes of this review and action, considerable attention has been paid to this particular standard as it relates to the matter before the County Board for consideration. Of note, the courts have differentiated the definition of "benefit" between attachment and detachment petitions, as evidenced in the *Donaldson* case highlighted in the footnotes under Wis. Stat. §33.33 in the previous section. For creation or attachment proceedings, this standard or finding is determined to be "general and predictive" rather than an "individualized evaluation" for detachments.

During the public hearing held on May 24, 2016, representatives of both properties subject to the attachment petition appeared in opposition and provided testimony to contest the action to attach their respective properties to the Lake Altoona District. Both testimonies centered largely on a decision rendered against the Lake Altoona District from 2007 with regard to the Board of Commissioners denial of petitions for detachment from the Lake Altoona District. In that case, Judge Gabler concluded that the Lake Altoona District had failed to evaluate each property individually and consider the specific benefits to remain in the district boundaries separately, therefore exercising its will instead of its judgement. In rendering his decision, Judge Gabler often cites the *Donaldson* case

and the need to consider each detachment petition on its own merits based on the evidence presented on record. In the end, Judge Gabler ruled against the Lake Altoona District's denial of the detachment petitions of five property owners brought before the Branch 3 of the Circuit Court and orders the Lake District to grant the petitioners request. Following the ruling, the Lake Altoona District Board of Commissioner reconsidered the petitions for detachment for the five property owners enjoined through the Circuit Court proceedings and subject to the order for relief, as well as the petition of 19 additional property owners. The Lake Altoona District decided to detach all parcels that were part of the original detachment request in 2007.

This background information is particularly helpful in determining benefit in this case of attachment for several reasons, including:

- The standard for finding of "benefit" under Wis. Stat. §33.26(3) for creation or attachment to a district is "general and predictive" while the standard for detachment under Wis. Stat. §33.33(2) is based on an "individualized evaluation". Therefore, Eau Claire County is not required to determine "benefit" to each specific property in this matter. This is clarified and supported in the *Donaldson* case. In essence, the county board's decision is considered a legislative decision, which is an exercise of judgement and policy taking into account the board's knowledge of the community.
- Each of the properties that were specifically reviewed as part of the Circuit Court case in 2007 were non-riparian owners, meaning that "benefit" did not include direct access to the water within the established boundaries of the Lake Altoona District. In this matter of Attachment, both property owners do indeed own frontage on the Eau Claire River, which serves as the incoming headwaters to Lake Altoona. The Eau Claire River does not exist independently of Lake Altoona, nor does Lake Altoona exist independently of the Eau Claire River. Lake Altoona is an impoundment of the Eau Claire River. Therefore, the two features are interconnected and interrelated.
- The properties included within this attachment petition brought forth by the Lake Altoona District Board of Commissioners were included within the original boundaries of the Lake Altoona District and are currently surrounded by riparian property owners who remain in the district boundaries. In fact, all privately-owned riparian property owners on Lake Altoona and the Eau Claire River upstream within two miles have been included in the boundary, except for the two properties subject to this attachment petition that were detached in 2007. According to "People of the Lakes – A Guide for Wisconsin Lake Organizations" public in 2006 by the WDNR and UW-Extension, "boundary changes should only be made at the edge of a district, deletions should not create holes in the district and noncontiguous property should not be added" (page 52). The Lake Altoona District's petition to "reattach" the two subject properties will again ensure all benefited riparian owners will be included within the established Lake Altoona District boundary, thereby ensuring equality with other private riparian owners. A decision to issue an order denying the attachment would in essence, continue or maintain a hole within the district boundary with respect to riparian owners.
- A second predominate argument provided by both property owners at the public hearing focused on use of the "lake" versus the "river". One property owner indicated that he does not utilize the lake at all, but rather boats within the river itself. The second property owner testified that he seldom uses the lake and therefore is not benefitted by its existence. In both cases, the property owner attempts to include "use" in the definition of "benefit". Although benefit is not defined by state statutes, it can mean many things, including but not limited to use. Having direct access or view to a healthy waterbody can be considered a benefit. Removal of sediment to maintain navigation corridors can be considered a benefit. Installation of habitat structures for fish and other aquatic species that maintain or enhance the recreational opportunities for the entire lake system can be considered a benefit.

Enhanced property values with access to a lake can also be considered a benefit. In all of these examples, the Lake Altoona District has established a history of active management of the lake for the benefit of property owners, particularly riparian owners.

- Finally, it should be noted that not all of the activities of the Lake Altoona District have been focused on the lake itself. In order to better address concerns of sedimentation of Lake Altoona (which is a common occurrence for impoundments) the Lake Altoona District constructed a sediment trap upstream of the lake. This sediment trap is located less than 1/4 mile upstream of the subject properties and is valuable in ensuring that navigation remain possible to the lake. Even more, the Lake Altoona District completed a significant sediment removal project this last winter at the mouth (delta) of Lake Altoona to maintain and improve access to and from the Eau Claire River upstream.

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**STAFF RECOMMENDATION AND FINDINGS:**

In evaluating this attachment petition, the Board must consider the four standards for creating or attaching properties to a lake district found in Wis. Stat. §33.26(3) and relevant Wisconsin case law. An order to approve or deny the petition to attach must state its reasoning why an application did or did not meet the statutory criteria.

Staff has reviewed the petition for attachment submitted by the Board of Commissioners for the Lake Altoona District, information and testimony provided at the public hearing, additional written information provided since the date of the hearing on May 24, 2016, Chapter 33 of the Wisconsin Statutes, and relevant case law including both the 2007 Gabler decision as well as the 2004 Donaldson decision.

Based on this information and the information contained within this report, staff believes a recommendation for approval of the attachment petition by the Lake Altoona District is supported by the findings of the four standards found in Wis. Stat. §33.26(3). Specifically, as in the contested finding of benefit by the property owners, staff finds that:

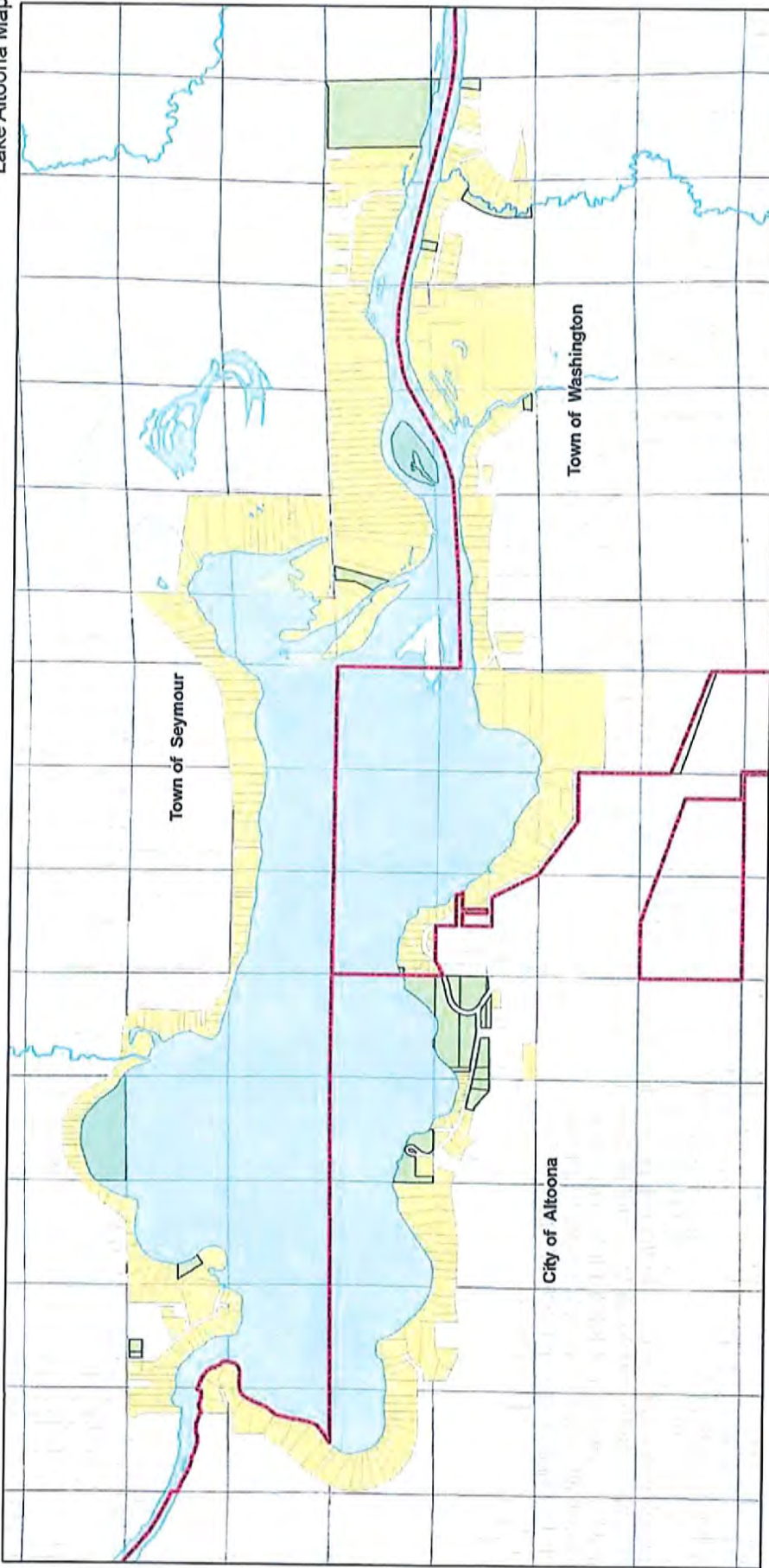
- the Lake Altoona District engages in lake management projects encompassing both the lake and inflowing river to maintain and enhance water quality, recreational use, and protection of property.
- The subject properties are both riparian owners, surrounded by riparian property owners who are included within the district boundaries. An order to deny the attachment would continue to support a hole in the boundary and cast inequitable benefit to individual property owners.
- Use is a personal choice and not a fair gauge of benefit onto the property itself. The standard for consideration is whether or not the property is benefitted for inclusion in the district boundary, not the individually property owner. Staff concludes that the particular properties in question for the attachment are indeed benefitted from the activities of the Lake Altoona District.
- The standard for determining benefit is "predictive and general", meaning it is an exercise of judgement and policy. Both property owners have inaccurately presented information based on the findings that must be made in a detachment proceeding which require an "individualized evaluation" of benefit upon their respective properties.

Therefore, staff recommends the Planning and Development Committee issue findings in support of the Petition for Attachment to the Lake Altoona District as brought forth by the Board of Commissioners and recommend approval of the Order to the Eau Claire County Board of Supervisors.

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Eau Claire County Parcel Mapping





Lake Altoona Map



Eau Claire County Index Map



Legend

-  Lake Altoona District Tax Exempt Parcels
-  Lake Altoona District Parcels
-  Parcels
-  Civil Divisions

EAU CLAIRE COUNTY WISCONSIN

The Department of Planning & Development  
 Eau Claire County Courthouse  
 721 Oxford Avenue, Room 1510  
 Eau Claire, WI 54703-5481  
 715-835-4741

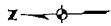
Parcel Mapping Notice:

This map is a collection of parcel map information and was prepared as an advisory tool for the public. It is not intended to be used as a legal document. The information on this map is provided as a service to the public and is not intended to be used as a legal document. The information on this map is provided as a service to the public and is not intended to be used as a legal document. The information on this map is provided as a service to the public and is not intended to be used as a legal document.





# Eau Claire County Parcel Mapping



1 inch = 200 feet

### PLSS Lines

- Meander Line
- Forty Line
- Quarter Section Line
- Section Line
- Parcel Line
- Extended Parcel Line
- Tie Line
- Extended Tie Line
- Road Right-of-Way Lines

### Platted Lands

- Certified Survey Map
- Condominium Plat

### Assessors or Subdivision Plat

### Navigability

- Navigable
- Non-Navigable

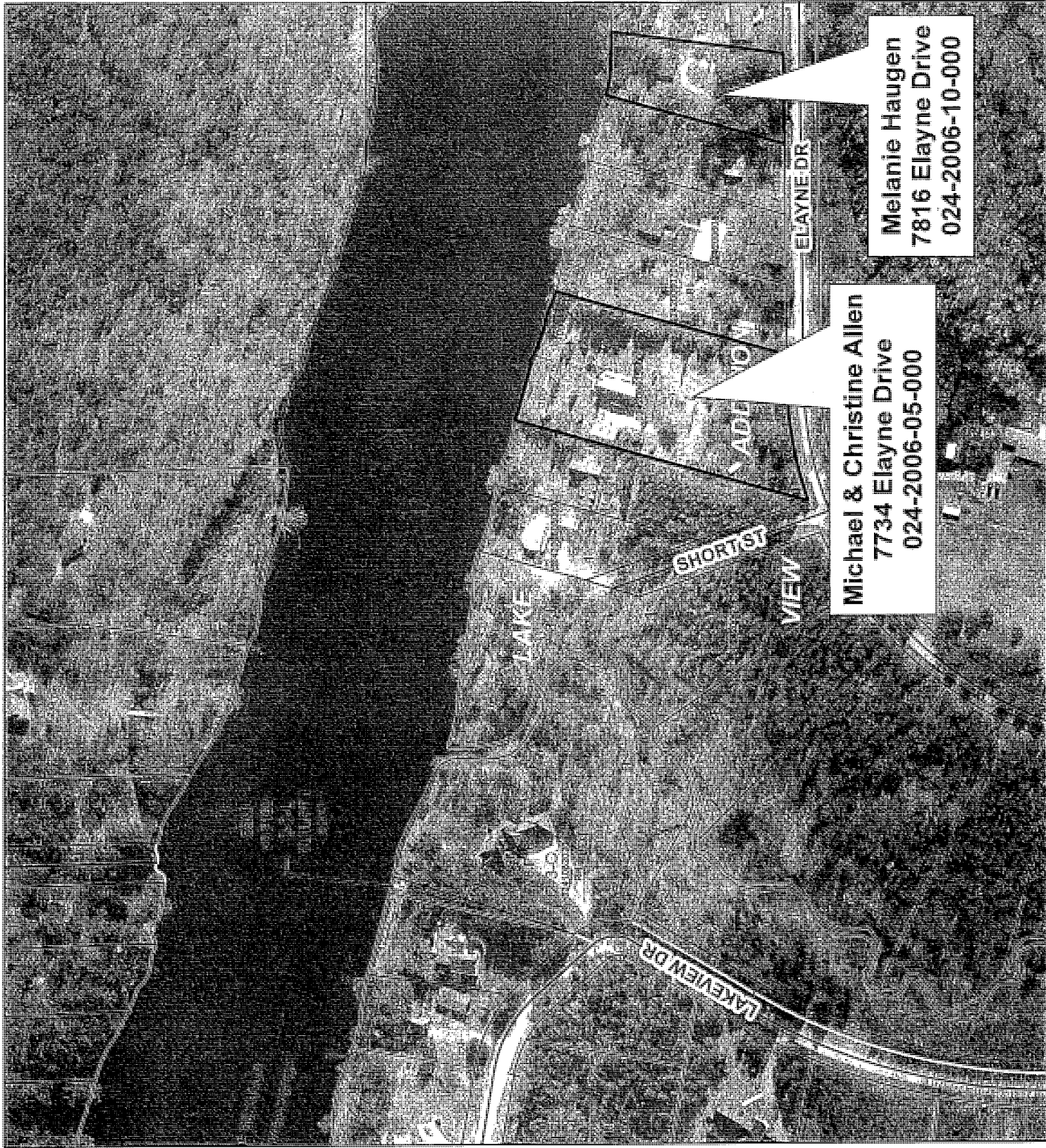
Alternate Number = 026107103000  
Survey Map Index Number = S-2769

### Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD\_1983\_MERC\_4311\_W\_EauClaire\_Feet. This map is a selection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. While significant care has been exercised in producing this map, the County does not warrant the accuracy of the information shown. 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 boundaries.

Eau Claire County does not warrant, guarantee or make any representation as to the accuracy or reliability of the information shown on the map and the user relies on the map and results solely at their own risk.

Date: Aerial Photography Flight - Spring 2013  
Information Current - January 1, 2013



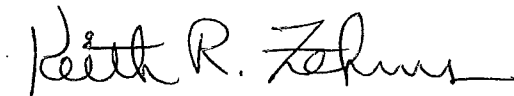
**FACT SHEET**

**TO FILE NO. 16-17/015**

This resolution disallows the claim filed on May 6, 2016 of Sandra L. West in which Ms. West claims that on April 15, 2016 while driving eastbound on Hwy 312 she came across a section of patchwork that had come loose about the size of a bowling ball, Ms. West struck this chunk with her car causing damage. The claim was reviewed by the Eau Claire County Highway Patrol Superintendent who states that at the time of the incident there were no county vehicles, staff or equipment in the area. Jackie Kaul, Liability Claim Representative from WMMIC, the County's liability carrier states that based on her 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/16-17/015 Fact



2  
3 -DISALLOWING THE CLAIM OF SANDRA L. WEST FILED ON MAY 6, 2016 AGAINST EAU  
4 CLAIRE COUNTY; DIRECTING THE COUNTY CLERK TO NOTIFY THE CLAIMANT OF  
5 SAID DISALLOWANCE-

6  
7 WHEREAS, on May 6, 2016, Sandra L. West filed a claim against Eau Claire County  
8 with the Eau Claire County Highway Department; and

9  
10 WHEREAS, Sandra L. West claims that on April 15, 2016 she while traveling eastbound  
11 on Hwy 312 before the lights on Jeffers Road in the County of Eau Claire she encountered patch  
12 work with chunks of cement on the road. Ms. West claims that she ran over a large chunk of  
13 concrete the size of a bowling ball that caused damage to her vehicle; and

14  
15 WHEREAS, after review of the claim by the Eau Claire County Highway Patrol  
16 Superintendent it was determined that there were not any county vehicles, staff or equipment in  
17 the area at the time of this incident; and

18  
19 WHEREAS, after a review of the incident by WMMIC, the county's liability carrier, it is  
20 determined that Eau Claire County has no liability for this claim.

21  
22 NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of  
23 Supervisors hereby formally disallow the claim of Sandra L. West against the County of Eau  
24 Claire.

25  
26 BE IT FURTHER RESOLVED that the county clerk is hereby directed to notify Sandra  
27 L. West of the disallowance.

28  
29 ADOPTED:

30  
31  
32  
33 James A. Reuning  
34 Michael W. Corbin  
35 Robin J. Seary  
36  
37 Stella Page  
38  
39 Committee on Finance & Budget

40  
41 KRZ/yk

42 Dated this 23 day of June, 2016.

43  
44 ORDINANC/16-17/015

45  
46 APPROVED BY  
47 CORPORATION COUNSEL  
AS TO FORM

**FACT SHEET**

**TO FILE NO. 16-17/025**

This Resolution disallows the claim of Robert H. Shugarts filed by his attorney, Harry Hertel with the County Clerk on May 23, 2016. Robert Shugarts claims that the county did not provide underinsured motorist coverage as is required by Wisconsin law for all equipment owned by Eau Claire County. After review of the claim by WMMIC the County's liability carrier it was determined that Eau Claire County has no liability for this claim. Eau Claire County did provide underinsured motorist coverage that complies with Wisconsin State Law.

Fiscal Impact: None.  
Respectfully Submitted,



Keith R. Zehms  
Corporation Counsel

KRZ/yk

Ordinance/16-17.025 Fact

1 Enrolled No.

2 RESOLUTION

3 File No. 16-17/025

4 - DISALLOWING THE CLAIM OF ROBERT H. SHUGARTS FILED ON MAY 23, 2016  
5 AGAINST EAU CLAIRE COUNTY; DIRECTING THE COUNTY CLERK TO NOTIFY  
6 THE CLAIMANT OF SAID DISALLOWANCE-

7 WHEREAS, on May 23, 2016, Attorney Harry Hertel filed a claim on behalf of Robert H.  
8 Shugarts against Eau Claire County through the county clerk; and

9  
10 WHEREAS, Robert H. Shugarts claims that Eau Claire County failed to provide  
11 underinsured motorist coverage as is required by Wisconsin law for all of the equipment owned by  
12 Eau Claire County; and

13  
14 WHEREAS, after a review of the incident by WMMIC the County's liability carrier it is  
15 determined that Eau Claire County has no liability for this claim. Eau Claire County did provide  
16 underinsured motorist coverage that complies with Wisconsin State Law; and

17  
18 NOW, THEREFORE, BE IT RESOLVED, that the Eau Claire County Board of  
19 Supervisors hereby formally disallows the claim of Robert H. Shugarts against the County of Eau  
20 Claire.

21  
22 BE IT FURTHER RESOLVED that the county clerk is hereby directed to notify Robert H.  
23 Shugarts through his attorney Harry Hertel of the disallowance.

24  
25 \_\_\_\_\_  
26 \_\_\_\_\_  
27 \_\_\_\_\_  
28 *James A. Hennings*  
29 *Mark R. Carl*  
30 \_\_\_\_\_  
31 *Robert J. Gary*  
32 \_\_\_\_\_  
33 *Steve Pagan*  
34 \_\_\_\_\_  
35 \_\_\_\_\_  
36 Committee on Finance & Budget

37 KRZ/yk

38 Dated this 23 day of June, 2016.

39 ORDINANC/16-17/025

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF JUNE 2016-

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

<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
Group Health Cooperative	Health Insurance Premiums - July	\$ 583,833.29
Lenco Industries Inc	Bearcat 4WD - Sheriff	\$ 294,939.00
State of Wisconsin	May Court Fees	\$ 195,987.16
Ewald's Hartford Ford LLC	Ford vehicle purchases - Sheriff	\$ 134,825.00
City of Eau Claire Treasurer	Comm Center Payment - June	\$ 128,006.67
Milestone Materials	Concrete Material 3/4 to 1 inch - Hwy	\$ 124,220.72
Eau Claire City County Health Dept	May Payment	\$ 93,800.00
Lutheran Social Services	Residential Treatment Reimb by JCI Grant	\$ 90,000.00
Advanced Disposal	Recycling April/May	\$ 81,530.94
U S Bank	May Pro-card Payment	\$ 68,623.55
Aramark Services Inc	Inmate/Staff meals - April, May	\$ 67,285.76
Lutheran Social Services	Feb, Mar, and May Services - CJCC	\$ 52,416.32
Haas Transport	Equipment Rental - Hwy	\$ 51,106.25
Xcel Energy	CTHS Electric/Gas - May	\$ 45,362.45
Correctional Healthcare Companies	Monthly Medical Service - June, July	\$ 43,272.23
RTS Roofing	Re-roof Building 3 - Hwy	\$ 38,964.40
AUL Health Benefit Trust	P'TO/Retiree payouts (7)	\$ 36,548.10
Waste Management Northern WI	Recycling - May	\$ 30,027.86
Lake Eau Claire Protection	Lake Eau Claire Sediment Trap Cleaning	\$ 28,500.00
Boxx Sanitation	Recycling - May	\$ 22,124.52
Bartingale Mechanical Inc	Replacement of Air Handler Unit - Maintenance	\$ 21,743.00
Durand Builders Service Inc	Stormwater Financial Assurance Reimbursement	\$ 20,500.00
Presidio Infrastructure Solutions LLC	Smartnet Annual Support Software for Video Conf - IS	\$ 20,172.71
City of Eau Claire Treasurer	CTHS Water/Sewer - May	\$ 20,018.65
U S Postal Service	Postage	\$ 20,000.00
Sacred Heart Hospital	ADRC Meals - April	\$ 19,997.93
Pauls Sheet Metal & Roofing	Replaced roof on Maintenance building	\$ 19,265.31
Roland Machinery Exchange	Equipment Rental - Hwy	\$ 18,469.35
Delta Dental Plan of Wisconsin	Dental Insurance Premium - June	\$ 18,389.87
CDW Government	Microsoft Windows Server-License - IS	\$ 15,283.80
Friends of Beaver Creek Reserve	June Payment	\$ 15,000.00
Fuel Service DJ's Mart	Diesel Fuel - Hwy	\$ 14,330.59
City of Eau Claire Treasurer	Paratransit - April	\$ 13,990.51
Minnesota Life Insurance	Life Insurance Premiums - July	\$ 13,222.70
Lincoln Financial Life Insurance Co	Disability Premiums - July	\$ 12,755.14
Try Inc	June Payment	\$ 11,134.92
Goodwill Industries	May Restorative Justice	\$ 10,252.13
Nuss Truck & Equipment	Equipment Repair - Hwy	\$ 10,131.50
Elmer Steinmetz	Housing Assistance Payment	\$ 10,064.00
Bartingale Mechanical Inc	Preventative Maintenance - June	\$ 10,047.75
Xcel Energy	Airport Electric/Gas - May	\$ 10,009.09
Wisconsin Land Information Program	May Land Info Recording Fees	\$ 10,003.00
	<i>subtotal</i>	\$ 2,546,156.17

57	County of Barron	<i>IM Consortia Payment</i>	\$	201,075.00
58	County of Burnett	<i>IM Consortia Payment</i>	\$	34,364.00
59	County of Chippewa	<i>IM Consortia Payment</i>	\$	54,848.00
60	County of Douglas	<i>IM Consortia Payment</i>	\$	106,759.00
61	County of Pierce	<i>IM Consortia Payment</i>	\$	120,209.00
62	County of Polk	<i>IM Consortia Payment</i>	\$	105,030.00
63	County of St Croix	<i>IM Consortia Payment</i>	\$	95,927.00
64	County of Washburn	<i>IM Consortia Payment</i>	\$	27,030.00
65	Western Dairyland Economic	Contractual Services	\$	15,218.48
66	Vantage Point Clinic & Assessment	Contractual Services	\$	11,570.00
67	Trempealeau County	Contractual Services	\$	43,769.33
68	State of Wisconsin Dept of Corrections	Contractual Services	\$	36,868.00
69	REM Wisconsin III Inc	Contractual Services	\$	56,370.67
70	Rawhide Inc	Contractual Services	\$	21,470.40
71	Oconomowoc Development Training Ctr	Contractual Services	\$	16,673.34
72	Northwest Passage LTD	Contractual Services	\$	16,421.63
73	Northwest Counseling & Guidance	Contractual Services	\$	28,535.55
74	New Visions Treatment Homes	Contractual Services	\$	44,016.65
75	New Hope Inc	Contractual Services	\$	11,375.68
76	New Hope Hallie Inc	Contractual Services	\$	14,430.00
77	Mt Washington Operator LLC	Contractual Services	\$	26,404.56
78	Mille Lacs Academy	Contractual Services	\$	11,384.75
79	MCHS Eau Claire Clinic	Contractual Services	\$	15,721.65
80	Lutheran Social Services	Contractual Services	\$	107,695.18
81	Clinicare Corporation	Contractual Services	\$	43,868.16
82	Chileda Institute	Contractual Services	\$	29,112.72
83	Career Development Center	Contractual Services	\$	11,279.80
84	Brotoloc Inc	Contractual Services	\$	68,528.57
85	Arbor Place Inc	Contractual Services	\$	16,200.00
86				
87				
88			Total	\$ 1,392,157.12
89				
90			Grand Total	\$ 3,938,313.29
91				
92				
93	<hr/>			
94	James Dunning - Chairperson			
95	Committee on Finance and Budget			
96				
97				
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99				
100				
101				

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

**Fact Sheet for Resolution 16-17/030**

As part of the unanimous approval of the 2016 Eau Claire County Budget, the County Board approved borrowing of \$12.626 million in general obligation debt to pay for Highway projects, Information Systems software/hardware, general building repairs & maintenance, vehicle replacements, and contribution to the construction of the Confluence Community Arts project.

The attached resolution authorizes the sale of not to exceed \$13 million in General Obligation Promissory Notes, allocated as follows:

\$6,500,000 Highway Bridge Construction & Maintenance  
\$3,500,000 Confluence Community Arts Project  
\$1,165,000 Information Systems software/hardware/broadband  
\$1,182,000 General Building repairs/maintenance/projects  
\$279,000 Vehicle Replacements  
\$300,000 Estimated Issuance Related Costs

Finally, as was presented during the 2016 budget process, I estimate that with rates similar to last year's note sale, this issue will add approximately \$1.5 million in additional debt service payments for each of the years, 2017-2026, based on a 10-year payback.

Respectfully submitted,



Scott Rasmussen  
Director of Finance

RESOLUTION NO. 16-17/030

INITIAL RESOLUTION AUTHORIZING THE BORROWING  
OF NOT TO EXCEED \$13,000,000; AND  
PROVIDING FOR THE ISSUANCE AND SALE OF  
GENERAL OBLIGATION PROMISSORY NOTES THEREFOR

WHEREAS, the County Board of Supervisors of Eau Claire County, Wisconsin (the "County") hereby finds and determines that it is necessary, desirable and in the best interest of the County to raise funds for the public purpose of paying the cost of capital projects included in the County's Capital Improvement Plan, including highway/bridge replacement and repair projects; IT software/hardware upgrades; contribution for construction of the Confluence Project; long-term repair and maintenance projects for County buildings; and acquiring vehicles (collectively, the "Projects"), and there are insufficient funds on hand to pay said costs;

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Authorization of the Notes. For the purpose of paying costs of the Project, there shall be borrowed, through the issuance of general obligation promissory notes pursuant to Section 67.12(12) of the Wisconsin Statutes, a principal sum not to exceed THIRTEEN MILLION, (\$13,000,000) (the "Notes").

Section 2. Sale of the Notes. The County Board of Supervisors hereby authorizes and directs that the Notes be offered for public sale. At a subsequent meeting, the County Board of Supervisors shall consider such bids for the Notes as may have been received and take action thereon.

Section 3. Notice of Sale. The County Clerk, in consultation with the County's financial advisor, Ehlers & Associates, Inc. ("Ehlers"), is hereby authorized and directed to cause the sale of the Notes to be publicized at such times and in such manner as the County Clerk may determine and to cause copies of a complete, official Notice of Sale and other pertinent data to be forwarded to interested bidders as the County Clerk may determine.

Section 4. Official Statement. The County Clerk shall cause an Official Statement concerning this issue to be prepared by Ehlers. The appropriate County officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

I hereby certify that the foregoing correctly represents the action taken by the undersigned Committee on July 14, 2016, by a vote of \_\_ for, \_\_ against.

\_\_\_\_\_  
Chairperson  
Committee on Finance and Budget

Adopted and recorded July 14, 2016.

\_\_\_\_\_  
Gregg Moore, Chairperson  
Eau Claire County Board of Supervisors

Attest:

\_\_\_\_\_  
Janet K. Loomis  
Eau Claire County Clerk

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM