

AGENDA

Eau Claire County Board of Supervisors
Wednesday, February 22, 2017/ 7 pm

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

Eau Claire County Mission Statement:

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

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

1. Call to Order
2. Honoring of the Flag and Moment of Reflection (Supervisor Judith Gatlin)
3. Call of the Roll
4. Approval of the Journal of Proceedings (January 17, 2017) **(pgs.4-6)**

5. PUBLIC COMMENT

6. REPORTS TO THE COUNTY BOARD UNDER 2.04.320

Oral Report

County Administrator Update / by: Kathryn Schauf, County Administrator

- University of Wisconsin Extension Next Generation Plan
- County Budget Cycle and Annual Report
- Economic Development Summit (sponsored by the City and County)

Written Reports

- 2017 Contingency Fund **(pg.7)**
- 4th Quarter 2016 Comp Time / OT Report **(pgs. 8-11)**

7. PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

8. FIRST READING OF ORDINANCES BY COMMITTEES

16-17/093 (1) To Amend Section 10.02.030 A. 6 of the Code: Parking Prohibitions Designated **(pgs. 12-13)**

16-17/096 (1) To Amend Section 2.12.140 B. of the Code: Medical Examiner System **(pgs.14-15)**

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**

Committee on Human Resources

File No.

16-17/095 (1)

Replace One 1.0 FTE Senior Social Worker Position with a 1.0 FTE Social Worker Position (pgs. 16-17)

16-17/097 (1)

Replace One 1.0 FTE Highway Superintendent Position (Grade T) with a 1.0 FTE Operations Manager (Grade R) Position, Reduce the Salary Grant for the Vacant Shop Supervisor from Grade P to Grade O, Replace One 1.0 FTE Mechanic (Grade K) with a 1.0 FTE Lead Mechanic (Grade L) and Replace Two 2.0 FTE Highway Workers Field (Grade I) with 2.0 FTE Lead Highway Workers (Grade K) (pgs.18-19)

Committee on Judiciary & Law Enforcement

File No.

16-17/018 (2)

To Create Chapter 9.96 of the Code: Pawnbrokers (with Amendment #1 being offered by the Committee) (pgs. 20-36)

Committee on Planning & Development

File No.

16-17/101 (1)

Authorizing a Section 404 Hazard Mitigation Grant Application to Purchase Two Properties in Eau Claire County that Received Substantial Flood Damage in September 2016; Committing the County to the Required 1.5% Local Match if the Application is Approved (pgs. 37-38)

Committee on Finance & Budget

File No.

16-17/091 (2)

Repealing Section 4.07.040 of the Code; Calculation of Rates and Hours (pgs. 39-40)

16-17/092 (1)

Authorizing Payment of Vouchers Over \$10,000 Issued During the Month of January 2017 (pgs.41-42)

16-17/098 (1)

Awarding Bid for Sale of Tax Deed Property to Andrew Pernsteiner for the Sum of \$105; Directing Corporation Counsel to Prepare Quit Claim Deed on the Described Property; Directing the County Clerk to Execute Said Quit Claim Deed on Behalf of Eau Claire County (pgs.43-47)

11. APPOINTMENTS

Confirming Appointment by Chairman Gregg Moore -
(Joan Berlin to City-County Board of Health) **(pg. 48)**

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 (715) 839-4710, (FAX) 839-1669 or (715) 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**

Tuesday, January 17, 2017

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, January 17, 2017, and was called to order by Chair Gregg Moore at 7:02 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Nick Smiar.

Roll Call: 21 present: Supervisors Gary G. Gibson, Sandra McKinney, Stella Pagonis, Carl Anton, Katy Forsythe, Kevin Stelljes, Mike Conlin, Ray L. Henning, Colleen A. Bates, Judy Gatlin, Nick Smiar, David P. Mortimer, Gregg Moore, James A. Dunning, Bruce Willett, Mark Beckfield, Sue Miller, Heather DeLuka, Tami Schraufnagel, Brandon Buchanan, Kimberly A. Cronk

8 absent: Supervisors Douglas Kranig, Steve Chilson, Gordon C. Steinhauer, Kathleen Clark, Gerald L. Wilkie, Robin J. Leary, Mark Olson, Patrick L. LaVelle

*Supervisor Chilson arrived later in the meeting.

JOURNAL OF PROCEEDINGS (December 20, 2016)

On a motion by Supervisor Beckfield, seconded by Supervisor Mortimer, the Journal of Proceedings was approved.

PUBLIC COMMENT

No one wished to speak.

REPORTS TO THE COUNTY BOARD UNDER 2.04.320

*Supervisor Chilson arrived at this time.

County Administrator Kathryn Schauf presented the following oral reports:

- Martin Luther King, Jr. Training Day Update
- Employee Town Hall Meeting Update
- Strategic Plan Update by Team Leaders

The following written reports were presented to the board:

- Alternate Care Report ending November 30, 2016
- Adult Mental Health Residential/Institutional Expenses and Revenues & Children's Institution for Mental Disease Expenses and Revenues ending November 30, 2016
- 2017 Contingency Fund Report ending January 11, 2017
- Jail Population Report December 2016

PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

Correspondence was received from Senator Kathleen Vinehout's office regarding Eau Claire County's Resolution 16-17/077 supporting efforts to provide passenger rail service for Western Wisconsin.

Correspondence was received from Senator Kathleen Vinehout's office regarding Eau Claire County's Resolution 16-17/051 that supports granting judges the discretion regarding DNA surcharges in criminal convictions.

FIRST READING OF ORDINANCES BY COMMITTEES

Ordinance 16-17/091 REPEALING SECTION 4.07.040 OF THE CODE: CALCULATION OF RATES AND HOURS

Action on said ordinance was referred to 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

Resolution 16-17/070 AMENDING THE EAU CLAIRE COUNTY HUMAN RESOURCES EMPLOYEE POLICY MANUAL

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

On a motion by Supervisor Miller, seconded by Supervisor Conlin, action on said resolution was postponed to the March 21, 2017, county board meeting on a roll call vote as follows:

22 ayes: Supervisors Gibson, McKinney, Pagonis, Anton, Forsythe, Chilson, Stelljes, Conlin, Henning, Bates, Gatlin, Smiar, Mortimer, Moore, Dunning, Willett, Beckfield, Miller, DeLuka, Schraufnagel, Buchanan, Cronk
0 noes
7 absent: Supervisors Kranig, Steinhauer, Clark, Wilkie, Leary, Olson, LaVelle

Committee on Planning and Development

Ordinance 16-17/049 TO CREATE SECTION 1.50.020 OF THE CODE: SCHEDULE OF DEPOSITS; TO CREATE SECTION 4.35.092 OF THE CODE: SHORELAND FEE; TO AMEND SECTION 16.02.020 OF THE CODE: RESTRICTION ON TIMBER AND PULP CUTTING-EAU CLAIRE COUNTY FOREST; TO AMEND SECTION 17.05.085 C. 1. AND D. 2. OF THE CODE: PROTECTIVE AREAS; TO AMEND SECTION 17.05.100 B. 14. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 A. 12. OF THE CODE: APPLICATION REQUIREMENTS; TO AMEND SECTION 17.06.085 C. 1. AND D. 2. OF THE CODE: PROTECTIVE AREAS; TO AMEND SECTION 17.06.130 B. 12. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 18.01.020 B. OF THE CODE: JURISDICTION; TO AMEND SECTION 18.03.030 OF THE CODE: RELATIONS TO OTHER ORDINANCES AND REGULATIONS; TO REPEAL CHAPTER 18.19 OF THE CODE: SHORELAND OVERLAY DISTRICT; TO AMEND SECTION 18.24.015 B. AND C. e. OF THE CODE: NONCONFORMING STRUCTURES; TO REPEAL SECTION 18.24.015 F. OF THE CODE: NONCONFORMING STRUCTURES; TO AMEND AND RELETTER SECTION 18.24.015 G. OF THE CODE: NONCONFORMING STRUCTURE; TO AMEND SECTION 18.30.010 F. OF THE CODE: YARD REGULATIONS; TO AMEND SECTION 18.30.040 C. & D. OF THE CODE: FENCES; TO AMEND SECTION 18.30.090 OF THE CODE: RECREATIONAL VEHICLES AND CAMPING; TO AMEND SECTION 18.30.260 D. 1. d. i. OF THE CODE: WIND ENERGY SYSTEMS; TO AMEND SECTION 18.30.270 A. OF THE CODE: SPECIAL EVENTS; TO AMEND SECTION 18.34.010 B. OF THE CODE: PERMITTED PRINCIPAL USES; TO AMEND SECTION 18.76.003 A. 12. a. OF THE CODE: DEFINITIONS; TO CREATE TITLE 20 OF THE CODE: SHORELAND PROTECTION OVERLAY DISTRICT

Motion by Supervisor Gatlin, seconded by Supervisor Dunning, for enactment.

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

22 ayes: Supervisors Gibson, McKinney, Pagonis, Anton, Forsythe, Chilson, Stelljes, Conlin, Henning, Bates, Gatlin, Smiar, Mortimer, Moore, Dunning, Willett, Beckfield, Miller, DeLuka, Schraufnagel, Buchanan, Cronk
0 noes
7 absent: Supervisors Kranig, Steinhauer, Clark, Wilkie, Leary, Olson, LaVelle

Committee on Parks and Forest

Resolution 16-17/083 ADOPTING THE 2017 ANNUAL WORK PLAN FOR THE PARKS AND FOREST DEPARTMENT TO COMPLY WITH THE COUNTY FOREST ADMINISTRATION GRANT PROGRAM

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

On a roll call vote, the resolution was adopted as follows:

22 ayes: Supervisors Gibson, McKinney, Pagonis, Anton, Forsythe, Chilson, Stelljes, Conlin, Henning, Bates, Gatlin, Smiar, Mortimer, Moore, Dunning, Willett, Beckfield, Miller, DeLuka, Schraufnagel, Buchanan, Cronk
0 noes

7 absent: Supervisors Kranig, Steinhauer, Clark, Wilkie, Leary, Olson, LaVelle

Resolution 16-17/088 GRANTING AN EASEMENT TO EAU CLAIRE ENERGY COOPERATIVE TO REBUILD A POWER LINE IN THE TOWN OF BRUNSWICK

Motion by Supervisor Beckfield, seconded by Supervisor Gibson, for adoption.

On a roll call vote, the resolution was adopted as follows:

22 ayes: Supervisors Gibson, McKinney, Pagonis, Anton, Forsythe, Chilson, Stelljes, Conlin, Henning, Bates, Gatlin, Smiar, Mortimer, Moore, Dunning, Willett, Beckfield, Miller, DeLuka, Schraufnagel, Buchanan, Cronk
0 noes

7 absent: Supervisors Kranig, Steinhauer, Clark, Wilkie, Leary, Olson, LaVelle

Committee on Finance and Budget

Resolution 16-17/090 AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF DECEMBER 2016

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

On a roll call vote, the resolution was adopted as follows:

22 ayes: Supervisors Gibson, McKinney, Pagonis, Anton, Forsythe, Chilson, Stelljes, Conlin, Henning, Bates, Gatlin, Smiar, Mortimer, Moore, Dunning, Willett, Beckfield, Miller, DeLuka, Schraufnagel, Buchanan, Cronk
0 noes

7 absent: Supervisors Kranig, Steinhauer, Clark, Wilkie, Leary, Olson, LaVelle

The Board adjourned at 7:46 p.m.

Respectfully submitted,



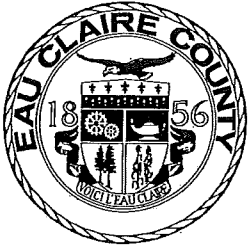
Janet K. Loomis
County Clerk

TO: Honorable Eau Claire County Board of Supervisors
FROM: Committee on Finance and Budget
DATE: February 15, 2017
SUBJ: **2017 Contingency Fund**

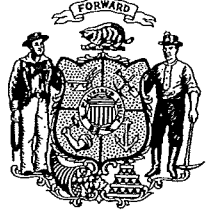
Pursuant to Section 2.04.485(C) of the Code of General Ordinances, the following is the status of the 2017 Contingency fund as of noon on February 15, 2017:

Jan 1 2017	2017 Contingency Fund / Budget Allocation	\$ 300,000.00
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Balance Available:		\$ 300,000.00
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FINANCE DEPARTMENT



To: The Honorable Eau Claire County Board of Supervisors

From: Finance Department

Date: December 31, 2016

Re: Required Statistical Reports – 4th Quarter 2016

Please find the following 4th Quarter 2016 reports:

- Overtime Utilization
- Compensatory Time Utilization
- Number of Employees

COMPENSATORY TIME

4th Quarter 2016

<u>Department</u>	<u>Hours Earned</u>	<u>Hours Paid Out</u>
Administration	11.20	0.00
Aging Disability & Resource Center	26.50	0.00
Airport	2.00	3.10
Clerk of Courts	0.50	0.00
Corporation Counsel / Child Support	10.00	0.00
County Clerk	28.50	0.00
District Attorney	6.30	0.00
Finance	17.00	0.00
Highway	142.80	28.60
Human Resources	5.90	0.00
Human Services Org Svcs Div	73.60	0.00
Human Services Adult Svcs	92.40	0.00
Human Services Emp & Econ Unit	43.50	5.80
Human Services Family Svcs	363.80	38.50
Human Services Fiscal Div.	0.00	0.00
Information Systems	51.90	0.00
Juvenile Court Intake	27.70	0.00
Juvenile Detention	60.10	5.00
Maintenance	27.30	0.00
Parks & Forest	69.30	155.40
Planning & Development	76.70	0.00
Purchasing	3.60	0.00
Sheriff - Administration	15.10	0.00
Sheriff - Field Svcs Division	416.30	19.60
Sheriff - Security Svcs Division	110.80	0.00
 TOTAL	 <u>1,682.80</u>	 <u>256.00</u>

County of Eau Claire

4th 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	1,161.08	4,699.45	10,300.55	31.33%
Child Support	-	-	110.72	(110.72)	100.00% +
Clerk of Courts	100.00	-	-	100.00	0.00%
Corporation Counsel	-	93.56	93.56	(93.56)	100.00% +
District Attorney	-	21.75	331.01	(331.01)	100.00% +
Expo Center	-	-	308.85	(308.85)	100.00% +
Facilities	14,500.00	931.63	5,384.67	9,115.33	37.14%
Finance	1,000.00	313.26	813.21	186.79	81.32%
Highway	156,600.00	27,063.60	138,497.05	18,102.95	88.44%
Human Resources	-	-	1,496.97	(1,496.97)	100.00% +
Human Services	-	5,753.36	67,976.84	(67,976.84)	100.00% +
Information Systems	-	17.70	17.70	(17.70)	100.00% +
Juvenile Div	2,000.00	-	206.30	1,793.70	10.32%
Juvenile Jail	15,500.00	3,944.02	16,501.84	(1,001.84)	100.00% +
Parks & Forest General & Admin	300.00	52.92	366.77	(66.77)	100.00% +
Parks & Forest: County Forest	250.00	-	79.92	170.08	31.97%
Parks & Forest: Coon Forks	-	2,941.00	2,941.00	(2,941.00)	100.00% +
Parks & Forest: Lake Altoona	320.00	-	444.94	(124.94)	100.00% +
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	-	37.91	433.01	(433.01)	100.00% +
Planning & Development: Emergency Management	-	-	1,084.76	(1,084.76)	100.00% +
Planning & Development: Housing Authority	1,000.00	55.44	325.36	674.64	32.54%
Sheriff: Huber	65,014.00	12,967.19	67,261.49	(2,247.49)	100.00% +
Sheriff: Investigative	48,457.00	13,959.33	50,245.76	(1,788.76)	100.00% +
Sheriff: Anti -Drug Grant	18,768.00	2,934.57	15,605.77	3,162.23	83.15%
Sheriff: Civil Process	7,259.00	2,266.49	10,051.89	(2,792.89)	100.00% +
Sheriff: Courthouse Security	14,519.00	1,974.47	13,266.02	1,252.98	91.37%
Sheriff: Crime & Comm Caretkg	110,248.00	29,909.96	123,445.43	(13,197.43)	100.00% +
Sheriff: Jail Secure	217,307.00	46,337.91	224,670.48	(7,363.48)	100.00% +
Sheriff: Traffic Control & Enf	73,108.00	21,480.46	88,632.21	(15,524.21)	100.00% +
Treasurer	2,000.00	197.28	670.95	1,329.05	33.55%
U.W. Extension	2,000.00	-	924.21	1,075.79	46.21%
Total Regular O/T	\$ 766,790.00	\$ 174,414.89	\$ 836,888.14	\$ (70,098.14)	100.00% +

4th 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>
Clerk of Courts	-	88.36	88.36	(88.36)	100.00% +
Human Services: Child Protective Services	-	-	254.90	(254.90)	100.00% +
Parks & Forest	20.00	-	104.40	(84.40)	100.00% +
Parks & Forest: Lake Altoona	-	-	16.90	(16.90)	100.00% +
Parks & Forest: Big Falls	20.00	-	-	20.00	0.00%
Total Temporary O/T	\$ 40.00	\$ 88.36	\$ 464.56	\$ (424.56)	100.00%

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

Eau Claire County Finance Department
Number of Employees as of December 31, 2016

<u>Department / Division Name</u>	<u>Permanent</u>	<u>Non-Permanent</u>	<u>Total</u>
Administration	6	0	6
Aging & Disability Resource Center	24	1	25
Airport	7	0	7
Circuit Court Operations	5	0	5
Clerk of Courts	19	0	19
Corporation Counsel & Child Support	22	0	22
County Clerk	4	1	5
County Treasurer	4	4	8
DHS: Adult Services Unit	28	0	28
DHS: Employment & Econ Resource Unit	38	0	38
DHS: Family Services Unit	42	0	42
DHS: Fiscal Services Unit	7	0	7
DHS: Organizational Services Division	16	0	16
District Attorney	17	0	17
Finance	10	0	10
Highway Administration	2	1	3
Highway Labor	50	7	57
Highway Supervisory	6	0	6
Human Resources	5	0	5
Information Systems	11	1	12
Juvenile Court Intake	5	0	5
Juvenile Detention	21	0	21
Maintenance	13	0	13
Parks & Forest	10	3	13
Planning & Development	30	0	30
Purchasing	6	0	6
Register in Probate	4	0	4
Register of Deeds	3	0	3
Sheriff, Administration	8	0	8
Sheriff, Field Services Division	33	0	33
Sheriff, Reserve Officers/Special Deputies	15	0	15
Sheriff, Security Services Division	68	0	68
U.W. Extension	2	1	3
Veterans Services	3	1	4
Total	544	20	564

FACT SHEET

TO FILE NO. 16-17/093

Families attending events at the Altoona elementary school are parking along the highway blocking the travel lanes and making it unsafe for vehicular traffic. This has happened twice in 2016. The families and individuals that are parking on the highway are walking down the highway to the school causing a safety hazard.

I've discussed this item with the highway committee and met with the school administration, Sheriff's Department, and City of Altoona Police. We all agreed that no parking signs need to be installed along a quarter mile stretch of KB. Altoona law enforcement informed me that a no parking ordinance needs to be approved by the County so they in turn can adopt it at the City level and enforce it.

Respectfully Submitted,

Jon Johnson, Highway Commissioner

Fiscal Impact: \$600

1 Enrolled No.

ORDINANCE

File No. 16-17/093

2
3 - TO AMEND SECTION 10.02.030 A. 6. OF THE CODE: PARKING
4 PROHIBITIONS DESIGNATED -
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6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:
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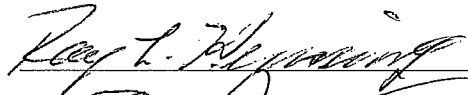

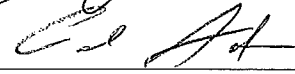
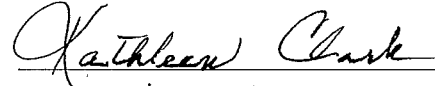

8 SECTION 1. That paragraph 6. of Subsection A. of Section 10.02.030 of the
9 code be amended to read:

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11 6. CTH "KB"

12 a. Along both sides of CTH "KB" from 0.25 miles east of Park
13 Road; then west to Park Road; then northeasterly around the curve to 200 feet east of the east entrance to
14 the Lake Altoona County Park parking lot.

15 b. Along both sides of CTH "KB" from CTH SS west for a
16 distance of 0.75 miles to Sunday Drive.
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19 ADOPTED:

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31 Highway Committee

31 KRZ/yk

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34 Dated this 19th day of January, 2017.
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37 ORDINANCE/16-17/093

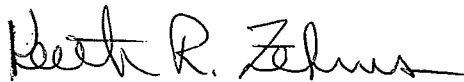
APPROVED BY
CORPORATION COUNSEL
AS TO FORM

FACT SHEET

TO FILE NO. 16-17/096

The 2000 Wisconsin Act 336 provided that beginning in 2017, effective April 18th medical examiner fees only be increased annually, not to exceed the annual percentage change in the US CPI for all Urban Consumers, U. S. City average for 12 months ending December 31st. The CPI index is 2.1% December 31, 2016. This ordinance increases the medical examiner fees for cremation permits, death certificates and disinterment and reinterment by 2.1% effective April 18, 2017.

Fiscal Impact: Additional revenue of \$2,980.95 based on 2016 statistics.
Respectfully Submitted,



Keith R. Zehms
Corporation Counsel

KRZ/yk

Ordinance/16-17.096 Fact

1 Enrolled No.

2 ORDINANCE

3 File No. 16-17/096

4 - TO AMEND SECTION 2.12.140 B. OF THE CODE: MEDICAL EXAMINER
5 SYSTEM -

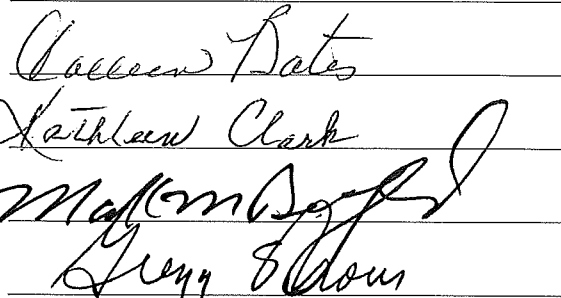
6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7
8 SECTION 1. That Subsection B. of Section 2.12.140 of the code be amended to
9 read:

10
11 B. Fees. The medical examiner and any deputies shall collect all such fees which
12 they are entitled by law to receive, as provided in Wis. Stat. § 59.38(1). Except in situations
13 involving indigents, \$150.00 153.15 shall be collected for the issuance of a cremation permit in
14 accordance with Wis. Stat. § 59.36, \$100.00 102.10 as the fee for signing death certificates and
15 \$50.00 51.05 for issuing a disinterment and reinterment permit pursuant to Wis. Stat. § 69.18.
16 The finance department shall bill the appropriate funeral home directly for these fees.

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18 SECTION 2. This ordinance shall take effect April 18, 2017.

19 ADOPTED:

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Committee on Administration

KRZ/yk

Dated this 10 day of February, 2017.

ORDINANCE/16-17/096

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

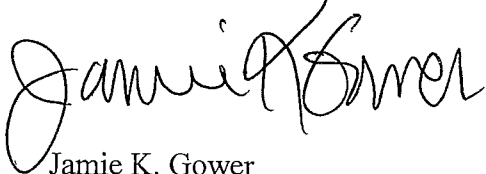
FACT SHEET

TO FILE NO. 16-17/095

At its February 3, 2017 meeting, the Committee on Human Resources approved a request from the Department of Human Services to replace the vacant 1.0 FTE Senior Social Worker position to a 1.0 FTE Social Worker position.

This position change will result in an approximate savings of \$3,642 and is included in their 2017 budget.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jamie K. Gower". The signature is written in black ink and is positioned above the printed name and title.

Jamie K. Gower
Human Resources Director

/jm

1 **Enrolled No.**

2 **RESOLUTION**

3 **File No. 16-17/095**

4 - REPLACE ONE 1.0 FTE SENIOR SOCIAL WORKER POSITION WITH A 1.0 FTE SOCIAL
5 WORKER POSITION -

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

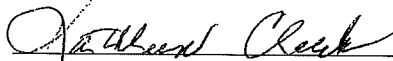
8
9 WHEREAS, at its regularly scheduled meeting on February 3, 2017, the committee on human resources
10 approved a request from the department of human services to replace one vacant 1.0 senior social worker
11 with a 1.0 FTE social worker position to meet the operational demands of the human services department;
12 and

13
14 WHEREAS, the 2017 cost savings is \$3,642 and is covered by the current department budget.

15
16 NOW, THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby
17 approves a replacement of one 1.0 FTE senior social worker position with a 1.0 FTE social worker position.

18
19 ADOPTED:

20
21
22 I certify that the foregoing correctly represents the action taken
23 by the undersigned committee on February 3, 2017 by a vote of
24 4 for, 0 against.

25
26 

27 Katalleen Clark, Chair
28 Committee on Human Resources

29
30 /JM

31
32 Dated this 3rd day of February, 2017.

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

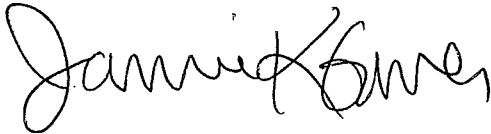
FACT SHEET

TO FILE NO. 16-17/097

At its February 3, 2017 meeting, the Committee on Human Resources approved requests from the Highway Department to reorganize and replace the vacant 1.0 FTE Highway Superintendent (Grade T) position with a 1.0 FTE Operations Manager (Grade R) position, to decrease the paygrade of the vacant 1.0 FTE Shop Supervisor from Grade P to Grade O, Replace 1.0 FTE Mechanic (Grade K) with a 1.0 FTE Lead Mechanic (Grade L), and replaces 2.0 FTE Highway Workers Field (Grade I) with 2.0 FTE Lead Highway Workers (Grade K).

These position changes will result in an approximate cost savings of \$8,046.

Respectfully submitted,

A handwritten signature in black ink that reads "Jamie K. Gower". The signature is written in a cursive style with a large, stylized initial "J".

Jamie K. Gower
Human Resources Director

/jm

4 - REPLACE ONE 1.0 FTE HIGHWAY SUPERINTENDENT POSITION (GRADE T) WITH A 1.0 FTE
5 OPERATIONS MANAGER (GRADE R) POSITION, REDUCE THE SALARY GRADE FOR THE
6 VACANT SHOP SUPERVISOR FROM GRADE P TO GRADE O, REPLACE ONE 1.0 FTE
7 MECHANIC (GRADE K) WITH A 1.0 FTE LEAD MECHANIC (GRADE L), AND REPLACES TWO
8 2.0 FTE HIGHWAY WORKERS FIELD (GRADE I) WITH 2.0 FTE LEAD HIGHWAY WORKERS
9 (GRADE K) -

10 WHEREAS, the Eau Claire County Code of General Ordinances requires that all regular positions or
11 changes therein be submitted to the Board for authorization; and

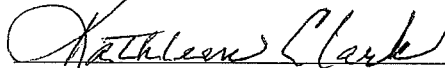
12
13 WHEREAS, at its regularly scheduled meeting on February 3, 2017, the committee on human resources
14 approved a request from the highway department to replace one vacant 1.0 fte highway superintendent with a
15 1.0 fte operations manager position, reduce the salary grade for the vacant 1.0 fte shop supervisor from grade
16 p to grade o, to replace one 1.0 fte mechanic with one 1.0 fte lead mechanic, and replaces 2.0 fte highway
17 workers field with 2.0 fte lead highway workers to better meet the operational demands of the highway
18 department; and

19
20 WHEREAS, the 2017 cost savings is \$8,046 and is covered by the current department budget.

21
22 NOW, THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby
23 approves a replacement of one 1.0 fte highway superintendent position with a 1.0 fte operations manager
24 position, reduces the salary grade for the 1.0 fte shop supervisor from grade p to grade o, replaces one 1.0 fte
25 mechanic with a 1.0 fte lead mechanic, and replaces 2.0 fte highway workers field with 2.0 fte lead highway
26 workers.

27
28 ADOPTED:

29
30
31 I certify that the foregoing correctly represents the action taken
32 by the undersigned committee on February 3, 2017 by a vote of
33 4 for, 0 against.

34
35 
36 Kathleen Clark, Chair
37 Committee on Human Resources
38

39 /JM

40
41 Dated this 3rd day of February, 2017.

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

FACT SHEET

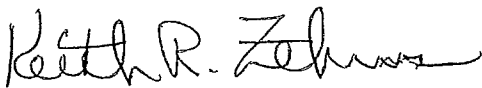
TO FILE NO. 16-17/018

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

EAU CLAIRE COUNTY BOARD OF SUPERVISORS

AMENDMENT NO. 1

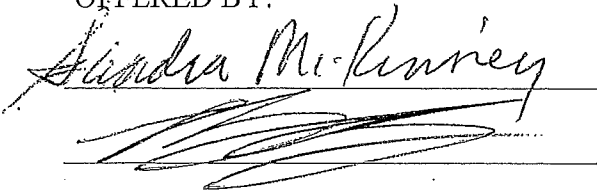
TO FILE NO. 16-17/018

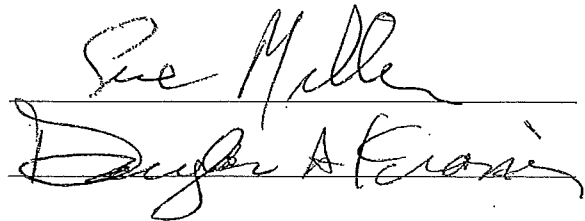
OFFERED BY Committee on Judiciary and Law Enforcement

AMEND THE ORDINANCE, AMENDMENT AS FOLLOWS:

1. On page 5, line 3, after "applicant", insert "for a pawnbroker's license".
2. On page 5, line 7, after "this" insert "section".
3. On page 5, line 31, insert a space between "thesheriff's".
4. On page 6, line 49, insert a space between "thesheriff's".
5. On page 7, lines 13, insert a space between "thesheriff's".
6. On page 7, line 21, insert a space between "tosheriff".
7. On page 7, line 32, insert a space between "thesheriff's".
8. On page 8, line 17, strike "or" and insert "," after "pawned".
9. On page 8, line 45, insert a space between "thesheriff's".
10. On page 10, line 3, insert "e" after "examin".
11. On page 10, line 2, strike "many", insert "may".
12. On page 10, line 8, insert "t" after "bu".

OFFERED BY:





Committee on Judiciary and Law Enforcement

DATED this 2 day of February 2017.

KRZ/yk
Ordinance/16-17/018

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

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
12 PAWNBROKERS

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.

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, many 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.

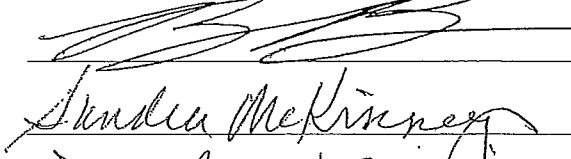
29
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31 ADOPTED:

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36 APPROVED BY
37 CORPORATION COUNSEL,
38 AS TO FORM

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43 KRZ/yk

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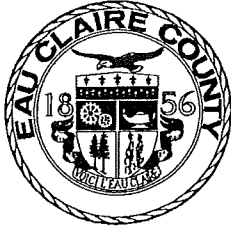
47 Sue Muller

48 

49 Douglas A. Kieran
 Committee on Judiciary & Law Enforcement

 Dated this 7th day of July, 2016.

 Reviewed by Finance Dept.
 for Fiscal Impact



OFFICE OF CORPORATION COUNSEL

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ASSISTANT CORPORATION COUNSEL

*Timothy J. Sullivan
Sharon G. McIlquham
Richard A. Eaton*

CORPORATION COUNSEL

Keith R. Zehms

MEMORANDUM

TO: EAU CLAIRE COUNTY BOARD OF SUPERVISORS
FROM: KEITH R. ZEHMS, CORPORATION COUNSEL
DATE: FEBRUARY 3, 2017
SUBJECT: PAWNBROKER ORDINANCE

Since the August county board meeting the committee on judiciary and law enforcement has met three times on this issue and has heard concerns expressed from two secondhand dealers. The committee directed Detective Henning to obtain additional information regarding the APS system and for me to follow-up with the Eau Claire City Attorney's office. I also reviewed a copy of the September 9, 2016 letter from Town of Ludington Chair Randall Horlacher addressed to county board members. At the committee's December 1 meeting, the committee asked that a Q&A document be drafted to address the questions that had been raised in the county board and committee meetings. Subsequently the committee chair requested an updated Q&A be prepared that also addressed the questions asked at the December 20 county board meeting. See questions 12-18.

Question 1:

Who requested this ordinance be drafted?

The Eau Claire County Sheriff's Office.

Question 2:

Is the county authorized to regulate and license pawnbrokers?

Yes under Wis. Stat. §134.71(7)(a).

Question 3:

What types of business does this ordinance regulate?

Pawnbrokers, secondhand dealers and secondhand jewelry dealers.

Question 4:

Do any other municipalities within Eau Claire County regulate these types of businesses?

Yes, the City of Eau Claire does. This ordinance mirrors very closely the City of Eau Claire ordinance so there will be uniform regulation.

Question 5:

Are secondhand book dealers covered?

No, there has been no reported criminal activity associated with secondhand book dealers.

Question 6:

Does the ordinance apply to antique shops that only purchase items from licensed antique dealers?

No.

Question 7:

Does the Town of Ludington have authority to enact an ordinance regarding pawn brokers and secondhand article and jewelry dealers?

Yes, Wis. Stat. § 134.71 authorizes towns to adopt a local ordinance.

Question 8:

What is required for implementing the APS system?

The APS system is only required for pawnbrokers. Computer hardware and software is required. The cost of the APS system software can run from approximately \$2500 to \$5000 depending on the number of computers used in the business. If there are no computers currently being used the hardware cost of the computers would be added to the software cost.

Question 9:

Is the APS software system required for secondhand article and jewelry dealers?

No.

Question 10:

Would secondhand dealers have to record all the transactions?

No. For secondhand dealers there is a free APS Capture Program to enter transactions and upload them to APS. Otherwise what is used in the City of Eau Claire is the official State of Wisconsin Property Transaction Record, a copy of which is attached.

Question 11:

What types of items are excluded from the ordinance?

In addition to books, items received from occasional garage or yard sales, estate sales, gun or knife, general antique shows or a convention, from licensed dealers including auctioneers, from charitable organizations where articles were donated to the charitable organization and from scrap dealers.

Question 12:

If a town, village or city within Eau Claire County passes a pawnshop ordinance would the county ordinance apply.?

No. The town, city or village pawnshop ordinance would supercede the county ordinance within that town, village or city.

Question 13:

Is the pawnshop ordinance a zoning ordinance?

No. The authority of the county to adopt a pawnshop ordinance is in Chapter 134 of the Wisconsin Statutes titled Miscellaneous Trade Regulations and the proposed ordinance would create Chapter 9.96 of the County Code which is under consumer protection and public health and welfare.

Question 14:

Are there any pawnshops currently located outside of the Eau Claire city limits?

No. However, there are some secondhand dealers that would be subject to the ordinance.

Question 15:

Is there a connection between the meth problem and stolen goods being sold to pawnshops?

Yes. A number of meth and other substance abuse addicts support their addictions by stealing property and selling it to pawnshops. An FBI report for the State of Wisconsin released January 11, 2017 stated: "Property crimes will continue to grow, as this type of activity is one of the main ways meth users support themselves...The lack of information sharing between property recovery systems will continue to present a challenge to law enforcement and pawnshops as they attempt to identify stolen items." Enforcement of the City of Eau Claire pawnshop ordinance has resulted in a majority of the stolen goods being sold in the twin cities area.

Question 16:

Does the \$2,500 bond requirement in section 9.60.080 A.2. apply to secondhand dealers?

No. By the terms of the ordinance the bond requirement does not apply to secondhand dealers. This has been confirmed by the Eau Claire City Attorney's Office. However, to eliminate any possible ambiguity the amendment on page 5, line 3 adds language limiting it to a pawnbroker's license.

Question 17:

How long has the City of Eau Claire Pawnbrokers Ordinance been in place?

The original ordinance was adopted in 2003. It was amended in 2016.

Question 18:

Are there any typos?

Yes. Three typos, a missing word, inserting spaces between words and replacing "or" with a comma are addressed in 2-12 of the amendment referred to in question 16.

STATE OF WISCONSIN
PROPERTY TRANSACTION RECORD

INSTRUCTIONS: See Reverse Side

PLEASE PRINT (INK ONLY)												
Seller's Name (Last, First, MI)					Sex	Race	Date of Birth	Height	Weight	Hair	Eyes	
Street Address			City		State	ZIP	Driver's License # (Other ID - Specify)			State		
JEWELRY	<input type="checkbox"/> Men's		<input type="checkbox"/> WG <input type="checkbox"/> Silver		<input type="checkbox"/> Ring <input type="checkbox"/> Pendant <input type="checkbox"/> Chain		Kind/Size/Style of Stone Cut			No. of Stones		
	<input type="checkbox"/> Ladies'		<input type="checkbox"/> YG <input type="checkbox"/> Other		<input type="checkbox"/> Charm <input type="checkbox"/> Bracelet <input type="checkbox"/> Other							
	Jewelry Description: (Initials/Inscription)											
<input type="checkbox"/> Watch		Brand			<input type="checkbox"/> Wrist <input type="checkbox"/> Pendant <input type="checkbox"/> Pocket <input type="checkbox"/> Lapel			Serial, Movement, Model or Case No.				
OTHER ARTICLE	<input type="checkbox"/> TV		<input type="checkbox"/> Musical Instrument		<input type="checkbox"/> Electric Tools		<input type="checkbox"/> Computer		<input type="checkbox"/> Power Mower			
	<input type="checkbox"/> Stereo		<input type="checkbox"/> Outboard Motor		<input type="checkbox"/> Video Equipment		<input type="checkbox"/> CD Player/Disc		<input type="checkbox"/> Cellular Telephone			
	<input type="checkbox"/> Camera		<input type="checkbox"/> Snow Blower		<input type="checkbox"/> Typewriter		<input type="checkbox"/> CB Radio		<input type="checkbox"/> Other			
Serial Number			Brand Name		Size		Color		Model			
Detailed Description: (List any identifying marks.)												
FIREARM	<input type="checkbox"/> Derringer		<input type="checkbox"/> Machine Gun		<input type="checkbox"/> Pistol		<input type="checkbox"/> Revolver		<input type="checkbox"/> Rifle		<input type="checkbox"/> Other	
	<input type="checkbox"/> Submachine Gun (or Machine Pistol)				<input type="checkbox"/> Shotgun		<input type="checkbox"/> Rifle/Shotgun Combination					
	<input type="checkbox"/> Automatic Action		<input type="checkbox"/> Blank		<input type="checkbox"/> Bolt Action		<input type="checkbox"/> Carbine		<input type="checkbox"/> Percussion			
	<input type="checkbox"/> Flintlock		<input type="checkbox"/> Gas or Air		<input type="checkbox"/> Lever Action		<input type="checkbox"/> Double Barrel (Over & Under)		<input type="checkbox"/> Flare			
<input type="checkbox"/> Pump Action		<input type="checkbox"/> Semi-Auto		<input type="checkbox"/> Single Shot		<input type="checkbox"/> Double Barrel (Side by Side)		<input type="checkbox"/> Other				
Manufacturer's Name			Importer		Model		Barrel Length		Color			
Other Identification			Calibre		Serial Number							
DECLARATION OF OWNERSHIP	DECLARATION OF OWNERSHIP (Must be completed by Seller)											
	1. Is article/firearm totally owned by you? <input type="checkbox"/> Yes <input type="checkbox"/> No											
	If "No", by whom? Name _____											
	Address _____											
2. Was article/firearm found by you? <input type="checkbox"/> Yes <input type="checkbox"/> No												
Give details: _____												
3. If this transaction concerns a firearm complete the following: I certify that I am in compliance with state and federal laws regulating possession of a firearm:												
<input type="checkbox"/> Wis. Stats. § 941.29												
and												
<input type="checkbox"/> Title 18 U.S.C., Part 1, ch. 44 §§ 922(g)(1-9) and (h)												
I certify under affirmation and in accordance with Wis. Stats. § 134.71(8)(c)(2), that all statements on this form are true. I understand that if I knowingly make a false statement, I have committed a Class D felony in violation of Wis. Stats. § 946.32(1), and may be prosecuted to the full extent of the law.										RIGHT INDEX FINGERPRINT IMPRESSION		
Buyer's Signature _____					Seller's Signature _____							
Print Name _____					Print Name _____							
Business Name				Street Address/City/State/ZIP								
Transaction Type <input type="checkbox"/> Buy <input type="checkbox"/> Pawn				Business Transaction Number				Date		Time		

FOR OFFICE USE ONLY

Name _____
(Last, First, MI)
Sex _____
Race _____
DOB _____

INSTRUCTIONS FOR PROPERTY TRANSACTION RECORD

GENERAL:

Completion of this form is required for every transaction that occurs. Multiple transactions may be recorded on one form unless duplicate items are the subject of the transaction and then separate forms may be necessary. This form must be retained by the dealer for not less than one year and made available to any law enforcement officer for inspection at any time during this period. Additional forms may be obtained by contacting the County or Municipal Clerk.

BUSINESS AND SELLER IDENTIFICATION:

Enter the business name and specify if the item is being purchased or pawned. The business can specify its own number in the "business transaction number" block. Be sure to indicate the full name of the individual. Use M (Male) or F (Female). Authorized abbreviations for Race are: W (White), B (Black), I (American Indian or Alaskan Native), A (Asian or Pacific Islander) or U (Unknown). The height should be entered as feet and inches (e.g., 6'4"), and the hair color using BRO (Brown), BLK (Black), BLN (Blonde), GRY (Gray), RED (Red), SDY (Sandy), WHI (White) and XXX (Other). Eye color abbreviations are: BLU (Blue), BRO (Brown), GRY (Gray), GRN (Green), HAZ (Hazel), PNK (Pink) or XXX (Other). Be sure to enter the complete address and if the identification produced is a driver's license number specify the state that issued the license.

JEWELRY TRANSACTION:

Check the appropriate block describing the jewelry item. If more than one kind of jewelry is involved, additional forms may be required. If the item involves a precious stone describe the kind and size of stone as well as the number of stones in the appropriate area. The "description" area should be used for recording any additional identifying information. If a watch is being sold or pawned, specify the brand and describe the watch in the jewelry description area.

OTHER ARTICLE TRANSACTION:

Check the box that best describes the article. Indicate the serial number, brand name and; if appropriate, the size, color and model of the article. The detailed description area should specify any unique characteristics of the item.

FIREARM TRANSACTION:

Check the box that best describes the weapon type and the action. If the type and action do not fit any of the categories provided, check "other" and describe the character of the weapon. Complete the remainder of the boxes to fully describe the weapon. The "other identification" box should be used to indicate any other characteristics of the weapon, e.g. brown walnut oversized grips, gold or silver inlaid scrollwork, etc.

DECLARATION OF OWNERSHIP:

The individual is required to complete this information and sign the form in the appropriate area. If the item is a weapon, the background certification information is mandatory. A right index fingerprint impression must be obtained. This can be accomplished by having the individual place his/her right index finger on a pre-inked pad and lightly rolling the finger from right to left on the pad. After the finger is inked repeat the rolling process in the appropriate block on the form.

MANDATORY HOLDING PERIODS:

Wisconsin Statute 134.71(8)(d) specifies the length of time items must be "held" by the dealer. Any secondhand article or jewelry purchased or received by a pawnbroker must be kept for not less than thirty (30) days; any article purchased or received by a secondhand article dealer shall be kept for not less than ten (10) days; and any secondhand jewelry purchased or received by a secondhand jewelry dealer shall be kept for not less than fifteen (15) days. During this holding period, the pawnbroker, secondhand article dealer or secondhand jewelry dealer shall permit any law enforcement officer to inspect the secondhand article or jewelry.

FACT SHEET

TO FILE NO. 16-17/101

Eau Claire County received substantial flood damage as a result of the flooding that occurred on September 21-22, 2016. Eau Claire County declared a State of Emergency on September 23, 2016 for the flooding event. Areas in Eau Claire County that experienced flooding included the Eau Claire River, Lake Eau Claire, Nine Mile Creek, Lake Altoona and other waterways in the northern part of the County.

On September 23, 24, and 26, 2016, planning and development staff conducted inspections of the flooded properties to document the extent of the damage to residential structures. County surveying staff surveyed high water marks from the flood waters on Lake Eau Claire and found that the flood waters exceeded the 100-year storm event.

Eau Claire County is making application for a Section 404 Hazard Mitigation Grant for the purpose of acquisition and demolition (buy out) of two properties that were flooded. This is voluntary participation by the property owners. In 2016, there were two separate Presidential Declarations for flooding in the State of Wisconsin. Communities across the state are eligible to apply for hazard mitigation assistance from FEMA when there is a Presidential Declaration.

Based on the grant's budget cost analysis the costs associated with acquisition of the two properties are \$259,000. If grant is awarded, FEMA would cover 75% of the costs (\$194,235), Wisconsin Emergency Management (WEM) would cover 12.5% (\$32,387.50) and the County would cover the local match of 12.5% (\$32,387.50).

The county's local match of 12.5% can include in kind dollars for staff for administering the grant, demolition and restoration of the sites by the highway and parks and forest departments, and possibly the Land Conservation Land Stewardship Fund.

The approval of this resolution is a requirement of the 404 Hazard Mitigation grant application confirming the county's commitment to providing the required 12.5% local match.

There fiscal impacts are \$32,387.50.

Respectfully by:



Rod Eslinger, Land Use Manager
Land Use Control Division

1 Enrolled No.

2 RESOLUTION

3 File No. 16-17/101

4 - AUTHORIZING A SECTION 404 HAZARD MITIGATION GRANT APPLICATION
5 TO PURCHASE TWO PROPERTIES IN EAU CLAIRE COUNTY THAT RECEIVED
6 SUBSTANTIAL FLOOD DAMAGE IN SEPTEMBER 2016: COMMITTING THE
7 COUNTY TO THE REQUIRED 12.5% LOCAL MATCH IF THE APPLICATION IS
8 APPROVED -

9 WHEREAS, In September 2016 there was substantial flooding which involved Nine Mile
10 Creek and the Eau Claire River; and

11
12 WHEREAS, properties owned by David Roll, 10110 Hwy Q, Town of Seymour and Thomas
13 Segnitz, E 23670 Whippoorwill Pr. Dr., Town of Bridge Creek received substantial flood damage;
14 and

15
16 WHEREAS, a Section 404 Hazard Mitigation Grant application is being prepared by
17 planning and development department staff and must be submitted Wisconsin Emergency
18 Management (WEM) and FEMA and received by WEM by March 6, 2017 and requires a
19 commitment letter from the County for the required 12.5% local match; and

20
21 WHEREAS, based on the current grant's budget cost analysis the costs associated with
22 acquisitions are \$259,000 and the local match of 12.5% would be \$32,375; and

23
24 WHEREAS, FEMA would cover 75% of the cost and WEM would cover 12.5% of the cost;
25 and

26
27 WHEREAS, acquisition of the Roll property would allow the highway department safer
28 access to maintain the two 5-foot culverts that are under Hwy Q at Nine Mile Creek while
29 acquisition of the Segnitz property adjacent to other county owned property previously acquired from
30 the last Hazard Mitigation Grant acquisition in 1995, is surrounded by county forest lands; and

31
32 WHEREAS, the match of 12.5% can include in kind dollars for staff for administering the
33 grant from the department of planning and development, demolition and restoration of the site
34 provided by the highway and parks and forest department, and possibly the Land Conservation Land
35 Stewardship Fund.

36
37 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors
38 authorizes a Section 404 Hazard Mitigation Grant Application to purchase two properties in Eau
39 Claire County that have received substantial flood damage in September 2016.

40
41 BE IT FURTHER RESOLVED that this authorization includes a commitment by the county
42 board to provide the required 12.5% local match if the application is approved.

43
44 OFFERED BY,

45
46
47 _____
48 Supervisor Gary G. Gibson
49 District 1

50 KRZ/yk Dated this _____ day of _____, 2017.
ORDINANC/16-17/101

FACT SHEET

TO FILE NO. 16-17/091

This ordinance will eliminate duplication with the Employee Policy Manual. This section of the county code involves rounding rules, computed by each full 1/10 hour which is addressed in the Employee Policy 509. This section also establishes the standard number of hours for most employees at 2080 hours per year-which is addressed in the annual salary as listed in Appendix 501 A in the Employee Policy Manual.

Fiscal Impact: None

Respectfully Submitted,

Jamie Gower
Human Resources Director

Ordinance/16-17.091 Fact

1 Enrolled No.

ORDINANCE

File No. 16-17/091

2
3 - REPEALING SECTION 4.07.040 OF THE CODE: CALCULATION OF RATES
4 AND HOURS -

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

7
8 SECTION 1. That Section 4.07.040 of the code be repealed.

9
10
11
12 ADOPTED:

13
14 *James Clunney*
15 _____
16 *Mark ...*
17 _____
18 *M. ...*
19 _____
20 *...*
21 _____
22 *Robin J. Leary*
23 _____
24 Committee on Finance & Budget

25
26
27
28
29
30 KRZ/ylk

Dated this 12 day of JANUARY, 2017.


ORDINANCE/16-17/091

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

2
3 -AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF
4 JANUARY 2017

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

9	<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
10	Group Health Cooperative	Health Insurance Premiums - February	\$ 574,169.47
11	Wisconsin Municipal Mutual Ins Co	Auto/General Liability, Omissions, Cyber Liability, WC Ins	\$ 192,713.54
12	Heartland Business Systems	Web Security Appliance Installation - IS	\$ 176,966.75
13	State of Wisconsin	December Fees	\$ 172,137.86
14	Lake Altoona District	Lake Altoona Reimbursement - Capital Project P&D	\$ 161,865.98
15	Eau Claire City County Health Dept	December Payment	\$ 93,800.00
16	Citizens Employment & Training Inc	2017 County Approved Funding	\$ 84,792.00
17	Correct Care Solutions	Monthly Medical Service - January, February	\$ 84,541.48
18	Correctional Healthcare Companies Inc	Unpaid Ck# 688835 Unclaimed Funds	\$ 83,485.35
19	Town of Bridge Creek Treasurer	Payment for 2016 Timber Sales Severance	\$ 74,298.80
20	L-E Com Mobile Vision Inc	Flashback HD Video Camera Systems - IS	\$ 74,197.50
21	US Bank National Assoc ND	Procard Payment - December	\$ 60,379.37
22	Haas Sons	Asphalt - Hwy	\$ 59,500.00
23	West Central WI Regional Planning	2017 County Approved Funding	\$ 55,340.00
24	Xcel Energy	Courthouse Gas/Electric - December	\$ 53,730.93
25	OPG-3	Laserfiche Avante Content Mgmt - IS	\$ 53,595.19
26	Wisconsin Municipal Mutual Ins Co	WC Imprest Replenish-EST Balance WC	\$ 50,000.00
27	Lutheran Social Services	December Services - CJCC	\$ 48,083.33
28	AUL Health Benefit Trust	Unused Deductibles Payouts (9)	\$ 46,764.85
29	Xerox Commercial Solutions LLC	Xerox ACS Annual Support	\$ 45,673.00
30	Fuel Servie DJ's Mart LLC	Diesel Fuel - Hwy	\$ 45,058.80
31	Town of Wilson Treasurer	Payment for 2016 Timber Sales Severance	\$ 41,484.95
32	Aramark Services Inc	Staff/Inmate Meals - November, December	\$ 40,148.43
33	Advanced Disposal	Recycling - December	\$ 39,618.98
34	Wisconsin Municipal Mutual Ins Co	Sir Imprest Replenishment	\$ 37,473.45
35	Weidenhammer Systems Corp	Alio Financial & HR Annual Support	\$ 33,193.44
36	State of Wisconsin Treasurer	Quarterly Probate/Vital Record fees	\$ 32,446.53
37	City of Augusta	2017 County Approved Funding	\$ 30,000.00
38	L E Phillips Senior Central Inc	2017 County Approved Funding	\$ 30,000.00
39	City of Eau Claire Treasurer	Hazmat Spill Equipment/Contract Service - Emerg Mgt	\$ 28,079.29
40	CDW Government Inc	Computers/Scanners - IS	\$ 25,393.93
41	Chippewa Valley Museum	2017 County Approved Funding	\$ 25,000.00
42	Town of Fairchild Treasurer	Payment for 2016 Timber Sales Severance	\$ 24,833.60
43	McCabe Construction Inc	Contracted Engineering Services - Hwy	\$ 24,618.37
44	Cargill Inc	Deicer salt - Hwy	\$ 23,310.33
45	Boxx Sanitation LLC	Recycling - December	\$ 23,241.92
46	Office of State Employment Relations	Crystal Jensen Salary - DA	\$ 21,965.02
47	Sacred Heart Hospital	Meals - December - ADRC	\$ 21,725.56
48	VTI Security	Keycard Reader Update - Facilities	\$ 21,622.20
49	Anderson Bridges LLC	Brown Hut Snowmobile Bridge - Parks	\$ 21,200.00
50	Delta Dental Plan of WI	Dental Insurance Premiums - February	\$ 21,155.74
51	Annuity Investors	Sheriff's Low Sick & Comp Payouts	\$ 20,887.45
52	Sacred Heart Hospital	ADRC Meals - November	\$ 20,566.60
53	A & J Mobility	Lift & Labor for Lift Vets Van - ADRC	\$ 17,603.00
54	Arthur J Gallagher Risk Management	Boiler & Machinery/Crime Insurance Policy	\$ 17,538.00

57	Xcel Energy	Aiport Gas/Electric - December	\$	16,454.49
58	Kaeding Dairy LLC	Nutrient Management Plan Reimbursement - LCD	\$	16,380.00
59	Family Promise of the Chippewa Valley	2017 County Approved Funding	\$	15,500.00
60	Ruder Ware LLSC	Legal Services through November - HR	\$	14,920.00
61	Wisconsin Counties Association	Highway/County Board/Human Services Membership dues	\$	14,227.00
62	EO Johnson	Printing Charges for several departments	\$	14,002.63
63	Waste Management Northern WI	Recycling - December	\$	13,852.74
64	Will Hogoboom LLC	Interim Director Services 1/1 - 1/15	\$	13,406.70
65	Catholic Charities	2017 County Approved Funding	\$	13,000.00
66	Securian Financial Group Inc	Life Insurance Premium - February	\$	12,100.78
67	City of Eau Claire Treasurer	Water/Storm Sewer Charges - Airport - December	\$	12,014.55
68	Will Hogoboom	Interim Finance Director Services 12/16-12/31	\$	11,726.05
69	Correct Care Solutions	Monthly Medical Service Jail - Oct-Dec	\$	11,721.01
70	Monarch Paving Company	Tack Materials & Truck Rental - Hwy	\$	11,331.25
71	Emerson Network Power	Liebert UPS Battery Replacement - IS	\$	11,048.57
72	Lien & Peterson Architects Inc	Engineering Services - Parks	\$	10,500.00
73	Bartingale Mechanical	Preventative Maintenance for CTHS/Ag - January	\$	10,498.75
74	Chippewa Valley Free Clinic	2017 County Approved Funding	\$	10,000.00
75				
76		<i>subtotal</i>	\$	3,166,885.51
77				
78				
79	County of Barron	<i>IM Consortia Payment</i>	\$	53,565.00
80	County of Burnett	<i>IM Consortia Payment</i>	\$	12,376.00
81	County of Chippewa	<i>IM Consortia Payment</i>	\$	42,139.00
82	County of Douglas	<i>IM Consortia Payment</i>	\$	50,338.00
83	County of Pierce	<i>IM Consortia Payment</i>	\$	34,229.00
84	County of Polk	<i>IM Consortia Payment</i>	\$	17,903.00
85	Count of St Croix	<i>IM Consortia Payment</i>	\$	42,796.00
86	Brotoloc Inc	Contracted Services	\$	49,041.06
87	Caillier Clinic	Contracted Services	\$	15,955.00
88	Career Development Center	Contracted Services	\$	11,416.20
89	Chileda Institute Inc	Contracted Services	\$	52,590.72
90	Clinicare Corporation	Contracted Services	\$	38,077.44
91	Cooperative Educational Service Agency	Contracted Services	\$	10,493.75
92	Lutheran Social Services	Contracted Services	\$	122,956.17
93	MCHS Eau Claire Clinic	Contracted Services	\$	14,779.80
94	Mt Washington Operator LLC	Contracted Services	\$	26,404.56
95	New Visions Treatment Homes of WI	Contracted Services	\$	21,696.00
96	Northwest Counsel & Guidance	Contracted Services	\$	33,987.20
97	Northwest Passage LTD	Contracted Services	\$	79,544.52
98	Oconomowoc Development Training Ctr	Contracted Services	\$	16,123.34
99	State of Wisconsin Dept of Corrections	Contracted Services	\$	18,104.00
100	Trempealeau County	Contracted Services	\$	95,668.38
101	Vantage Point Clinic & Assessment	Contracted Services	\$	12,230.00
102	Western Dairyland Economic Opport	Contracted Services	\$	12,065.74
103				
104			Total	\$ 884,479.88
105				
106			Grand Total	\$ 4,051,365.39
107	 James Dunning - Chairperson			
108	Committee on Finance and Budget			
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APPROVED BY
CORPORATION COUNSEL
AS TO FORM

2
3 AWARDING BID FOR SALE OF TAX DEED PROPERTY TO ANDREW PERNSTEINER FOR THE SUM
4 OF \$105.00; DIRECTING CORPORATION COUNSEL TO PREPARE QUIT CLAIM DEED ON THE
5 DESCRIBED PROPERTY; DIRECTING THE COUNTY CLERK TO EXECUTE SAID QUIT CLAIM DEED
6 ON BEHALF OF EAU CLAIRE COUNTY
7

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

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

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

15 -----
16 SALE PARCEL #FA2016-3, Vacant land, City of Altoona

PURCHASER	MINIMUM BID	BID AMOUNT
Andrew Pernsteiner A Single Person	\$ 100.00	\$105.00

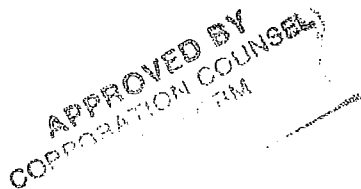
17
18 Computer #201-1050-01-010
19 PIN # 18201-2-270926-220-0033

20 Part of the NW ¼ of the NW ¼ of Section 26, Township 27 North, Range 9 West, City of Altoona, Eau
21 Claire County, Wisconsin described as: Commencing at the Northwest Corner of said NW ¼ of the NW
22 ¼, thence South along said West line of said NW ¼ of the NW ¼ 660', thence East 33' to the point of
23 beginning; thence East 660', thence South 30', thence East 660', thence North 30'to the point of
24 beginning.
25

26 BE IT FURTHER RESOLVED that the Corporation Counsel is hereby directed to prepare quit claim
27 deeds for the described parcels and that the County Clerk is hereby directed to execute said quit claim
28 deeds on behalf of Eau Claire County.
29

30
31 ADOPTED:

32 Sean Pagon
33 [Signature]
34 James Chunnery
35 Rubin J. Leary



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48 Committee on Finance & Budget

49 scm

Dated this 9th day of February, 2017.



2016 Property Record | Eau Claire County, WI

Assessed values not finalized until after Board of Review
Property information is valid as of 2016-01-02

OWNERS

ANTHONY JACKSON #161243

IN CARE OF

ATTN: COUNTY CLERK - EAU CLAIRE COUNTY

PROPERTY INFORMATION

Computer No: 201105001010
PIN: 1820122709262200033
Historical Map ID: AL:27.9.26.2-2-LL
School District: Altoona

Table with 3 columns: Section, Town, Range. Values: 26, 27N, 09W

Property Address:
Municipality: City Of Altoona
Document History: 1023113 T936836 1043/543; T936836 1043/543 Q694/801

MAILING ADDRESS

ATTN: COUNTY CLERK - EAU CLAIRE COUNTY
721 OXFORD AVE 3350 STE
EAU CLAIRE WI
54703-5481

PROPERTY DESCRIPTION

PCL CHANGED FOR 2017 - TAX DEED. THE FOL DESC IS FOR TAX PURPOSES ONLY; PRT OF THE NW-NW DESC AS COM AT THE NW COR OF SD 40 TN S ALG SD W LN OF SD 40 660' TN E 33' TO BG TN E 660' TN S 30' TN W 660' TN N 30' TO POB. NOTE: SD PCL IS A PRIVATE DR KNOWN AS E PINE TREE LN (UNRECORDED PLAT REFERS TO THIS RDWAY AS GLENDALE AVE) ALSO ESMT EXISTS ON SD DESC PCL PER VOL.837/476.

TAX INFORMATION

Gross Tax: 56.49
School Credit: 3.12
Lottery Credit: .00
First Dollar Credit: .00
Net Tax: 53.37

Table with 4 columns: Amt Due, Amt Paid, Balance. Rows include RE Net Tax, Special Assmnt, Special Chrg, Delq Utility, MFL, RE Interest, Other Interest, Penalty, and TOTAL.

ZONING

Table with 2 columns: Zoning Code, Description. Value: R1, Single-Family Residential

LAND USE

Table with 2 columns: Land Use Code, Description. Value: PWH, Public-Right-Of-Way (Highway)

LAND VALUATION

Table with 4 columns: Acres, Land, Improve, Total. Values: .450, 2,400.00, .00, 2,400.00

Total Acres: 0.450
Mill Rate: 0.022235350
Fair Market Value: 2,500.00
Assessment Ratio: .9600

INSTALLMENTS

Table with 3 columns: Period, End Date, Amount. Values: 1, 1/31/2017, 53.37; 2, 7/31/2017, .00

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

<u>Date</u>	<u>Receipt #</u>	<u>RE Tax</u>	<u>Other Tax</u>	<u>RE Int</u>	<u>Other Int</u>	<u>Penalty</u>	<u>Total</u>	<u>Payor Name</u>
12/19/2016	000229654-16	53.37	.00	.00	.00	.00	53.37	Eau Claire County

NOTES

The information provided here is for **illustration purposes only** and may not be suitable for specific decision-making. For the most current tax information please contact Eau Claire County Treasurer's office at 715-839-4805

EAU CLAIRE COUNTY * TAX DEED SALE MAP *
FALL 2016 SALE

SALE PARCEL #FA2016-3

COMPUTER #201-1050-01-010

MINIMUM BID \$100

LOT SIZE

APPROX. 30' x 660'

19,800 sq. ft.

Part of the NW ¼ of the NW ¼ of Section 26, Township 27 North, Range 9 West, City of Altoona, Eau Claire County, Wisconsin described as: Commencing at the Northwest Corner of said NW ¼ of the NW ¼, thence South along said West line of said NW ¼ of the NW ¼ 660', thence East 33' to the point of beginning; thence East 660', thence South 30', thence East 660', thence North 30' to the point of beginning.

Computer #201-1050-01-010 - City of Altoona

Pine Tree Ln. - private drive



TO: Eau Claire County Board of Supervisors
FROM: Gregg Moore, Chair
RE: City- County Board of Health Appointment
DATE: February 15, 2017

I certify that the following has been selected for appointment to the City-County Board of Health:

CITY-COUNTY BOARD OF HEALTH

Joan Berlin to succeed John Paddock

TERM EXPIRES

December 2021