

AGENDA

Eau Claire County Board of Supervisors
Tuesday, August 15, 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 Michael Conlin)
- 3. Call of the Roll
- 4. Approval of the Journal of Proceedings (July 18, 2017) (pg. 4-8)

5. PUBLIC COMMENT

6. REPORTS TO THE COUNTY BOARD UNDER 2.04.320

Presentations

- 2016 County Audit / Amy Wong, Finance Director and Brock Geyen, CliftonLarsonAllen
- 2nd Quarter Financial Report / Amy Wong (**reports to be placed on desks**)

- Bears Grass Dairy / Don & Tammy Schroeder, owners and host of 2017 Chippewa Valley Farm-City Day

Oral Reports

- Eau Claire City-County Health Department / by: Lieske Giese, Health Department Director

Written Reports

- 2017 Contingency Fund Report (pg. 9)
- Chippewa Valley Regional Airport / 1st & 2nd Qtr. Estimated Operations Report (pg. 10-11)

7. PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

- Rezoning Requests Received -
 - Calla Ville Dairy LLC / Otten Investments LLC (owner) (pg. 12)
(Applicant – Jeanne Carlson)
- Correspondence from Senator Tammy Baldwin / re: Essential Air Service (pg. 13-14)

8. FIRST READING OF ORDINANCES BY COMMITTEES

File No.

- 17-18/020 (1) To Amend Section 16.30.529 A.1. of the Code Be Amended to Read: County Forest Use Regulations (pg. 15-16)
- 17-18/044 (1) To Create and Amend Certain Sections of Section 2.90 of the County Code; Records Retention (pg. 17-22)
- 17-18/047 (1) To Repeal Footnote Reference in Title Page 4 of the Code: Revenue and Finance . . . (pg. 23-26)
- 17-18/053 (1) To Amend Section 2.44.010 A. of the Code (Updates the departmental and division program responsibilities of the Planning & Development Department (pg. 27-30)

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 Administration

File No.

- 17-18/034 (2) To Amend Section 3.50.020 B. of the Code: Prohibited Contracts with the County; To Amend Section 3.50.060 H. of the Code: Forfeiture Schedule . . . (from the 7/18/2017 county board agenda) (pg. 31-33)
- 17-18/035 (2) To Repeal the Footnote of Title 10 of the Code: Vehicles and Traffic; To Amend Section ii10.01001 of the Code: Purpose; To Repeal the Footnote of Chapter 10.04 of the Code: Vehicle Code . . . (from the 7/18/2017 county board agenda) (pg. 34-36)
- 17-18/038 (2) To Repeal Chapter 2.28 of the Code: Highway Safety and Accident Review; To Create Chapter 2.05.680 of the Code: County Traffic Safety Commission . . . (from the 7/18/2017 county board agenda) (pg. 37-39)
- 17-18/046 (1) Moving the 2017 Annual Meeting on Budget From November 14, 2017 to November 7, 2017 (pg. 40-41)

Committee on Judiciary and Law Enforcement

File No.

- 17-18/052 (1) Affirming the Need for a Sixth Circuit Court Judge for Eau Claire County (Report of the Committee on Finance & Budget also supports the resolution) (pg. 42-58)

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

Committee on Planning and Development

File No.

17-18/036 (1) Amending the 1982 Official Zoning District Boundary Map for the Town of Clear Creek (pg. 59-78)

17-18/039 (1) Amending the 1982 Official Zoning District Boundary Map for the Town of Pleasant Valley (pg. 79-96)

Highway Committee

File No.

17-18/042 (2) To Amend Section 10.01.080 of the Code: CTH H (from the 7/18/2017 county board meeting) (pg. 97-98)

Committee on Finance & Budget

File No.

17-18/045 (1) Disallowing the Claim of Xue Vang Filed On July 14, 2017 Against Eau Claire County . . . (pg. 99-100)

17-18/049 (1) Disallowing the Claim of Nesreen Khraisha Filed On July 26, 2017 Against Eau Claire County (pg. 101-102)

17-18/050 (1) Authorizing Payment of Vouchers Over \$10,000 Issued During the Month of July 2017 (pg. 103-104)

11. APPOINTMENTS

- Appointment of Rod Eslinger as Planning & Development Director (pg. 105)
- Appointment of Gabriel Schlieve to the Human Services Board (pg. 106)

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

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

Tuesday, July 18, 2017

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, July 18, 2017, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor David P. Mortimer.

Roll Call: 23 present: Supervisors Gary G. Gibson, Sandra McKinney, Douglas Kranig, Stella Pagonis, Carl Anton, Steve Chilson, Kevin Stelljes, Gordon C. Steinhauer, Ray L. Henning, Colleen A. Bates, Kathleen Clark, David P. Mortimer, Gregg Moore, James A. Dunning, Gerald L. Wilkie, Bruce Willett, Sue Miller, Robin J. Leary, Heather DeLuka, Tami Schraufnagel, Brandon Buchanan, Kimberly A. Cronk, Patrick L. LaVelle
6 absent: Supervisors Katy Forsythe, Mike Conlin, Judy Gatlin, Nick Smiar, Mark Olson, Mark Beckfield

JOURNAL OF PROCEEDINGS (June 20, 2017)

On a motion by Supervisor Leary, seconded by Supervisor Stelljes, the Journal of Proceedings was approved via voice vote.

PUBLIC COMMENT

No one wished to speak.

REPORTS TO THE COUNTY BOARD UNDER 2.04.320

Adam Kohls, Assistant Veterans Service Director, presented his oral annual report to the board.
Frank Draxler, Purchasing Director, presented his oral annual report to the board.

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

Information Services Director Dave Hayden presented an update on the PSC Grant Application and Rural Broadband.

County Administrator Kathryn Schauf presented an update on the 2018 budget processes.

The following written reports were presented to the board:

- 2017 Contingency Fund Report as of July 12, 2017
- 2nd Quarter Compensatory/Overtime Report as of June 30, 2017
- Jail Population Report (January 1-June 30, 2017)

PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

A report regarding a rezoning request in the Town of Pleasant Valley was received from Kurt and Cheryl Goergen.
A report regarding a rezoning request in the Town of Clear Creek was received from Wayne and Peggy Reetz.

Correspondence was received from Congressman Ron Kind, 3rd Congressional District, regarding supporting continued funding of the Essential Air Service.

FIRST READING OF ORDINANCES BY COMMITTEES

Ordinance 17-18/034 TO AMEND SECTION 3.50.020 B. OF THE CODE: PROHIBITED CONTRACTS WITH THE COUNTY; TO AMEND SECTION 3.50.060 H. OF THE CODE: FORFEITURE SCHEDULE; TO REPEAL THE FOOTNOTE OF CHAPTER 3.85; TO AMEND SECTION 3.85.001 OF THE CODE: PURPOSE; TO

AMEND SECTION 3.85.015 B. OF THE CODE: QUALIFICATIONS; TO AMEND SECTION 3.85.035 C. AND E. OF THE CODE: DISCIPLINARY AND DISMISSAL PROCEDURES

Action on said ordinance was referred to the next meeting of the county board.

Ordinance 17-18/035 TO REPEAL THE FOOTNOTE OF TITLE 10 OF THE CODE: VEHICLES AND TRAFFIC; TO AMEND SECTION 10.01.001 OF THE CODE: PURPOSE; TO REPEAL THE FOOTNOTE OF CHAPTER 10.04 OF THE CODE: VEHICLE CODE; TO AMEND SECTION 10.04.020 OF THE CODE: VIOLATION—PENALTIES; TO AMEND SECTION 10.04.050 OF THE CODE: ENFORCEMENT PROCEDURES; TO REPEAL SECTION 10.04.060 OF THE CODE: VIOLATION—DEPOSIT; TO REPEAL AND RECREATE CHAPTER 10.05 OF THE CODE: ALL-TERRAIN VEHICLE ROUTES; TO AMEND SECTION 10.20.035 A. OF THE CODE: DISPOSITION OF ABANDONED VEHICLES; TO REPEAL SECTION 10.30.010 OF THE CODE: SCHOOL POLICE; TO AMEND SECTION 10.03.020 A. OF THE CODE: OBSTRUCTING HIGHWAYS WITH SNOW; TO AMEND SECTION 10.30.030 B. OF THE CODE: PILING FOREST AND FARM PRODUCTS UPON HIGHWAY RIGHTS-OF-WAY

Action on said ordinance was referred to the next meeting of the county board.

Ordinance 17-18/038 TO REPEAL CHAPTER 2.28 OF THE CODE: HIGHWAY SAFETY AND ACCIDENT REVIEW; TO CREATE CHAPTER 2.05.680 OF THE CODE: COUNTY TRAFFIC SAFETY COMMISSION; TO REPEAL THE FOOTNOTE OF CHAPTER 9.40 OF THE CODE: ASSEMBLIES; TO AMEND SECTION 9.40.020 OF THE CODE: PURPOSE; TO AMEND SECTION 9.40.100 C. 10. OF THE CODE: LICENSE – CONDITIONS FOR ISSUANCE; TO REPEAL THE FOOTNOTE FO CHAPTER 9.44 OF THE CODE: DISORDERLY CONDUCT; TO AMEND SECTION 9.44.010 A. OF THE CODE: DISORDERLY CONDUCT AND ANNOYING TELEPHONE CALLS PROHIBITED; TO AMEND SECTION 9.46.005 C. OF THE CODE: DEFINITIONS; TO AMEND SECTION 9.46.010 B. OF THE CODE: POSSESSION OF FIREARMS AND WEAPONS IN COUNTY BUILDINGS PROHIBITED ; TO AMEND SECTION 9.46.010 C. 3 OF THE CODE: POSSESSION OF FIREARMS AND WEAPONS IN COUNTY BUILDINGS PROHIBITED; TO AMEND SECTION 9.46.020 A. OF THE CODE: SAFE USE AND TRANSPORTATION OF FIREARMS; TO AMEND SECTION 9.46.030 B. OF THE CODE: DISCHARGE OF FIREARMS PROHIBITED

Action on said ordinance was referred to the next meeting of the county board.

Ordinance 17-18/042 TO AMEND SECTION 10.01.080 OF THE CODE: CTH H

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 17-18/041 ADD ONE 1.0 FTE KITCHEN MANAGER POSITION (GRADE I) AND TWO .73 FTE COOK POSITIONS (GRADE E)

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

There were no objections to allowing Jennifer Speckien, Aging & Disability Resource Center Director, to speak.

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

1. On Page 1, Line 16, Insert:

"WHEREAS, in order to provide the ADRC with additional time to design and operationalize this new model of 'in house' provision of meals for the senior nutrition program, the option of continuing the program with the existing vendors, Sacred Heart Hospital and Augusta Health and Rehabilitation should be available for 2018, if needed; and

WHEREAS, the cost of continuing with the existing vendors in 2018 would be roughly comparable to 2017 if the County waives the provisions of the living wage ordinance as allowed in section 2.95.050."

2. On Page 1, Line 23, Insert:

“BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors authorizes waiving the hourly wage rates in the Living Wage Ordinance for 2018 for provision of meals for the senior nutrition program by Sacred Heart Hospital and Augusta Health and Rehabilitation if the new program model for the 'in house' provision of meals staffed by the positions authorized in this resolution is not designed and operational by January 1, 2018.” Supervisor Buchanan moved to postpone the amendment indefinitely. The motion was ruled out of order.

On a roll call vote, Amendment No. 1 was defeated as follows:

3 ayes: Supervisors Anton, Chilson, Mortimer

20 noes: Supervisors Gibson, McKinney, Kranig, Pagonis, Stelljes, Steinhauer, Henning, Bates, Clark, Moore, Dunning, Wilkie, Willett, Miller, Leary, DeLuka, Schraufnagel, Buchanan, Cronk, LaVelle

6 absent: Supervisors Forsythe, Conlin, Gatlin, Smiar, Beckfield, Olson

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

23 ayes: Supervisors Gibson, McKinney, Kranig, Pagonis, Anton, Chilson, Stelljes, Steinhauer, Henning, Bates, Clark, Mortimer, Moore, Dunning, Wilkie, Willett, Miller, Leary, DeLuka, Schraufnagel, Buchanan, Cronk, LaVelle

0 noes

6 absent: Supervisors Forsythe, Conlin, Gatlin, Smiar, Olson, Beckfield

Highway Committee

Resolution 17-18/043 AUTHORIZING PUBLIC-PRIVATE PARTNERSHIP AGREEMENT

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

There were no objections to allowing Highway Commissioner Jon Johnson to speak.

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

Committee on Administration

Ordinance 17-18/016 TO AMEND SECTION 2.04.010 A. AND C. OF THE CODE: RULE 1--MEETINGS; TO AMEND SECTION 2.04.020 C. 1. AND 3. AND D. OF THE CODE: RULE 2--MEETING ORGANIZATION; TO AMEND SECTION 2.04.040 C. OF THE CODE: RULE 4--VOTING; TO AMEND SECTION 2.04.050 A. OF THE CODE: RULE 5--SPEAKING AT MEETINGS; TO AMEND SECTION 2.04.090 OF THE CODE: RULE 9--REPORTS OF STANDING AND SELECT COMMITTEES AND SECOND READING; TO REPEAL SECTION 2.04.110 E. OF THE CODE: RULE 11--CALENDAR OF REGULAR MEETINGS; TO AMEND SECTION 2.04.110 B. AND F. OF THE CODE: RULE 11--CALENDAR OF REGULAR MEETINGS; TO AMEND SECTION 2.04.130 A. 1. OF THE CODE: RULE 13--DILIGENT COMMITTEE SERVICE; TO AMEND SECTION 2.04.140 G. 1. OF THE CODE: RULE 4--GENERAL DUTIES AND POWERS OF STANDING COMMITTEES; TO AMEND SECTION 2.04.150 B. OF THE CODE: RULE 15--SELECT AND SPECIAL COMMITTEES; TO AMEND SECTION 2.04.160 E. OF THE CODE: RULE 16--REFERENCE TO APPROPRIATE COMMITTEE; TO AMEND SECTION 2.04.240 B. OF THE CODE: RULE 24--TERMINATION OF DEBATE; TO REPEAL AND RECREATE SECTION 2.04.280 B. OF THE CODE: RULE 28--RESOLUTIONS, ORDINANCES AND AMENDMENTS; TO AMEND SECTION 2.04.280 C. OF THE CODE: RULE 28--RESOLUTIONS, ORDINANCES AND AMENDMENTS; TO AMEND SECTION 2.04.320 D. OF THE CODE: RULE 32--REPORTS TO THE COUNTY BOARD; TO REPEAL SECTION 2.04.320 F. AND RELETTER G. THROUGH I. OF THE CODE: RULE 32--REPORTS TO THE COUNTY BOARD; TO REPEAL SECTION 2.04.330 OF THE CODE: RULE 33--REPORTS OF CONVENTION DELEGATES; TO REPEAL SECTION 2.04.340 OF THE CODE: RULE 34--CONSIDERATION AND CONFIRMATION OF APPOINTMENTS; TO REPEAL AND RECREATE SECTION 2.04.400 OF THE CODE: RULE 40--COUNTY BOARD TRUST FUND; TO REPEAL SECTION 4.07.050 D. OF THE CODE: PAYROLL DEDUCTIONS; TO AMEND SECTION 2.04.445 A. OF THE CODE: COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT; TO AMEND SECTION 2.04.450 B. OF THE CODE: COMMITTEE ON UW-EXTENSION EDUCATION; TO REPEAL SECTION 2.04.465 B. OF THE CODE: HIGHWAY COMMITTEE; TO RELETTER SECTION 2.04.465 C. AND D. TO B. AND C. OF THE CODE: HIGHWAY COMMITTEE; TO AMEND SECTION 2.04.485 C. OF THE CODE: COMMITTEE ON FINANCE AND BUDGET; TO REPEAL SECTIONS 2.05.100, 2.05.103, 2.05.105 AND 2.05.106 OF THE CODE: EMERGENCY MEDICAL SERVICES COUNCIL, COUNCIL ORGANIZATION, POWERS AND DUTIES OF THE COUNCIL, EMS PROJECTS; TO REPEAL SECTION 2.05.611 C. 2 OF THE CODE: ADRC SUBCOMMITTEE ON OLDER AMERICANS ACT PROGRAMS; TO RENUMBER SECTION 2.05.611 C. 3. THROUGH 5. OF THE CODE: ADRC SUBCOMMITTEE ON OLDER

RENUMBER SECTION 2.05.611 C. 3. THROUGH 5. OF THE CODE: ADRC SUBCOMMITTEE ON OLDER AMERICANS ACT PROGRAMS; TO REPEAL SECTION 2.05.690 OF THE CODE: UW-EXTENSION EDUCATION ADVISORY COMMITTEE; TO AMEND SECTION 2.06.040 OF THE CODE: SALARY; TO REPEAL AND RECREATE SECTION 2.06.060 OF THE CODE: BUDGET PREPARATION AND EXECUTION; TO AMEND SECTION 2.06.110 OF THE CODE; APPOINTMENTS OF OFFICE STAFF AND OFFICIALS

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

Ordinance 17-18/022 TO AMEND SECTION 19.01.001 OF THE CODE: AUTHORITY; TO AMEND SECTION 20.09.006 OF THE CODE: TREATED IMPERVIOUS SURFACES; TO AMEND SECTION 20.15.001 FF. OF THE CODE: DEFINITIONS

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

Ordinance 17-18/024 TO AMEND SECTION 2.07.030 B. OF THE CODE: HUMAN SERVICES DEPARTMENT REPRESENTATION; TO AMEND SECTION 2.07.040 OF THE CODE: CHILD SUPPORT AGENCY REPRESENTATION; TO AMEND SECTION 2.07.060 A. OF THE CODE: REVIEW OF LEGAL DOCUMENTS AND INSTRUMENTS; TO AMEND SECTION 2.07.080 B. OF THE CODE: APPOINTMENT OF SPECIAL COUNSEL; TO AMEND SECTION 2.09.005 A. OF THE CODE: DEFINITIONS; TO AMEND SECTION 2.09.010 A. AND B. OF THE CODE: BUSINESS HOURS; TO AMEND SECTION 2.10.001 OF THE CODE: PURPOSE; TO REPEAL AND RECREATE SECTION 2.10.010 OF THE CODE: DRAFTING OF LEGISLATION; TO AMEND SECTION 2.10.020 C. OF THE CODE: ASSISTANCE OF CORPORATION COUNSEL; TO AMEND SECTION 2.10.030 OF THE CODE: FORM OF LEGISLATION; TO AMEND CHAPTER 2.12: COUNTY OFFICERS; TO AMEND SECTION 2.12.030 OF THE CODE: TREASURER AND CLERK CHECK-SIGNING AUTHORITY; TO AMEND SECTION 2.20.010 OF THE CODE: PURPOSE; TO AMEND SECTION 2.20.101 B. OF THE CODE: DEFINITIONS; TO REPEAL AND RECREATE SECTION 2.22.055 OF THE CODE: STRUCTURE OF BOARD; TO AMEND SECTION 2.22.080 OF THE CODE: DEPARTMENT OF HUMAN SERVICES; TO AMEND SECTION 2.22.100 OF THE CODE: APPOINTMENT OF DIRECTOR; TO REPEAL SECTION 2.22.125 OF THE CODE: LONG-TERM SUPPORT COMMITTEE; TO REPEAL THE FOOTNOTE OF CHAPTER 2.48: PARKS; TO AMEND SECTION 2.48.110 OF THE CODE: AQUATIC RECREATION PROVISIONS—APPLICABILITY AND ENFORCEMENT; TO AMEND SECTION 2.48.130 OF THE CODE: AQUATIC RECREATION PROVISIONS—BOATING REGULATIONS; TO AMEND SECTION 2.48.140 C. OF THE CODE: AQUATIC RECREATION PROVISIONS—MARKERS AND NAVIGATIONAL AIDS; TO AMEND SECTION 2.48.150 OF THE CODE: AQUATIC RECREATION PROVISIONS—VIOLATION—PENALTIES; TO REPEAL CHAPTER 2.56 OF THE COUNTY CODE: CHILD SUPPORT AGENCY

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

Ordinance 17-18/029 TO REPEAL AND RECREATE CHAPTER 2.15 OF THE CODE: DEPARTMENT OF COUNTY SHERIFF; TO REPEAL AND RECREATE CHAPTER 10.02 OF THE CODE: STOP INTERSECTIONS, YIELD INTERSECTIONS AND PARKING PROHIBITIONS; TO AMEND SECTION 12.34.001 A. OF THE CODE: APPOINTMENT OF THE HIGHWAY COMMISSIONER; TO AMEND SECTION 12.34.010 A. OF THE CODE: PROGRAM RESPONSIBILITIES OF THE DEPARTMENT AND HIGHWAY COMMISSIONER; TO AMEND SECTION 12.34.200 A. OF THE CODE: COUNTY CONSTRUCTION AND MAINTENANCE OF STREETS AND HIGHWAYS

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

Committee on Planning and Development

Ordinance 17-18/028 AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF PLEASANT VALLEY

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

Committee on Parks and Forest

Resolution 17-18/037 SUPPORTING AN INCREASE IN PAYMENT IN LIEU OF TAXES (PILT) FOR COUNTY FOREST LANDS

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

Committee on Finance and Budget

Resolution 17-18/040 AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF JUNE 2017

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

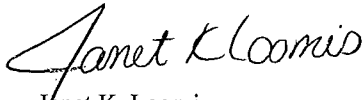
APPOINTMENTS

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

On a motion by Supervisor Chilson, seconded by Supervisor Cronk, the appointment was unanimously approved via roll call vote.

The Board adjourned at 9:13 p.m.

Respectfully submitted,



Janet K. Loomis
County Clerk

TO: Honorable Eau Claire County Board of Supervisors
 FROM: Committee on Finance & Budget
 DATE: August 9, 2017
 SUB: 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 August 9, 2017:

January 1, 2017	2017 Contingency Fund / Budget Allocation	\$	300,000
March 7, 2017	CB: Authorizing New/Modified Position Request . . . (File No. 16-17/105)	\$	<u>90,000</u>
		\$	210,000
Balance Available			

CB: denotes county board action

CHIPPEWA VALLEY REGIONAL AIRPORT
ESTIMATED QUARTERLY OPERATIONS REPORT
Eau Claire and Chippewa Counties
First Quarter 2017

Estimated cash balance carried forward from previous year: \$618,157

<u>Expenses:</u>	<u>YTD Budget</u>	<u>YTD Actual</u>
Staff: Salaries / Wages, Benefits, Overtime, Clothing, Misc.	\$114,772	\$100,312
Maintenance and Upkeep: Buildings, Grounds, Vehicles	\$28,625	\$34,457
Utilities: Electricity, Gas, Refuse, Water and Sewer	\$50,535	\$55,786
Other: Insurance, Office Supplies, Telephone, Contract Services, Marketing/Public Notices, Airport Comm.	\$47,458	\$47,041
*Capital Investment: Federal Grant Match, Equipment, Principal/Interest, Misc.	<u>\$292,660</u>	<u>\$2,770</u>
Total Expenses:	\$534,050	\$240,366

*Capital is under budget due to timing of projects.

<u>Income:</u>		
Hangar Rentals: Land Leases, FBO, Hangar Leases, Utility Revenue, Tie Downs	\$76,507	\$82,878
Terminal Rentals: Restaurant, Car Rentals, Advertising, FAA, TSA, Airline	\$58,224	\$62,116
Other Revenue: Landing Fees, Parking, Passenger Facility Charges, Fuel Flowage, Other Revenue, Misc.	\$101,163	\$99,617
*Non-Lapsing Funds	\$167,141	\$0
Operating Agreement: Eau Claire Chippewa	\$98,770 <u>\$32,245</u>	\$98,770 <u>\$64,491</u>
Total Income:	\$534,050	\$407,872

*Non-lapsing funds have not yet been used due to timing of capital projects.

<u>Passenger Enplane/Deplane</u>	<u>Year to Date</u>	<u>Prior Year to Date</u>
Scheduled Airline	10,368	7,881
Charter Flights	750	854

<u>Tower (landings and takeoffs) Operations</u>	<u>Year to Date</u>	<u>Prior Year to Date</u>
	4,074	4,968

CHIPPEWA VALLEY REGIONAL AIRPORT
ESTIMATED QUARTERLY OPERATIONS REPORT
Eau Claire and Chippewa Counties
Second Quarter 2017

Estimated cash balance carried forward from previous year: \$618,157

<u>Expenses:</u>	<u>YTD Budget</u>	<u>YTD Actual</u>
Staff: Salaries / Wages, Benefits, Overtime, Clothing, Misc.	\$229,544	\$221,003
Maintenance and Upkeep: Buildings, Grounds, Vehicles	\$57,250	\$56,545
Utilities: Electricity, Gas, Refuse, Water and Sewer	\$101,070	\$99,239
Other: Insurance, Office Supplies, Telephone, Contract Services, Marketing/Public Notices, Airport Comm.	\$94,915	\$68,120
*Capital Investment: Federal Grant Match, Equipment, Principal/Interest, Misc.	<u>\$585,320</u>	<u>\$8,918</u>
Total Expenses:	\$1,068,099	\$453,825
*Capital is under budget due to timing of projects.		

<u>Income:</u>		
Hangar Rentals: Land Leases, FBO, Hangar Leases, Utility Revenue, Tie Downs	\$153,014	\$162,172
Terminal Rentals: Restaurant, Car Rentals, Advertising, FAA, TSA, Airline	\$116,446	\$134,389
Other Revenue: Landing Fees, Parking, Passenger Facility Charges, Fuel Flowage, Other Revenue, Misc.	\$202,325	\$212,502
*Non-Lapsing Funds	\$334,283	\$0
Operating Agreement: Eau Claire Chippewa	\$197,540 <u>\$64,491</u>	\$197,540 <u>\$64,491</u>
Total Income:	\$1,068,099	\$771,094
*Non-lapsing funds have not yet been used due to timing of capital projects.		

<u>Passenger Enplane/Deplane</u>	<u>Year to Date</u>	<u>Prior Year to Date</u>
Scheduled Airline	20,804	17,066
Charter Flights	2,174	2,080
<u>Tower (landings and takeoffs)</u>	<u>Year to Date</u>	<u>Prior Year to Date</u>
Operations	9,454	11,413



Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT
Eau Claire County Courthouse - Room 3344
721 Oxford Avenue
Eau Claire, Wisconsin 54703-5212
(715) 839-4741

Building Inspection
839-2944
Emergency Management
839-4736
Geographical Information Systems
839-4730
Land Conservation
839-6226
Land Records
839-4742
Land Use Management
839-4743
Planning
839-5055
Recycling
839-2756

RECEIVED

AUG 04 2017

COUNTY CLERK

August 3, 2017

Report to the Eau Claire County Board of Supervisors

The Eau Claire County Department of Planning and Development has received the following application for rezoning:

Owner: Calla Ville Dairy LLC / Otten Investments LLC

Applicant: Jeanne Carlson

File Number: 17-18/051

Legal Description: A part of the NW ¼ of the NW ¼ of Section 26, T25N-R8W and part of the NE ¼ of the NE ¼ of Section 27, T25N-R8W, both in the Town of Clear Creek, Eau Claire County, Wisconsin

Site Address: E 10435 W Robin Road

Date Received: July 31, 2017

Regards,

Jeanna Allen

Administrative Specialist, Planning and Development

United States Senate
WASHINGTON, DC 20510-4906

July 18, 2017

Ms. Janet Loomis
Eau Claire County Courthouse
721 Oxford Avenue, Room 3350
Eau Claire, Wisconsin 54703

**This is in response to the Eau Claire
County Resolution R161-002
"Supporting continued funding
of the essential air service (EAS)"**

Dear Ms. Loomis:

Thank you for contacting me about the Essential Air Service (EAS) Program. It is good to hear from you on this important issue and I appreciate you sharing the Eau Claire County Board of Supervisors' resolution to support EAS funding.

The EAS program was created to ensure continuous air service to smaller communities, like Eau Claire and Rhinelander, Wisconsin.

Unfortunately, President Trump has proposed eliminating the EAS program in his Fiscal Year 2018 budget. Please be assured that I am committed to fighting this proposed cut to rural air service. On April 6, 2017, I joined my colleagues in sending a letter to the Appropriations Subcommittee on Transportation, Housing and Urban Development requesting robust funding for the EAS program in Fiscal Year 2018. You can read the full letter here:
<https://www.baldwin.senate.gov/imo/media/doc/FY18%20Essential%20Air%20Service%20Program.pdf>.

In addition, the Senate Committee on Commerce, Science and Transportation, of which I am a member, recently passed the Federal Aviation Administration (FAA) Reauthorization Act (S.1405) to reauthorize the FAA for four years through 2021. This bill increases funding for EAS by \$25 million to \$175 million each Fiscal Year.

I appreciate your insight about the EAS program and I believe it is critically important that the EAS program continues to provide rural airports with air service. Please do not hesitate to contact Meghan Ladwig in my Washington D.C. office by phone at (202) 224-5653 or by email at meghan_ladwig@baldwin.senate.gov with any additional concerns you may have about the Essential Air Service Program.

Once again, thank you for contacting my office. It is important for me to hear from the people of Wisconsin on the issues, thoughts and concerns that matter most to you. If I can be of further assistance, please visit my website at <http://www.baldwin.senate.gov> for information on how to contact my office.

Sincerely,

A handwritten signature in black ink that reads "Tammy Baldwin". The signature is written in a cursive style with a large, stylized initial "T".

Tammy Baldwin
United States Senator

TB/kl

FACT SHEET

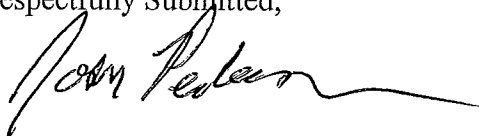
TO FILE NO. 17-18/020

This ordinance change will allow for county forest users to purchase a permit to camp on the county forest at any time of the year. Currently, dispersed camping is only allowed on the county forest from September 16 through May 1.

In addition, this change will allow for campers to purchase back-to-back permits during the time frame from September 15th - December 15th. This should cover most of the bow and gun deer hunting seasons, where some campers have expressed the desire to be able to camp for an extended period of time. All other times of the year, the permit will be limited to no more than 14 nights in succession.

Fiscal Impact: It is estimated that this ordinance change will result in approximately 50 more dispersed camping permits issued annually. This comes out to be approximately \$500 in additional revenues for the department. No additional costs are associated with this request.

Respectfully Submitted,



Josh Pedersen
Parks and Forest Director

Ordinance/17-18.020 Fact

1 Enrolled No.

2 ORDINANCE

3 File No. 17-18/020

4 - TO AMEND SECTION 16.30.529 A. 1. OF THE CODE BE AMENDED TO
5 READ: COUNTY FOREST USE REGULATIONS -

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

7
8 SECTION 1. That paragraph 1. of Subsection A. of Section 16.30.529 of the code be
9 amended to read:

10
11 1. Overnight camping may be permitted in the county forest for a charge of \$10
12 for a period not to exceed 14 nights in succession, ~~except during the camping season May 1~~
13 ~~through~~ Between September 15 through December 15, ~~or the period when fees are charged for use~~
14 ~~of a county campground.~~ After camping 14 nights in succession, the camper may renew the
15 camping permit for one additional 14 night period for an additional fee of \$10. Thereafter, the
16 camping unit must be removed from the county forest for at least one night before the camping
17 party is eligible to return. Any camper or campers who violate the rules and regulations of this
18 chapter or of good conduct, including cutting or defacing timber, carelessness with fire, violation of
19 game, fish and litter regulations shall be subject to ejection from the county forest and subject to the
20 penalties provided by ordinances and state law.

21
22 ADOPTED:

23
24 Patrick L. Lavelle
25 W.A. Kelly
26 Bonnie Willett
27 Gary Gil
28
29
30
31
32
33

34 Committee on Parks and Forest

35 KRZ/yk

36
37
38 Dated this 26 day of July, 2017.
39
40

41 ORDINANCE/17-18.020

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

**FACT SHEET
TO FILE NO. 17-18/044**

The review of Chapter 2.90 is part of the strategic plan process.

SECTION 1. Adds the retention of Vendor W-9's to the code, to be kept for 7 years.

SECTION 2. Updates the code to reflect current administrative code provisions.

SECTION 3. Updates the code to reflect current statutory provisions.

SECTION 4. Updates the code to reflect current statutory provisions and practices.

SECTION 5. Updates the code to statutory provisions not previously included.

SECTION 6. Updates the code to statutory provisions not previously included.

SECTION 7. Updates the code to reflect changes in statutory provisions.

SECTION 8. Updates the code to reflect current administrative code provisions.

SECTION 9. Repeals and recreates Section 2.90.140 D., E. and F. to reflect the change from the repealed administrative code previously governing it to current state standards.

SECTION 10. Updates the code to reflect current administrative code provisions.

SECTION 11. Repeals and recreates Section 2.90.140 H. to update to the current administrative code provisions.

SECTION 12. Updates the code to reflect current state standards.

SECTION 13. Updates the code to reflect current administrative code provisions.

SECTION 14. Updates the code to change retention of union contracts and grievance, mediation and arbitration records from 100 years to 50 years.

SECTION 15. Corrects a citation.

Fiscal Impact: There is no fiscal impact.

Respectfully Submitted,



Keith R. Zehms
Corporation Counsel

KRZ/mm/yk

1 **Enrolled No.**

ORDINANCE

File No. 17-18/044

2
3 - TO CREATE SECTION 2.90.010 V. OF THE CODE: COUNTYWIDE; TO AMEND
4 SECTION 2.90.040 A. OF THE CODE: BEAVER CREEK RESERVE; TO AMEND SECTION
5 2.90.080 U. OF THE CODE: COUNTY CLERK; TO AMEND SECTION 2.90.080 X. OF THE
6 CODE: COUNTY CLERK; TO AMEND SECTION 2.90.080 Y. OF THE CODE: COUNTY
7 CLERK; TO AMEND SECTION 2.90.080 AA. OF THE CODE: COUNTY CLERK; TO
8 REPEAL SECTION 2.90.080 CC. OF THE CODE: COUNTY CLERK; TO AMEND SECTION
9 2.90.090 A. OF THE CODE: COURTS; TO REPEAL AND RECREATE SECTION 2.90.140
10 D., E. and F. OF THE CODE: HUMAN SERVICES; TO AMEND SECTION 2.90.140 G. OF
11 THE CODE: HUMAN SERVICES; TO REPEAL AND RECREATE SECTION 2.90.140 H. OF
12 THE CODE: HUMAN SERVICES; TO AMEND SECTION 2.90.140 L. OF THE CODE:
13 HUMAN SERVICES; TO AMEND SECTION 2.90.140 N. OF THE CODE: HUMAN
14 SERVICES; TO AMEND SECTION 2.90.210 A. OF THE CODE: REGISTER OF DEEDS -

15
16 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

17
18 **SECTION 1.** That Subsection V. of Section 2.90.010 of the code be created to read:

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
19				
20				
21				
22	V.	W-9's for Vendors	7 years	W
23				

24 **SECTION 2.** That Subsection A. of Section 2.90.040 of the code be amended to read:

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
25				
26				
27				
28	A.	Health histories	2 3 years	W
29		and treatment	<u>ATCP 78.19 (7)</u>	
30		records	HFS 175.13 (4)	
31			Admin. Code	

32 **SECTION 3.** That Subsection U. of Section 2.90.080 of the code be amended to read:

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
33				
34				
35				
36	U.	Election financial	6 years	W
37		registration, <u>financial</u>	§ 7.23(1)(d)	
38		statements &		
39		termination reports		
40		& reports		
41				

42 **SECTION 4.** That Subsection X. of Section 2.90.080 of the code be amended to read:

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
43				
44				
45				

1 X. ~~Electronic ballot~~ 22 months after §7.23(1)(g) W
 2 tallies Detachable date of election
 3 election recording
 4 units back up
 5

6 **SECTION 5.** That Subsection. Y. of Section 2.90.080 of the code be amended to read:

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
7				
8				
9				
10	Y. Ballots	30 days after election	§7.23(1)(h) & (f)	W
11		<u>or 22 months after a</u>		
12		<u>federal election</u>		
13				

14 **SECTION 6.** That Subsection. AA. of Section 2.90.080 of the code be amended to read:

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
15				
16				
17				
18	AA. Election notices	1 year after date of	§7.23(1)(j) & (f)	W
19	& proofs of	election unless contested,		
20	publication &	then by court order,		
21	correspondence	<u>or 22 months after a</u>		
22		<u>federal election</u>		
23				

24 **SECTION 7.** That Subsection CC. of Section 2.90.080 of the code be repealed.

25 **SECTION 8.** That Subsection A. of Section 2.90.090 of the code be amended to read:

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
26				
27				
28				
29				
30	A. Group care records	<u>21 years of age or</u>	<u>DCF 57.38</u>	W
31		<u>7 years after the</u>	<u>HFS 57.08 or 59.07</u>	
32		<u>resident is discharged</u>		
33		<u>from the group home</u>		
34		<u>8 years after 18th birthday</u>		
35				

36 **SECTION 9.** That Subsections D., E. and F. of Section 2.90.140 of the code be repealed and
 37 recreated to read:

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
38				
39				
40				
41	D. Public assistance	3 years after case is closed	Income maintenance	W
42	case records	unless litigation, claim	manual 1.5.1; child	
43		or audit unresolved	care subsidy manual	
44			4.6.3	
45	E. Child care certification	6 years after	Child care certification	W

1 provider case records closure of certified manual 1.0
 2 program unless pending
 3 audit or unresolved issue/
 4 legal action
 5
 6 F. Social service case 7 years after case is closed DHSS Memo (82-1A) W
 7 records
 8

9 **SECTION 10.** That Subsection G. of Section 2.90.140 of the code be amended to read:

10	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
11				
12				
13	G. 51.42/437 Treatment records	7 years unless minor, until 19 years of age or 7 years after treatment completed, whichever is longer	<u>DHS 92.12 (1)&(2)</u> HFS 92.12(1)&(2)	W
14				
15				
16				
17				
18				
19	1. Undergoing federal	Until completion of audit	<u>DHS 92.12 (3)</u>	
20	or state audit		HFS 92.12(3)	
21				

22 **SECTION 11.** That Subsection H. of Section 2.90.140 of the code be repealed and recreated to
 23 read:

24	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
25				
26				
27	H. Client collection files	5 years after records	DHS 1.06 (3)(d)	W
28	1. Closed client records			
29				

30 **SECTION 12.** That Subsection N. of Section 2.90.140 of the code be amended to read:

31	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
32				
33				
34	N. Fraud referral case records	5 3 years after issue resolved or claim collected case is closed unless litigation, claim or audit unresolved	Income maintenance manual Chapter 1.5.1	W
35				
36				
37				
38				
39				
40				
41				
42				
43				
44				
45				

1 **SECTION 13.** That Subsection L. of Section 2.90.140 be amended to read:

2				
3	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
4				
5	L. Child-placing agency records			
6	1. Individual case records			
7	for each child served &			
8	family	7 years after case closed	<u>HFSDCF</u> 54.06(2)(a)2	
9	2. Individual foster home			
10	records for each foster			
11	home used by the agency,			
12	which includes signed			
13	applications and			
14	agreements	7 years	<u>HFSDCF</u> 54.06(2)(a)3	
15	3. Individual records of			
16	studied adoptive			
17	applicants	7 years	<u>HFS-DCF</u> 54.06(2)(a)4	
18	4. Human resource records	7 years	<u>HFSDCF</u> 54.06(2)(a)5	
19	5. Financial reports and			
20	audits	7 years	<u>HFSDCF</u> 54.06(2)(a)6	
21	6. Licensing and			
22	certification records			
23	for in-home and			
24	family day care; adult			
25	family homes; foster			
26	homes; and group			
27	foster homes for			
28	children; application			
29	or other request forms,			
30	Inspection and			
31	observation check lists,			
32	correspondence,			
33	other documentation			
34	relating to licensing			
35	or certification,			
36	approved license or			
37	certificate	2 years after the license		
38		or certificate is no longer active		
39	7. Licensing and			
40	certification records			
41	for above types of			
42	facilities where license			
43	or certificate was not			
44	approved	1 year after final action/determination		
45	8. Adoption records.			

County agencies providing child welfare services under s. 48.56 or child-placing agencies licensed under §48.60, should follow the detailed procedures for adoption information search and disclosure detailed in DCF 53HSS-53. Permanent HFSDCF 53.07(1)

SECTION 14. That Subsection D. of Section 2.90.180 of the code be amended to read:

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
D.	Union contracts and grievance, mediation and arbitration records	10050 years		N/A

SECTION 15. That Subsection A. of Section 2.90.210 of the code be amended to read:

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Obsolete documents pertaining to chattels, including final books of entry	6 years	§ 59.43(12)(a)	W

ADOPTED
 Reviewed by Finance Dept.
 for Fiscal Impact

APPROVED BY
 CORPORATION COUNSEL
 AS TO FORM

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]

 Committee on Administration

KRZ/mm/yk

Dated this 8 day of August, 2017.
 ORDINANCE/17-18.044

FACT SHEET

TO FILE NO. 17-18/047

The review of Titles 4, 17 and 18 is part of the strategic plan process. This ordinance only addresses legal citations, footnotes and a typo. Title 4 is in the process of being thoroughly reviewed by the county administrator and finance director. Titles 17 and 18 are being thoroughly reviewed by planning and development department staff. The goal is to have all ordinances resulting from the review process submitted to the county board for consideration prior to January 1, 2019.

Section 1. Deletes footnote reference in Title 4 heading.

Section 2. Deletes Title 4 footnote found after section listings in chapter 4.02.

Section 3. Deletes footnote reference in Chapter 4.04 heading

Section 4. Deletes chapter 4.04 footnote found after 4.04.050.

Section 5. Deletes footnote referenced in 4.08.030.

Section 6. Deletes footnote in Chapter 4.09.

Section 7. Corrects statutory reference in 4.30.060 K. ✓

Section 8. Deletes a reference to a repealed statute.

Section 9. Deletes references to repealed statutes and corrects form of a statutory citation.

Section 10. Deletes references to repealed statutes and adds reference to Wis. Admin. Code.

Section 11. Updates statutory reference.

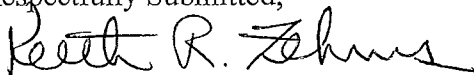
Section 12. Updates statutory reference.

Section 13. Deletes footnote in Title 18.

Section 14. Corrects a typographical error.

Fiscal Impact: No Impact.

Respectfully Submitted,



Keith R. Zehms
Corporation Counsel

KRZ/yk

Ordinance/17-18.047 Fact

2
3 - TO REPEAL FOOTNOTE REFERENCE IN TITLE PAGE 4 OF THE CODE:
4 REVENUE AND FINANCE; TO REPEAL THE FOOTNOTE IN SECTION 4.02 OF THE
5 CODE: BUDGETARY PROCEDURE; TO REPEAL FOOTNOTE REFERENCE IN
6 CHAPTER 4.04 TITLE HEADING OF THE CODE: PURCHASES AND TRANSFER OF
7 FUNDS; TO REPEAL THE FOOTNOTE OF SECTION 4.04.050 OF THE CODE:
8 CONTINGENCY FUND AUTHORIZED—TRANSFERS AUTHORIZED THEREFROM;
9 TO REPEAL THE FOOTNOTE REFERENCE IN SECTION 4.08.030 OF THE CODE:
10 WITHDRAWAL OR DISBURSEMENT; TO REPEAL THE FOOTNOTE IN CHAPTER
11 4.09 OF THE CODE: COUNTY ACCOUNTS; TO AMEND SECTION 4.30.060 K. 1. OF
12 THE CODE: SHERIFF’S FEES; TO AMEND SECTION 17.02.025 B. OF THE CODE:
13 DESIGNATED ADVISERS; TO AMEND SECTION 17.03.001 OF THE CODE:
14 AUTHORITY, PURPOSE AND APPLICABILITY; TO AMEND SECTION 17.03.025 B. 3
15 OF THE CODE: ADMINISTRATION; TO AMEND SECTION 17.04.090 C. OF THE
16 CODE: ADMINISTRATION; TO AMEND SECTION 17.06.150 B. 9. OF THE CODE:
17 MAINTENANCE OF STORM WATER BMP’S; TO REPEAL THE FOOTNOTE OF
18 TITLE 18 OF THE CODE: ZONING; TO AMEND 18.02.020 A. 21. OF THE CODE:
19 RULES AND DEFINITIONS -
20

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

22 SECTION 1. That the footnote reference in Title 4 of the code be repealed.

23 SECTION 2. That the footnote in Section 4.02 of the code be repealed.

24 SECTION 3. That the footnote reference in Chapter 4.04 of the code be repealed.

25 SECTION 4. That the footnote in Section 4.04.050 of the code be repealed.

26 SECTION 5. That the footnote reference in Section 4.08.030 of the code be repealed.

27 SECTION 6. That the footnote in Chapter 4.09 be repealed.

28 SECTION 7. That paragraph 1. of Subsection K .of Section 4.30.060 of the code be
29 amended to read:
30

31 1. Statutes adopted. The statutory provisions of sections Wis. Stat. § 303.08
32 with respect to Huber Law prisoners and Wis. Stat. § 302.372 regarding prisoner reimbursement
33 are hereby adopted and by reference made part of this ordinance as if fully set forth herein.
34

35 SECTION 8. That Subsection B. of Section 17.02.025 of the code be amended to read:
36

37 B. Each designated adviser shall receive written notice of all meetings and public
38 hearings of the commission, and shall be invited to comment on all proposed plans and programs
39 drafted by the commission under Wis. Stat. §§ ~~92.08~~ and 92.10(5), and on all proposed
40 ordinances under Wis. Stat. § 92.11.
41
42
43
44
45
46
47
48
49

1 **SECTION 9.** That Section 17.03.001 of the code be amended to read:

2
3 17.03.001 Authority, purpose and applicability. This ordinance is established by the Eau
4 Claire County Land Conservation Commission and the Eau Claire County Board of Supervisors
5 pursuant to ~~Wis. Stat. §§ 92.104 and 92.105 and Wis. Admin. Code § ATCP 50.16~~ and related
6 guidelines adopted by the Wisconsin Land and Water Conservation Board under ~~Wis. Stat. §~~
7 ~~92.105(2)~~. It provides for soil and water conservation standards to be met and procedures to be
8 followed by participants in the Wisconsin Farmland Preservation Program. Conformance with
9 these standards and procedures will be necessary for participants to establish and maintain
10 eligibility for farmland preservation tax credits under ~~Subchapter IX of Chapter 71 and Wis. Stat.~~
11 ~~§§ 92.104 and 92.105 sub. ch. IX of Wis. Stat. ch 71~~. This ordinance shall apply to participants
12 who claim a farmland preservation tax credit for which they are eligible because their land is
13 located in a district zoned exclusive agricultural use. In cases where the tax credits are based on
14 the landowner participating under a farmland preservation agreement, the landowner is subject to
15 the soil and conservation standards in effect at the time the agreement application was submitted
16 to the county clerk after being signed by the landowner unless the landowner agrees to adopt the
17 updated standards. These standards are effective when approved by the Land and Water
18 Conservation Board and adopted by the Land Conservation Commission. (~~Wis. Stat. § 92.105(7)~~)
19

20 **SECTION 10.** That paragraph 3. of Subsection B. of Section 17.03.025 of the code be
21 amended to read:

22
23 3. Notice of noncompliance. Notices of noncompliance shall be issued as provided
24 under ~~Wis. Stat. §§ 92.104(4) and 92.105(5)~~ Wis. Admin. Code § ATCP 50.16. The county may
25 issue a notice of noncompliance to a landowner if the landowner does any of the following:

- 26 a. fails to comply with county standards
27 b. fails to comply with an existing farm conservation plan
28 c. fails to allow reasonable inspection to determine compliance

29 The notice of noncompliance must disclose the nature of the violation and a deadline date for
30 correcting the violation. The notice must state that the landowner may not claim farmland
31 preservation tax credits unless the farmer corrects the violation. The notice must state that the
32 farmer may meet with the Land Conservation Commission to contest or discuss the notice and it
33 should spell out the procedure for contacting the Land Conservation Commission and contesting
34 the notice. The county may issue a notice of noncompliance and suspend the landowners
35 eligibility for tax credits, without offering cost sharing to the landowner. The Land Conservation
36 Commission may not issue a notice of noncompliance before a field inspection of the land has
37 been made. The requirement for a field inspection and hearing may be waived by the Land
38 Conservation Commission if the notice of noncompliance is voluntarily agreed upon. Copies of
39 notices of noncompliance shall be submitted to the appropriate zoning jurisdiction and the
40 Wisconsin Department of Revenue. No farmland preservation tax credits will be allowed to
41 landowners who have been issued a notice of noncompliance with soil and water conservation
42 requirement unless such notice is subsequently canceled by the Commission under ~~Wis. Stat. §§~~
43 ~~92.104(4) or 92.105(5)~~, Wis. Admin Code § ATCP 50.16.
44

45 **SECTION 11.** That Subsection C. of Section 17.04.090 of the code be amended to read:

46
47 C. Inspection authority. The land conservation division is authorized to enter upon
48 any lands affected by this ordinance to inspect the land prior to or after permit issuance to
49 determine compliance with this ordinance. If permission cannot be received from the applicant

1 or permittee, the permit may be denied or entry by the land conservation division shall be
2 according to Wis. Stat. §§ ~~66.122 and 66.123~~ 66.0119.

3
4 **SECTION 12.** That paragraph 9. of Subsection B. of Section 17.06.150 be amended to
5 read:

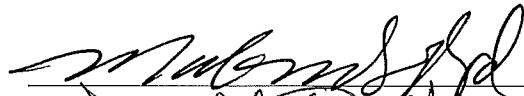
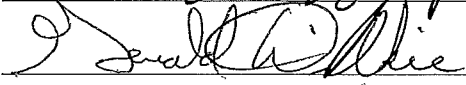
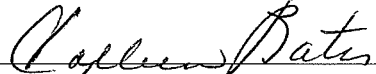
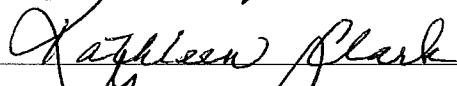
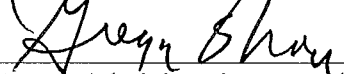
6
7 9. Special assessment. A statement that the applicable local unit of
8 government may exercise their statutory authority to levy and collect a special assessment or
9 charge pursuant to sub ch. VII of Wis. Stat. ch. 66, or Wis. Stat. § ~~60.0627~~ for towns, for any
10 services carried out relating to 17.06.150 B. 7. or 17.06.150 B. 8.

11
12 **SECTION 13.** That the footnote of Title 18 be repealed.

13
14 **SECTION 14.** That paragraph 21. of Subsection A. of Section 18.02.020 of the code be
15 amended to read:

16
17 21. "Brewery" means a facility for the production of fermented malt
18 beverages, as defined in Chapter 125 of the Wisconsin Statutes, that are sold wholesale and/or
19 off premises directly to retailers as authorized by statute.~~21-~~

20
21 ADOPTED:

22
23 
24 
25
26 
27
28 
29
30 
31
32 Committee on Administration

33
34
35 KRZ/yk

36 Dated this 8 day of August, 2017.

37
38 ORDINANCE/17-18.047
39

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

FACT SHEET

TO FILE NO. 17-18/053

The review of Chapter 2.44 is part of the strategic plan process. This ordinance updates the departmental and division program responsibilities of the planning and development department.

Section 1. Updates departmental program responsibilities.

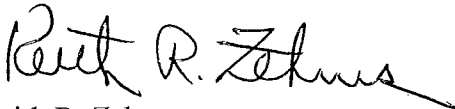
Section 2. Updates departmental program responsibilities.

Section 3. Updates departmental program responsibilities by add reference to solid waste management and county base mapping

Section 4. Updates the program responsibilities of departmental divisions and specifically adds the geographic information system division and the emergency management division.

Fiscal Impact: There is no fiscal impact.

Respectfully Submitted,



Keith R. Zehms
Corporation Counsel

KRZ/yk

Ordinance/17-18053. Fact

2
3 - TO AMEND SECTION 2.44.010 A. OF THE CODE: CREATION; TO AMEND
4 SECTION 2.44.015 A. & B. OF THE CODE: DEPARTMENTAL PROGRAM
5 RESPONSIBILITIES; TO CREATE SECTION 2.44.015 K. AND L. OF THE CODE:
6 DEPARTMENTAL PROGRAM RESPONSIBILITIES; TO AMEND SECTION 2.44.030
7 OF THE CODE: PROGRAM RESPONSIBILITIES OF THE DEPARTMENTAL
8 DIVISIONS -

9
10 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

11
12 SECTION 1. That Subsection A. of Section 2.44.010 of the code be amended to read:

13
14 A. There is created a department of planning and development under the direction
15 and supervision of a director who shall be appointed under 3.01.010 BA, on the basis of
16 recognized interest, administrative ability, training, experience and knowledge of the fields of
17 comprehensive planning, land use management and building code administration, land and water
18 use-conservation, emergency management, geographic information system (GIS), land
19 information, solid waste management, emergency management, and regulation and community
20 development.

21
22 SECTION 2. That Subsection A. and B. of Section 2.44.015 of the code be amended to
23 read:

24
25 A. Preparation of comprehensive plans and other community development plans and
26 assistance to the municipalities in the county in such areas;

27 B. Providing staff resources and liaison service between the committee on planning
28 and development and county municipalities in the areas of planning, zoning, and community
29 development;

30
31 SECTION 3. That Subsections K. and L. of Section 2.44.015 be created to read:

32
33 K. Coordination and administration of the county solid waste management program
34 to meet the responsible unit's (RU) eligibility requirements as required by Wis. Stat. §§287.09
35 and 287.11 and set forth by the Wisconsin Department of Natural Resources.

36 L. Develop and maintain county base mapping, including: tax parcel, street
37 centerline and address 9-1-1, supervisory districts, zoning districts, and other essential digital
38 data.

39
40 SECTION 4. That Section 2.44.030 of the code be amended to read:

41
42 2.44.030 Program responsibilities of the departmental divisions.

43 A. Land Use Controls Division. The division shall administer and enforce Title 18
44 dealing with zoning and subdivision controls; Title 20 Shoreland Protection Overlay District,
45 Chapter 15.01, the Uniform Dwelling Code; Wis. Stat. § 59.69, as provided in Title 18; ~~and shall~~
46 ~~administer the county surveying program as authorized by law and Title 17.~~

47 B. Land Records Division. The division shall oversee the county remonumentation
48 program which is responsible for the accurate perpetuation and preservation of county public
49 land survey system monuments. Additionally the land records division shall:

1 1. Perform reviews of land division documents, such as certified survey
2 maps, subdivision plats and condominium plats to ensure compliance with state statute,
3 administrative code and county code.

4 2. Make and maintain a file of all surveys performed within the county and
5 create an index of those surveys for purpose of research, furnishing copies of those maps upon
6 request.

7 ~~B.3. Oversee Real Property Description Division. The division shall be~~
8 ~~responsible for~~ Oversee real property listing and the maintenance, and updating and
9 ~~improvement development~~ of the master file and sectional plat maps of real property in the
10 county as provided in Wis. Stat. § 70.09(2), and shall further:

11 ~~1.a. Make and keep~~ Prepare and maintain accurate lists and descriptions
12 of all parcels of real property in the county which are subject to tax and also those which are
13 exempt from such tax;

14 ~~2.b.~~ Provide lists, maps and descriptions of real property tax parcels in
15 the county for the use of municipal assessors and clerks and county offices requiring such lists
16 and descriptions;

17 ~~3.c. Take information regarding assessment values from the assessor's~~
18 ~~field book and make the real property parcel list conform as nearly as possible to the assessor's~~
19 ~~field books at all times;~~ Import and link assessment data to parcels of real property as supplied
20 by municipal and state officials.

21 ~~4.d.~~ Coordinate with the information systems department, the needs
22 and requests of the assessors, clerks and treasurers;

23 ~~5.e.~~ Assist the public on questions dealing with relating to real property
24 descriptions and ownership;

25 ~~6.f.~~ Assist the municipal assessors, clerks and treasurers with questions
26 dealing with real estate descriptions and ownerships;

27 ~~7. Provide cartography, drafting, graphic arts and printing layout assistance~~
28 ~~to other county departments.~~

29 C. Planning Division. The division shall be responsible for the following:

30 1. Preparing community development grant applications including need
31 assessments, feasibility studies, environmental review of records and impact statements,
32 application drafting, and monitoring of state and federal funding sources, as well as similar
33 activities for other departments of the county;

34 2. Managing comprehensive planning and community development
35 programs including development of program budgets, monitoring programs in light of their
36 schedules and goals, and insuring compliance with state and federal regulations;

37 3. Assisting county communities in the establishment and management of
38 comprehensive planning and community development programs;

39 4. Providing technical assistance to emergency management in
40 Administration and supervision of emergency services and disaster planning.

41 5. Preparing long and short range plans and studies in such areas as land use,
42 farmland preservation, outdoor recreation, decennial census, solid waste management and special
43 planning projects;

44 6. Preparing reports and analyses and assisting in the administration of
45 county land use regulations.

46 7. Managing the solid waste management program, as authorized by Wis.
47 Stat. §§ 287.09 and 287.11.

1 D. Land Conservation Division. The division shall have such of the program
2 responsibilities under the Wisconsin Statutes and Wisconsin Administrative Code, as are
3 authorized in Title 17.

4 E. Geographic Information System Division. The division shall maintain the
5 production of the county base map, provide access to public mapping records, and fulfill
6 mapping and data-distribution requests.

7 F. Emergency Management Division. The division is responsible for meeting the
8 requirements of Wis. Stat. ch. 323 Wisconsin Emergency Management as well as applicable
9 federal grants.

10 1. Operate the program using the emergency management principles of
11 preparedness, mitigation, response, and recovery.

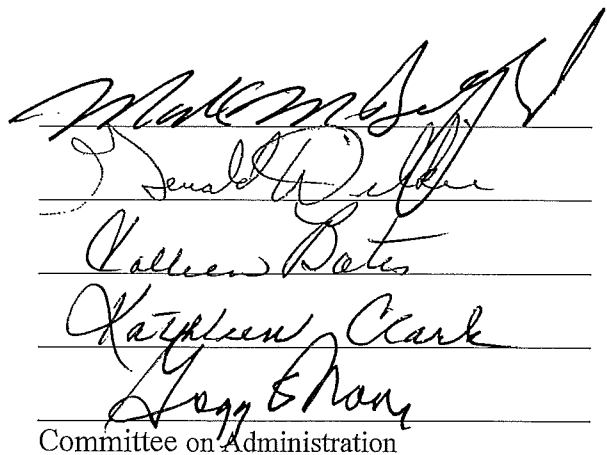
12 2. Update and maintain emergency plans using the "all-hazards" approach.

13 3. During emergencies and disaster situations, act as liaison between
14 emergency services, county administration, and state and federal emergency management
15 agencies to identify any resource requests and assist with life-safety and property preservation
16 outcomes.

17 4. Create and lead exercises to help improve emergency response, safety, and
18 resilience from emergency service agencies, community organizations, and other interested
19 organizations.

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21 ADOPTED:

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Committee on Administration

KRZ/yk

Dated this 8 day of August, 2017.

ORDINANCE/17-18.053

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

Reviewed by Finance Dept.
for Fiscal Impact

FACT SHEET

TO FILE NO. 17-18/034

The review of Chapters 3.50 and 3.85 are part of the strategic plan process.

SECTION 1. Eliminates the list of contracts that are not prohibited since all are listed in Wis. Stat. § 946.13(2)(g). As a result the ordinance will not have to be changed every time there is a change in the statute.

SECTION 2. Corrects typo.

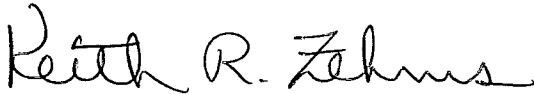
SECTION 3. Eliminates a footnote from Chapter 3.85.

SECTION 4. Clarifies wording.

SECTION 5. Updates the code to reflect current statutory and administrative code provisions.

SECTION 6. Clarifies wording. Expands language regarding disciplinary proceedings to provide a copy of the charges and the decision to include employee representatives other than union representatives involving disciplinary proceedings.

Fiscal Impact: There is no fiscal impact.
Respectfully Submitted,



Keith R. Zehms
Corporation Counsel

KRZ/mm/yk

2
3 - TO AMEND SECTION 3.50.020 B. OF THE CODE: PROHIBITED CONTRACTS
4 WITH THE COUNTY; TO AMEND SECTION 3.50.060 H. OF THE CODE: FORFEITURE
5 SCHEDULE; TO REPEAL THE FOOTNOTE OF CHAPTER 3.85; TO AMEND SECTION
6 3.85.001 OF THE CODE: PURPOSE; TO AMEND SECTION 3.85.015 B. OF THE CODE:
7 QUALIFICATIONS; TO AMEND SECTION 3.85.035 C. AND E. OF THE CODE:
8 DISCIPLINARY AND DISMISSAL PROCEDURES -
9

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

12 **SECTION 1.** That Subsection B. of Section 3.50.020 of the code be amended to read:
13

14 B. Contracts are not prohibited if they are with, or tax credits or payments are
15 received by, public officers or employees as set forth in Wis. State § 946.13(2)(g) for wildlife
16 damage claims or abatement under Wis. Stat. § 29.598, for farmland preservation under Wis.
17 Stat. ch. 71, subch. IX and Wis. Stat. § 91.13, soil and water resource management under Wis.
18 Stat. § 92.14, soil erosion control under Wis. Stat. § 92.10, 1985, animal waste management
19 under Wis. Stat. § 92.15, 1985, or non-point source water pollution abatement under Wis. Stat. §
20 281.65.
21

22 **SECTION 2.** That Subsection H. of Section 3.50.060 of the code be amended to read:
23

24 H. 3.50.010 H., Conducting of private business on county premises and county time
25 forbidden, \$100 to \$200;
26

27 **SECTION 3.** That the footnote of Chapter 3.85 be repealed.
28

29 **SECTION 4.** That Subsection A. of Section 3.85.001 of the code be amended to read:
30

31 A. ~~The purpose of this chapter will be to~~ This chapter establishes a civil service
32 system under Wis. Stat. § 59.52(8), for the office of the county sheriff.
33

34 **SECTION 5.** That Subsection B. of Section 3.85.015 of the code be amended to read:
35

36 B. Applicants for law enforcement employment must meet the minimum education
37 and training requirements for deputy sheriff as defined under Wis. Stats. §§ 165.85(4)(a)(e) and
38 66.0501(1) and, Wis. Admin. Code ch. §§ LES 2.01 and 2.02.
39

40 **SECTION 6.** That Subsections C. & E. of Section 3.85.035 of the code be amended to
41 read:
42

43 C. The committee on human resources will act based either on its own investigation
44 or on charges filed by the sheriff. The charges filed by the sheriff will be filed with the chair of
45 the committee on human resources in the human resources department. A copy of such charges
46 will be sent to the affected employee, employee's union or other representative, corporation
47 counsel and the human resources director. The human resources director will immediately send
48 copies of the complaint to members of the committee on human resources.
49
50
51

1
2 E. At the end of the hearing, the committee on human resources may deliberate in
3 open or closed session and then will ~~in open session~~, formally take action in open session. The
4 committee on human resources' decision will be reduced to writing, will include findings of fact
5 and conclusions of law and will be signed and dated by the committee chair and filed in the
6 human resources department. The human resources director will send a copy of the decision with
7 a written notice stating the date the decision was filed along with appeal rights to the employee,
8 the employee's union or other representative, the sheriff, corporation counsel and committee on
9 human resources members.

10
11 ADOPTED:

12
13 Colleen Bates
14 Kathleen Clark
15 Mark [unclear]
16 Greg [unclear]
17
18
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20

21
22 Committee on Administration
23

24 KRZ/mm/yk
25

26
27 Dated this 11 day of July, 2017.
28
29

30 ORDINANCE/17-18.034

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

Reviewed by Finance Dept.
for Fiscal Impact

FACT SHEET

TO FILE NO. 17-18/035

The review of Title 10 is part of the strategic plan process.

SECTION 1. Eliminates a footnote in Title 10.

SECTION 2. Updates the code to reflect current statutory provisions.

SECTION 3. Eliminates a footnote in Chapter 10.04.

SECTION 4. Updates the code to reflect current statutory provisions.

SECTION 5. Updates the code to reflect current statutory provisions.

SECTION 6. Removes a section of the code that is no longer in practice.

SECTION 7. Designation of ATV routes on county trunk highways is not required to be done with an ordinance. This change delegates the responsibility to designate the ATV routes to the highway committee. Designation of the ATV routes will be done consistent with the existing highway department policy.

SECTION 8. Updates the code to reflect current statutory provisions reducing the amount of time abandoned vehicles are stored from 120 days to 60 days.

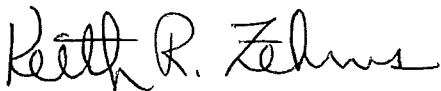
SECTION 9. Removes outdated section of the code regarding appointment of School Police.

SECTION 10. Updates the code to reflect statutory authority.

SECTION 11. Updates the code to reflect statutory authority

Fiscal Impact: No Fiscal Impact.

Respectfully Submitted,



Keith R. Zehms
Corporation Counsel

KRZ/yk

Ordinance/17-18.035 Fact

2
3 - TO REPEAL THE FOOTNOTE OF TITLE 10 OF THE CODE: VEHICLES AND
4 TRAFFIC; TO AMEND SECTION 10.01.001 OF THE CODE: PURPOSE; TO REPEAL THE
5 FOOTNOTE OF CHAPTER 10.04 OF THE CODE: VEHICLE CODE; TO AMEND
6 SECTION 10.04.020 OF THE CODE: VIOLATION—PENALTIES; TO AMEND SECTION
7 10.04.050 OF THE CODE: ENFORCEMENT PROCEDURES; TO REPEAL SECTION
8 10.04.060 OF THE CODE: VIOLATION—DEPOSIT; TO REPEAL AND RECREATE
9 CHAPTER 10.05 OF THE CODE: ALL-TERRAIN VEHICLE ROUTES; TO AMEND
10 SECTION 10.20.035 A. OF THE CODE: DISPOSITION OF ABANDONED VEHICLES; TO
11 REPEAL SECTION 10.30.010 OF THE CODE: SCHOOL POLICE; TO AMEND SECTION
12 10.03.020 A. OF THE CODE: OBSTRUCTING HIGHWAYS WITH SNOW; TO AMEND
13 SECTION 10.30.030 B. OF THE CODE: PILING FOREST AND FARM PRODUCTS UPON
14 HIGHWAY RIGHTS-OF-WAY -

15
16 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

17
18 **SECTION 1.** That the footnote of Title 10 is repealed.

19
20 **SECTION 2.** That Section 10.01.001 be amended to read:

21
22 10.01.001 Purpose. This chapter, consistent with Wis. Stat. § 349.11, shall establish the
23 speed limits on county trunk highways and other roads under county highway department
24 jurisdiction as determined by the county board, shall prescribe the method for designating
25 temporary speed limits, and shall authorize the placement of traffic-control devices where
26 warranted.

27
28 **SECTION 3.** That the footnote of Chapter 10.04 is repealed.

29
30 **SECTION 4.** That Section 10.04.020 be amended to read:

31
32 10.04.020 Violation--Penalties. The penalty for violation of any provision of this
33 chapter shall be a forfeiture as hereafter provided, together with costs under Wis. Stat. §
34 345.2747.

35
36 **SECTION 5.** That Section 10.04.050 be amended to read:

37
38 10.04.050 Enforcement procedures. This chapter shall be enforced according to Wis.
39 Stat. § ~~66.1266.0114~~, Wis. Stat. ch. 799 and Wis. Stat. §§ 345.20 to 345.53.

40
41 **SECTION 6.** That Section 10.04.060 is repealed.

42
43 **SECTION 7.** That Chapter 10.05 be repealed and recreated to read:

44
45 10.05.001 All-terrain vehicle routes designated. Consistent with Wis. Stat. § 23.33 (8),
46 the designation of all-terrain vehicle routes is delegated to the highway committee.

47
48 **SECTION 8.** That Subsection A. of Section 10.20.035 be amended to read:

49
50 A. No vehicle shall be stored longer than ~~120~~ 60 days except pursuant to court order.

1 Prior to the conclusion of that period of time, the department shall provide a notice in
2 compliance with Wis. Stat. § 342.40(3)(c), via certified mail to the owner or lienholder of record
3 to permit reclamation of the vehicle upon payment of accrued charges. If the owner or lienholder
4 fails to reclaim the vehicle within ten days after receipt of the notice, the department shall subject
5 the vehicle to a sale by sealed bid.

6
7 **SECTION 9.** That Section 10.30.010 of the code is repealed.

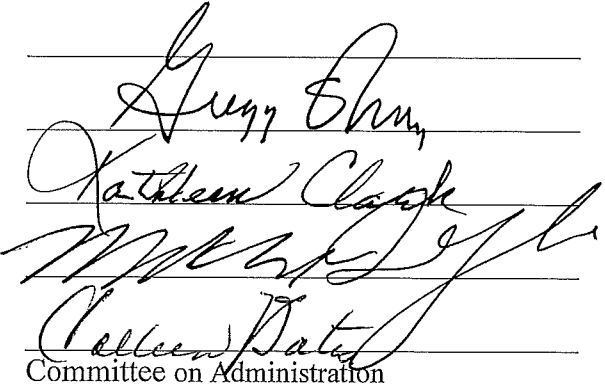
8
9 **SECTION 10.** That Subsection A. of Section 10.30.020 be amended to read:

10
11 A. It shall be unlawful for any person to leave or place any snow removed from
12 private property in piles or rows upon the traveled portion of any highway open to public travel
13 pursuant to Wis. Stat. § 86.01.

14
15 **SECTION 11.** That Subsection B. of Section 10.30.030 be amended to read:

16
17 B. It shall be unlawful for any person to leave or place any forest or farm products
18 removed from private property in stacks of piles upon the public rights-of-way of any open to
19 public travel pursuant to Wis. Stat. § 86.01.

20
21 ADOPTED:

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Committee on Administration

KRZ/yk

Dated this 11 day of July, 2017. ORDINANCE/17-18.035

APPROVED BY
CORPORATION COUNSEL
AS TO FORM
Reviewed by Finance Dep.
for Fiscal Impact

FACT SHEET

TO FILE NO. 17-18/038

The review of Chapter 2.28 and Title 9 are part of the strategic plan process.

SECTION 1. Removes Chapter 2.28 regarding the county traffic safety commission.

SECTION 2. Creating Section 2.28 to reflect statutory and current statewide guidelines of Wisconsin Department of Transportation.

SECTION 3. Eliminates the footnote of Chapter 9.40.

SECTION 4. Updates the code to provide statutory authority.

SECTION 5. Clarifies wording and updates the code to reflect current Wisconsin administrative code provisions.

SECTION 6. Eliminates the footnote of Chapter 9.44.

SECTION 7. Updates the code to provide statutory authority.

SECTION 8. Updates the code to reflect current statutory provisions.

SECTION 9. Clarifies wording.

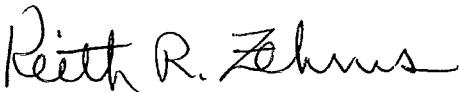
SECTION 10. Updates the code to reflect current statutory provisions.

SECTION 11. Updates the code to reflect current statutory provisions.

SECTION 12. Corrects a code citation.

Fiscal Impact: No Fiscal Impact.

Respectfully Submitted,



Keith R. Zehms
Corporation Counsel

KRZ/mm/yk

Ordinance/17-18.038 Fact

2
3 - TO REPEAL CHAPTER 2.28 OF THE CODE: HIGHWAY SAFETY AND
4 ACCIDENT REVIEW; TO CREATE CHAPTER 2.05.680 OF THE CODE: COUNTY
5 TRAFFIC SAFETY COMMISSION; TO REPEAL THE FOOTNOTE OF CHAPTER 9.40 OF
6 THE CODE: ASSEMBLIES; TO AMEND SECTION 9.40.020 OF THE CODE: PURPOSE;
7 TO AMEND SECTION 9.40.100 C. 10. OF THE CODE: LICENSE – CONDITIONS FOR
8 ISSUANCE; TO REPEAL THE FOOTNOTE OF CHAPTER 9.44 OF THE CODE:
9 DISORDERLY CONDUCT; TO AMEND SECTION 9.44.010 A. OF THE CODE:
10 DISORDERLY CONDUCT AND ANNOYING TELEPHONE CALLS PROHIBITED; TO
11 AMEND SECTION 9.46.005 C. OF THE CODE: DEFINITIONS; TO AMEND SECTION
12 9.46.010 B. OF THE CODE: POSSESSION OF FIREARMS AND WEAPONS IN COUNTY
13 BUILDINGS PROHIBITED; TO AMEND SECTION 9.46.010 C. 3 OF THE CODE:
14 POSSESSION OF FIREARMS AND WEAPONS IN COUNTY BUILDINGS PROHIBITED;
15 TO AMEND SECTION 9.46.020 A. OF THE CODE: SAFE USE AND TRANSPORTATION
16 OF FIREARMS; TO AMEND SECTION 9.46.030 B. OF THE CODE: DISCHARGE OF
17 FIREARMS PROHIBITED -
18

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

21 **SECTION 1.** That Chapter 2.28 be repealed.
22

23 **SECTION 2.** That Section 2.05.680 be created to read:
24

25 2.05.680 County Traffic Safety Commission. The county board chair shall appoint a
26 county safety coordinator who shall be responsible for implementing Wis. Stat. § 83.013 and
27 guidelines issued by the Wisconsin Department of Administration regarding county traffic safety
28 commissions.
29

30 **SECTION 3.** That the footnote of Chapter 9.40 is repealed.
31

32 **SECTION 4.** That Section 9.40.020 be amended to read:
33

34 9.40.020 Purpose. It is the purpose of the county board of supervisors to regulate the
35 assemblage of large numbers of people, in excess of those normally needing the health, sanitary,
36 fire, police, transportation and utility services regularly provided in the county, in order that the
37 health, safety and welfare of all persons in the county, residents and visitors alike, may be
38 protected as provided in Wis. Stat. §§ 947.06 and 59.54 (6).
39

40 **SECTION 5.** That paragraph 10. of Subsection C. of Section 9.40.100 be amended to
41 read:
42

43 10. Special event campgrounds. If e Camping facilities are operated in conjunction
44 with an assembly that must comply with all state and local requirements as set forth in the
45 Wisconsin Administrative Code including, but not limited to, ATCP 79DHS-178, ordinances of
46 the county and board of health regulations Chapter 3. All camping facilities must be inspected,
47 approved and licensed by the health department before the facilities can be used for camping,
48

49 **SECTION 6.** That the footnote of Chapter 9.44 is repealed.
50
51

1 SECTION 7. That Subsection A. of Section 9.44.010 be amended to read:

2
3 A In a public or private place engages in violent, abusive, indecent, boisterous,
4 unreasonably loud or otherwise disorderly conduct under circumstances in which such conduct
5 tends to cause or provoke a disturbance unless other facts and circumstances that indicate a
6 criminal or malicious intent on the person apply, a person is not in violation of this section for
7 loading, carrying, or going armed with a firearm, without regard to whether the firearm is loaded
8 or is concealed or openly carried as set forth in Wis. Stat. § 947.01.

9
10 SECTION 8. That Subsection C. of Section 9.46.005 be amended to read:

11
12 C. "Weapon" means a handgun, an electric weapon, as defined in Wis. Stat. §
13 941.295(1c)(a)(1)(a), a dangerous weapon as defined in Wis. Stat. § 939.22 (1), a knife, a knife
14 other than a switchblade knife under Wis. Stat. § 941.24, or a billy club.

15
16 SECTION 9. That Subsection B. of Section 9.46.010 of the code be amended to read:

17
18 B Signs at least 5 inches by 7 inches, which set forth the restriction on firearms,
19 shall be posted in a prominent placement near all of the entrances to the building.

20
21 SECTION 10. That paragraph 3. of Subsection C. of Section 9.46.010 of the code be
22 amended to read:

23
24 3. The possession of a firearm at a raffle licensed under Wis. Stat. § 563.92-163.92.

25
26 SECTION 11. That Subsection A. of Section 9.46.020 be amended to read:

27
28 A. No person may possess, place or transport a firearm contrary to the provisions of
29 Wis. Stat. §§ 167.31(2) and (3), and 23.33(3)(e).

30
31 SECTION 12. That Subsection B. of Section 9.46.030 be amended to read:

32
33 B This section shall not apply to any facility under 9.46.010 B. 2.(B)(2) under
34 circumstances where the firearm is discharged in such a manner as not to endanger persons or
35 property and so as to prevent the projectile from traversing any grounds or space outside the
36 shooting range grounds or facility.

37
38 ADOPTED:

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41
42 APPROVED BY
43 CORPORATION COUNSEL
44 AS TO FORM

45 Reviewed by Finance Dept.
46 for Fiscal Impact

47
48
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50
51 _____
_____ *Guy Brown* _____
_____ *M. Miller* _____
_____ *Kathleen Gray* _____
_____ *Colleen Davis* _____
Committee on Administration

FACT SHEET

TO FILE NO. 17-18/046

This Resolution is self-explanatory. The reason for the request to move the 2017 budget meeting to November 7, 2017 is to accommodate the necessity for filing the PC – 400 apportionment forms that are due to municipalities and the Wisconsin Department of Revenue by November 15, 2017.

Fiscal Impact: None.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Keith R. Zehms".

Keith R. Zehms
Corporation Counsel

KRZ/yk

Ordinance/17-18.046 Fact

1 Enrolled No.

2 RESOLUTION

3 File No. 17-18/046

4 - MOVING THE 2017 ANNUAL MEETING ON BUDGET FROM NOVEMBER 14, 2017 TO
5 NOVEMBER 7, 2017 -

6 WHEREAS, section 2.04.010 C. of the county code requires the annual meeting to adopt the
7 county budget to take place on a Tuesday after the 2nd Monday of November in each year; and
8

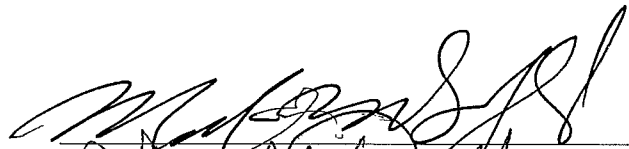
9 WHEREAS, in 2017 this would mean that the budget meeting would begin on November 14,
10 2017; and
11

12 WHEREAS, the Wisconsin Department of Revenue requires that "Certification of the
13 Apportionment of State and County Property Taxes and Charges" form PC-400 is due November 15,
14 2017; and
15

16 WHEREAS, the form PC-400 cannot be completed until after the county board adopts the
17 county budget for 2018.
18

19 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors
20 hereby moves the 2017 annual meeting and budget adoption from Tuesday, November 14, 2017 to
21 Tuesday, November 7, 2017.
22

23 ADOPTED:
24

25 
26 _____
27 Donald G. Galt
28 _____
29 Karen Bates
30 _____
31 Kathleen Clark
32 _____
33 Greg Ehm
34 _____
35 Committee on Administration

36 KRZ/yk

37 Dated this 8 day of August, 2017.
38

ORDINANC/17-18/046

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

FACT SHEET

TO FILE NO. 17-18/052

JUDICIAL NEED FACT SHEET

The 2016 Weighted Caseload Report prepared by the Director of State Courts Office for the period 2014-2016 showed an average judge need of 8.09. Eau Claire County currently has 5 judges and one full time court commissioner. The workload per judicial officer according to the Report is 1.3 which ranks 7th in the State, along with two other counties. Attached to the fact sheet is a copy of the report.

**FISCAL IMPACT ON EAU CLAIRE COUNTY BUDGET FOR AN
ADDITIONAL BRANCH OF THE CIRCUIT COURT – BRANCH 6**

- | | |
|---|------------------------------------|
| 1. Cost to remodel second floor Courthouse space to accommodate additional Circuit Courtroom and associated offices. | \$737,060.00 - \$880,350.00 |
| 2. Annual cost to Eau Claire County for three additional County employees; one each in Clerk of Court's, Probate/Juvenile Clerk & Sheriff's offices. ¹ | \$186,000.00 - \$230,000.00 |
| 3. Annual increase in State Court Support Grant to Eau Claire County. ² | \$25,000.00 - \$41,000.00 |

Respectfully Submitted,

William M. Gabler, Sr.
Circuit Court Judge Br III

NOTE: The costs of judicial salary and benefits, as well as those of a court reporter, are paid entirely by the State. A sixth circuit court judge would probably not necessitate the County hiring another judicial assistant. The four judicial assistants currently employed by the County are likely sufficient support staff for six circuit court judges and a full-time court commissioner.

¹ Pay and benefits amount depends on health insurance options chosen by each additional clerk. An employee who chooses no health insurance and related benefits will cost \$48,000.00 per year, whereas an employee who chooses full health insurance and related benefits will cost \$70,000.00 per year.

² The State makes an annual court support grant to each county, based upon the number of circuit court branches in the county. Eau Claire's total court support grant for 2017 is \$457,900.00; broken down into two components; the court support grant itself (\$362,500.00) and the Guardian Ad Litem reimbursements (\$95,400.00). The Director of State Courts estimates the annual court support component would increase by \$25,000.00 to \$41,000.00 a year if a sixth branch were added.

4 - AFFIRMING THE NEED FOR A SIXTH CIRCUIT COURT JUDGE FOR EAU
5 CLAIRE COUNTY-

6 WHEREAS, the Director of State Courts of the Wisconsin Supreme Court has informed the
7 Eau Claire County Board of Supervisors that the Eau Claire County Circuit Court caseload, based on
8 the 2016 weighted caseload study, indicates a current need for six (6) judges in Eau Claire County;
9 and

10 WHEREAS, Eau Claire County is currently authorized for five (5) circuit court judges,
11 while the rate of growth of case filings in Eau Claire County has consistently warranted six judges
12 since at least 2014; and

13
14 WHEREAS, the Director of State Courts has indicated to the Chief Judge of the Tenth
15 Judicial District that it is anticipated that in October, 2017 a bill will be introduced in the State
16 Legislature to allocate additional judgeships; and

17
18 WHEREAS, Eau Claire County's judge need has been identified one of the highest in the
19 state; and

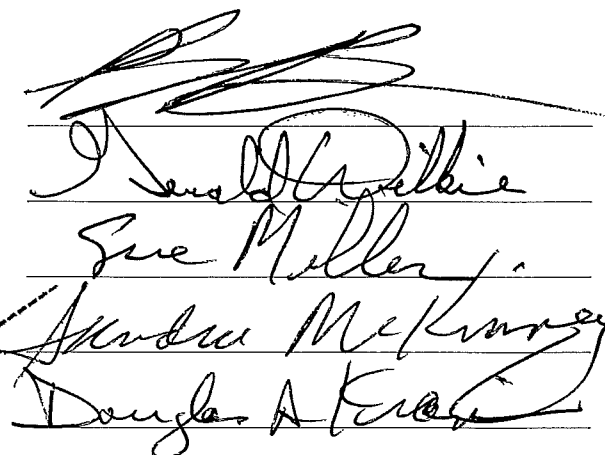
20
21 WHEREAS, an additional judgeship is in the best interests of the citizens of Eau Claire
22 County in order to provide an effective and efficient judiciary.

23
24 NOW, THEREFORE BE IT RESOLVED that the Eau Claire County Board of
25 Supervisors hereby requests the Director of State Courts to request the Wisconsin State Legislature
26 to allocate a sixth judgeship for Eau Claire County.

27
28 BE IT FURTHER RESOLVED that Eau Claire County will support both space and
29 personnel requirements as deemed necessary for support of a sixth circuit judge and as set forth in
30 the attached fiscal impact statement.

31 ADOPTED:

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36 APPROVED BY
37 CORPORATION COUNSEL
38 AS TO FORM
39
40 Reviewed by Finance Dept.
41 for Fiscal Impact
42
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Committee on Judiciary and Law Enforcement

46 KRZ/yk

47 Dated this 9th day of August, 2017.

TO THE HONORABLE EAU CLAIRE COUNTY BOARD OF SUPERVISORS

Report of the Committee on Finance and Budget
File No. #17-18/052

ANALYSIS

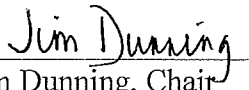
The Committee on Finance and Budget has reviewed File No. 17-18/052 which supports the need for a sixth circuit court Judge in Eau Claire County. The Committee approves of the resolution as endorsed by the Committee on Judiciary & Law Enforcement.

RECOMMENDATION

BE IT RESOLVED by the Eau Claire County Board of Supervisors that File No. 17-18/052 be and is hereby adopted.

I hereby certify that the foregoing correctly represents the action taken by the undersigned committee on August 10, 2017 by a vote of 5 for, 0 against.

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



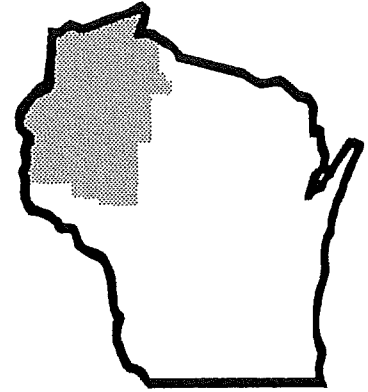
Jim Dunning, Chair
Committee on Finance and Budget

/sr

SCOTT R. NEEDHAM
Chief Judge
St. Croix County
Government Center
1101 Carmichael Road
Hudson, WI 54016
Telephone: (715) 386-4611
Fax: (715) 381-4401

STATE OF WISCONSIN

TENTH JUDICIAL DISTRICT



WILLIAM M. GABLER, SR.
Deputy Chief Judge
Eau Claire County
Government Center
721 Oxford Avenue
Eau Claire, WI 54703
Telephone: (715) 839-7732
Fax: (715) 831-5837

DONALD HARPER
District Court Administrator
1101 Carmichael Rd., Suite 1260,
Hudson, WI 54016
Telephone: 715-245-4105
FAX: 715-381-4323

July 10, 2017

Hon. William Gabler, Sr.
Presiding Judge
Eau Claire County Government Center
721 Oxford Avenue
Eau Claire, WI 54703

RE: Eau Claire County Judgeship

Dear Judge Gabler:

This letter is written to memorialize certain information provided during a meeting with you, members of the Eau Claire County Board of Supervisors, County Board Chair Gregg Moore, County Administrator Kathryn Schauf, and DCA Don Harper. As Chief Judge of the 10th District it is my responsibility to promote the efficient, expeditious, and effective delivery of justice within the counties I serve and supervise. Likewise, pursuant to Supreme Court rules, case processing is closely monitored by my office to assure the above referenced justice objectives are met. To that end, the Committee of Chief Judges, in consultation with the Director of State Courts, reviews caseload statistics in the State to determine judicial need in each of the State's 72 counties.

As you are aware, pursuant to the most recent weighted caseload study completed in 2016, Eau Claire County's caseload indicates a significant deficiency in judicial personnel. Judicial need, measured over a three (3) year average, indicates a total need of 8.09 judicial officers. In fact, the judicial need in Eau Claire County has consistently risen the past three (3) years: 7.89 in 2014, 8.06 in 2015, 8.30 in 2016. Given case filings through June 30, 2017, this upward trend will continue.

Based on the County's judicial need, the workload for each judicial officer currently stands at 1.33. As a result, judges are working in excess of capacity. Clearly the objectives of the judicial system cannot be realized when judges are trying to manage caseloads which exceed capacity. The result is a clogged and over-burdened justice system with insufficient resources to meet the demand. The result: justice delayed which translates into justice denied.

To accommodate the excess, the Committee of Chief Judges plans to introduce a judgeship bill in the State legislature this fall. As Chairman of the Committee of Chief Judges Workload Committee, I am tasked with determining which of the top 10 judicial need counties should be included in the bill. For comparison purposes, Eau Claire County ranks #7 in the State for judicial need. Within the 10th District,

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Page 2
Eau Claire County Judgeship
July 10, 2017

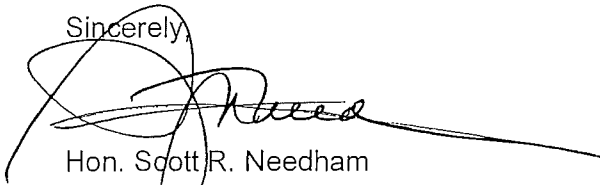
Eau Claire County ranks #3 in need behind Sawyer and Dunn Counties. Also of note is the fact that if Eau Claire County adds a judge, each judicial officer's workload would still be in excess of capacity as the workload would be 1.14 per judicial officer as compared to the current 1.33. However, the excess would be significantly reduced, administratively manageable, and consistent with justice system objectives.

In order for a county to be considered for inclusion in the judgeship bill three criteria must be satisfied: need, local support, and approved building infrastructure. As noted above, the first criterion is met. It is my understanding that the second and third criteria will be topics of discussion and potential action by the committees of the County Board and Board of Supervisors within the coming weeks.

The Chief Judge Workload Committee will meet on August 11. If possible, I would like some indication of support prior to that date. The Committee has requested that a bill be drafted. I will include Eau Claire County in the non-public draft. We anticipate seeking sponsorship and introduction by late September or early October. However, to be included in the final public draft bill a support resolution and commitment to capital infrastructure would be required from the Eau Claire County Board.

I will make myself available to reviewing committees or the Board if requested. Thank you for your continued leadership in Eau Claire County.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott R. Needham", with a long horizontal flourish extending to the right.

Hon. Scott R. Needham

cc: Hon. Gregg Moore – County Board Chair
Kathryn Schauf – County Administrator
Don Harper - DCA



2016 Weighted Caseload Report

Prepared by the Director of State Courts Office

July 2017

Weighted Caseload Report (2014-2016)

County Summary

County	Judge Need 3-year Average	Judges	Supplemental Need	Court Commissioners	Remaining Need	Workload Per Judicial Officer
Milwaukee	63.01	47	16.01	22.00	-5.99	0.91
District 1 Total	64.01	47	17.01	22.00	-4.99	0.93
Kenosha	11.71	8	3.71	3.00	0.71	1.06
Racine	14.74	10	4.74	3.36	1.38	1.10
Walworth	4.88	4	0.88	1.90	-1.02	0.83
District 2 Total	31.84	22	9.84	8.25	1.59	1.05
Jefferson	4.17	4	0.17	2.25	-2.08	0.67
Ozaukee	3.17	3	0.17	1.00	-0.83	0.79
Washington	5.30	4	1.30	1.32	-0.02	1.00
Waukesha	15.22	12	3.22	4.00	-0.78	0.95
District 3 Total	28.36	23	5.36	8.57	-3.21	0.90
Calumet	1.82	1	0.82	0.50	0.32	1.21
Fond du Lac	5.86	5	0.86	1.02	-0.16	0.97
Manitowoc	5.04	3	2.04	1.25	0.79	1.19
Sheboygan	6.11	5	1.11	1.90	-0.79	0.89
Winnebago	9.40	6	3.40	3.03	0.37	1.04
District 4 Total	28.73	20	8.73	7.70	1.03	1.04
Dane	23.36	17	6.36	10.50	-4.14	0.85
Green	1.73	2	-0.27	0.24	-0.51	0.77
Lafayette	0.80	1	-0.20	0.10	-0.30	0.73
Rock	9.78	7	2.78	2.90	-0.12	0.99
District 5 Total	36.16	27	9.16	13.74	-4.58	0.89
Adams	1.55	1	0.55	0.20	0.35	1.29
Clark	1.52	1	0.52	0.13	0.39	1.35
Columbia	3.95	3	0.95	0.38	0.57	1.17
Dodge	4.19	4	0.19	0.39	-0.20	0.95
Green Lake	1.20	1	0.20	0.15	0.05	1.04
Juneau	1.90	2	-0.10	0.50	-0.60	0.76
Marquette	0.84	1	-0.16	0.00	-0.16	0.84
Portage	3.66	3	0.66	0.80	-0.14	0.96
Sauk	4.02	3	1.02	1.00	0.02	1.00
Waushara	1.74	1	0.74	0.31	0.43	1.32
Wood	4.40	3	1.40	0.30	1.10	1.33
District 6 Total	29.47	23	6.47	4.16	2.31	1.09
Buffalo/Pepin	1.25	1	0.25	0.15	0.10	1.08
Crawford	0.66	1	-0.34	0.05	-0.39	0.63
Grant	2.14	2	0.14	0.33	-0.19	0.92
Iowa	1.43	1	0.43	0.12	0.31	1.28
Jackson	1.67	1	0.67	0.19	0.48	1.40
La Crosse	6.59	5	1.59	1.07	0.52	1.09
Monroe	3.26	3	0.26	0.25	0.01	1.00
Pierce	1.85	1	0.85	1.02	-0.17	0.91
Richland	1.06	1	0.06	0.20	-0.14	0.88
Trempealeau	1.47	1	0.47	0.24	0.23	1.19
Vernon	1.22	1	0.22	0.03	0.19	1.18
District 7 Total	23.10	18	5.10	3.65	1.45	1.07

Weighted Caseload Report (2014-2016)
County Summary

County	Judge Need 3-year Average	Judges	Supplemental Need	Court Commissioners	Remaining Need	Workload Per Judicial Officer
Brown	14.43	8	6.43	4.00	2.43	1.20
Door	1.37	2	-0.63	0.20	-0.83	0.62
Kewaunee	0.75	1	-0.25	0.31	-0.56	0.57
Marinette	1.92	2	-0.08	1.00	-1.08	0.64
Oconto	1.62	2	-0.38	1.00	-1.38	0.54
Outagamie	9.69	7	2.69	3.50	-0.81	0.92
Waupaca	2.91	3	-0.09	0.02	-0.11	0.96
District 8 Total	33.20	25	3.20	10.03	-1.33	0.95
Florence/Forest	1.23	1	0.23	0.22	0.01	1.01
Iron	0.39	1	-0.61	0.04	-0.65	0.38
Langlade	1.56	1	0.56	0.29	0.27	1.21
Lincoln	1.95	2	-0.05	0.14	-0.19	0.91
Marathon	8.23	5	3.23	1.03	2.20	1.36
Oneida	2.42	2	0.42	0.33	0.09	1.04
Price	0.79	1	-0.21	0.00	-0.21	0.79
Shawano/Menominee	2.37	2	0.37	0.34	0.03	1.01
Taylor	0.94	1	-0.06	0.27	-0.33	0.74
Vilas	1.44	1	0.44	0.07	0.37	1.35
District 9 Total	21.33	17	4.33	2.73	2.10	1.11
Ashland	1.53	1	0.53	0.15	0.38	1.33
Barron	3.61	3	0.61	0.11	0.50	1.16
Bayfield	1.09	1	0.09	0.12	-0.03	0.98
Burnett	1.45	1	0.45	0.30	0.15	1.11
Chippewa	3.87	3	0.87	0.42	0.45	1.13
Douglas	3.24	2	1.24	1.00	0.24	1.08
Dunn	3.05	2	1.05	0.16	0.89	1.41
Eau Claire	8.09	5	3.09	1.08	2.01	1.33
Polk	2.92	2	0.92	0.34	0.58	1.25
Rusk	1.02	1	0.02	0.03	-0.01	0.99
St. Croix	4.18	4	0.18	0.80	-0.62	0.87
Sawyer	1.56	1	0.56	0.08	0.48	1.44
Washburn	1.21	1	0.21	0.07	0.14	1.13
District 10 Total	37.32	27	10.32	4.66	5.66	1.13

*Note: A .5 FTE Chief Judge Adjustment is added to each districts total except Milwaukee where the adjustment is 1.0 FTE.

Weighted Caseload Report (2014-2016)

District Summary

District	Judge Need 3-year Average	Judges	Supplemental Need	Court Commissioners	Remaining Need	Workload Per Judicial Officer
1	64.01	47	17.01	22	4.99	0.93
2	31.84	22	9.84	8.26	1.58	1.05
3	28.36	23	5.36	8.57	-3.21	0.90
4	28.73	20	8.73	7.7	1.03	1.04
5	36.16	27	9.16	13.74	-4.58	0.89
6	29.47	23	6.47	4.16	2.31	1.09
7	23.10	18	5.10	3.65	1.45	1.07
8	33.20	25	8.20	10.03	-1.83	0.95
9	21.83	17	4.83	2.73	2.10	1.11
10	37.32	27	10.32	4.66	5.66	1.18

Weighted Caseload Report (2014-2016)
Three-Year Workload Average

District	County	2014*	2015	2016	3-Year Average
1	Milwaukee	64.97	63.28	60.78	63.01
2	Kenosha	12.38	11.19	11.58	11.71
2	Racine	14.78	14.73	14.72	14.74
2	Walworth	5.00	4.89	4.76	4.88
3	Jefferson	4.21	4.03	4.28	4.17
3	Ozaukee	3.15	2.99	3.35	3.17
3	Washington	5.73	5.20	4.96	5.30
3	Waukesha	15.27	15.45	14.95	15.22
4	Calumet	1.82	1.76	1.89	1.82
4	Fond du Lac	5.95	5.87	5.77	5.86
4	Manitowoc	4.89	5.16	5.08	5.04
4	Sheboygan	6.12	6.12	6.10	6.11
4	Winnebago	9.95	9.11	9.13	9.40
5	Dane	24.17	23.65	22.25	23.36
5	Green	1.82	1.80	1.58	1.73
5	Lafayette	0.88	0.87	0.64	0.80
5	Rock	9.57	10.03	9.73	9.78
6	Adams	1.43	1.63	1.60	1.55
6	Clark	1.46	1.36	1.76	1.52
6	Columbia	4.21	3.81	3.83	3.95
6	Dodge	4.29	4.05	4.23	4.19
6	Green Lake	1.27	1.13	1.21	1.20
6	Juneau	1.96	1.84	1.89	1.90
6	Marquette	0.89	0.82	0.83	0.84
6	Portage	3.75	3.53	3.70	3.66
6	Sauk	4.18	3.93	3.95	4.02
6	Waushara	1.74	1.63	1.84	1.74
6	Wood	4.33	4.18	4.69	4.40
7	Buffalo/Pepin	1.21	1.20	1.34	1.25
7	Crawford	0.67	0.66	0.66	0.66
7	Grant	2.25	2.00	2.17	2.14
7	Iowa	1.24	1.53	1.53	1.43
7	Jackson	1.58	1.66	1.76	1.67
7	La Crosse	6.59	6.52	6.66	6.59
7	Monroe	3.01	3.17	3.59	3.26
7	Pierce	1.71	1.91	1.93	1.85
7	Richland	0.98	1.08	1.12	1.06
7	Trempealeau	1.47	1.43	1.51	1.47
7	Vernon	1.21	1.34	1.11	1.22

Weighted Caseload Report (2014-2016)
Three-Year Workload Average

District	County	2014*	2015	2016	3-Year Average
8	Brown	14.78	14.52	13.98	14.43
8	Door	1.47	1.35	1.29	1.37
8	Kewaunee	0.77	0.77	0.72	0.75
8	Marinette	1.92	1.89	1.96	1.92
8	Oconto	1.61	1.57	1.69	1.62
8	Outagamie	9.85	9.60	9.62	9.69
8	Waupaca	3.17	2.93	2.64	2.91
9	Florence/Forest	1.21	1.25	1.23	1.23
9	Iron	0.38	0.38	0.41	0.39
9	Langlade	1.60	1.47	1.60	1.56
9	Lincoln	1.97	1.86	2.03	1.95
9	Marathon	7.82	7.92	8.94	8.23
9	Oneida	2.37	2.39	2.51	2.42
9	Price	0.80	0.72	0.84	0.79
9	Shawano/Menominee	2.56	2.17	2.39	2.37
9	Taylor	0.89	0.87	1.06	0.94
9	Vilas	1.65	1.37	1.31	1.44
10	Ashland	1.43	1.47	1.69	1.53
10	Barron	3.41	3.93	3.49	3.61
10	Bayfield	1.09	1.10	1.09	1.09
10	Burnett	1.41	1.52	1.41	1.45
10	Chippewa	3.64	3.96	4.03	3.87
10	Douglas	3.26	3.26	3.21	3.24
10	Dunn	2.92	3.11	3.11	3.05
10	Eau Claire	7.89	8.06	8.30	8.09
10	Polk	2.97	3.02	2.76	2.92
10	Rusk	0.88	1.19	1.00	1.02
10	St Croix	4.14	4.28	4.12	4.18
10	Sawyer	1.49	1.61	1.57	1.56
10	Washburn	1.17	1.27	1.20	1.21

*Although new case weights were not established until 2015, case data from 2014 was added to provide consistency with previous years reports

**Weighted Caseload Report (2014-2016)
Court Commissioner Counts**

County	Previous Year Court Commissioners	Current Year Gr. Cmsst. CTE
Milwaukee	22.00	22.00
D1	22.00	22.00
Kenosha	3.33	3.00
Racine	3.77	3.36
Walworth	1.75	1.90
D2	8.85	8.26
Jefferson	2.00	2.25
Ozaukee	1.00	1.00
Washington	1.34	1.32
Waukesha	4.00	4.00
D3	8.34	8.57
Calumet	0.50	0.50
Fond du Lac	1.03	1.02
Manitowoc	1.25	1.25
Sheboygan	1.90	1.90
Winnebago	3.00	3.03
D4	7.68	7.70
Dane	10.50	10.50
Green	0.03	0.24
Lafayette	0.09	0.10
Rock	2.93	2.90
D5	13.55	13.74
Adams	0.31	0.20
Clark	0.13	0.13
Columbia	0.38	0.38
Dodge	0.75	0.39
Green Lake	0.05	0.15
Juneau	0.48	0.50
Marquette	0.00	0.00
Portage	1.02	0.80
Sauk	1.00	1.00
Waushara	0.31	0.31
Wood	0.05	0.30
D6	7.48	7.46
Buffalo/Pepin	0.24	0.15
Crawford	0.05	0.05
Grant	0.35	0.33
Iowa	0.11	0.12
Jackson	0.18	0.19
La Crosse	1.03	1.07
Monroe	0.26	0.25
Pierce	1.01	1.02
Richland	0.19	0.20
Trempealeau	0.27	0.24
Vernon	0.02	0.03
D7	3.74	3.65

Weighted Caseload Report (2014-2016)
Court Commissioner Counts

County	Previous Year Court Commissioners	Current Year Ct. Cms. FTE
Brown	4.00	4.00
Door	0.35	0.20
Kewaunee	0.31	0.31
Marinette	1.00	1.00
Oconto	1.00	1.00
Outagamie	3.50	3.50
Waupaca	0.06	0.02
D8	10.22	10.03
Florence/Forest	0.22	0.22
Iron	0.04	0.04
Langlade	0.23	0.29
Lincoln	0.15	0.14
Marathon	1.03	1.03
Oneida	0.30	0.33
Price	0.01	0.00
Shawano/Menominee	0.33	0.34
Taylor	0.24	0.27
Vilas	0.06	0.07
D9	2.61	2.72
Ashland	0.13	0.15
Barron	0.11	0.11
Bayfield	0.08	0.12
Burnett	0.30	0.30
Chippewa	0.39	0.42
Douglas	1.00	1.00
Dunn	0.10	0.16
Eau Claire	1.08	1.08
Polk	0.50	0.34
Rusk	0.05	0.03
St. Croix	0.80	0.80
Sawyer	0.09	0.08
Washburn	0.08	0.07
D10	4.71	4.66

Weighted Caseload Report (2014-2016)
Need Sorted Alphabetical

County	Workload per Judicial Official
Adams	1.29
Ashland	1.33
Barron	1.16
Bayfield	0.98
Brown	1.20
Buffalo/Pepin	1.08
Burnett	1.11
Calumet	1.21
Chippewa	1.13
Clark	1.35
Columbia	1.17
Crawford	0.63
Dane	0.85
Dodge	0.95
Door	0.62
Douglas	1.08
Dunn	1.11
Eau Claire	1.33
Florence/Forest	1.01
Fond du Lac	0.97
Grant	0.92
Green	0.77
Green Lake	1.04
Iowa	1.28
Iron	0.38
Jackson	1.40
Jefferson	0.67
Juneau	0.76
Kenosha	1.06
Kewaunee	0.57
La Crosse	1.09
Lafayette	0.73
Langlade	1.21
Lincoln	0.91
Manitowoc	1.19
Marathon	1.36
Marinette	0.64
Marquette	0.84
Milwaukee	0.91
Monroe	1.00
Oconto	0.54
Oneida	1.04
Outagamie	0.92
Ozaukee	0.79

Weighted Caseload Report (2014-2016)

Need Sorted Alphabetical

County	Workload per Judicial Official
Pierce	0.91
Polk	1.25
Portage	0.96
Price	0.79
Racine	1.10
Richland	0.88
Rock	0.99
Rusk	0.99
Sauk	1.00
Sawyer	1.44
Shawano/Menominee	1.01
Sheboygan	0.89
St. Croix	0.87
Taylor	0.74
Trempealeau	1.19
Vernon	1.18
Vilas	1.35
Walworth	0.83
Washburn	1.13
Washington	1.00
Waukesha	0.95
Waupaca	0.96
Waushara	1.32
Winnebago	1.04
Wood	1.33

Weighted Caseload Report (2014-2016)

Judicial Workload Rankings

Rank	County	Workload per Judicial Official
1	Sawyer	1.44
2	Dunn	1.41
3	Jackson	1.40
4	Marathon	1.36
5	Clark	1.35
6	Vilas	1.35
7	Wood	1.33
8	Ashland	1.33
9	Eau Claire	1.33
10	Waushara	1.32
11	Adams	1.29
12	Iowa	1.28
13	Polk	1.25
14	Calumet	1.21
15	Langlade	1.21
16	Brown	1.20
17	Trempealeau	1.19
18	Manitowoc	1.19
19	Vernon	1.18
20	Columbia	1.17
21	Barron	1.16
22	Washburn	1.13
23	Chippewa	1.13
24	Burnett	1.11
25	Racine	1.10
26	La Crosse	1.09
27	Buffalo/Pepin	1.08
28	Douglas	1.08
29	Kenosha	1.06
30	Green Lake	1.04
31	Oneida	1.04
32	Winnebago	1.04
33	Shawano/Menominee	1.01
34	Florence/Forest	1.01
35	Sauk	1.00
36	Monroe	1.00
37	Washington	1.00
38	Rusk	0.99
39	Rock	0.99
40	Bayfield	0.98
41	Fond du Lac	0.97
42	Waupaca	0.96
43	Portage	0.96
44	Dodge	0.95
45	Waukesha	0.95
46	Outagamie	0.92
47	Grant	0.92
48	Pierce	0.91
49	Milwaukee	0.91
50	Lincoln	0.91
51	Sheboygan	0.89

Weighted Caseload Report (2014-2016)

Judicial Workload Rankings

Rank	County	Workload per Judicial Official
52	Richland	0.88
53	St. Croix	0.87
54	Dane	0.85
55	Marquette	0.84
56	Walworth	0.83
57	Ozaukee	0.79
58	Price	0.79
59	Green	0.77
60	Juneau	0.76
61	Taylor	0.74
62	Lafayette	0.73
63	Jefferson	0.67
64	Marinette	0.64
65	Crawford	0.63
66	Door	0.62
67	Kewaunee	0.57
68	Oconto	0.54
69	Iron	0.38

FACT SHEET
File No. 17-18/036

RE: Rezoning Petition from Wayne G & Peggy L Reetz, represented by Eric D Knauf, to rezone 20 acres +/- from A-P (Agricultural Preservation) District to A-3 (Agricultural) District to allow the property owner to sell 10 acres north of the 29.41-acre subject property to be added to a neighboring property owner's property and to rezone the remaining 20 acres to conform with zoning requirements for minimum acreage

Legal Description and Location: The S½ of the SE¼ of the NE¼ of Section 15, T25N, R8W, Town of Clear Creek (complete legal description attached)

Size of area to be rezoned: 20 acres +/-

ADJACENT ZONING & LAND USES:

LOCATION	ZONING	LAND USE
Subject	A-P	Single-family residence; Agricultural fields
North	A-P	Agricultural fields; Woodlands
East	A-P	Agricultural fields
South	A-P	Single-family residence; Ag. Fields; Woodlands
West	A-P	Single-family residence; Agricultural fields

LAND USE PLANS: The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Clear Creek Future Land Use Map includes the property in the Rural Preservation (RP) planning area.

Rural Lands (RL)

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

Rural Preservation (RP)

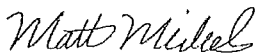
Town of Clear Creek Intent and Description: *"The primary intent of these areas is to preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive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

Staff Conclusions and Recommendation: Staff finds that the proposed rezoning request substantially conforms with the Eau Claire County Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-3 zoning district is consistent and therefore allowed within the mapped future land use designations.

Town Board Action: The Pleasant Valley Town Board considered this rezoning petition on July 10, 2017 and voted to recommend approval of the proposed rezoning to the County Board.

Committee Action: The Eau Claire County Committee on Planning and Development conducted the required public hearing on Tuesday, July 25, 2017 regarding the proposed rezoning. On a vote of in favor 4 and 0 against, the Committee recommends approval of the rezoning petition to the County Board. The committee considered the applicant's testimony as well as the Town Board's and staff's recommendations in their deliberations.

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



Matt Michels, AICP
Senior Planner

1 **Enrolled No.**

ORDINANCE

File No. 17-18/036

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

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

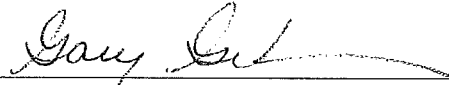
7
8 **SECTION 1** That the 1982 Official Zoning District Boundary Map for the Town of
9 Clear Creek, Eau Claire County described as follows:

10
11 **The South Half of the Southeast Quarter of the Northeast Quarter of**
12 **Section 15, Township 25 North, Range 8 West, Town of Clear Creek,**
13 **Eau Claire County, Wisconsin.**

14
15 **Said described lands contains 20 acres, more or less, to be reclassified**
16 **from the A-P Agricultural Preservation District to the A-3**
17 **Agricultural District.**

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

23
24 ENACTED: I hereby certify that the foregoing correctly represents the
25 action taken by the undersigned Committee on
26 July 25, 2017 by a vote of 4 for, 0 against.

27
28 

29
30 _____
Planning & Development Committee, Chairperson

APPROVED BY
CORPORATION COUNCIL

Reviewed by Finance Dept.
for Fiscal Impact



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0006-17 **COMPUTER NUMBER:** 018112909000
PUBLIC HEARING DATE: July 25, 2017

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER: Wayne G & Peggy L Reetz, E 10280 County Road HH, Osseo, WI 54758

AGENT: Eric D Knauf, 3028 Hartwood Dr, Eau Claire, WI 54703

REQUEST: Rezone 20 acres +/- of land from A-P (Agricultural Preservation) District to A-3 (Agricultural) District to allow the property owner to sell 10 acres north of the 29.41-acre subject property to be added to a neighboring property owner's property and to rezone the remaining 20 acres to conform with zoning requirements for minimum acreage

LOCATION: E 10280 County Road HH

LEGAL DESCRIPTION: The S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15, T25N, R8W, Town of Clear Creek (complete legal description attached)

RECOMMENDATION Approval of request based on findings outlined on Page 6 of this report

SUMMARY

Rezone 20 acres +/- of land from A-P (Agricultural Preservation) District to A-3 (Agricultural) District to allow the property owner to sell the 10 acres north of the 29.41-acre subject property to be added to a neighboring property owner's property, which will remain zoned A-P, and to rezone the remaining 20 acres to conform with zoning requirements for minimum acreage. The property will remain in agriculture and No new development is proposed with this rezoning.

BACKGROUND

SITE CHARACTERISTICS:

- Majority of property is currently cultivated for agriculture
- Property has one single-family residence on the eastern portion of the property
- Property is rolling and slopes generally south to north

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

- Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*

- C. Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;
- D. Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;
- E. Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;
- F. Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;
- G. Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and
- H. Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County's permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.

REQUESTED ZONING DISTRICT:

The petition is to rezone 20 acres +/- of the 29.41-acre property described above from the A-P Agricultural Preservation District to the A-3 Agricultural District.

A-3 Agricultural District. . The A-3 District is established to "1. Protect the agricultural base of the county; 2. Preserve the county's natural resources and open space; 3. Provide an area for limited residential and hobby farm development in a rural atmosphere; and 4. Minimize urban sprawl and its associated public costs." Minimum lot size in the A-3 District is twenty (20) acres.

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-P	Single-family residence; Agricultural fields
North	A-P	Agricultural fields; Woodlands
East	A-P	Agricultural fields
South	A-P	Single-family residence; Ag. Fields; Woodlands
West	A-P	Single-family residence; Agricultural fields

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Clear Creek Future Land Use Map includes the property in the Rural Preservation (RP) planning area.

Following is a description of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies. Policies are quoted *in italics* and staff comments, as applicable, are provided thereafter:

Eau Claire County:

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

- Applicable Policies:
 1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property. There is an existing home on the property to be divided. This use and other uses permitted in the A-3 District are typically compatible with adjacent agricultural uses.*
 2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*
 3. *For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:*
 - a. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production. The applicant states that they have found a buyer who is a retired farmer who is interested in engaging in agricultural activities, which is consistent with the purpose and intent of the Rural Lands designation and the A-3 District.*

Town of Clear Creek:

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

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

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

FARMLAND PRESERVATION PLAN:

The property is included in the Farmland Preservation Plan Map, which allows the property owner to claim Farmland Preservation tax credits. The proposed A-3 District is not a certified farmland preservation district and would disqualify the property from claiming the tax credits.

Comprehensive Plan Summary

The proposed A-3 zoning is generally consistent with the intent and description and the applicable policies of the Eau Claire County and also appears to be generally consistent with the Town of Clear Creek Comprehensive Plan. Further, the Town of Clear Creek recommends approval of the proposed rezoning.

ANALYSIS

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

A-P Rezoning Standards

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

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

- **Soil Types** – There are a total of five (5) different soil types on the property. Two of the soil types found on the property to be rezoned are considered prime agricultural soils. As mentioned, the majority of the property is currently cultivated for agriculture and will continue to be farmed.

Soil Type	Description	Capability Class
NtB	Northfield silt loam, 2-6% slopes	3
EIB	Eleva sandy loam, 2-6% slopes	3
EID2	Eleva sandy loam, 12-20% slopes	4
PdC2	Plainbo loamy sand, 6-12% slopes, eroded	6
EmC2	Elkmound loam, 6-12% slopes, eroded	4

- **Historical Productivity** – The majority of the property has been used for agriculture and will continue to be farmed.
- **Site Location** – The site is located on County Highway HH
- **Adjacent Land Uses** – Uses in the area are a mixture of woodlands, cropland, and single-family residences. Zoning in the area is predominantly A-P, with A-3 zoning adjacent to the west of the subject property.

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

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

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

The proposed rezoning will not take productive farmland out of production and will have no impact on productive farmland surrounding the property.

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

The proposed rezoning will not impair or limit current or future agricultural use.

Town Board Action: The Clear Creek Town Board will consider this rezoning petition on Monday, July 10, 2017.

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

- The proposed rezoning is consistent with the intent and purpose of the Future Land Use plans for the County and the Town of Clear Creek
- Existing uses in the area include agricultural fields, woodlands, and scattered single-family residences
- Zoning in the area is predominantly A-P, with A-3 zoning adjacent to the west of the subject property.

CONCLUSION

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

- Eau Claire County and Town of Clear Creek Comprehensive Plan future land use designations
- Eau Claire County and Town of Clear Creek Comprehensive Plan goals, objectives and policies
- Eau Claire County Farmland Preservation Plan

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

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence in support or opposed to the proposed rezoning has been received, to date.

RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the rezoning petition to rezone approximately 20 acres of property from the A-P District to the A-3 District as depicted on the attached map and described in the attached legal description.

FINDINGS

The following findings support a recommendation of approval for the proposed rezoning:

1. The request is consistent with the goals, objectives, and policies of the Town of Clear Creek and Eau Claire County Comprehensive Plans, as required by Section 19.01.020.B of the Eau Claire County Code; and Wisconsin Statutes §66.1001(1)(am) and §66.1001(3)(j), including the intent, description, and policies of the Rural Lands Future Land Use classification in Section 3.3 of the Eau Claire County Comprehensive Plan and Map 9 (Future Land Use) of the Eau Claire County Comprehensive Plan
2. Existing uses in the area include a mixture of cropland, woodlands, and single-family residences
3. The property is included in the County Farmland Preservation Plan. However, this zoning action will not remove productive farmland from production or allow additional non-farm development on the property.

sup: 4151.0 Carl Anton

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

Application Accepted: 6/29/2017
Accepted By:
Receipt Number: 52081
Town Hearing Date:
Scheduled Hearing Date:
Application No: RZN-0005-17
Appl Status: Pending

Rezoning - County

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

Existing Zoning District: AP Proposed Zoning District(s): **A3** Acres to be Rezoned: 20

The S 1/2 Of The Se 1/4 Of The Ne 1/4 Of Section 15, T25N, R8W, Town Of Clear Creek, Eau Claire County, Wi

Owner/Applicant Name(s):	Address:	Telephone:
Eric D Knauf	(appl) 3028 HARTWOOD DR EAU CLAIRE	
Wayne G & Peggy L Reetz	(ow) E 10280 COUNTY ROAD HH OSSEO	715-597-2565(H)

Site Address(es):
E 10280 COUNTY ROAD HH OSSEO

Property Description: Sec 15 Twn 25 Rge 08 Town of Clear Creek Lot Area: 29.410 ACRES

Zoning District(s): AP

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

PIN	Alternate No	Parcel No	Legal (partial)
1800622508151400001	006103905000	25.8.15.1-4-A	SE-NE EX E 1/2 OF N 1/2 THEREOF. EX PCL 6 OF TRANS PROJ

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

Owner/Agent Signature see attached application Date June 27, 2017

Check if DATCAP must be notified _____

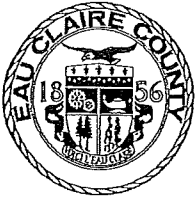
Check if DNR to Receive Copy _____

RECEIVED

JUN 27 2017

COUNTY CLERK

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



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

Application Accepted:	6/27/17
Accepted By:	MM
Receipt Number:	52081
Town Hearing Date:	7/10/17
Scheduled Hearing Date:	7/25/17

REZONING APPLICATION

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

Existing Zoning District: <u>AP</u>	Proposed Zoning District(s): <u>A-3</u>
Acres to be rezoned: <u>+/- 20 ac.</u>	

Property Owner Name: <u>Wayne Reetz</u>	Phone# <u>715-828-2565</u>
Mailing Address: <u>E 10280 C.T.H. HH, Osseo, WI 54758</u>	
Email Address:	

Agent Name: <u>Eric Krauf</u>	Phone# <u>715-214-6508</u>
Mailing Address: <u>3028 Hartwood Drive, Eau Claire, WI, 54703</u>	
Email Address: <u>amsurv@charter.net</u>	

SITE INFORMATION

Site Address: <u>E 10280 C.T.H. HH, Osseo, WI 54758</u>	
Property Description: <u>SE 1/4 NE 1/4 Sec. 15, T 25 N, R 8 W, Town of Clear Creek</u>	
Zoning District:	Code Section(s):
Overlay District: Check Applicable	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining
Computer #(s):	<u>006 - 103 - 905 - 000</u>

RECEIVED

GENERAL APPLICATION REQUIREMENTS

JUN 27 2017

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

<input type="checkbox"/> Complete attached information sheet	<input type="checkbox"/> Contact the Town to coordinate a recommendation on the application
<input type="checkbox"/> Provide legal description of property to be rezoned	<input type="checkbox"/> Provide \$565.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$500.00 application processing fee and \$65.00 mapping surcharge fee)

COUNTY CLERK

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

Owner/Agent Signature

Date 6/26/2017

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

REZONING APPLICATION CHECKLIST

Applications are due by Tuesday at 12:00 PM three weeks prior to the Committee on Planning and Development meeting. The application must include the items listed below. After a preliminary review, additional information may be needed. A hearing will not be scheduled until the application is deemed complete. Applications are considered complete when all materials and associated fees are received and approved by staff.

Required Application Items:

- Application must be signed by the property owner(s)
- A legal description of land and address of land to be rezoned ~
- Complete the attached supplemental rezoning information sheet
 - Describe the reason for the request
 - Describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance
 - Explain and justify why this particular property is under consideration for rezoning
 - For rezoning requests from A-P to any zoning district other than the AR district must consider the factors in Section 18.32.055 A. – D.
 - For rezoning requests from the A-P to the AR zoning district must consider the factors in Section 18.06.050 A. – D.
 - For rezoning requests out of the Shoreland-wetland district must consider Section 18.19.100 B

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

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

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

Describe the reason(s) for your rezoning request:

Mr. Reetz would like to sell the W $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ to David Wogernese. This sale of land would put the remaining parcel of land owned by Mr. Reetz into a state of nonconformance with current zoning code.

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

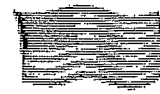
The proposed change from AP zoning to A-3 zoning would make the proposed parcel retained by Mr. Reetz a conforming parcel. The A-3 classification would support current land use activities while putting an emphasis on agricultural activities. Land adjacent to and westerly from Mr. Reetz's parcel is currently zoned A-3. A rezoning from AP to A-3 would follow zoning of adjoining parcels. A change from A-P to A-3, in this situation, also limits the possibility of future land subdivisions, and would keep productive fields intact. The parcel of land potentially being sold to Mr. Wogernese is land-locked with no opportunity to be subdivided and will ~~be~~ maintain A-P zoning.

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

- 1) The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses;
- 2) The rezoning is consistent with any applicable comprehensive plans;
- 3) The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan; and
- 4) The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

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

The proposed change in zoning from AP to A-3 is well suited the existing use of said parcel. Said parcel is being used for hobbyist purposes and contains an existing dwelling. Agriculture is still the underlying and preferred land use practice with A-3 zoning. The A-3 zoning (proposed) for said parcel will prohibit further land subdivision in Mr. Reetz's case. Mr. Reetz's case is well suited for a rezoning to A-3.



**American
Land Surveying**

Taking Pride Surveying Western WI

Wayne Reetz Rezoning Parcel Description (AP → A-3)

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (MORE OR LESS) OF SECTION 15, TOWNSHIP 25 NORTH, RANGE 8 WEST, TOWN OF CLEAR CREEK, EAU CLAIRE COUNTY, WISCONSIN, BEING 20.00 ACRES.

American Land Surveying
3028 Hartwood Drive
Eau Claire, WI 54703
715-214-6508
www.americanlandsurveying.net

TOWN OF CLEAR CREEK MONTHLY BOARD MEETING -- JUNE 12, 2017

Chairman Lotty Macik called the meeting to order at 7:30 p.m.

Pledge of Allegiance was said.

Postings of meeting notices were verified.

Motion made by Kyle Dimmitt and seconded by Steve Carlson to approve the secretary's report.

Treasurer's report was approved. Motion by Lotty Macik and seconded by Kyle Dimmitt.

Public Input:

- Cheryl Corbin was concerned about the running of dogs around the Old Town Hall Museum. Constable Colt Carlson will talk to the owners.
- Karen Rose wanted to make sure that the checks and balances procedure was being followed in regard to the financial statement each month.

Road Issues:

- No bids were received for tree cutting.
- The clerk will place an ad for bids for crack filling on Lark Rd, 1.07 mi.

Old Business:

- CJ Sanitation owner was here to discuss garbage/recycling in our township. He will get together prices for service and the town will consult our attorney about contracts with Advance.

New Business:

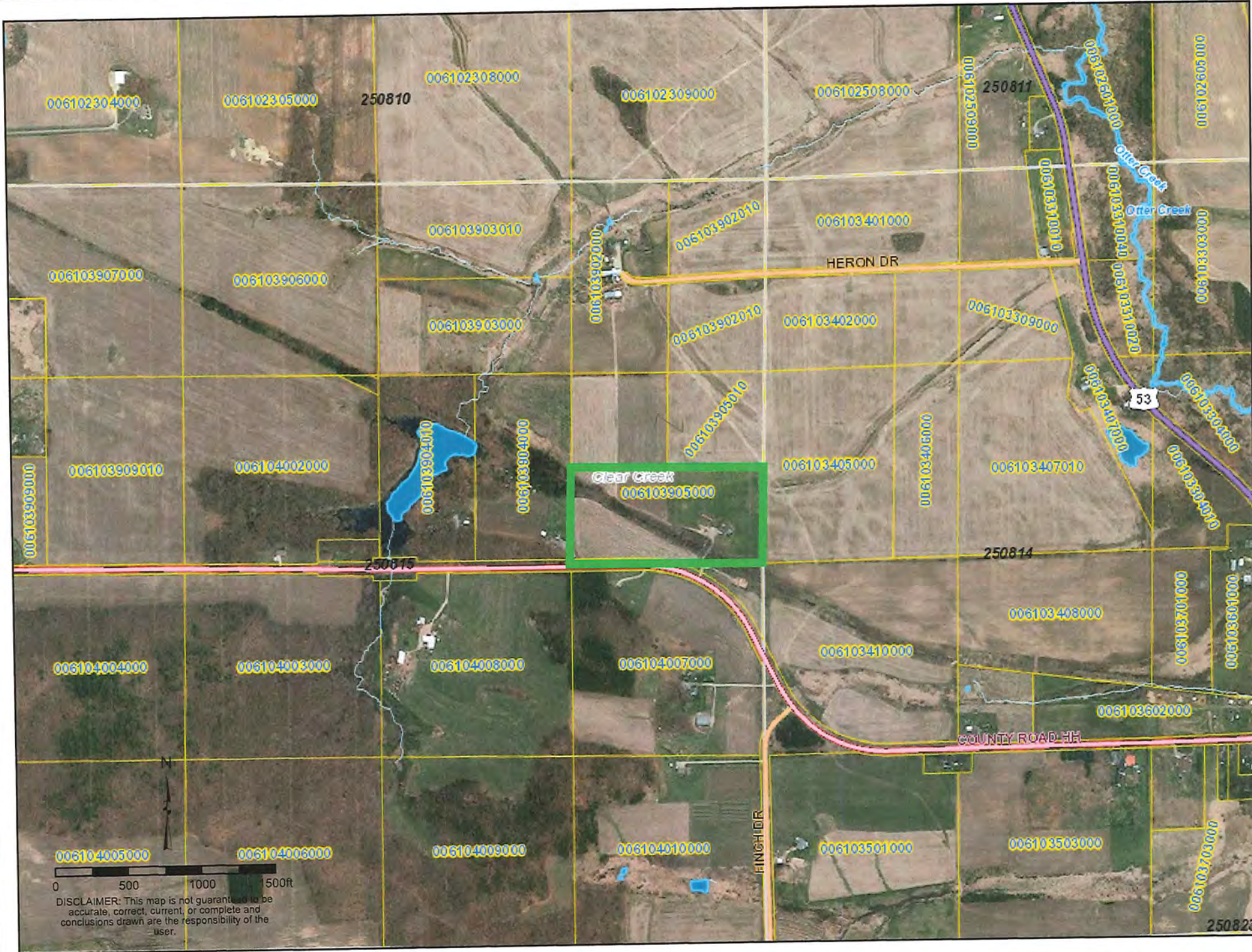
- Eric Knauf, of American Land Survey, was here representing Wayne Reetz to rezone a parcel of land from A-P to A-3 zoning district. Mr. Knauf showed the board maps and pointed out the areas involved in the zoning change. Lotty Macik made a motion to grant the request and Kyle Dimmitt seconded.
- Liquor licenses approved:
 - Foster Bar
 - Countryside Genex
 - Foster Cheese Haus
 - St. Raymonds – picnic license
- New voting machines are to be purchased this year. It is a matter of the old ones not being maintained any longer. The cost is \$8,078.00. Kyle Dimmitt made a motion to purchase DSS 200 and the Express Vote. Steve Carlson seconded.
- Logging permit from the county for Keith Krajewski.
- Patrolman Eddie Veness will be gone from July 4 until July 12.

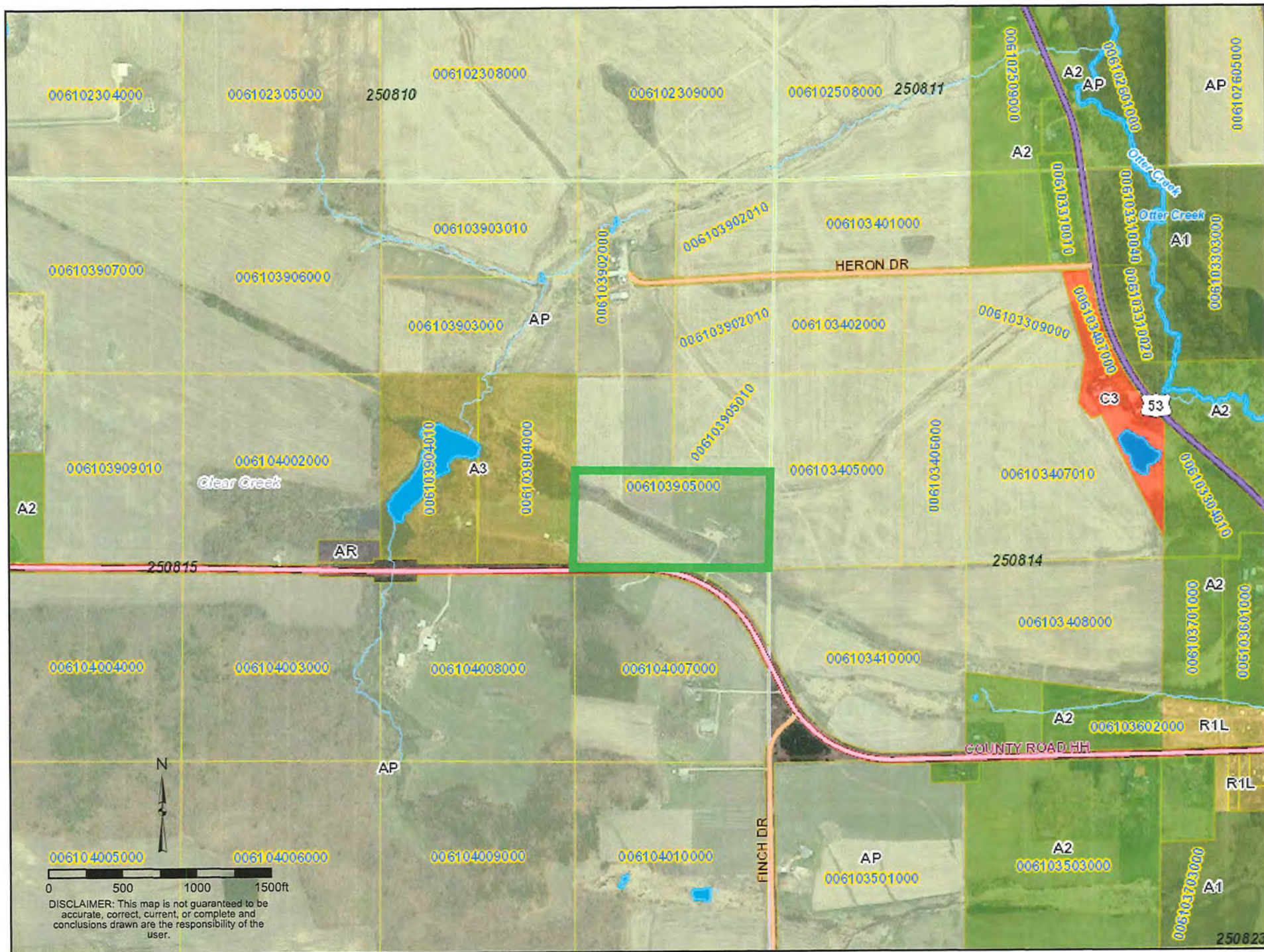
Next meeting will be July 10, 2017.

Vouchers were approved. Motion by Kyle Dimmitt and seconded by Steve Carlson.

Kyle Dimmitt made a motion to adjourn and Lotty Macik seconded it.

Carmen Dunham, Clerk





006104005000 006104006000 006104009000 006104010000



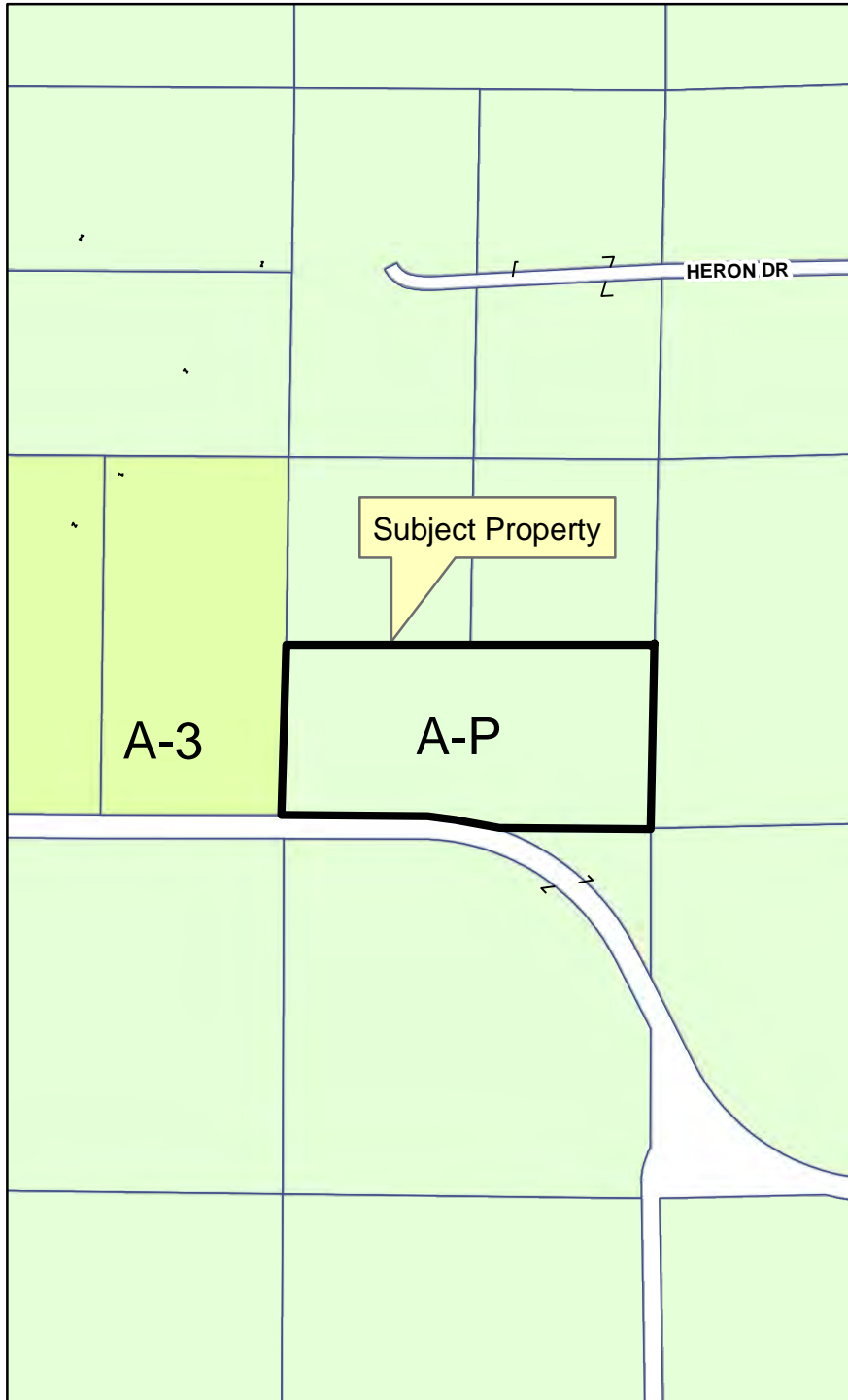
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.



Reetz Rezoning: RZN-0005-17

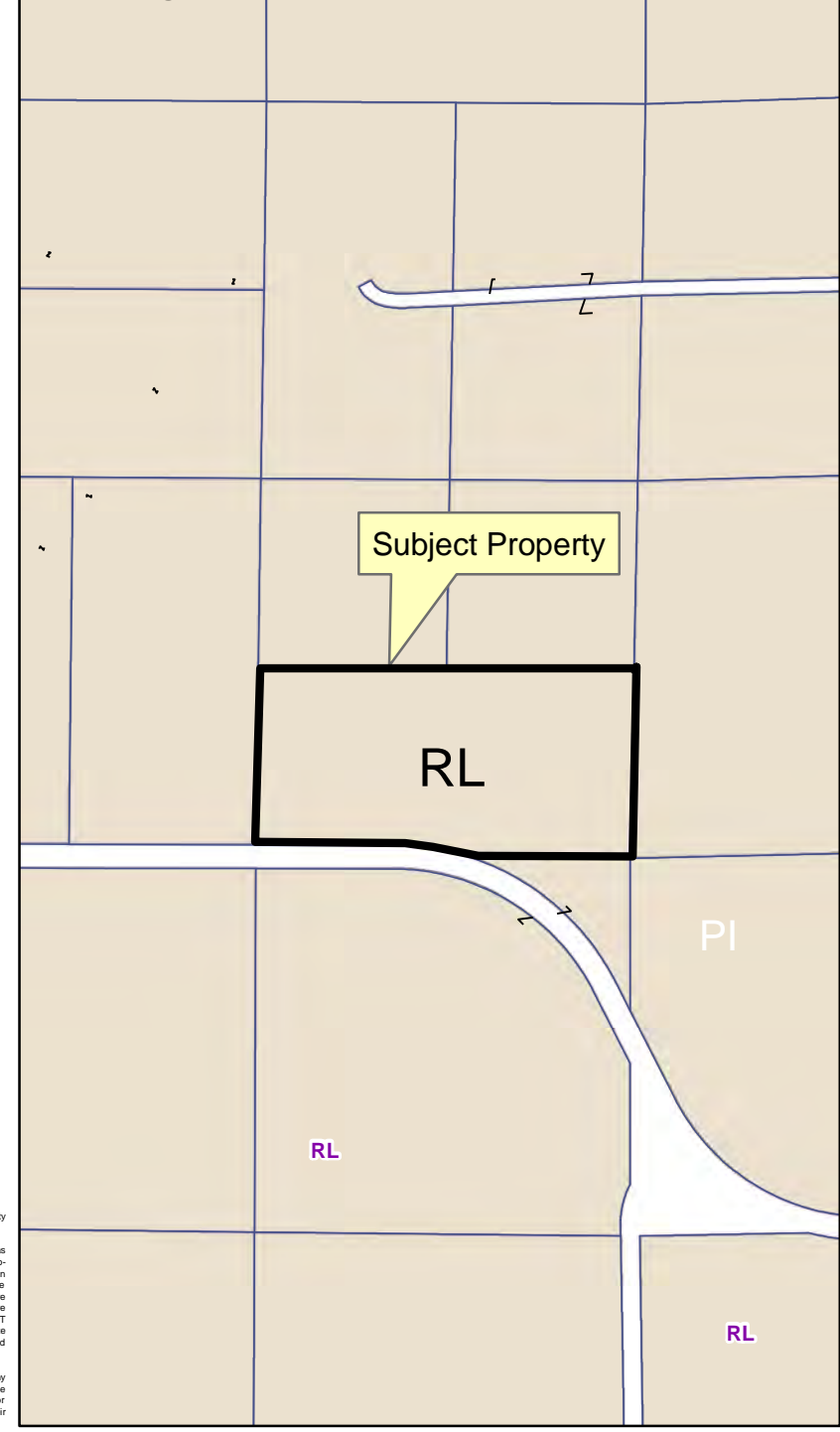
Existing Zoning

1 inch = 666.666667 feet



Existing Future Land Use

1 inch = 667 feet



Legend

Future Land Use

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



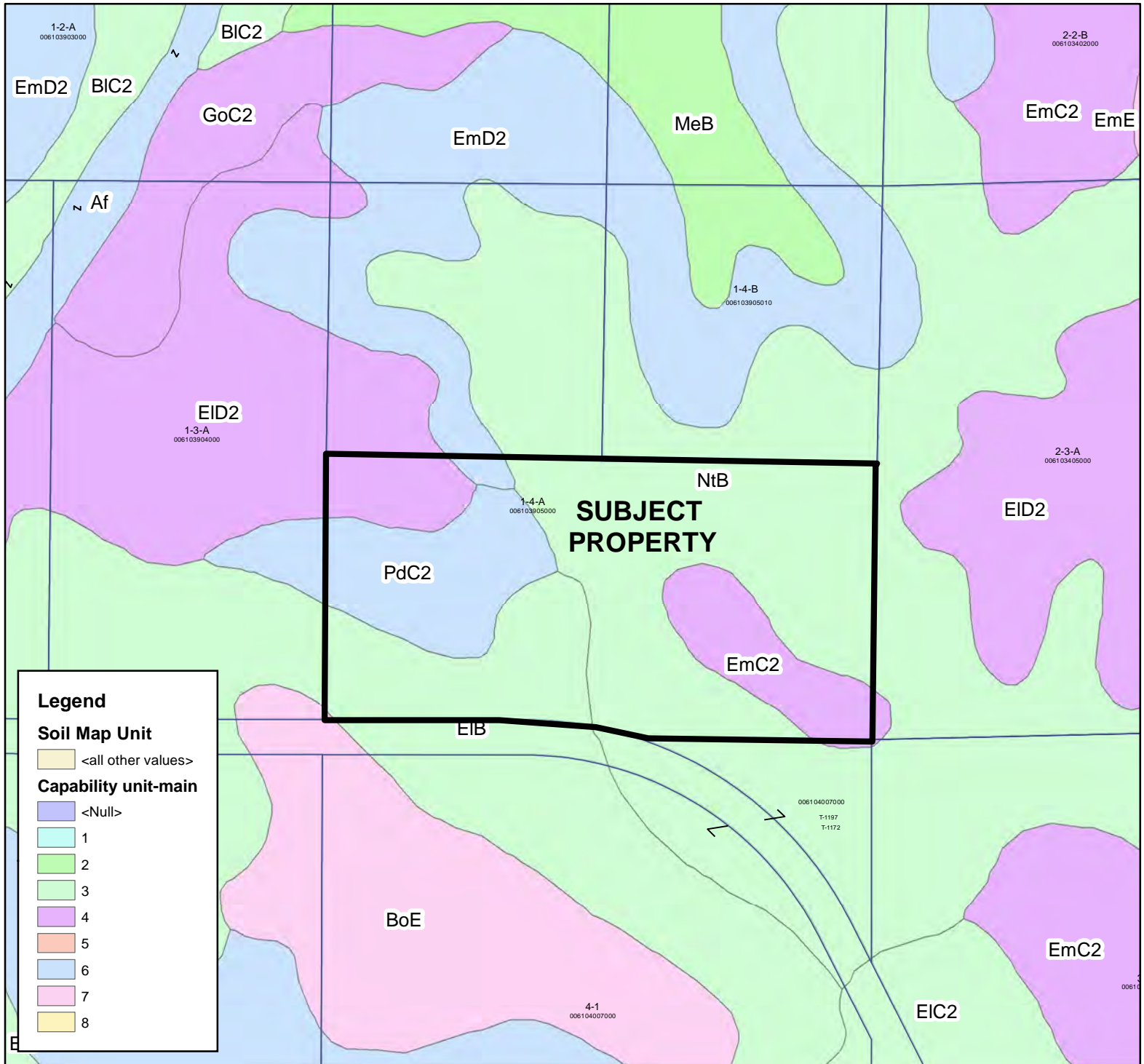
Parcel Mapping Notes:

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

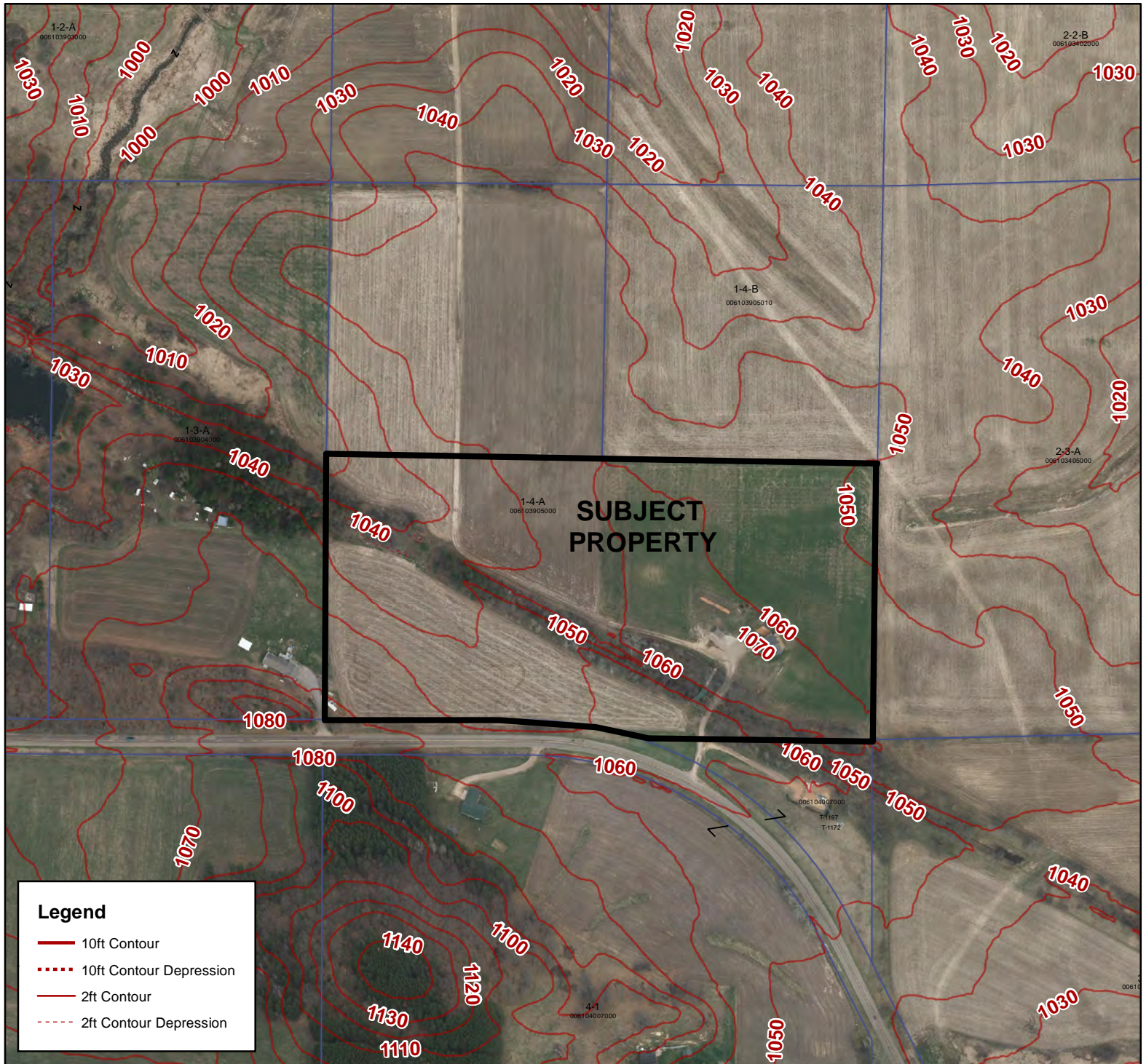
This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards,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

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

REETZ REZONING SOIL MAP



REETZ REZONING TOPO MAP



Parcel Mapping Notes:

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

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

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FACT SHEET
File No. 17-18/039

RE: Rezoning Petition from Cheryl L & Kurt P Goergen, represented by Peter J Gartmann, to rezone 25 acres +/- from A-P (Agricultural Preservation) District to A-3 (Agricultural) District to allow the property owner District to sell the property with the existing home and retain the remainder of the 80 acre property

Legal Description and Location: Portion of the SE¼ SE¼ of Section 31, T26N, R9W, Town of Pleasant Valley (complete legal description attached)

Size of area to be rezoned: 25 acres +/-

ADJACENT ZONING & LAND USES:

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

LAND USE PLANS: The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Pleasant Valley Future Land Use Map includes the property in the Rural Preservation (RP) planning area.

Rural Lands (RL)

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

Rural Preservation (RP)

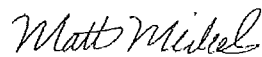
Town of Pleasant Valley Intent and Description: The primary intent of these areas is to, *“preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas.”*

Staff Conclusions and Recommendation: Staff finds that the proposed rezoning request substantially conforms with the Eau Claire County Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-3 zoning district is consistent and therefore allowed within the mapped future land use designations.

Town Board Action: The Pleasant Valley Town Board considered this rezoning petition on July 10, 2017 and voted to recommend approval of the proposed rezoning to the County Board.

Committee Action: The Eau Claire County Committee on Planning and Development conducted the required public hearing on Tuesday, July 25, 2017 regarding the proposed rezoning. On a vote of in favor 4 and 0 against, the Committee recommends approval of the rezoning petition to the County Board. The committee considered the applicant’s testimony as well as the Town Board’s and staff’s recommendations in their deliberations.

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



Matt Michels, AICP
 Senior Planner

4 - AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
5 TOWN OF PLEASANT VALLEY-

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

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

10
11 **A parcel of land located in the Southeast ¼ of the Southeast ¼, Section**
12 **31, Township 26 North, Range 9 West, Town of Pleasant Valley, Eau**
13 **Claire County, Wisconsin, described as follows:**

14
15 **Commencing at the Southeast corner of said Section 31; thence**
16 **N89°12'48"W along the South line of said Southeast ¼ a distance of**
17 **250.50 feet to the Point of Beginning; thence N01°59'22"W a distance**
18 **of 1008.81 feet; thence N89°12'48"W a distance of 1079.11 feet to the**
19 **West line of said Southeast ¼ of the Southeast ¼; thence S01°48'17"E**
20 **along said West line a distance of 1008.66 feet to the Southwest corner**
21 **of said Southeast ¼ of the Southeast ¼; thence S89°12'48"E along said**
22 **South line of the Southeast ¼ a distance of 1082.37 feet to the Point of**
23 **Beginning.**

24
25 **Said described lands contain 25 acres to be reclassified from the A-P**
26 **Agricultural Preservation District to the A-3 Agricultural District.**

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

32
33 **ENACTED:** I hereby certify that the foregoing correctly represents the
34 action taken by the undersigned Committee on
35 July 25, 2017 by a vote of 4 for, 0 against.

36
37 

38 _____
39 Planning & Development Committee, Chairperson

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

Reviewed by Finance Dept.
for Fiscal Impact



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0006-17 **COMPUTER NUMBER:** 018112909000
PUBLIC HEARING DATE: July 25, 2017

STAFF CONTACT: Matt Michels, AICP, Senior Planner
OWNERS: Cheryl L & Kurt P Goergen, W 915 Cedar Rd., Eau Claire, WI 54701
AGENT: Peter J Gartmann, 1360 International Dr., Eau Claire, WI 54701
REQUEST: Rezone 25 acres +/- of land from A-P (Agricultural Preservation) District to A-3 (Agricultural) District to sell the property with the existing home and retain the remainder of the 80 acre property
LOCATION: W 930 County Road HH & W 990 County Road HH
LEGAL DESCRIPTION: Portion of the SE¼ SE¼ of Section 31, T26N, R9W, Town of Pleasant Valley (complete legal description attached)

RECOMMENDATION Approval of request based on findings outlined on Page 6 of this report

SUMMARY

The applicant proposes to rezone 25 acres +/- of land from A-P (Agricultural Preservation) District to A-3 (Agricultural) District to sell the property with the existing home and retain the remainder of the 80 acre property, which will remain zoned A-P.

BACKGROUND

SITE CHARACTERISTICS:

- Majority of property is currently undeveloped with portions previously used for agriculture
- Property has one single-family residence on the southern portion of the property
- A prominent ridge runs east to west through the central portion of the portion

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

- Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*

- D. Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;
- E. Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;
- F. Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;
- G. Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and
- H. Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County's permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.

REQUESTED ZONING DISTRICT:

The petition is to rezone 25 acres +/- of property as described above from the A-P Agricultural Preservation District to the A-3 Agricultural District.

A-3 Agricultural District. . The A-3 District is established to "1. Protect the agricultural base of the county; 2. Preserve the county's natural resources and open space; 3. Provide an area for limited residential and hobby farm development in a rural atmosphere; and 4. Minimize urban sprawl and its associated public costs." Minimum lot size in the A-3 District is twenty (20) acres.

ZONING/LAND USE CONTEXT:

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

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Pleasant Valley Future Land Use Map includes the property in the Rural Preservation (RP) planning area.

Following is a description of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies. Policies are quoted *in italics* and staff comments, as applicable, are provided thereafter:

Eau Claire County:

- Rural Lands Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- Applicable Policies:
 1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land*

uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property. There is an existing home on the property to be divided. This use and other uses permitted in the A-3 District are typically compatible with nearby agricultural uses.

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

Town of Pleasant Valley:

- Rural Preservation Comprehensive Plan Intent and Description: *The primary intent of these areas is to, “preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas.”*
- Applicable Policies:
 1. *Farming and agricultural uses shall be established as the primary land uses within these areas. Non-farm development shall only be allowed if it will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take significant tracts of land suitable for cultivation or other agricultural use out of production.*
 - ...
 3. *Proposals for any new non-farm residential development shall be consistent with the following policies:*
 - a. *The maximum gross density for non-farm residential lots shall be one unit per five (5) acres held in single ownership, except as otherwise provided below for conservation subdivisions. The minimum lot size for non-farm residential lots shall be one (1) acre. The balance of the land not included in the residential lots shall be placed in a permanent conservation easement for agriculture, forestry, and open space use.*
 - b. *Any new non-farm residential lot shall have a “Right to Farm” disclosure attached to it acknowledging that the potential non-farm owner has been informed that his lot has been established in an area where farming is the preferred land use, and stating that the owner understands that he must abide by the State of Wisconsin “Right to Farm” statute (WI Stat. 823.08). This language shall be recorded on the deed to the property, transferable to subsequent owners.*
 - c. *Non-farm residential development shall only occur on land that is marginal for agricultural productivity. At least 80% of any proposed new lot shall not contain Class I, II, or III soils. In addition, it is the preference of the Town of Pleasant Valley that new non-farm*

residential lots that are approved in accord with these policies be located adjacent to or near existing non-farm development.

- ...
4. *The following Eau Claire County zoning districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted above. The following additional policies shall apply to zoning petitions:*

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

FARMLAND PRESERVATION PLAN:

The property is included in the Farmland Preservation Plan Map, which allows the property owner to claim Farmland Preservation tax credits. The proposed A-3 District is not a certified farmland preservation district and the property would not be eligible to claim farmland preservation tax credits.

Comprehensive Plan Summary

The proposed A-3 zoning is generally consistent with the intent and description and the applicable policies of the Eau Claire County and also appears to be generally consistent with the Town of Pleasant Valley Comprehensive Plan.

ANALYSIS

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

A-P Rezoning Standards

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

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

- **Soil Types** – There are a total of five (5) different soil types on the property, of which only one is considered a prime agricultural soil (B1C2). However, the majority of the property contains less productive soils (classes 4-6).

Soil Type	Description	Capability Class
UnE	Urne very fine sandy loam, 20-45% slopes	5
PfC2	Plainfield loamy sand, 6-12% slopes, eroded	6
EID2	Eleva sandy loam, 12-20% slopes, eroded	4
BID2	Billett sandy loam, 12-20% slopes, eroded	4
BIC2	Billett sandy loam, 6-12% slopes, eroded	3

- **Historical Productivity** – It appears that a portion of the southeast quadrant of the property was cultivated for agriculture in the past. There is no evidence of past agricultural activities on the majority of the property.
- **Site Location** – The site is located on County Road HH
- **Adjacent Land Uses** – Uses in the area are a mixture of woodlands, cropland, and single-family residences. Zoning in the area is predominantly A-P, with extensive A-2 and A-3 zoning in the area.

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

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

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

Only a small portion of the property contains productive agricultural soils, with the majority of the property containing marginal soils or steep topography. The rezoning is substantially consistent with the Farmland Preservation Plan as it will not take productive farmland out of production and will have no foreseeable impact on productive farmland surrounding the property.

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

The proposed rezoning will not substantially impair or limit current or future agricultural use.

Town Board Action: The Pleasant Valley Town Board will consider this rezoning petition on Monday, July 10, 2017.

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

- The proposed rezoning is consistent with the intent and purpose of the Future Land Use plans for the County and the Town of Pleasant Valley
- Existing uses in the area include woodlands, agricultural fields and scattered single-family residences
- Zoning in the area is predominantly A-P, with extensive A-2 and A-3 zoning in the area.

CONCLUSION

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

- Eau Claire County and Town of Pleasant Valley Comprehensive Plan future land use designations
- Eau Claire County and Town of Pleasant Valley Comprehensive Plan goals, objectives and policies
- Eau Claire County Farmland Preservation Plan

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

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence in support or opposed to the proposed rezoning has been received, to date.

RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the rezoning petition to rezone approximately 25 acres of property from the A-P District to the A-3 District as depicted on the attached map and described in the attached legal description.

FINDINGS

The following findings support a recommendation of approval for the proposed rezoning:

1. The request is consistent with the goals, objectives, and policies of the Town of Pleasant Valley and Eau Claire County Comprehensive Plans, as required by Section 19.01.020.B of the Eau Claire County Code; and Wisconsin Statutes §66.1001(1)(am) and §66.1001(3)(j), including the intent, description, and policies of the Rural Lands Future Land Use classification in Section 3.3 of the Eau Claire County Comprehensive Plan and Map 9 (Future Land Use) of the Eau Claire County Comprehensive Plan
2. Existing uses in the area include a mixture of cropland, woodlands, and farm and non-farm housing
3. The property is included in the County Farmland Preservation Plan, but no agricultural operations have taken place on the property recently
4. Agriculture is severely restricted on the property due to soil types and topography. The proposed rezoning will not remove productive farmland from cultivation.

Sup. Dist 7: Steve Chilson

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

Application Accepted:	6/30/2017
Accepted By:	MM
Receipt Number:	52160
Town Hearing Date:	
Scheduled Hearing Date:	
Application No:	RZN-0006-17
Appl Status:	Pending

Rezoning - County

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

Existing Zoning District: **AP** Proposed Zoning District(s): **A3** Acres to be Rezoned: **25**

Portion Of The Se1/4 Of The Se1/4, Section 31, T26N, R9W, Town Of Pleasant Valley, Eau Claire, Wi

Owner/Applicant Name(s): Peter J Gartmann Cheryl L Goergen Kurt P Goergen	Address: (appl) N 7349 COUNTY ROAD Q KNAPP (ow) W 915 CEDAR RD EAU CLAIRE (ow) W 915 CEDAR RD EAU CLAIRE	Telephone:
---	--	-------------------

Site Address(es):
W 930 COUNTY ROAD HH EAU CLAIRE W 990 COUNTY ROAD HH EAU CLAIRE

Property Description: Sec 31 Twn 26 Rge 09 **Town of Pleasant Valley** Lot Area: 40.000 ACRES

Zoning District(s): AP

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

Check Applicable

PIN	Alternate No	Parcel No	Legal (partial)
1801822609314400001	018112909000	26.9.31.4-4	SE-SE

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

Owner/Agent Signature see attached application Date June 30, 2017

Check if DATCAP must be notified

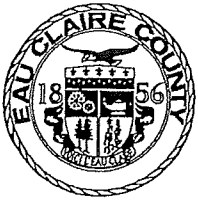
Check if DNR to Receive Copy

RECEIVED

JUN 30 2017

COUNTY CLERK

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



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

Application Accepted:	6/30/17
Accepted By:	MM
Receipt Number:	52160
Town Hearing Date:	7/10/17
Scheduled Hearing Date:	7/25/17

REZONING APPLICATION

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

Existing Zoning District: AP	Proposed Zoning District(s): A-3
Acres to be rezoned: 25	

Property Owner Name: Kurt Goergen	Phone# (715) 577-3473
Mailing Address: W915 Cedar Road Eau Claire WI 54701	
Email Address: kcgoergen@charter.net	

Agent Name: Peter J. Gartmann	Phone# (715) 514-4116
Mailing Address: 1360 International Drive Eau Claire WI 54701	
Email Address: pgartmann@rs-aec.com	

RECEIVED

SITE INFORMATION

JUN 30 2017


Site Address: W990 County Road HH / W930 County Road HH	COUNTY CLERK
Property Description: SE ¼ SE ¼ Sec. 31, T26 N, R9 W, Town of Pleasant Valley	
Zoning District:	Code Section(s):
Overlay District: Check Applicable	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining
Computer #(s):	01811 - 129 - 09 - 000

GENERAL APPLICATION REQUIREMENTS

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

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Contact the Town to coordinate a recommendation on the application
<input checked="" type="checkbox"/> Provide legal description of property to be rezoned	<input checked="" type="checkbox"/> Provide \$565.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$500.00 application processing fee and \$65.00 mapping surcharge fee)

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

Owner/Agent Signature  Date 6-15-17

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

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

- 1) The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses;
- 2) The rezoning is consistent with any applicable comprehensive plans;
- 3) The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan; and
- 4) The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

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

Town and County staff are in support of the change.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

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

Describe the reason(s) for your rezoning request:

Owner would like to sell off 25 acres with the existing house of the 80 acre tract.

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

Owners parcel is two protracted 40 acres tracts of land (80 acres total) in essence two existing parcels that could be sold off separately (no additional parcels are to be created). Owner would like to keep 55 acres of land for future home site or hunting purposes.

The rezone will not change the existing land use of the property. The property is mostly wooded and very little tillable lands.

No new roads or driveways required Shared driveway with land owner to west), existing utilities on County Road HH,

REZONING APPLICATION CHECKLIST

Applications are due by Tuesday at 12:00 PM three weeks prior to the Committee on Planning and Development meeting. The application must include the items listed below. After a preliminary review, additional information may be needed. A hearing will not be scheduled until the application is deemed complete. Applications are considered complete when all materials and associated fees are received and approved by staff.

Required Application Items:

- Application must be signed by the property owner(s)
- A legal description of land and address of land to be rezoned
- Complete the attached supplemental rezoning information sheet
 - Describe the reason for the request
 - Describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance
 - Explain and justify why this particular property is under consideration for rezoning
 - ⊗ For rezoning requests from A-P to any zoning district other than the AR district must consider the factors in Section 18.32.055 A. – D.
 - For rezoning requests from the A-P to the AR zoning district must consider the factors in Section 18.06.050 A. – D.
 - For rezoning requests out of the Shoreland-wetland district must consider Section 18.19.100 B

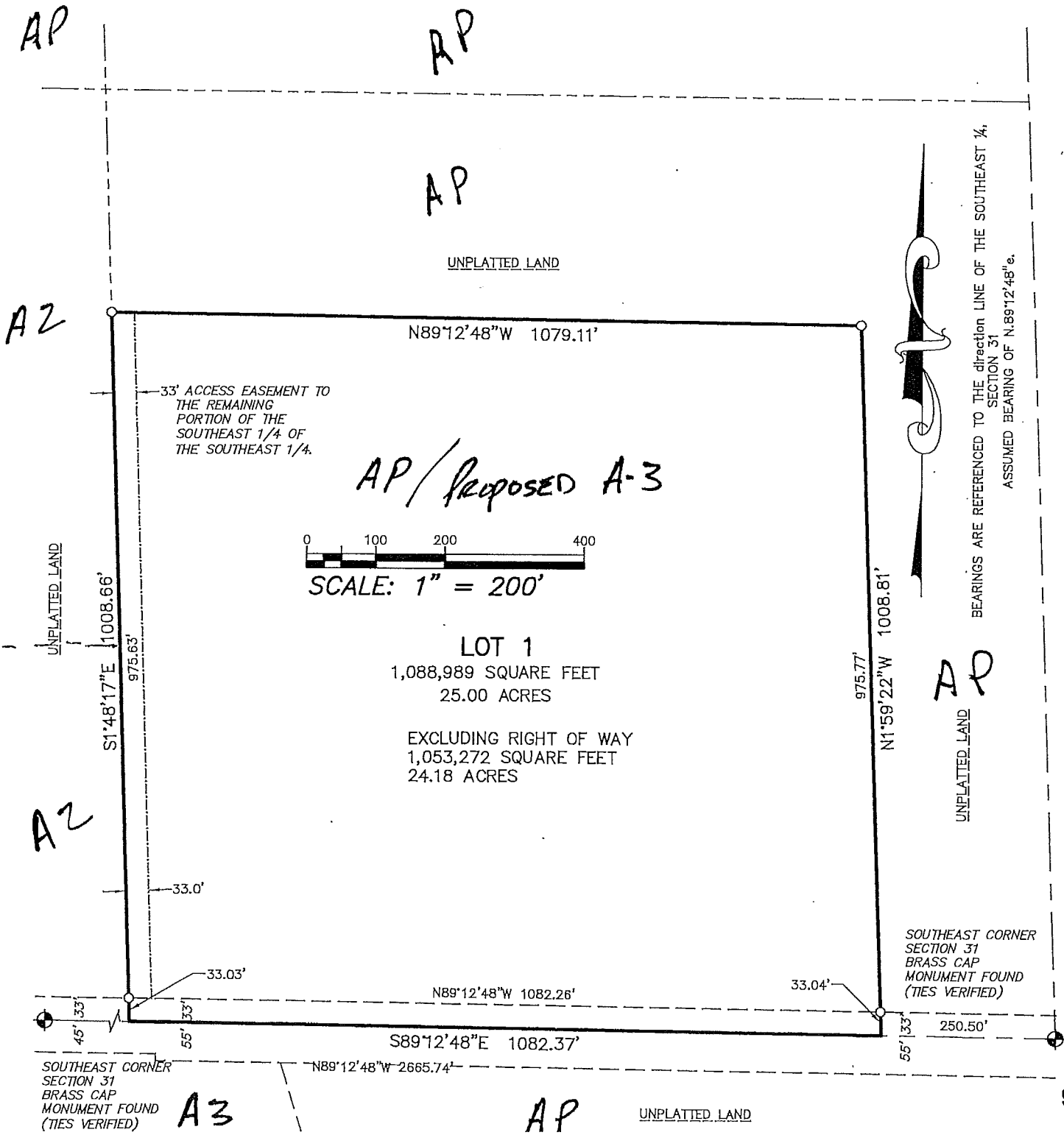
The rezoning procedures and details have been outlined in the rezoning brochure, which is available at the Department of Planning and Development.

CERTIFIED SURVEY MAP, NUMBER _____

IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4,
SECTION 31, TOWNSHIP 26 NORTH, RANGE 9 WEST,
TOWN OF PLEASANT VALLEY, EAU CLAIRE COUNTY,
WISCONSIN

LEGEND

○ ----- SET 1" OUTSIDE DIAMETER x 18" IRON PIPE
WEIGHING 1.13 POUNDS PER LINEAR FOOT



CERTIFIED SURVEY MAP, NO. _____
LOCATED IN THE SOUTHEAST ¼ OF THE SOUTHEAST ¼,
SECTION 31, T26N, R9W,
PLEASANT VALLEY, EAU CLAIRE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE:

I, PETER J. GARTMANN, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY: THAT BY THE DIRECTION OF KURT GOERGEN. I HAVE SURVEYED, DIVIDED AND MAPPED THE LAND PARCEL WHICH IS REPRESENTED BY THIS CERTIFIED SURVEY MAP.

THAT THE EXTERIOR BOUNDARY OF THE LAND PARCEL SURVEYED AND MAPPED IS AS FOLLOWS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST ¼ OF THE SOUTHEAST ¼, SECTION 31, TOWNSHIP 26 NORTH, RANGE 09 WEST, TOWN OF PLEASANT VALLEY, EAU CLAIRE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31;
THENCE N89°12'48"W ALONG THE SOUTH LINE OF SAID SOUTHEAST ¼ A DISTANCE OF 250.50 FEET TO THE POINT OF BEGINNING;
THENCE N01°59'22"W A DISTANCE OF 1008.81 FEET;
THENCE N89°12'48"W A DISTANCE OF 1079.11 FEET TO THE WEST LINE OF SAID SOUTHEAST ¼ OF THE SOUTHEAST ¼;
THENCE S01°48'17"E ALONG SAID WEST LINE A DISTANCE OF 1008.66 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST ¼ OF THE SOUTHEAST ¼;
THENCE S89°12'48"E ALONG SAID SOUTH LINE OF THE SOUTHEAST ¼ A DISTANCE OF 1082.37 FEET TO THE POINT OF BEGINNING.

_____ DATED THIS _____ DAY OF _____, 2017
PETER J. GARTMANN, P.L.S. NO. 2279

LANDOWNER:
KURT GOERGEN
W915 CEDAR ROAD
EAU CLAIRE WI 54701

CERTIFICATE OF COUNTY PLANNING AND DEVELOPMENT:

I, RODNEY J. ESLINGER, INTERIM DIRECTOR OF THE EAU CLAIRE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT, HEREBY CERTIFY THAT THIS CERTIFIED SURVEY MAP IS APPROVED OF AS COMPLYING WITH SUBTITLE III, SUBDIVISION CONTROL, OF TITLE 18 OF THE COUNTY CODE OF GENERAL ORDINANCES.

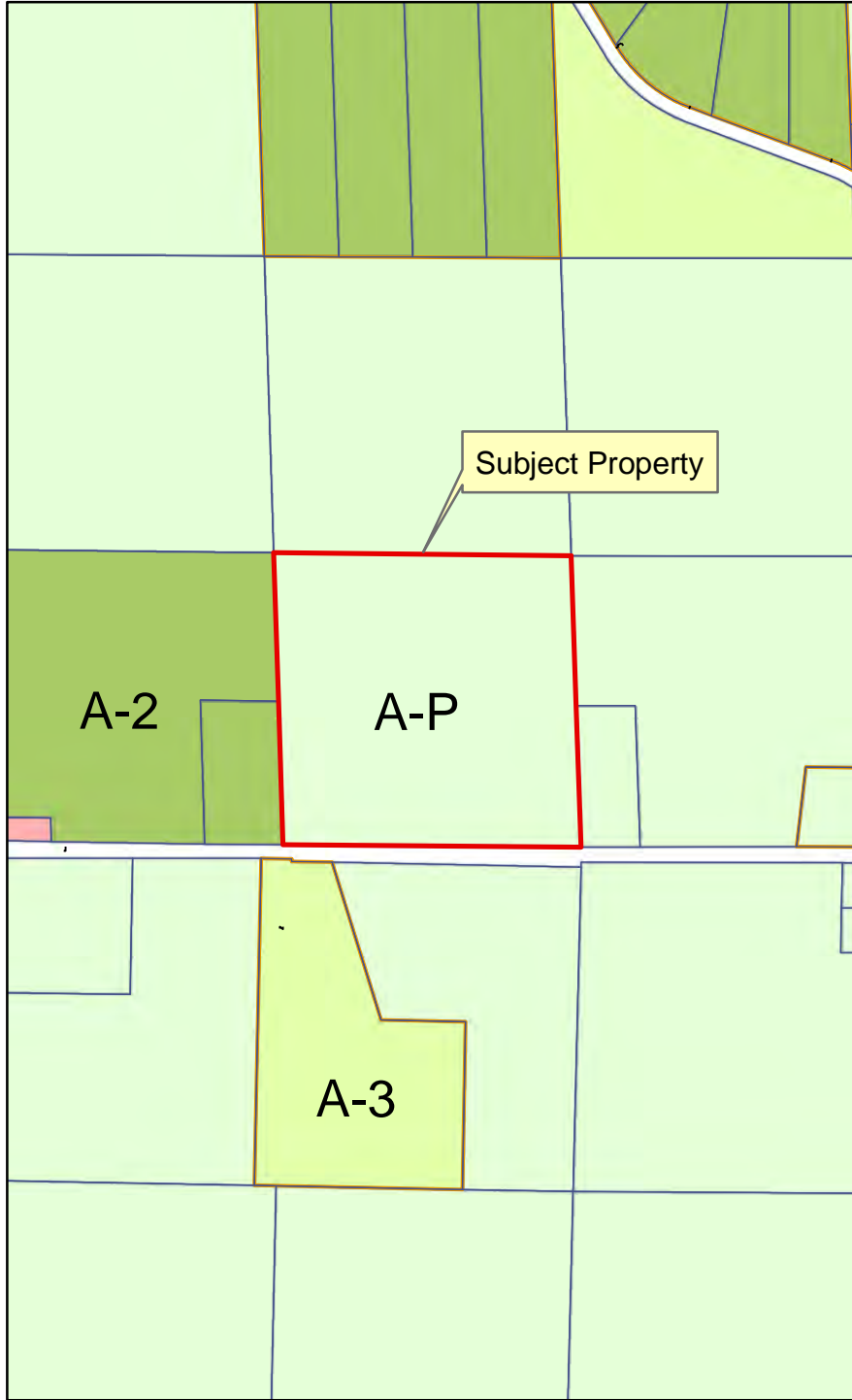
_____ DATED THIS _____ DAY OF _____, 2017
RODNEY J. ESLINGER



Goergen Rezoning: RZN-0006-17

Existing Zoning

1 inch = 833.333333 feet



Subject Property

A-2

A-P

A-3

Legend

Future Land Use

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



Parcel Mapping Notes:

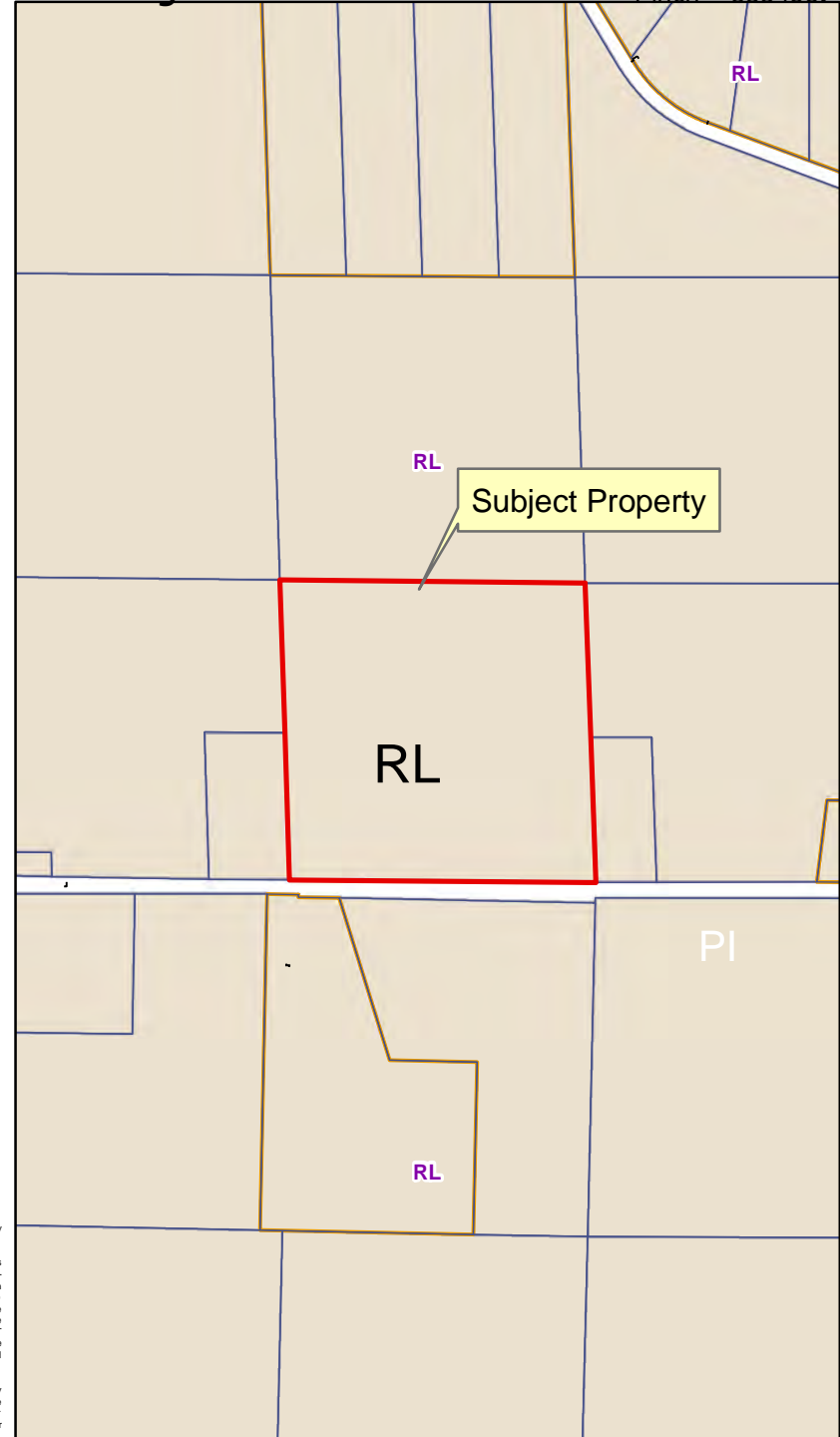
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

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

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

Existing Future Land Use

1 inch = 833 feet



RL

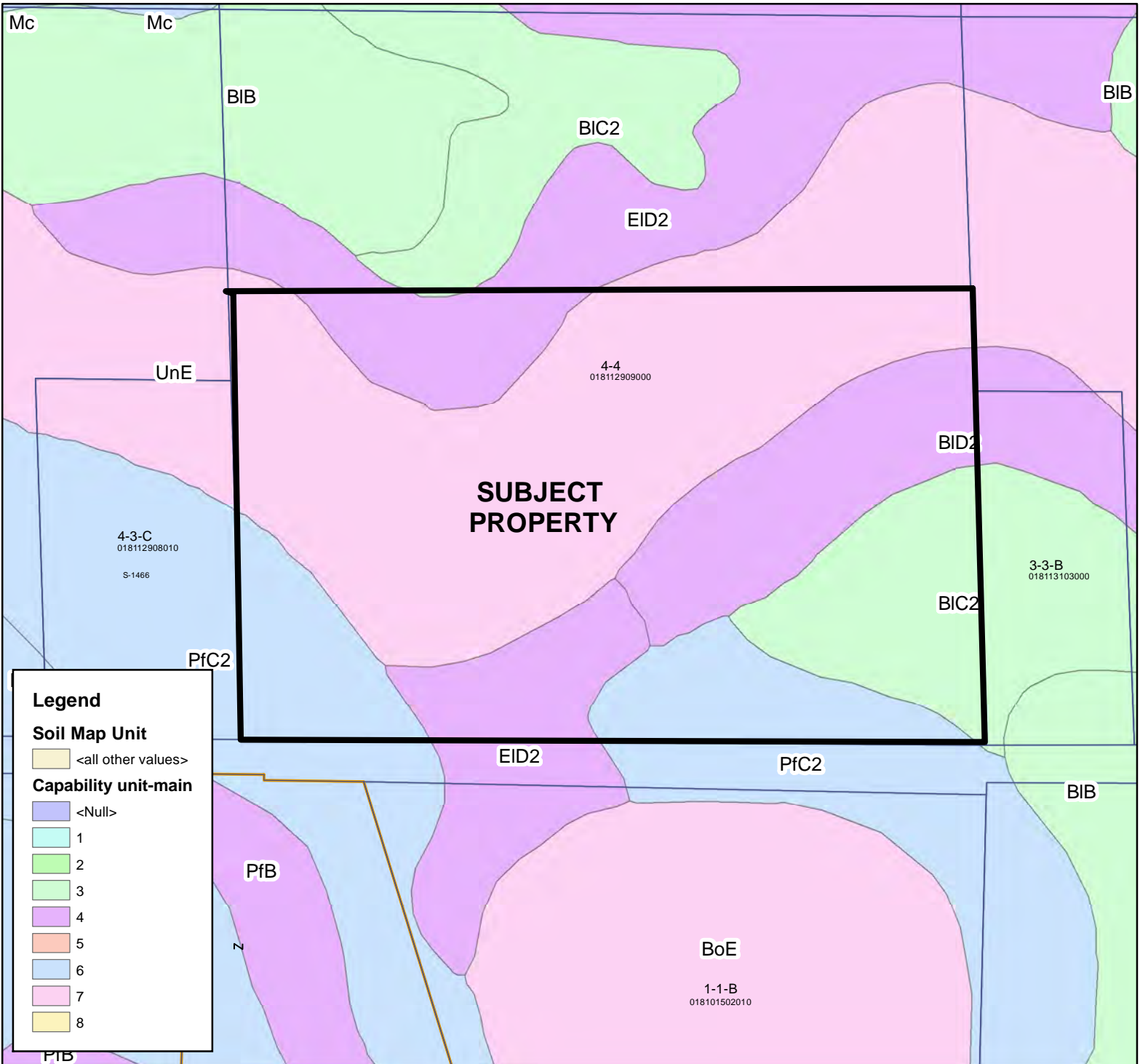
Subject Property

RL

PI

RL

GOERGEN REZONING SOIL MAP



Parcel Mapping Notes:

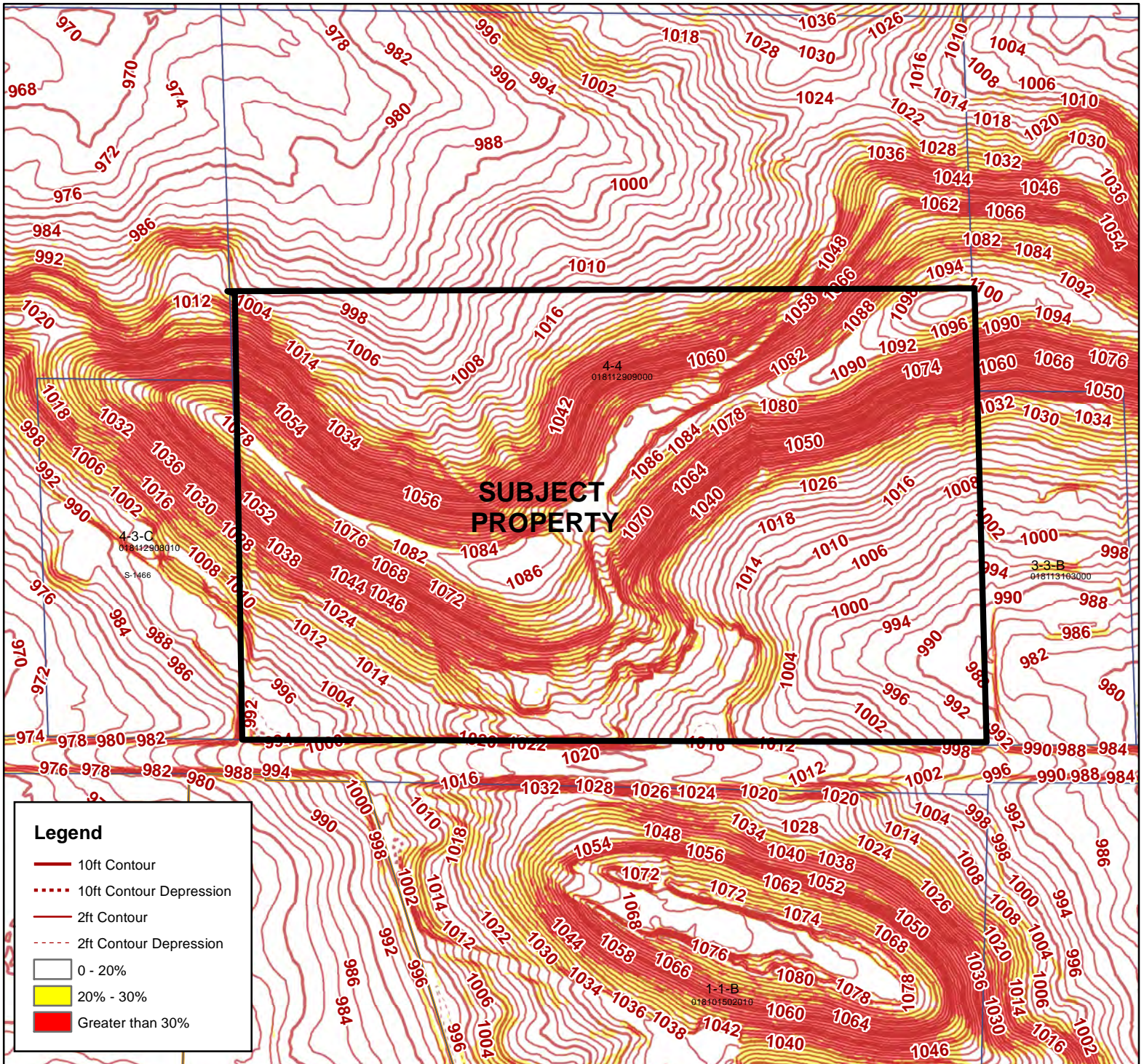
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GOERGEN REZONING SLOPE-TOPO MAP



Parcel Mapping Notes:

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

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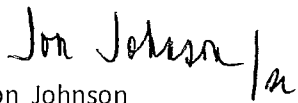
FACT SHEET

File No. 17-18/042

This ordinance adds language to the county code reducing the speed limit to 45 miles per hour from Black Creek bridge south to the School House Creek bridge.

Letters of support were received pointing out location of housing units as well as safety concerns for children.

Respectfully submitted,

A handwritten signature in black ink that reads "Jon Johnson" with a stylized flourish at the end.

Jon Johnson
Eau Claire County Highway Commissioner

1 **Enrolled No.**

ORDINANCE

File No. 17-18/042

2
3 **- TO AMEND SECTION 10.01.080 OF THE CODE: CTH H -**

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

6
7 **SECTION 1.** That Section 10.01.080 of the code be amended to read:

8
9 10.01.080 CTH "H".

10 A. From US 12 northerly for 0.10 miles: 35 mph.

11 B. From Black Creek bridge south for 0.61 miles to the School House Creek bridge:
12 45 mph.

13
14 I certify that the foregoing correctly represents the
15 action taken by the undersigned committee on June
16 15, 2017 by a vote of 4 for, 0 against.

17
18
19
20 
21 Ray Henning, Chair
22 Highway Committee

23
24 KRZ/yk

25
26
27
28 ORDINANCE/17-18.042

29
30
APPROVED BY
CORPORATION COUNSEL
AS TO FORM

Reviewed by Finance Dept.
for Fiscal Impact

FACT SHEET

TO FILE NO. 17-18/045

This resolution disallows the Notice of Claim filed on July 19, 2017 by Xue Vang in which Mr. Vang claims that on April 18, 2017 a City of Eau Claire Police Officer committed perjury in court depriving him of his constitutional liberty. There were no Eau Claire County employees named in this claim. The claim has been reviewed by WMMIC, the County's insurance carrier, and determined that Eau Claire County has no liability for this claim; the matter has been forwarded to the City of Eau Claire.

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

Respectfully Submitted,

A handwritten signature in black ink that reads "Keith R. Zehms". The signature is written in a cursive style with a large initial 'K'.

Keith R. Zehms

KRZ/yk

Ordinance/17-18/045 Fact

1 Enrolled No.

2 RESOLUTION

3 File No. 17-18/045

4 DISALLOWING THE CLAIM OF XUE VANG FILED ON JULY 14, 2017 AGAINST EAU
5 CLAIRE COUNTY; DIRECTING THE COUNTY CLERK TO NOTIFY THE CLAIMANT OF
6 SAID DISALLOWANCE -

7 WHEREAS, on July 14, 2017 Xue Vang filed an Notice of Claim against Eau Claire County
8 with the County Clerk's Office; and
9

10 WHEREAS, Xue Vang claims that a City of Eau Claire Police Officer committed perjury in
11 court depriving him of his constitutional liberty; and
12

13 WHEREAS, since no Eau Claire County employees were named in this claim WMMIC, the
14 County's insurance carrier has determined that Eau Claire County has no liability for this claim and
15 the matter has been forwarded to the City of Eau Claire.
16

17 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors
18 hereby formally disallow the claim of Xue Vang against the County of Eau Claire.
19

20 BE IT FURTHER RESOLVED that the county clerk is hereby directed to notify Xue
21 Vang of the disallowance.
22

23
24
25 *Patricia Leary*
26 *Mark H. Colver*
27 *James Channing*
28 *Nicki Jensen*
29
30
31
32
33 *Steve Pagen*
34 Committee on Finance and Budget

35 KRZ/yk

36 Dated this 10th day of August, 2017.

37 ORDINANC/17-18/045

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

Reviewed by Finance Dept.
for Fiscal Impact

FACT SHEET

TO FILE NO. 17-18/049

This resolution disallows the Notice of Claim filed on July 26, 2017 by Nesreen Khraisha in which Ms. Khraisha claims that on December 31, 2016 she was injured as a result of a fall in the long-term parking area at the Chippewa Valley Regional Airport. The claim has been reviewed by WMMIC, the County's insurance carrier, and determined that Eau Claire County has no liability for this claim.

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

Respectfully Submitted,

A handwritten signature in cursive script that reads "Keith R. Zehms".

Keith R. Zehms

KRZ/yk

Ordinance/17-18/049 Fact

1 Enrolled No.

2 RESOLUTION

3 File No. 17-18/049

4 DISALLOWING THE CLAIM OF NESREEN KHRAISHA FILED ON JULY 26, 2017
5 AGAINST EAU CLAIRE COUNTY; DIRECTING THE COUNTY CLERK TO NOTIFY THE
6 CLAIMANT OF SAID DISALLOWANCE -

7 WHEREAS, on July 26, 2017 Nesreen Khraisha filed a Notice of Claim against Eau Claire
8 County with the County Clerk's Office; and

9
10 WHEREAS, Nesreen Khraisha claims that on December 31, 2016 she was injured as a result
11 of a fall in the long-term parking area at the Chippewa Valley Regional Airport; and

12
13 WHEREAS the County's insurance carrier has investigated this claim, and has recommended
14 that the County disallow the claim,

15
16 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors
17 hereby formally disallow the claim of Nesreen Khraisha against the County of Eau Claire.

18
19 BE IT FURTHER RESOLVED that the county clerk is hereby directed to notify Nesreen
20 Khraisha of the disallowance.

21
22
23 _____
24 *Robin Gray*
25 _____
26 *Mark J. Cook*
27 _____
28 *James Cunningham*
29 _____
30 *Michael Hansen*
31 _____
32 *Steve Pogorel*
33 _____
34 Committee on Finance and Budget

35 KRZ/yk

36 Dated this 10th day of August, 2017.

ORDINANC/17-18/049

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

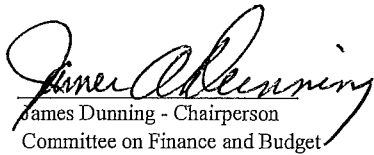
Reviewed by Finance Dept.
for Fiscal Impact

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF
JULY 2017

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

<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
Group Health Cooperative	Health Insurance Premiums/COBRA - August	\$ 577,116.66
Fahrner Asphalt Sealers LLC	Scub Seal/Fog Seal Cty Rd SS/ Hwy 93 Fog Seal {Hwy}	\$ 254,566.47
City of Eau Claire Treasurer	Comm Center Payment - July	\$ 132,177.50
Monarch Paving Co	Cty Hwy W & I - Hot & Warm Mix {Hwy}	\$ 113,076.81
Lutheran Social Services	CJCC Services - May/June	\$ 97,666.66
Eau Claire City County Health Dept	July Payment	\$ 96,426.25
Henry G Meigs LLC	CIP CTH I Asphalt Emulsion {Hwy}	\$ 90,023.00
Athens Lumber LLC	Parks & Forestry Maint Bldg Construction	\$ 85,500.00
Senn Blacktop Inc	CTH KK Hot Mix and CTH Paver Patching {Hwy}	\$ 72,860.44
Allstates Pavement Recycling	Pulverize CTH I {Hwy}	\$ 67,548.00
City of Eau Claire Treasurer	Sungard Annual Support {IS}	\$ 57,505.24
Xcel Energy	Courthouse Electric/Gas - June	\$ 56,564.50
Advanced Disposal	Recycling - June	\$ 42,314.87
Correct Care Solutions Inc	Monthly Medical Services - August	\$ 42,270.74
CliftonLarsonAllen	2016 Audit Services	\$ 38,850.00
Aramark Services Inc	Inmate/Staff Meals - June	\$ 38,216.12
Wisconsin Municipal Mutual Ins Co	Workers Compensation - SIR Imprest Replenishment	\$ 35,062.12
City of Eau Claire Treasurer	Kiosk for Evidence Packaging Area {Sheriff}	\$ 25,678.98
Securian Financial Group Inc	Life Insurance Premiums - July/August	\$ 25,403.56
Venture Architects	Facilities Master Plan Professional Services {Maintenance, Ag Ctr}	\$ 25,000.00
Boxx Sanitation LLC	Recycling - June	\$ 24,462.88
Sacred Heart Hospital	Meals - June	\$ 23,091.84
Delta Dental Plan of WI Inc	Dental Insurance premiums - August	\$ 20,412.75
U S Postal Service	Postage	\$ 20,000.00
The Kraemer Co LLC	Base Course - Cth KK CIP Project {Hwy}	\$ 17,168.79
Wisconsin Municipal Mutual Ins Co	Workers Compensation - SIR Imprest Replenishment	\$ 16,819.15
Friends of Beaver Creek Reserve	July Payment	\$ 15,000.00
Standard Insurance Company	STD/LTD Premiums - June	\$ 13,927.96
Evergreen Townhouse	Income Tax refunds {Treasurer}	\$ 13,681.93
Chippewa Valley Energy	Diesel Fuel - {Hwy}	\$ 13,051.02
City of Eau Claire Treasurer	Water/Storm Sewer {Airport}	\$ 12,117.39
Try Inc	July Payment	\$ 11,134.92
Dunn County Administrator	June Medical Examiner Fees	\$ 10,440.38
Xcel Energy	Terminal Electric/Gas - June	\$ 10,262.44
Eau Claire Events LLC	Refund of Financial Assurance - Eaux Claires Festival	\$ 10,000.00
	<i>subtotal</i>	\$ 2,205,399.37
County of Burnett	<i>IM Consortia Payment</i>	\$ 24,212.00
County of Chippewa	<i>IM Consortia Payment</i>	\$ 46,402.00
County of Douglas	<i>IM Consortia Payment</i>	\$ 89,201.00
County of Dunn	<i>IM Consortia Payment</i>	\$ 50,856.00
County of Pierce	<i>IM Consortia Payment</i>	\$ 39,616.00
County of Polk	<i>IM Consortia Payment</i>	\$ 60,954.00
County of St Croix	<i>IM Consortia Payment</i>	\$ 96,405.00

57	County of Washburn	<i>IM Consortia Payment</i>	\$	17,014.00
58	Brotoloc Inc	Contracted Services	\$	106,811.34
59	Caillier Clinic	Contracted Services	\$	15,954.41
60	Career Development Center	Contracted Services	\$	13,070.60
61	Chileda Institute Inc	Contracted Services	\$	74,956.50
62	Clinicare Corporation	Contracted Services	\$	53,235.00
63	Habilitation Center	Contracted Services	\$	13,500.00
64	Lutheran Social Services	Contracted Services	\$	280,216.24
65	MCSH-Eau Claire Clinic	Contracted Services	\$	14,250.00
66	New Hope Hallie Inc	Contracted Services	\$	18,590.00
67	New Visions Treatment Homes	Contracted Services	\$	28,578.00
68	Northwest Counsel & Guidance	Contracted Services	\$	34,620.38
69	Northwest Passage LTD	Contracted Services	\$	60,936.90
70	Oconomowoc Development Training	Contracted Services	\$	15,210.20
71	Rawhide Inc	Contracted Services	\$	10,854.30
72	REM Wisconsin III Inc - State	Contracted Services	\$	12,776.75
73	State of WI Dept of Corrections	Contracted Services	\$	31,132.00
74	Trempealeau County	Contracted Services	\$	66,794.09
75	Vantage Point Clinic & Assessment	Contracted Services	\$	25,459.17
76	Western Dairyland Economic Supp	Contracted Services	\$	14,949.95
77				
78			Total	\$ 1,316,555.83
79				
80			Grand Total	\$ 3,521,955.20
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86 James Dunning - Chairperson
87 Committee on Finance and Budget
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APPROVED BY
CORPORATION COUNSEL
AS TO FORM

Reviewed by Finance Dept.
for Fiscal Impact

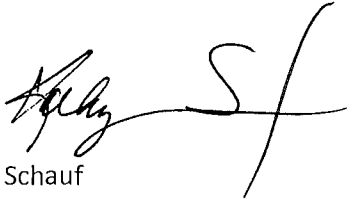
Candidate for Planning and Development Director
Rod Eslinger

I am pleased to present Rod Eslinger for appointment as the Eau Claire County Planning and Development Director. Mr. Eslinger's has an extensive professional background with a comprehensive range of experience in land use and planning administration.

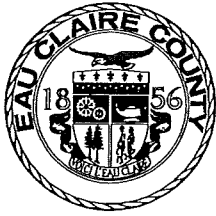
Rod has a Bachelor's of Science, with a major in Land Use Management, and minors in Cartography and Conservation. He has served as the Land Use Manager in Eau Claire County since August 2004. Rod has had experience working in Planning, Zoning, Land Use, Land Management, and Land Conservation for other city and county governments; spanning over 20 years. In addition, Rod has achieved a variety of certifications and licensures.

The position is full time effective August 16, 2017 at a salary of \$82,596 per year, which is Step 3 of Pay Range T.

Respectfully,

A handwritten signature in black ink, appearing to read 'Kathryn Schauf', followed by a large, stylized flourish that resembles the letters 'Sf'.

Kathryn Schauf
County Administrator



Eau Claire County Board of Supervisors

721 Oxford Avenue, Room 3520

Eau Claire, WI 54703-5481

Phone: 715-839-5106

Fax: 715-839-6243



TO: Eau Claire County Board of Supervisors
FROM: Gregg Moore, Chair
RE: Appointment of Citizen Member to Human Services Board
DATE: August 8, 2017

I certify that the named citizen representative below has been selected for appointment as follows:

HUMAN SERVICES BOARD

Gabriel Schlieve to succeed Rick Kayser

TERM EXPIRES

April 2018

Our Mission

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