

AGENDA

Eau Claire County Board of Supervisors
Tuesday, March 6, 2018 / 7 pm

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 Katy Forsythe)
3. Call of the Roll
4. Approval of the Journal of Proceedings (February 21, 2018) (pg. 4-6)
5. **PUBLIC COMMENT**

6. **REPORTS TO THE COUNTY BOARD UNDER 2.04.320**

Report on Property Assessed Clean Energy (PACE) / Update by Supervisor Jim Dunning

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

Proclamation: Proclaiming March 18 Through March 24, 2018 "Fair Housing Week" in the County of Eau Claire (pg. 7)

Communication Received

- Rezoning Request Received: Pem Properties (pg. 8)
- Rezoning Request Received: Donald Hazuga (pg. 9)
- Rezoning Request Received: Bank of New York Mellon (pg. 10)
- Memo / re: Independent Agency Reports to County Board (pg. 11-12)
- 4th Quarter Comp Time/Overtime Report (pg. 13-16)

8. **FIRST READING OF ORDINANCES BY COMMITTEES**

File No.

17-18/121 (1) Amending Title 19 of the Code: Eau Claire County Wisconsin
Comprehensive Plan (pg. 17-18)

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.

17-18/104 (2) To Repeal and Recreate Section 3.20.005 of the Code: Salaries of
Elected Officials; Amending Section 3.20.010 E. of the Code: Benefits
of Elected Officials (from 2/21/18 county board meeting)(pg. 19-22)

17-18/105 (1) Requesting a Change in Wisconsin Law to Allow the State and Local
Governments to Access Wisconsin Retirement Fund Accounts of
Public Employees Who are Convicted of Stealing Money from Their
State or Local Government Employer (pg. 23-24)

17-18/106 (2) To Amend Section 2.12.140 B. of the Code: Medical Examiner
System (from 2/21/18 county board meeting) (pg. 25-26)

17-18/110 (2) To Amend Section 2.04.010 A. of the Code: Rule 1—Meeting
(from 2/21/18 county board meeting) (pg. 27-28)

17-18/115 (2) To Reletter Section 10.81.030 H. to I. of the Code: Restricted Parking
Areas; To Create Section 10.81.030 H. of the Code: Restricted
Parking Areas (from 2/21/18 county board meeting) (pg. 29-30)

Committee on Human Resources

File No.

17-18/125 (1) To Ratify a Labor Agreement Between Eau Claire County and the
Wisconsin Professional Police Association Law Enforcement
Employee Relations Division for the Non-Supervisory Unit Effective
January 1, 2018 through December 31, 2020 . . . (Committee to
meet prior to the County Board meeting at 6:45 pm to vote on the
resolution) (pg. 31-32)

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

Committee on Planning and Development

File No.

- 17-18/097 (1) Amending the 1982 Official Zoning District Boundary Map for the Town of Washington (pg. 33-34)
- 17-18/100 (2) To Amend Section 18.20.010 B. of the Code: General Provisions (from 2/21/18 county board meeting) (pg. 35-36)
- 17-18/101 (2) To Amend Certain Sections of Section 12.73 and 12.74 of the Code (from 2/21/18 county board meeting) (pg. 37-42)
- 17-18/107 (1) Amending the 1982 Official Zoning District Boundary Map for the Town of Brunswick (pg. 43-44)
- 17-18/119 (1) Amending the 1982 Official Zoning District Boundary Map for the Town of Clear Creek (pg. 45-46)

Committee on Parks & Forest

File No.

- 17-18/117 (1) Authorizing the Purchase of 41.39 Acres of Land in the Town of Lincoln for Placement in the County Forest (pg. 47-58)

Land Conservation Commission

File No.

- 17-18/126 (1) Authorizing the Land Conservation Manager to Act on Behalf of Eau Claire County to Submit an Application to the State of Wisconsin DNR for Acquiring a Grant for the Purpose of Implementing Measures to Control Agricultural Or Urban Storm Water Runoff Pollution Sources (pg. 59-60)

11. **APPOINTMENTS**

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

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

Wednesday, February 21, 2018

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Wednesday, February 21, 2018, 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 Brandon Buchanan.

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

JOURNAL OF PROCEEDINGS (January 16, 2018)

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

PUBLIC COMMENT

*Supervisor Kranig arrived at this time.

Marlo Orth thanked the Board and county staff for their support of the Lake Eau Claire Protection and Rehabilitation District and expressed appreciation for Chair Moore's leadership.

REPORTS TO THE COUNTY BOARD UNDER 2.04.320

County Administrator Kathryn Schauf presented oral updates on the following topics:

- Request for Proposals for Health Insurance
- Strategic Planning Timeline
- Wisconsin Counties Association Legislative Exchange by Administrator Schauf, Supervisors Moore and Bates

The following written reports were presented to the board:

- 2018 Contingency Fund Report as of February 14, 2018

PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

County Board Chair requests that county board order a varied start time for the May 1 board meeting at which they will engage in strategic planning. There were no objections to starting at 6:00 p.m. on May 1, 2018.

A report from Attorney Krista K. Baisch regarding opioid litigation was laid on the supervisors' desks.

A report regarding a rezoning request in the Town of Brunswick was received from Jeffrey and Sheryl Hoepner, owners and applicants.

A report regarding a rezoning request in the Town of Clear Creek was received from Larry and Patricia Smith, owners and applicants.

FIRST READING OF ORDINANCES BY COMMITTEES

Ordinance 17-18/100 TO AMEND SECTION 18.20.010 B. OF THE CODE: GENERAL PROVISIONS

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

Ordinance 17-18/101 TO AMEND SECTION 12.73.001 OF THE CODE: PURPOSE; TO AMEND SECTION 12.73.010 C. OF THE CODE: MANDATORY SEPARATION OF YARD WASTE FROM REFUSE; TO AMEND SECTION 12.73.100 A. 6. THROUGH 11. OF THE CODE: MANDATORY SEPARATION OF RECYCLABLES BY OWNERS OR OCCUPANTS OF SINGLE FAMILY AND 2- TO 4-UNIT RESIDENCES; TO AMEND SECTION 12.73.120 A. 1. THROUGH 8. OF THE CODE: PROCESSING OF RECYCLABLES FOR COLLECTION BY A RESIDENTIAL SERVICES PROVIDER; TO REPEAL SECTION 12.73.140 B. AND D. AND RELETTER C. AS B. OF THE CODE: PREPARATION OF RECYCLABLES FOR COLLECTION BY A RESIDENTIAL SERVICE PROVIDER; TO AMEND SECTION 12.73.150 A. OF THE CODE: DEPOSITING OF RECYCLABLES AT DROP-OFF LOCATIONS BY OWNERS OR OCCUPANTS OF SINGLE-FAMILY AND 2- TO 4-UNIT RESIDENCES; TO AMEND SECTION 12.73.200 A. 7. THROUGH 12. OF THE CODE: MANDATORY SEPARATION OF RECYCLABLES BY OWNERS OR OCCUPANTS OF NON-RESIDENTIAL FACILITIES; TO AMEND SECTION 12.73.210 B. & C. OF THE CODE: REQUIREMENTS FOR OWNERS OF NON-RESIDENTIAL FACILITIES IN ESTABLISHING RECYCLING PROGRAMS; TO RENUMBER SECTION 12.73.240 A. 3. OF THE CODE: REQUIREMENTS FOR NON-RESIDENTIAL FACILITIES THAT SEPARATE RECYCLABLES FROM THEIR REFUSE ON-SITE; TO CREATE SECTION 12.73.240 A. 3. OF THE CODE: REQUIREMENTS FOR NON-RESIDENTIAL FACILITIES THAT SEPARATE RECYCLABLES FROM THEIR REFUSE ON-SITE; TO AMEND SECTION 12.73.240 B. 1. AND 3. OF THE CODE: REQUIREMENTS FOR NON-RESIDENTIAL FACILITIES THAT SEPARATE RECYCLABLES FROM THEIR REFUSE ON-SITE; TO AMEND SECTION 12.73.240 D. 1. AND h. OF THE CODE: REQUIREMENTS FOR NON-RESIDENTIAL FACILITIES THAT SEPARATE RECYCLABLES FROM THEIR REFUSE ON-SITE; TO AMEND SECTION 12.73.280 A. OF THE CODE: INSPECTIONS OF NON-RESIDENTIAL RECYCLING PROGRAMS; TO AMEND SECTION 12.73.290 OF THE CODE: WASTE EXCHANGE DIRECTORY; TO AMEND SECTION 12.73.300 A. 6. THROUGH 11. OF THE CODE: MANDATORY SEPARATION OF RECYCLABLES FROM REFUSE GENERATED AT MULTI-FAMILY RESIDENTIAL DWELLINGS; TO AMEND SECTION 12.73.500 OF THE CODE: MANDATORY SEPARATION OF WASTE TIRES FROM REFUSE; TO REPEAL CHAPTER 12.74 OF THE CODE: COUNTY RESIDENTIAL BRUSH DISPOSAL SITE REGULATIONS

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

Ordinance 17-18/104 TO REPEAL AND RECREATE SECTION 3.20.005 OF THE CODE: SALARIES OF ELECTED OFFICIALS; AMENDING SECTION 3.20.010 E. OF THE CODE: BENEFITS OF ELECTED OFFICIALS

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

Ordinance 17-18/106 TO AMEND SECTION 2.12.140 B. OF THE CODE: MEDICAL EXAMINER SYSTEM

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

Ordinance 17-18/110 TO AMEND SECTION 2.04.010 A. OF THE CODE: RULE 1—MEETING

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

Ordinance 17-18/115 TO RELETTER SECTION 10.81.030 H. TO I. OF THE CODE: RESTRICTED PARKING AREAS; TO CREATE SECTION 10.81.030 H. OF THE CODE: RESTRICTED PARKING AREAS

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 Administration

Resolution 17-18/112 REAUTHORIZATION OF SELF-INSURANCE

Motion by Supervisor Gatlin, seconded by Supervisor Conlin for adoption.
On a roll call vote, the resolution was adopted as follows:

24 ayes: Supervisors Gibson, McKinney, Kranig, Pagonis, Anton, Chilson, Stelljes, Steinhauer, Conlin, Henning, Bates, Clark, Gatlin, Smiar, Mortimer, Moore, Dunning, Richie, Leary, DeLuka, Schraufnagel, Buchanan, Cronk, LaVelle

0 noes

5 absent: Supervisors Forsythe, Wilkie, Beckfield, Miller, Olson

Committee on Human Resources

Resolution 17-18/113 ABOLISHING TWO .73 FTE COOKS, CREATING TWO 1.0 FTE COOKS, ONE .38 FTE COOK, ONE .73 FTE COOK, AND ONE .50 FTE DELIVERY DRIVER; CREATING ONE .73 FTE COOK WITH CONTRACT APPROVAL

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

Highway Committee

Resolution 17-18/109 SUPPORTING PROPOSED LEGISLATION AB 475 AND SB 386 CHANGING LIGHTING REQUIREMENTS FOR ANIMAL-DRAWN VEHICLES OPERATED ON HIGHWAYS

Motion by Supervisor Henning, seconded by Supervisor Mortimer, 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 Parks and Forest

Resolution 17-18/086 RATIFYING A LAND USE AGREEMENT AND PERMIT WITH THE EAU CLAIRE NATIONAL RIFLE CLUB FOR OPERATION OF THE EAU CLAIRE COUNTY RIFLE RANGE; AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT

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

Committee on Finance and Budget

Resolution 17-18/111 AUTHORIZING THE SALE OF TAX DEED PROPERTY TO FORMER OWNER NATHAN R. SCHULTZ FOR \$13,146.07; DIRECTING CORPORATION COUNSEL TO PREPARE A QUIT CLAIM DEED ON THE DESCRIBED PROPERTY; DIRECTING THE COUNTY CLERK TO EXECUTE SAID QUIT CLAIM DEED ON BEHALF OF EAU CLAIRE COUNTY

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

Resolution 17-18/114 AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF JANUARY 2018

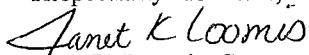
Motion by Supervisor LaVelle, seconded by Supervisor Bates, for adoption.
On a roll call vote, the resolution was unanimously adopted.

Resolution 17-18/116 FINANCIAL POLICY: CARRYFORWARDS

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

The Board adjourned at 8:31 p.m.

Respectfully submitted,


Janet K. Loomis, County Clerk

PROCLAMATION

-PROCLAIMING MARCH 18 THROUGH MARCH 24, 2018,
"FAIR HOUSING WEEK" IN THE COUNTY OF EAU CLAIRE-

WHEREAS, the purpose of the federal Fair Housing Law is to make fair housing a reality for all, regardless of race, color, religion, national origin, age, sex, sexual orientation, ancestry, marital status, lawful source of income, handicap, or familial status; and

WHEREAS, there is a need to continue to reinforce the concepts of freedom of choice, equality, and an open housing market to prevent discriminatory practices from continuing; and

WHEREAS, promoting fair housing is the responsibility of everyone; and

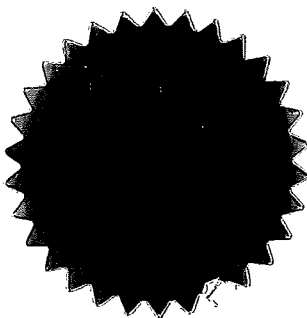
WHEREAS, it is the policy of the County to prohibit discrimination in housing, thereby assuring equal opportunity to all persons to live in decent, safe and sanitary housing facilities.

NOW, THEREFORE, I, Gregg Moore, Chairperson of the Eau Claire County Board of Supervisors, do hereby proclaim the week of March 18 through March 24, 2018, as:

"FAIR HOUSING WEEK"

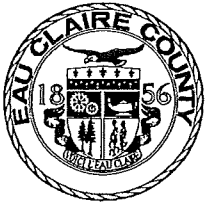
in Eau Claire County and urge all citizens to support the goals of Fair Housing Laws.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the County of Eau Claire to be affixed. Done at the Courthouse in the City of Eau Claire this 6th day of March, 2018.



Gregg Moore

Gregg Moore, Chairperson
Eau Claire County Board of Supervisors



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

FEB 27 2018

COUNTY CLERK

February 27, 2018

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: Pem Properties

Applicant: Bill Albright

File Number: 17-18/128

Legal Description: LOT 31 BLAKELEYS ADDITION TOWN OF WASHINGTON, Section 34, T27N-R9W, Town of Washington, Eau Claire, Wisconsin.

Site Address: 3432 London Road, Eau Claire.

Date Received: February 27, 2018

Regards,

Jeanna Allen

Administrative Specialist, Planning and Development



Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT
Eau Claire County Courthouse - Room 3344
721 Oxford Avenue
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839-5055
Recycling
839-2756

RECEIVED

FEB 27 2018

COUNTY CLERK

February 27, 2018

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: Donald Hazuga

Applicant: Peter Gartmann

File Number: 17-18/123

Legal Description: LOT 1 OF CSM V.6 PG.323 (#1257) LYG IN THE NW-NE CONT 6.55 AC WITHOUT RD R/W, in Section 30, T27N-R10W, Town of Union, Eau Claire County, Wisconsin

Site Address: 9625 Curvue Road, Eau Claire.

Date Received: February 27, 2018

Regards,

Jeanna Allen

Administrative Specialist, Planning and Development



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DEPARTMENT OF PLANNING
AND DEVELOPMENT
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839-5055
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839-2756

February 27, 2018

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: Bank of New York Mellon

Applicant: Gabriel Otterson

File Number: 17-18/127

Legal Description: NE-NE EX S 336' OF N 536' OF E 260' EX N 167.5' OF E 390' LYG S OF CTH E & W OF CTH TT EX S 501.3' OF E 348.4' LYG W OF CTH TT EX PRT NE-NE BEG SW COR OF SD 40 TN E ALG S LN SD 40 257.41' TN N2*17'35"W 1293.42' TO S LN OF CTH E TN W ALG S LN CTH E TO W LN OF SD 40 TN S ALG W LN OF SD 40 TO POB, EX LOT 1 OF CSM VOL 6 PG 176 (#1182), in Section 22, T27N-R10W, Town of Union, Eau Claire, Wisconsin

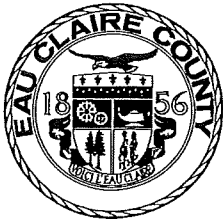
Site Address: 4505 W. Cameron Street, Eau Claire.

Date Received: February 27, 2018

Regards,

Jeanna Allen

Administrative Specialist, Planning and Development



Eau Claire County
Office of the County Administrator
721 Oxford Avenue, Room 3520
Eau Claire, WI 54703-5481
Phone: 715-839-5106 Fax: 715-839-6243
admin@co.eau-claire.wi.us



TO: Eau Claire County Board of Supervisors

FROM: Sharon Rasmusson, Assistant to the County Administrator

SUBJ: Independent Agency Reports to County Board

DATE: January 22, 2018

Independent agency reports representing calendar year 2017 activity will be included in the March 20, 2018 county board packet.

Section 2.04.320 Rule 32 – Reports to the County Board

D. Members appointed to represent the board on the governing bodies of independent agencies shall submit to the county administrator written reports of such agency activities or issues as may be of interest to the board by the calendar deadline in 2.04.110 A. annually at the second meeting in March. Copies of such reports shall be sent with the calendar to each board member. Discussion of and directives by the board for action by the appropriate committee on any matters so reported shall be in order.

A listing of the reports and supervisor(s) responsible in providing the report follows this memo.

The deadline for submitting reports to the County Administrator's office will be Wednesday, March 14, 2018. Please contact me if you have any questions. Phone: 715-839-6143 or email me at Sharon.rasmusson@co.eau-claire.wi.us.

Thank you.

Annual Independent Agency Report

Members appointed to represent the board on the governing bodies of independent agencies shall submit to the county administrator written reports of such agency activities or issues as may be of interest to the board by the calendar deadline annually at the 2nd meeting in March. The following independent agencies under Rule 32 shall prepare an annual report:

CHIPPEWA VALLEY BUSINESS INNOVATION CENTER

Patrick LaVelle

COUNTY HOUSING AUTHORITY

Robin Leary

Sandra McKinney

EAU CLAIRE AREA ECONOMIC DEVELOPMENT CORPORATION

Gregg Moore

LAKE ALTOONA REHABILITATION DISTRICT COMMISSION

Doug Kranig

Sue Miller

LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)

Ray Henning

Patrick LaVelle

METROPOLITAN PLANNING ORGANIZATION

Jim Dunning

Kevin Stelljes

WEST CENTRAL WISCONSIN COUNTIES CONSORTIUM BOARD OF COMMISSIONERS

Colleen Bates

WEST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION

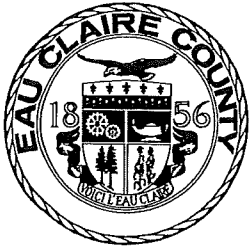
Kathleen Clark

Gordon Steinhauer

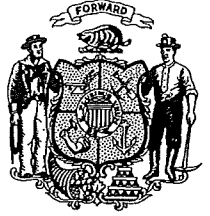
WESTERN DAIRYLAND ECONOMIC OPPORTUNITY COUNCIL

Judy Gatlin

Nick Smiar



FINANCE DEPARTMENT



To: The Honorable Eau Claire County Board of Supervisors

From: Finance Department

Date: December 31st, 2017

Re: Required Statistical Reports – 4th Quarter 2017

Please find the following 4th Quarter 2017 reports:

- Overtime Utilization
- Compensatory Time Utilization
- Number of Employees

County of Eau Claire

4th Quarter 2017 Overtime Report - Regular

Department	Budget Amount	Period Amount	YTD Expended	Budget Balance	% Spent
Aging Disability & Resource	-	537.36	1,314.62	(1,314.62)	100.00% +
Airport	15,000.00	1,161.00	6,104.14	8,895.86	40.69%
Child Support	-	-	46.93	(46.93)	100.00% +
Circuit Court Operations	\$ -	\$ -	40.01	(40.01)	100.00% +
Clerk of Courts	100.00	-	-	100.00	0.00% +
Corporation Counsel	-	-	176.81	(176.81)	100.00% +
District Attorney	-	-	258.58	(258.58)	100.00% +
Facilities	15,000.00	1,183.56	6,300.86	8,699.14	42.01%
Finance	1,000.00	8.23	4,447.99	(3,447.99)	100.00% +
Highway	509,926.00	20,479.60	138,925.73	371,000.27	27.24%
Human Resources	-	-	11.62	(11.62)	100% +
Human Services	-	3,667.01	14,205.22	(14,205.22)	100.00% +
Information Systems	-	-	353.73	(353.73)	100.00% +
Juvenile Div	1,000.00	513.05	1,204.17	(204.17)	100.00% +
Juvenile Jail	12,000.00	6,411.48	18,917.54	(6,917.54)	100.00% +
Parks & Forest General & Admin	300.00	22.21	238.07	61.93	79.36%
Parks & Forest: County Forest	420.00	-	37.80	382.20	9.00%
Parks & Forest: Coon Forks	-	816.00	2,562.39	(2,562.39)	100.00% +
Parks & Forest: Lake Altoona	320.00	-	2,889.61	(2,569.61)	100.00% +
Parks & Forest: Lake Eau Claire	40.00	-	189.99	(149.99)	100.00% +
Parks & Forest: Tower Ridge	1,500.00	-	-	1,500.00	0.00%
Purchasing	-	-	-	-	#DIV/0!
Register of Deeds	-	-	11.30	(11.30)	100.00% +
Register of Probate	-	-	-	-	100.00%
Planning & Development	-	0.00	0.00	-	0.00%
Planning & Development: General	-	233.19	387.81	(387.81)	100.00% +
Planning & Development: Land Conservation	-	-	877.68	(877.68)	100.00% +
Planning & Development: Emergency Management	-	-	-	-	100.00% +
Planning & Development: Housing Authority	1,000.00	-	2,636.99	(1,636.99)	100.00% +
Sheriff: Huber	69,500.00	27,507.80	82,486.22	(12,986.22)	118.69%
Sheriff: Investigative	46,500.00	16,018.26	60,571.18	(14,071.18)	100.00% +
Sheriff: Anti -Drug Grant	15,000.00	3,431.68	15,431.19	(431.19)	100.00% +
Sheriff: Civil Process	6,000.00	6,146.34	16,308.16	(10,308.16)	100.00% +
Sheriff: Courthouse Security	14,400.00	4,413.33	15,539.70	(1,139.70)	100.00% +
Sheriff: Crime & Comm Caretkg	112,700.00	34,172.68	169,017.86	(56,317.86)	100.00% +
Sheriff: Jail Secure	215,300.00	113,509.22	347,223.53	(131,923.53)	100.00% +
Sheriff: Traffic Control & Enf	83,000.00	28,844.46	115,685.94	(32,685.94)	100.00% +
Treasurer	1,000.00	253.99	755.72	244.28	75.57%
Total Regular O/T	\$ 1,121,006.00	\$ 269,330.45	\$ 1,025,159.09	\$ 95,846.91	100.00% +

4th Quarter 2017 Overtime Report - Temporary

Department	Budget Amount	Period Amount	YTD Expended	Budget Balance	% Spent
Parks & Forest	20.00	21.93	21.93	(1.93)	100.00% +
Parks & Forest: Big Falls	20.00	-	8.76	11.24	43.80%
Total Temporary O/T	\$ 40.00	\$ 21.93	\$ 30.69	\$ 9.31	100.00%

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

COMPENSATORY TIME

4th Quarter 2017

<u>Department</u>	<u>Hours Earned</u>	<u>Hours Paid Out</u>
Circuit Court Operations	0.00	0.00
Clerk of Courts	1.10	2.20
Juvenile Court Intake	46.50	17.60
Administration	14.70	0.00
Airport	4.50	0.00
County Clerk	0.00	0.00
Human Resources	0.00	0.00
Information Systems	30.00	0.00
District Attorney	12.80	0.00
Corporation Counsel / Child Support	13.00	0.00
Facilities	16.60	0.00
Sheriff - Field Svcs Division	245.20	65.90
Sheriff - Security Svcs Division	362.80	5.50
Sheriff - Administration	8.30	0.00
Aging Disability & Resource Center	23.90	0.00
Finance	3.20	1.80
Purchasing	6.20	0.00
Juvenile Detention	21.20	3.80
Human Services Org Svcs Div	103.70	0.00
Human Services Fiscal Div.	7.70	0.00
Human Services Adult Svcs	223.70	38.40
Human Services Emp & Econ Unit	0.00	0.00
Human Services Family Svcs	580.20	43.40
Highway	0.00	0.00
Parks & Forest	37.20	41.10
Planning & Development	55.40	9.00
TOTAL	<u>1035.30</u>	<u>135.70</u>

Eau Claire County Finance Department
Number of Employees as of December 31st, 2017

<u>Department / Division Name</u>	<u>Permanent</u>	<u>Non-Permanent</u>	<u>Total</u>
Administration	7	0	7
Aging & Disability Resource Center	29	4	33
Airport	7	0	7
Circuit Court Operations	5	0	5
Clerk of Courts	21	0	21
Corporation Counsel & Child Support	22	0	22
County Clerk	4	0	4
County Treasurer	4	3	7
DHS: Adult Services Unit	29	2	31
DHS: Employment & Econ Resource Unit	39	0	39
DHS: Family Services Unit	54	0	54
DHS: Fiscal Services Unit	8	0	8
DHS: Organizational Services Division	15	0	15
District Attorney	17	0	17
Facilities	15	0	15
Finance	6	0	6
Highway Administration	4	0	4
Highway Supervisory	7	0	7
Highway Labor	48	4	52
Human Resources	6	0	6
Information Systems	8	4	12
Juvenile Court Intake	3	0	3
Juvenile Detention	17	0	17
Parks & Forest	11	0	11
Planning & Development	5	0	5
Purchasing	26	0	26
Register in Probate	4	0	4
Register of Deeds	4	0	4
Sheriff, Administration	8	0	8
Sheriff, Field Services Division	32	0	32
Sheriff, Reserve Officers/Special Deputies	17	0	17
Sheriff, Security Services Division	64	0	64
U.W. Extension	2	0	2
Veterans Services	3	0	3
Total	551	17	568

FACT SHEET
File No. 17-18/121

RE: Amendment to the Eau Claire County Comprehensive Plan Future Land Use Map (Map 9) for three (3) parcels on the north side of US Highway 12 in the Town of Washington in Section 29, Township 27 North, Range 7 West, recently amended in the Town of Washington's 2018 Comprehensive Plan Update, to allow the property owners to rezone their properties consistent with the Town's Comprehensive Plan Future Land Use designations

Legal Description and location: Section 29, T27N, R7W, Town of Washington, Eau Claire County (complete legal descriptions provided in attached ordinance)

Size of amendment area: 20.28 acres +/-

PROPOSED AMENDMENTS: Eau Claire County Planning & Development Department proposes to amend the Eau Claire County Future Land Use Map (Map 9) for three (3) parcels to match the recently-updated Town of Washington Future Land Use Map to enable future rezoning and development, as depicted in the table on Page 1 and shown on the map on Page 2 of the attached staff report.

Note that these properties are being updated now to allow the owners to rezone their properties now rather than waiting for the upcoming County Comprehensive Plan update, which will include the other Future Land Use updates made by the Town. Also note that, if approved the rezonings of the properties will require separate reviews and approvals.

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-2 and A-3 zoning districts are consistent and therefore allowed within the mapped future land use designations.

Town Board Action: The Town of Washington Board adopted the updated Comprehensive Plan, including an update to their Future Land Use Map with the revised Future Land Use Designations for the subject properties on February 15, 2018.

Committee Action: The Eau Claire County Committee on Planning and Development conducted the required public hearing on Tuesday, February 27, 2018 regarding the proposed comprehensive plan amendment. On a vote of in favor 5 and 0 against, the Committee recommends approval of the rezoning petition to the County Board. The committee considered staff's recommendations in their deliberations.

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



Matt Michels, AICP
Senior Planner

2
3 - AMENDING TITLE 19. OF THE CODE: Eau Claire COUNTY WISCONSIN
4 COMPREHENSIVE PLAN -
5

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

8 **SECTION 1.** That Title 19 be amended to read: The Eau Claire County Future Land Use Map (Map 9)
9 located in Appendix E of the Eau Claire County Comprehensive Plan is hereby amended as
10 follows:
11

12 **That part of the NE¼ SW¼ lying southwesterly of the creek, excepting the south 18**
13 **rods (297') of the west 10 rods (165'), reserving the south 2 rods (33') of the west 10**
14 **rods (165') for road purposes, in Section 29, T27N, R8W, Town of Washington, Eau**
15 **Claire County, Wisconsin.**

16 **Said described lands contain 1.25 acres more or less to be reclassified from the Rural**
17 **Lands planning area designation to the Rural Commercial planning area designation.**

18
19
20 **SECTION 2.** That Title 19 be amended to read: The Eau Claire County Future Land Use Map (Map 9)
21 located in Appendix E of the Eau Claire County Comprehensive Plan is hereby amended as
22 follows:
23

24 **That part of the SE¼ SW¼, except that part lying south of US Highway 12, in Section**
25 **29. R27N, R8W, Town of Washington, Eau Claire County, Wisconsin**

26 **Said described lands contain 13.83 acres more or less to be reclassified from the Rural**
27 **Industrial planning area designation to the Rural Commercial planning area**
28 **designation.**
29

30
31 **SECTION 3.** That Title 19 be amended to read: The Eau Claire County Future Land Use Map (Map 9)
32 located in Appendix E of the Eau Claire County Comprehensive Plan is hereby amended as
33 follows:
34

35 **That part of the E½ of the SW¼ SE¼ lying north of US Highway 12 and south of Six**
36 **Mile Creek, in Section 28. T27N, R8W, Town of Washington, Eau Claire County,**
37 **Wisconsin**

38 **Said described lands contain 5.2 acres more or less to be reclassified from the Rural**
39 **Residential Mobile Home planning area designation to the Rural Lands planning area**
40 **designation.**
41

42
43 **SECTION 4.** This ordinance shall not be codified.
44

45 ENACTED: I hereby certify that the foregoing correctly represents the action
46 taken by the undersigned Committee on February 27, 2018 by a
47 vote of 4 for, 0 against.

48 APPROVED BY
49 CORPORATION COUNSEL
AS TO FORM

50 Gary Gil
51 Planning & Development Committee, Chairperson
52

53 Dated this 27th day of FEB., 2018.
54



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

CASE NUMBER: TEX-0001-17 **COMPUTER NUMBERS:** 024109904000
 024109808000
 024110010030

PUBLIC HEARING DATE: February 27, 2018

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNERS: Grip Holdings, LLC, 902 Water St, Eau Claire, WI 54703
 Ed Pecha, 4400 La Salle St, #47, Eau Claire WI 54703

APPLICANT: Eau Claire County Planning & Development

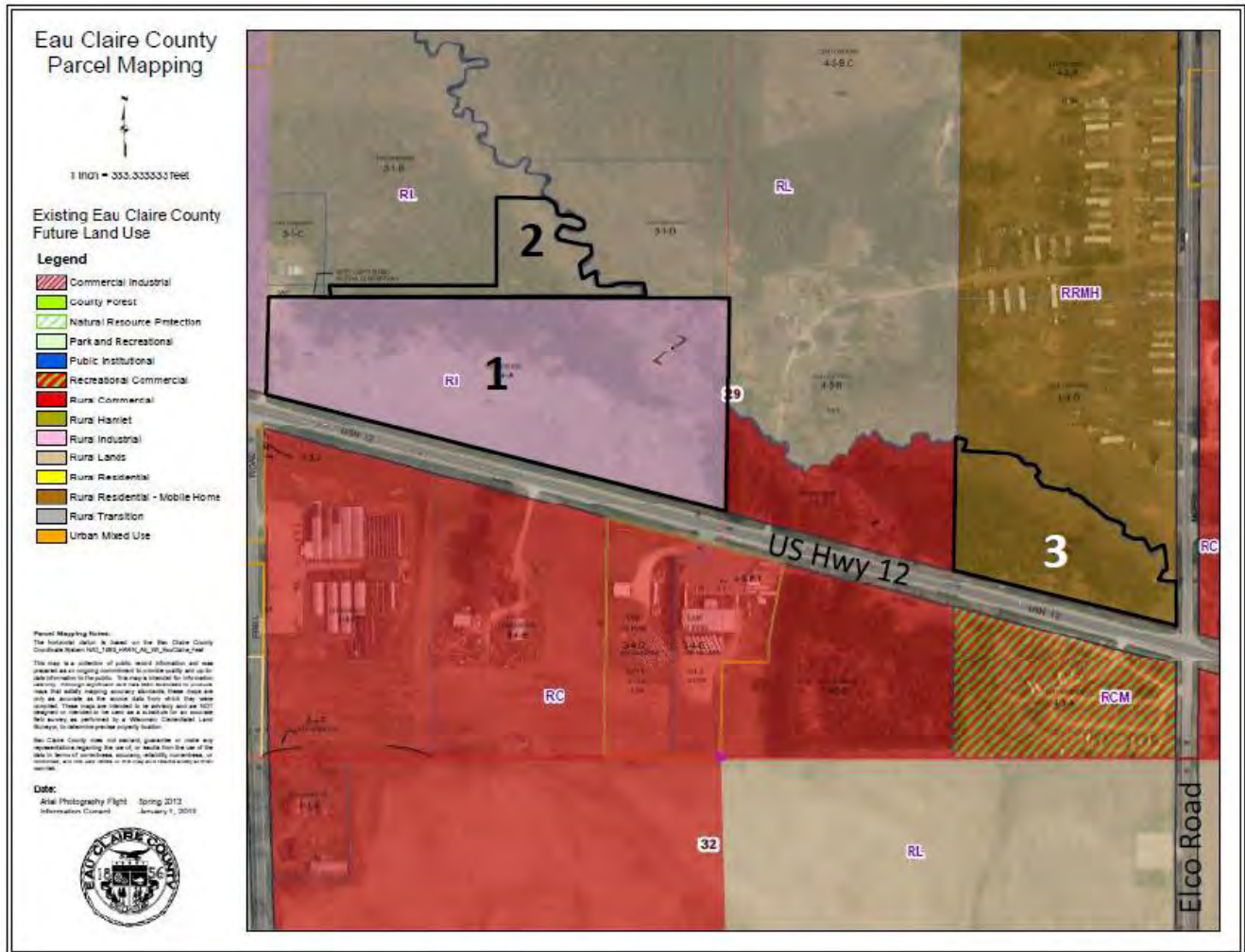
REQUEST: Amendment to the Eau Claire County's Future Land Use Map (Map 9) for three (3) parcels on the north side of US Highway 12 in the Town of Washington in Section 29, Township 27 North, Range 7 West, recently amended in the Town of Washington's 2018 Comprehensive Plan Update, to allow the property owners to rezone their properties consistent with the Town's Comprehensive Plan Future Land Use designations

SUMMARY

Eau Claire County Planning & Development Department proposes to amend the Eau Claire County Future Land Use Map (Map 9) for three (3) parcels to match the recently-updated Town of Washington Future Land Use Map to enable future rezoning and development, as depicted in the following table and shown on the map on Page 2 of this report. Note that these properties are being updated now to allow the owners to rezone their properties now rather than waiting for the upcoming County Comprehensive Plan update, which will include the other Future Land Use updates made by the Town. Also note that, if approved the rezonings of the properties will require separate reviews and approvals.

Map No.	Owner	Parcel Size	Existing Eau Claire Co. FLU	Existing Town of WA FLU	Proposed Eau Claire Co. FLU	Proposed land use
1	Grip Holdings	13.83 ac.	RI	RC	RC	Mini Warehousing
2	Grip Holdings	1.25 ac.	RL	RC	RC	Storm water pond for mini warehousing
3	Ed Pecha	5.2 ac.	RRMH	RL	RL	Single-family residence

- Key
- FLU - Future Land Use Designation
 - RI - Rural Industrial
 - RL - Rural Lands
 - RC - Rural Commercial
 - RRMH- Rural Residential-Mobile Home



BACKGROUND

TOWN OF WASHINGTON ACTION:

As discussed, the Town of Washington Board adopted the updated Comprehensive Plan, including an update to their Future Land Use Map with the revised Future Land Use Designations for the subject properties on February 15, 2018.

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATIONS:

The intent and description of the applicable Eau Claire County Future Land Use Designations is attached for your reference. As discussed, the purpose of these Comprehensive Plan Future Land Use map amendments is to match the recently-approved Town of Washington Comprehensive Plan Future Land Use Map to allow the property owners to pursue rezoning of their property consistent with the revised Town of Washington Future Land Use designations.

ANALYSIS

According to Section 3.4 of the County Comprehensive Plan, “In the future as local units of government develop, or amend, comprehensive plans, amendments may be necessary to this Plan. Future Land Use maps submitted by towns, villages, and cities to the County shall only be considered for amendment in the Eau Claire County Comprehensive Plan upon approval by the local unit of government”.

As discussed, these proposed amendments to the County Future Land Use Map are necessary to ensure consistency between the Town of Washington Comprehensive Plan and the Eau Claire County Comprehensive Plan.

STAFF CONCLUSIONS AND RECOMMENDATION

Staff has reviewed the proposed Future Land Use amendments and concludes that they would uphold the goals, objective and policies of the Eau Claire County Comprehensive Plan.

Staff recommends approval of the amendments to the Eau Claire County Future Land Use Map (Map 9) as summarized below. The legal descriptions of each property are included in the attached ordinance:

Map No.	Owner	Parcel Size	Existing Eau Claire Co. FLU	Proposed Eau Claire Co. FLU
1	Grip Holdings	13.83 ac.	RI	RC
2	Grip Holdings	1.25 ac.	RL	RC
3	Ed Pecha	5.2 ac.	RRMH	RL

18.20), and the Eau Claire County Storm Water Management and Erosion Control Ordinance (Chapter 17.05).

- a. Agricultural, silviculture (forestry), and recreational uses might occur within the NRP areas in accordance with the requirements of the above ordinances. Best Management Practices are highly encouraged in these areas.

Rural Lands (RL)

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.

As mapped, this designation includes farmland, scattered open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, and limited low density single-family residential development subject to certain requirements. Similar developments are anticipated in the RP areas, according to the policies within this Plan and applicable local plans. These developments shall be located in order to minimize the fragmentation of productive agricultural or forest land and to minimize any disruption to existing uses. Areas included in Rural Lands could potentially represent prime candidates for “sending areas” under a countywide Transfer of Development Rights program, purchase of development rights, agricultural enterprise areas, or other land conservation programs.

A *cottage industry* is generally defined as a small business located entirely within a dwelling, or as an accessory structure located on the same lot or tract as a dwelling, which complies with the requirements of local code. The use is clearly incidental and secondary to the use of the property and is compatible with adjacent land uses. Cottage industries generally employ less than five full time employees, generate low traffic volumes, and have little or no noise, smoke, odor, dust, glare, or vibration detectable at any property line.

Policies:

1. Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.
2. The preferred housing density is one (1) unit per 20 or more acres¹⁵; 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,

According to the 2000 Census, the *average housing density* in unincorporated areas of Eau Claire County is 44 acres per unit, also expressed as 0.023 units per acre. The Town of Wilson has the lowest housing density with one unit for every 165 acres, while the Town of Washington has the highest housing density with one unit for every 13.6 acres. Refer to Table 5.39 within Chapter 5 for additional information regarding housing density within communities of Eau Claire County.

¹⁵ The preferred density of one (1) unit per 20 acres was chosen based on the policies of the State’s Working Lands Initiative. The WLI is a statewide effort to reevaluate and modify Wisconsin’s Farmland Preservation Laws (SS. 91.77 Wis. State Statute). Although the recommendations of the WLI had not been ratified into law prior to drafting the policies of this Chapter, sufficient work had been completed to indicate that the eligibility for the Farmland Preservation Program would require, among other things, land use policies that favored development at density no higher than one (1) unit per 20 acres.

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.
- b. In addition to the criteria listed herein, rezoning land out of A1 shall require adherence to Section 18.04.055 of the Eau Claire County Zoning Code (if applicable within the Town) and, if part of a farmland preservation agreement, Section 91.77 Wis. State Statutes.¹⁶

Agricultural Compatible Residential District (AC-R) – During the multi-jurisdictional planning process several towns expressed a desire to develop a new zoning district for the purpose of limiting new non-farm residential development in rural/agricultural areas based on the following conditions:

1. Any new non-farm 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 they 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. An example of a “Right to Farm” disclosure acknowledgement is included in Appendix B.
2. 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 preferred that new non-farm residential lots that are approved in accord with these policies be located adjacent to or near existing non-farm development (cluster homes).
3. To facilitate the recommendations from local plans, the preferred minimum lot size of this new zoning district should be 1 acre. Local plans may require slightly higher minimum lot sizes through their comprehensive plans.

The primary intent of the proposed AC-R District is to facilitate limited non-farm residential development in areas intended for agriculture and open space, provided the development is located away from productive agricultural soils and existing farm operations. Additional revisions and/or additions to the County Zoning Code, which would improve the effectiveness of implementing both the County and local plans, are discussed in Chapter 4 under plan implementation actions.

Rural Transition (RT)

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

¹⁶ This policy may need amendment after the State officially adopts changes to Chapter 91, and Eau Claire County amends its Farmland Preservation Plan and Zoning Code. Refer to Chapter 4, Implementation for additional information regarding Farmland Preservation and WLI.

Policies:

1. Continue to maintain and support farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utility uses until such time as it has been determined by local plans that these areas are needed for additional non-farm development.
2. For those Towns under County Zoning, density and zoning districts to be considered for new development shall be limited in accordance with all policies applicable to the Rural Lands classification, until such time as it has been determined by local officials in accordance with local plans, and the County Plan, that these areas are needed for additional non-farm development.

Rural Residential (RR)

Intent and Description: The primary intent of this classification is to identify areas suitable for future non-farm residential development. Rural Residential areas include lands that are delineated as existing residential properties or vacant platted areas. In addition, some undeveloped land has been designated for RR development where subdivision expansion is likely to occur. These additional areas tend to be adjacent to existing rural subdivisions or where local roads and utilities exist to efficiently and economically serve the area.

Policies:

1. The preferred housing density is one (1) unit per two (2) acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per two (2) acres to one (1) unit per 10 acres.
2. Cluster development or conservation subdivisions are encouraged, and in some cases required, within many of the local comprehensive plans. In many cases, higher density development or “bonus lots” are used as a trade off for the preservation of areas with natural, agricultural, or cultural importance.
3. For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RR areas: RH Rural Homes District and the R-1-L Single Family Residential Large Lot (with approved conservation subdivisions).

Rural Residential – Mobile Home (RRMH)

Intent and Description: The primary intent of this classification is to identify areas suitable for mobile home parks. At the time of original adoption of this Plan, new areas planned for mobile home parks had not been identified in either the County or local plans.

Policies:

1. Per the requirements of Chapter 18.29 of the *Eau Claire Zoning Code*, the preferred housing density is a maximum of six (6) lots per acre. The minimum size of a mobile home park shall be five (5) acres.
2. For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RRMH areas: R-3 Multi-Family Residential and those additional regulations found within Chapter 18.29 of the *Eau Claire County Zoning Code*.

Rural Hamlet (RH) "Smart Growth Areas"

Intent and Description: The primary intent of this classification is to identify areas suitable for a broader range of commercial, institutional, recreational, and residential uses, but not including uses that require extensive public services. Rural hamlets are clusters of nonagricultural development centered near an unincorporated village, town hall or rural school. Rural hamlets typically include one or more retail businesses located at the crossroads of two or more County or State highways. In addition, these areas typically include pre-existing higher density residential developments. The existing land use pattern, transportation infrastructure, infill and redevelopment opportunities make these areas suitable for mixed-use neighborhoods with higher density residential development than what is permitted under the Rural Residential classification. Areas included in RH could potentially represent prime candidates for "receiving areas" under a countywide Transfer of Development Rights program.

Smart Growth Areas – As defined under State Statute 66.1001, Smart Growth Areas are those "areas that, where practical, will enable the development and redevelopment of lands with existing infrastructure and municipal, state, and utility services, where practical, or that will encourage efficient development patterns that are both contiguous to existing development and at densities which will have relatively low municipal, state governmental, and utility costs."

Policies:

1. The preferred housing density is two (2) units per acre; however, local comprehensive plans may be more or less restrictive than this guideline.
2. The County or local community can require the use of public sanitary systems (particularly when located in an area where such service is available) or group/alternative on-site wastewater treatment facilities (particularly for businesses with high wastewater/water demands). Responsibility for long-term maintenance of these systems shall be determined prior to approval.
3. For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RH areas: R-1-L Single Family Residential Large Lot District, R-1-M Single Family Residential District, R-2 Two-Family Residential District, R-3 Multi-Family Residential, C-1 Neighborhood Business District, and the C-2 General Business District. Proposals for more intensive business developments (C-3 Highway Business, I-1 Non-sewered Industrial, or I-2 Sewered Industrial) will require an amendment to the Future Land Use Map to either Rural Commercial or Industrial status prior to approving a rezoning petition.

Urban Mixed Use (UM) "Smart Growth Areas"

Intent and Description: The primary intent of this classification is to identify areas suitable for a broader range of commercial, institutional, recreational, and residential uses, which might be served by public services within the next 20 years. This classification is reserved for those areas that are immediately adjacent to the Cities of Eau Claire and Altoona. Land within the classification includes retail businesses and pre-existing higher density residential developments. The existing land use pattern, transportation infrastructure, and availability of sanitary sewer make these areas suitable for mixed-use neighborhoods with higher density residential development than what is permitted under the Rural Residential classification. Higher density development within these areas can require the use of public sanitary sewer or group septic systems. Areas included in UM could potentially represent prime candidates for "receiving areas" under a countywide Transfer of Development Rights program.

Policies:

1. The preferred housing density is two and a half (2 1/2) to eight (8) units per acre; however, local comprehensive plans may be more or less restrictive than this guideline.
2. The County or local community can require the use of public sanitary systems (particularly when located in an area where such service is available) or group/alternative on-site wastewater treatment facilities (particularly for businesses with high wastewater/water demands). Responsibility for long-term maintenance of these systems shall be determined prior to approval.
3. For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within UM areas: R-1-L Single Family Residential Large Lot District, R-1-M Single Family Residential District, R-2 Two-Family Residential District, R-3 Multi-Family Residential, C-1 Neighborhood Business District, and the C-2 General Business District. Proposals for more intensive business developments (C-3 Highway Business, I-1 Non-sewered Industrial, or I-2 Sewered Industrial) will require an amendment to the Future Land Use Map to either Rural Commercial or Industrial status prior to approving a rezoning petition.

Rural Commercial (RC)

Intent and Description: The primary intent of this classification is to identify areas suitable for planned commercial development. There are some existing scattered commercial developments throughout the County and these areas are expected to stay in commercial use. The most appropriate commercial uses will be those that serve rural needs and/or are consistent with the existing rural character, e.g. veterinary clinics, blacksmith/woodworking shops, roadside meat or produce businesses, nurseries, or agricultural implement dealers.

Policies:

1. The development of industrial uses in these areas should be severely limited to those uses that are compatible with existing or planned commercial development.
2. The County or local community might require the use of public sanitary systems (particularly when located in an area where such service is available) or group/alternative on-site wastewater treatment facilities (particularly for businesses with high wastewater/water demands). Responsibility for long-term maintenance of these systems shall be determined prior to approval.
3. For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RC areas: C-1 Neighborhood Business District, C-2 General Business District, and the C-3 Highway Business District.

Commercial/Industrial (CI)

Intent and Description: The intent of this classification is to identify areas for a mix of commercial or industrial development that enhances the tax base, creates employment and provides needed goods and services to residents. The CI areas include land along major transportation corridors or near existing commercial or industrial development. At the time of original adoption of this Plan, this classification was only in use within the Town of Union; however, CI might be appropriate in other portions of the County, contingent upon County and local approval.

Policies:

1. The County or local community might require the use of public sanitary systems (particularly when located in an area where such service is available) or group/alternative on-site wastewater treatment facilities (particularly for businesses with high wastewater/water demands). Responsibility for long-term maintenance of these systems shall be determined prior to approval.
2. For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within CI areas: C-1 Neighborhood Business District, C-2 General Business District, C-3 Highway Business District, I-1 Non-sewered Industrial District, and the I-2 Sewered Industrial District.

Rural Industrial (RI)

Intent and Description: The primary intent of this classification is to identify areas suitable for planned industrial development. There are some existing scattered industrial developments throughout the County (mainly quarry sites) and these areas are expected to stay in industrial use.

Policies:

1. The development of commercial uses in these areas should be severely limited to those uses that are compatible with existing or planned industrial development.
2. The County or local community might require the use of public sanitary systems (particularly when located in an area where such service is available) or group/alternative on-site wastewater treatment facilities (particularly for businesses with high wastewater/water demands). Responsibility for long-term maintenance of these systems shall be determined prior to approval.
3. For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RI areas: I-1 Non-sewered Industrial District, I-2 Sewered Industrial District.

Public/Institutional (PI)

Intent and Description: The primary intent of this classification is to identify areas suitable for public or institutional development. As mapped, this designation includes religious institutions, cemeteries, school facilities, and property owned by the Town, County, or State (not falling within the Park & Recreational or County Forest classifications). There are some existing scattered public & institutional developments throughout the County and these areas are expected to remain unchanged. Every effort should be made to ensure that the development of properties adjacent to public or institutional sites is compatible with these properties.

Policies:

1. The County does not intend to require an amendment to the Future Land Use Map before a public or institutional use is approved on land designated for other uses; however, the Future Land Use Map should be updated as part of any update to this Plan to show this new use.
2. Public and institutional uses might be approved either as a permitted or conditional use in all zoning districts where County zoning has been adopted.

FACT SHEET
TO FILE NO. 17-18/104

County Code Section 3.20.001 Elected Officers and Officials Compensation, Paragraph A states:

- A. Prior to March 15th of each even numbered year the committee shall review salaries of all county elected officials and make recommendations by ordinance to the board in accordance with Wis. Stat §§ 59.22(1) for each position up for election.

State Statute 59.22 states that compensation for the four year terms need to be established before the earliest time for filing nomination papers. The earliest that nomination papers can be circulated is April 15, 2018 so the salaries will need to be set no later than the April 3, 2018 County Board meeting.

The 2016, 2017, 2018, 2019, and 2020 salaries of elected official are as follows:

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

- | | |
|---------------------------|----------|
| 1. County clerk | \$59,114 |
| 2. County treasurer | \$59,114 |
| 3. Register of deeds | \$59,114 |
| 4. Clerk of circuit court | \$71,050 |
| 5. County Sheriff | \$94,903 |

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

- | | |
|---------------------------|----------|
| 1. County clerk | \$67,373 |
| 2. County treasurer | \$67,373 |
| 3. Register of deeds | \$67,373 |
| 4. Clerk of circuit court | \$72,116 |
| 5. County Sheriff | \$96,326 |

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

- | | |
|---------------------------|----------|
| 1. County clerk | \$69,394 |
| 2. County treasurer | \$69,394 |
| 3. Register of deeds | \$69,394 |
| 4. Clerk of circuit court | \$73,197 |
| 5. County Sheriff | \$97,771 |

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

- | | |
|----------------------|----------|
| 1. County clerk | \$71,475 |
| 2. County treasurer | \$71,475 |
| 3. Register of deeds | \$71,475 |

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

- | | |
|----------------------|----------|
| 1. County clerk | \$73,620 |
| 2. County treasurer | \$73,620 |
| 3. Register of deeds | \$73,620 |

A comparison survey completed by Wisconsin Counties for the Clerk of Circuit Court and Sheriff wages was provided to the Committee on Human Resources for their consideration. As a result the Committee on Human Resources is recommending that wages be established for the County Sheriff and Clerk of Circuit Court through January 1, 2022 as follows:

Clerk of Circuit Court - 2018	\$ 73,197.00			
County Sheriff - 2018	\$ 97,771.00			
Clerk of Circuit Court	2019 - 6%	2020 - 2.5%	2021 - 2.5%	2022 - 2.5%
	\$77,588.82	\$79,528.54	\$81,516.75	\$83,554.67
County Sheriff	2019 - 6%	2020 - 2.5%	2021 - 2.5%	2022 - 2.5%
	\$103,637	\$106,228	\$108,884	\$111,606

Respectfully submitted,



Jamie K. Gower
Human Resources Director

4 - TO REPEAL AND RECREATE SECTION 3.20.005 OF THE CODE:
5 SALARIES OF ELECTED OFFICIALS; AMENDING SECTION 3.20.010 E. OF THE
6 CODE: BENEFITS OF ELECTED OFFICIALS -

7 -The County Board of Supervisors of the County of Eau Claire does ordain as follows:
8

9 SECTION 1. That Section 3.20.005 of the code be repealed and recreated to
10 read:

11 3.20.005 Salaries of elected officers.

12 A. The salaries of all elected officers shall be paid in accordance with Chapter 4.07.

13 B. The total annual compensation of the elected officials for calendar year 2018 shall
14 be as follows:

15	1.	County clerk	\$69,394
16	2.	County treasurer	\$69,394
17	3.	Register of deeds	\$69,394
18	4.	Clerk of circuit court	\$73,197
19	5.	County sheriff	\$97,771

20
21
22 C. The total annual compensation of the elected officials for calendar year 2019 shall
23 be as follows:

24	1.	County clerk	\$71,475
25	2.	County treasurer	\$71,475
26	3.	Register of deeds	\$71,475
27	4.	Clerk of circuit court	\$77,589
28	5.	County sheriff	\$103,637

29
30 D. The total annual compensation of the elected officials for calendar year 2020 shall
31 be as follows:

32	1.	County clerk	\$73,620
33	2.	County treasurer	\$73,620
34	3.	Register of deeds	\$73,620
35	4.	Clerk of Circuit Court	\$79,529
36	5.	County Sheriff	\$106,228

37
38 E. The total annual compensation of the elected officials for calendar year 2021 shall
39 be as follows:

40	1.	Clerk of Circuit Court	\$81,517
41	2.	County Sheriff	\$108,884

42
43 F. The total annual compensation of the elected officials for calendar year 2022 shall
44 be as follows:

45	1.	Clerk of Circuit Court	\$83,555
46	2.	County Sheriff	\$111,606

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SECTION 2. That Subsection E. of Section 3.20.010 of the code be amended to read:

E. The sheriff is eligible to receive reimbursement of up to \$720 for expenses incurred for the purchase of uniforms based on receipts received with monthly expense reports.

SECTION 3. That this ordinance be effective January 1, 2019.

I certify that the foregoing correctly represents the action taken by the undersigned committee on February 9, 2018 by a vote of 5 for, 0 against.



Kathleen Clark, Chair
Committee on Human Resources

JKG/jnm

ORDINANCE/17/18-104

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

Reviewed by Finance Dept.
for Fiscal Impact

FACT SHEET

TO FILE NO. 17-18/105

This resolution requests the Wisconsin legislature to change Wisconsin law to allow the State and local governments to access the Wisconsin Retirement fund accounts of public employees convicted of stealing from them.

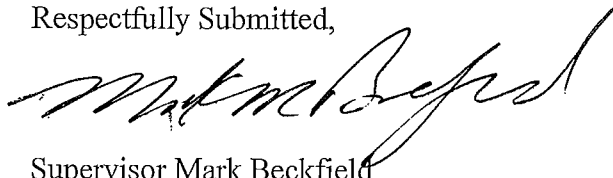
Under Wis. Stat. § 40.08(1) Wisconsin Retirement System benefits are not assignable, in law or equity or subject to legal process unless as provided in the statute. The exceptions listed are for child support payments, in cases of divorce and for delinquent state tax obligations.

At the time former County Treasurer Larry Lokken and his Office Manager Kay Onarheim were convicted of theft and misconduct in public office for stealing in excess of \$625,000 in taxpayer money with a resulting restitution order of \$681,846,92, both were receiving pension payments from the WRS based on their years of employment with Eau Claire County. Larry Lokken refused to pay any portion of his WRS payments to Eau Claire County. Kay Onarheim voluntarily agreed to pay a portion of her WRS pension benefits in the amount of \$1,138 monthly which will increase to \$1,433 two months after she is released from prison.

If the state legislature changes the law it would not apply to the Wisconsin Retirement System accounts of Larry Lokken or Kay Onarheim since under Wis. Stat. § 40.19(1) they have a contractual right to those benefits which accrued for services rendered as employees of Eau Claire County which cannot be abrogated by an subsequent legislative act.

Fiscal Impact: None.

Respectfully Submitted,



Supervisor Mark Beckfield
District 21



Supervisor Steve Chilson
District 7

KRZ/yk

Ordinance/17-18.105. Fact

2
3 - REQUESTING A CHANGE IN WISCONSIN LAW TO ALLOW THE STATE AND
4 LOCAL GOVERNMENTS TO ACCESS WISCONSIN RETIREMENT FUND ACCOUNTS
5 OF PUBLIC EMPLOYEES WHO ARE CONVICTED OF STEALING MONEY FROM
6 THEIR STATE OR LOCAL GOVERNMENT EMPLOYER-
7

8 WHEREAS, under current Wisconsin law Wisconsin Retirement System (“WRS”) benefits
9 are accessible only to the person who earned them except in certain situations including some child
10 support orders, payment of delinquent state taxes and when pensions are divided due to divorce;
11 and
12

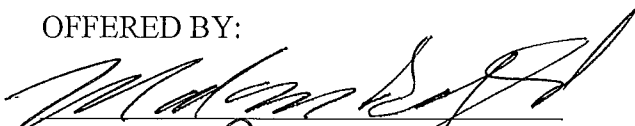

13 WHEREAS, under current Wisconsin law neither the State nor local government entities
14 have any legal authority to access retirement funds of employees convicted of stealing money from
15 the government entity they worked for; and
16

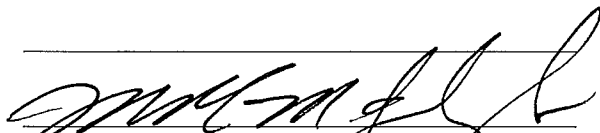
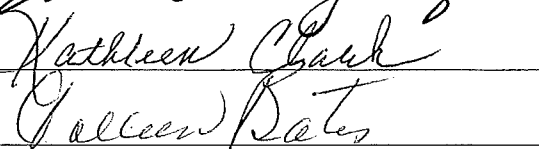
17 WHEREAS, as a result Eau Claire County had no legal right to receive any payments from
18 the WRS retirement accounts of former County Treasurer Larry Lokken nor Office Manager Kay
19 Onarheim both of whom were convicted of theft and misconduct in public office and ordered to pay
20 restitution to Eau Claire County in the amount of \$681,846.92.
21

22 NOW THEREFORE BE IT RESOLVED by the Eau Claire County Board of supervisors
23 that it requests the state legislature to change Wisconsin law to allow the state and local
24 governments to access Wisconsin Retirement System accounts of public employees who are
25 convicted of stealing money from their state or local government employer.
26

27 BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors directs the
28 county clerk to forward this resolution to the governor, assembly members and senators representing
29 Eau Claire County and the Wisconsin Counties Association.
30
31

32 OFFERED BY:

33 
34 _____
35 Supervisor Mark Beckfield
36 District 21
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38 _____
39 Supervisor Steve Chilson
40 District 7

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34 _____
35 Kathleen Clark
36 
37 _____
38 Colleen Bates

41 APPROVED BY
42 CORPORATION COUNSEL
43 AS TO FORM
44 _____

45 _____
46 Committee on Administration

47 KRZ/yk

48 Dated this 13 day of February, 2018.

FACT SHEET

TO FILE NO. 17-18/106

The 2000 Wisconsin Act 336 provided that beginning in 2017, effective April 18th medical examiner fees only be increased annually, not to exceed the annual percentage change in the US CPI for all Urban Consumers, U. S. City average for 12 months ending December 31st. The CPI index is 2.1% December 31, 2017. This ordinance increases the medical examiner fees for cremation permits, death certificates and disinterment and reinterment by 2.1% effective April 18, 2018.

Fiscal Impact: Additional revenue of \$2,790.76 based on 2017 statistics.

Respectfully Submitted,



Keith R. Zehms
Corporation Counsel

KRZ/yk

Ordinance/17-18/106 Fact

1 **Enrolled No.**

2 **ORDINANCE**

3 **File No. 17-18/106**

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

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

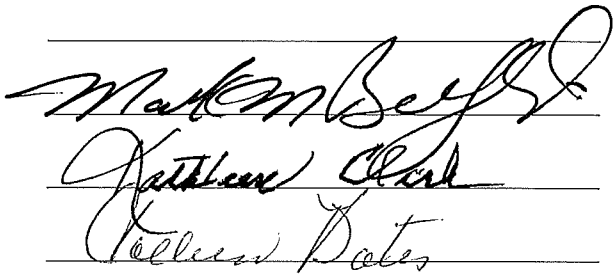
7
8 **SECTION 1.** That Subsection B. of Section 2.12.140 of the code be amended to
9 read:

10
11 B. Fees. The medical examiner and any deputies shall collect all such fees which
12 they are entitled by law to receive, as provided in Wis. Stat. § 59.38(1). Except in situations
13 involving indigents, ~~\$153.15~~156.37 shall be collected for the issuance of a cremation permit in
14 accordance with Wis. Stat. § 59.36, ~~\$102.10~~104.24 as the fee for signing death certificates and
15 ~~\$51.05~~52.12 for issuing a disinterment and reinterment permit pursuant to Wis. Stat. § 69.18.
16 The finance department shall bill the appropriate funeral home directly for these fees.

17
18 **SECTION 2.** This ordinance shall take effect April 18, 2018.

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20 ADOPTED:

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28 APPROVED BY
29 CORPORATION COUNSEL
30 AS TO FORM

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Committee on Administration

KRZ/yk

Dated this 13 day of February, 2018.

Reviewed by Finance Dept.
for Fiscal Impact

ORDINANCE/17-18/106

FACT SHEET

TO FILE NO. 17-18/110

This resolution provides flexibility for scheduling separate County Board meetings for work sessions on strategic plan.

Fiscal Impact: \$1,002.94 per extra meeting.

Respectfully Submitted,

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

Keith Zehms
Corporation Counsel

KZ/ah

Ordinance/17-18.110 Fact

4 - TO AMEND SECTION 2.04.010 A. OF THE CODE: RULE 1—MEETING -

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

6 SECTION 1. That Subsection A. of Section 2.04.010 of the code be amended to read:

7

8

9 A. Regular meetings of the board for the purpose of transacting general business

10 shall be held on the 1st and 3rd Tuesday in March, April, May, October and December. In

11 January, February, June, July, August and September there shall be one meeting held on the 3rd

12 Tuesday of the month. In November there shall be one meeting held on the 1st Tuesday of the

13 month. All meetings will commence at 7:00 p.m., unless otherwise ordered by the board and

14 subject to recesses and adjournments to a date and time certain. If the September meeting

15 conflicts with the Wisconsin Counties Association's Annual Convention, it shall be

16 automatically moved to the 2nd Tuesday of September. Separate meetings will be scheduled for

17 work sessions on the strategic plan as needed. ~~At one or both regularly scheduled county board~~

18 ~~meetings in May in even numbered years, there will be a county board working session to~~

19 ~~consider and review the strategic plan.~~ Said meetings will commence at 5:00 p.m. with the

20 county board meeting to follow at 7:00 p.m. Each year all responsible parties for identified

21 strategic initiatives shall report to the county administrator the progress on items in the strategic

22 plan.

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25 ADOPTED:

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31 APPROVED BY

32 CORPORATION COUNSEL

33 AS TO FORM

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Kathleen Clark

Colleen Patz

Committee on Administration

KRZ/yk

Dated this 13 day of February, 2018.

Reviewed by Finance Dept.
for Fiscal Impact

FACT SHEET

TO FILE NO. 17-18/115

The purpose of this ordinance is to prohibit parking in the County Government Center parking lots. As a result of adopting this ordinance violators can be ticketed and even towed if necessary.

County Parking at the Government Center/Jail complex is designated for staff and members of the public that have business with the departments located here.

Vehicles that are left in the Government Center parking lots overnight take parking spaces away from the people the lots are designated for.

Vehicles that are left in the parking lots overnight also cause difficulties with our snow removal operations.

Overnight parking will still be allowed for 24/7 operations, and for staff who leave their vehicles in the parking lots while attending a conference or training

Huber inmates who use their vehicles for work will still be allowed to park their vehicles in Lot D.

Fiscal Impact: \$0.00.

Respectfully Submitted,



Matt Theisen
Facilities Director

MT/yk

Ordinance/17-18.115 Fact

1 **Enrolled No.**

ORDINANCE

File No. 17-18/115

2
3 - TO RELETTER SECTION 10.81.030 H. TO I. OF THE CODE: RESTRICTED
4 PARKING AREAS; TO CREATE SECTION 10.81.030 H. OF THE CODE:
5 RESTRICTED PARKING AREAS
6

7 The County Board of Supervisors of the County of Eau Claire does ordain as follows:
8

9 **SECTION 1.** That Subsection H. of Section 10.81.030 of the code be relettered to I.
10

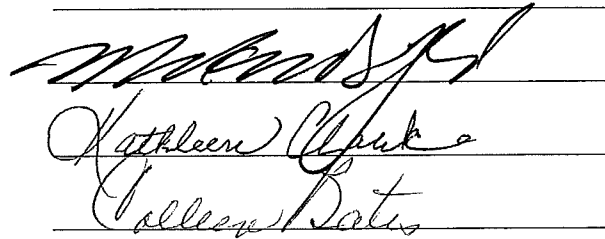
11 **HI.** The county administrator shall have the authority to restrict parking to
12 ensure visitor access to the county courthouse regardless of the restrictions in this section.
13

14 **SECTION 2.** That Subsection H. of Section 10.81.030 of the code be created to read:
15

16 **H.** Visitor overnight parking in Lots A, B, C, D, E and F is prohibited.
17

18 **ADOPTED:**
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23 APPROVED BY
24 CORPORATION COUNSEL
25 AS TO FORM
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Committee on Administration

KRZ/ylk

Dated this 13 day of February, 2018.

ORDINANCE/17-18.115

FACT SHEET

TO FILE NO. 17-18/125

The County and the Wisconsin Professional Police Association Law Enforcement Employee Relations Division for the Sheriff's Department Non-Supervisory Unit have reached a tentative agreement for a successor three-year (2018-2020) agreement. The Non-Supervisory Unit has ratified the Agreement. The increased cost for 2018 is approximately \$63,600 and is within the amount budgeted. The Committee on Human Resources has approved the negotiated agreement and recommends it to the County Board of Supervisors as follows:

Wages

2018-2% effective with the 1st full pay period in January.

2019-2% effective with the 1st full pay period in January.

2020-2% effective with the 1st full pay period in January.

Health and Dental Insurance

Only the amount of premium contribution is subject to bargaining. The employee premium contribution remained at 12%. In 2018 there is essentially no increased cost for health insurance due to plan design changes. .

Leaves of Absence

Contract language was modified to fully comply with FMLA, CORBA and current practice and to incorporate Policy 417 from the Employee Policy Manual.

Field Training Officer Pay

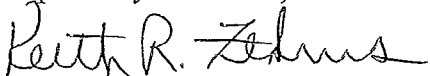
FTO pay increased with the 1st full pay period in January 2018 from \$1.00/hour to \$2.00/hour for those hours spent training new employees. The cost increase for 2018 is estimated to be \$3,000 and for 2019 and 2020 \$2,000 each year, which are not reflected in the total increased wage costs below.

The total increased wage cost for 2018 including FICA and WRS is \$ 60,600; for 2019 the total increased wage cost \$61,812; for 2020 the total increased wage cost is \$63,049.

Other Contract Changes

Adjustments were made to avoid changes in the middle of pay periods, reducing the time required in the payroll function. Letters of Agreement for Order-In Procedure and Guard Duty were continued, a Letter of Agreement for Scheduling was modified and a number of non-substantive language changes were made to clarify the Agreement.

Respectfully submitted,



Keith R. Zehms

Corporation Counsel KRZ
ORDINANCE17-18.125

4 - TO RATIFY A LABOR AGREEMENT BETWEEN EAU CLAIRE COUNTY AND THE
5 WISCONSIN PROFESSIONAL POLICE ASSOCIATION LAW ENFORCEMENT
6 EMPLOYEE RELATIONS DIVISION FOR THE NON-SUPERVISORY UNIT
7 EFFECTIVE JANUARY 1, 2018 THROUGH DECEMBER 31, 2020; AUTHORIZING
8 THE CHAIR OF THE COUNTY BOARD, CHAIR OF THE COMMITTEE ON HUMAN
9 RESOURCES AND COUNTY ADMINISTRATOR TO EXECUTE SAID CONTRACT ON
10 BEHALF OF EAU CLAIRE COUNTY -
11

12 WHEREAS, the Committee on Human Resources has completed negotiations with the
13 Wisconsin Professional Police Association Law Enforcement Employee Relations Division for the
14 Non-Supervisory Unit for January 1, 2018 through December 31, 2020 (see enclosed fact sheet for
15 details); and
16

17 WHEREAS, the Committee on Human Resources passed a motion approving such
18 negotiations and hereby recommends to the County Board the ratification of the results of the
19 negotiated agreement.
20

21 NOW, THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors
22 hereby ratifies the labor agreement between Eau Claire County and Wisconsin Professional Police
23 Association Law Enforcement Employee Relations Division For the Non-Supervisory Unit effective
24 January 1, 2018, through December 31, 2020;
25

26 BE IT FURTHER RESOLVED, that the Chair of the County Board, Chair of the Committee
27 on Human Resources and County Administrator are hereby authorized to execute said agreement on
28 behalf of Eau Claire County.
29

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31 ADOPTED:
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37 APPROVED BY
38 CORPORATION COUNSEL
39 AS TO FORM
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42 Reviewed by Finance Dept.
43 for Fiscal Impact
44

45 KRZ

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49 _____
Committee on Human Resources

Dated this _____ day of _____, 2016.

FACT SHEET
File No. 17-18/097

RE: Rezoning Petition from Jason Griepentrog, representing Grip Holdings to rezone Rezone approximately 1.25 acres +/- from A-2 (Agricultural-Residential) District to C-3 (Highway Business) District to allow construction of a storm water detention facility to serve the mini warehousing business on the 13.8 acre property adjacent to the south, which is proposed to be rezoned from I-1 (Nonsewered Industrial) District to C-3 (Highway Business) District to be consistent with other adjacent land uses and to be more compatible with nearby residential uses in the area if the property is redeveloped in the future.

Legal Description and Location: A portion of the NE¼ SW¼ of Section 29, T27N, R8W, Town of Washington (complete legal description attached)

Size of area to be rezoned: 15.08 acres +/-

ADJACENT ZONING & LAND USES:

LOCATION	ZONING	LAND USE(S)
Subject	I-1	Mini warehousing buildings
North	A-2	Single-family residence (to NW); vacant
East	A-2; C-3	Single-family residence; vacant
South	C-3; A-2	Chippewa Valley Growers; SF Residence; Propane sales
West	I-1	Woodlands; Single-Family Residence

LAND USE PLAN: The Eau Claire County Future Land Use Map includes the property in the Rural Commercial (RC) planning area.

Rural Commercial (RC)

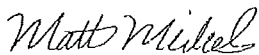
Eau Claire County Intent and Description: *The primary intent of this classification is to identify areas suitable for planned commercial development. There are some existing scattered commercial developments throughout the Town and these areas are expected to stay in commercial use. Additional commercial land has been outlined along STH 93 and 194. The best uses will be those that serve a rural nature, i.e. veterinarian clinic, greenhouses/nurseries, blacksmiths, or agricultural implement dealer.*

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 C-3 zoning district is consistent and therefore allowed within the mapped future land use designations.

Town Board Action: The Washington Town Board considered this rezoning petition on Thursday, February 15, 2018 and recommended approval (5-0 vote) with a recommendation that a 75-foot vegetated buffer provided on the western side of the proposed drainage swale, adjacent to the Sturz property. The applicant has agreed to provide this. One neighbor (the Sturz's) spoke in opposition to the proposed rezoning.

Committee Action: The Eau Claire County Committee on Planning and Development conducted the required public hearing on Tuesday, February 27, 2018 regarding the proposed rezoning. On a vote of in favor 5 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. 17-18/097

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

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

7
8 **SECTION 1**

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

11 **Being part of the Northeast ¼ quarter of the Southwest ¼, Section 29,**
12 **Township 27 North Range 8 West, Town of Washington, Eau Claire**
13 **County, Wisconsin described as follows:**

14
15 **Commencing at the South ¼ corner of said Section 29, thence**
16 **N00°47'00"E along the North South ¼ line a distance of 1332.73 feet**
17 **to the Southeast corner of said Northeast ¼ of the Southwest ¼;**
18 **thence N89°50'21"W along the South line of said Northeast ¼ of the**
19 **Southwest ¼ a distance of 405.53 feet to the point of beginning; thence**
20 **continuing N89°50'21"W along said south line a distance of 765.01**
21 **feet; thence N0°49'35"E a distance of 25.00 feet; thence S89°50'21"E a**
22 **distance of 434.64 feet; thence N00°09'39"E a distance of 276.48 feet;**
23 **thence N90°00'00"E a distance of 110.36 feet; thence S29°41'07"E a**
24 **distance of 134.72 feet; thence S39°22'50"E a distance of 239.82 feet to**
25 **the point of beginning.**

26
27 **Said described lands contain approximately 15.33 acres and is subject**
28 **to the easements and restrictions of record to be reclassified from the**
29 **I-1 Nonsewered Industrial District to the C-3 Highway Business**
30 **District.**

31
32 **SECTION 2**

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

37 **ENACTED:** I hereby certify that the foregoing correctly represents the
38 action taken by the undersigned Committee on
39 February 27, 2018 by a vote of 4 for, 0 against.

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43 _____
Planning & Development Committee, Chairperson

APPROVED BY
COMMISSIONER COUNSEL



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-00012-17 **COMPUTER NUMBERS:** 024109808000
024109904000

PUBLIC HEARING DATE: February 27, 2018

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER\APPLICANT: Jason Griepentrog, Grip Holdings, 902 Water St, Eau Claire, WI 54703

REQUEST: Rezone approximately 1.25 acres +/- from A-2 (Agricultural-Residential) District to C-3 (Highway Business) District to allow construction of a storm water detention facility to serve the mini warehousing business on the 13.8 acre property adjacent to the south, which is proposed to be rezoned from I-1 (Nonsewered Industrial) District to C-3 (Highway Business) District to be consistent with other adjacent land uses and to be more compatible with nearby residential uses in the area if the property is redeveloped in the future.

LOCATION: North side of U.S. Highway 12 approximately ¼ mile west of Elco Road

LEGAL DESCRIPTION: A portion of the NE¼ SW¼ of Section 29, T27N, R8W, Town of Washington (complete legal description attached)

RECOMMENDATION Approval of request based on findings outlined on Page 4 of this report

BACKGROUND

SITE CHARACTERISTICS:

- The property currently has several mini warehousing buildings on it. The applicant has plans to construct additional buildings, but additional storm water detention ponds will be required, which will be placed on the 1.25 acres +/- to the north.
- Sixmile Creek flows through the eastern portion of the property

EXISTING ZONING DISTRICTS:

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

I-1 Nonsewered Industrial District. The A-1 District is established to *provide for industrial development which does not require municipal sewer and water services, is relatively compatible with nearby nonindustrial uses, and is located in close proximity to transportation networks suitable to serve industrial activity, or requires location in a rural setting.*

REQUESTED ZONING DISTRICT:

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

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE(S)
Subject	I-1	Mini warehousing buildings
North	A-2	Single-family residence (to NW); vacant
East	A-2; C-3	Single-family residence; vacant
South	C-3; A-2	Chippewa Valley Growers; SF Residence; Propane sales
West	I-1	Woodlands; Single-Family Residence

COMPREHENSIVE PLAN:

The Eau Claire County Future Land Use Map includes the property in the Rural Commercial (RC) planning area.

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

Rural Commercial Intent and Description:

The primary intent of this classification is to identify areas suitable for planned commercial development. There are some existing scattered commercial developments throughout the Town and these areas are expected to stay in commercial use. Additional commercial land has been outlined along STH 93 and I94. The best uses will be those that serve a rural nature, i.e. veterinarian clinic, greenhouses/nurseries, blacksmiths, or agricultural implement dealer.

Applicable Policies:

1. *In accordance with the policies of this plan, commercial development shall be encouraged to locate near incorporated areas, existing business developments, or along collector & arterial roadways.*
2. *When rezoning is requested, only that portion of land necessary for the contemplated use shall be rezoned.*
3. *The following Eau Claire County zoning districts will be considered for approval within RC areas: C-1 Neighborhood Business District, C-2 General Business District, and the C-3 Highway Business District.*

The application has been found to be consistent with the intent and description and the applicable policies of the Town of Washington Rural Commercial land use category.

Comprehensive Plan Summary:

The proposed C-3 zoning district is consistent with the intent, description and the applicable policies of the Eau Claire County 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.

The rezoning petition has been evaluated for consistency with the purpose of the C-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 Town of Washington Future Land Use plan
- Existing uses in the area include commercial businesses, vacant parcels, and widely-scattered single-family residences
- Zoning in the area is predominantly C-3 with I-1 and A-2 zoning adjacent to the subject property

Town Board Action: The Washington Town Board considered this rezoning petition on Thursday, February 15, 2018 and recommended approval (5-0 vote) with a recommendation that a 75-foot vegetated buffer provided on the western side of the proposed drainage swale, adjacent to the Sturz property. The applicant has agreed to provide this. One neighbor (the Sturz's) spoke in opposition to the proposed rezoning.

CONCLUSION

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

- Eau Claire County Comprehensive Plan future land use designation
- Eau Claire County Comprehensive Plan goals, objectives and policies
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in C-3 District

In addition, the following factors have also been considered:

- Input of surrounding property owners.

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 1.25 acres +/- from A-2 (Agricultural-Residential) District to C-3 (Highway Business) District to allow construction of a storm water detention facility to serve the mini warehousing business on the 13.8 acre property adjacent to the south, which is proposed to be rezoned from I-1 (Nonsewered Industrial) District to C-3 (Highway Business) District to be consistent with other adjacent land uses and to be more compatible with nearby residential uses in the area if the property is redeveloped in the future, as depicted on the attached map and described in the attached legal description.

FINDINGS

Findings in Favor:

1. This rezoning action will allow the expansion of the existing Grip Storage business while minimizing disruption to adjacent residential uses and preventing future incompatibilities from I-1 Nonsewered Industrial uses.
2. No correspondence in opposition to the proposed rezoning has been received, to date

Findings Against:

1. None

Sup. dist. 8 - Kevin Stelljes



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

Table with application details: Application Accepted: 12/8/17, Accepted By: MM, Receipt Number: 54305, Town Hearing Date: 1/18/18, Scheduled Hearing Date: 1/23/18

REZONING APPLICATION

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

Existing Zoning District: A-2 & I-1 Proposed Zoning District(s): C-3
Acres to be rezoned: Approx 1.5 - 1.75

Property Owner Name: Grip Holdings, LLC Phone#: (715) 225-1923
Mailing Address: 902 Water Street, Eau Claire, WI 54703
Email Address: riverbendrpm@gmail.com

Agent Name: Jason Griepentrog Phone#: (715) 225-1923
Mailing Address: 902 Water Street, Eau Claire, WI 54703
Email Address: riverbendrpm@gmail.com

RECEIVED

SITE INFORMATION DEC 08 2017

Site Address: 7732 US Hwy 12, Eau Claire, WI 54701 COUNTY CLERK

Property Description: SE & NE 1/4 SW 1/4 Sec. 29, T27 N, R8 W, Town of Washington

Zoning District: A-2 & I-1 Code Section(s): 18.05 & 18.15

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

Computer #(s): 024 - 109 - 808 - 000
024 - 109 - 904 - 000

GENERAL APPLICATION REQUIREMENTS

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

- Complete attached information sheet
Contact the Town to coordinate a recommendation on the application
Provide legal description of property to be rezoned
Provide \$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 [Signature]

Date 11-2-17

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 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:

Purpose of rezone request is to change zoning from A-2 to C-3 Hwy Commercial on north parcel for the purpose of locating storm facilities and combining with south parcel currently zoned I-1 Non-sewered Industrial and downzone to C-3 Hwy Commercial to have compatible and matching zoning with adjacent properties.

■ 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 applicant/owner met with the Town of Washington Plan Commission on May 10, 2017 and received approval to amend their Future Land Use Map to designate the section outlined on the attached site plan/legal description to Rural Commercial from Rural Preservation. This amendment was later approved by the Town of Washington Board to allow for this petition. Contingent on the rezone approval on the north parcel, the applicant agreed to downzone the southern parcel from I-1 to C-3 for the purpose of a multi-phase warehouse storage development to match the north parcel which would be combined via CSM pending rezone petition approval.

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DEC 08 2017

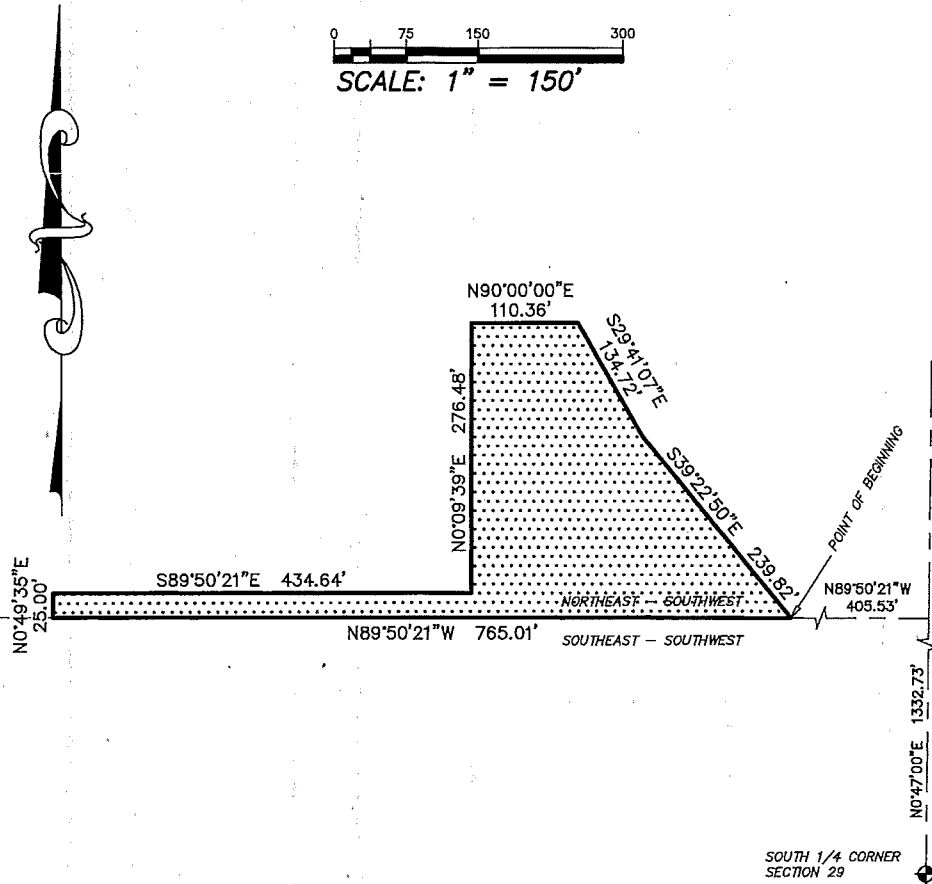
COUNTY CLERK



REAL LAND SURVEYING

1360 INTERNATIONAL DRIVE
EAU CLAIRE, WI 54701
(715) 514-4116

Web: rls-asc.com
COPYRIGHT 2011,
REAL LAND SURVEYING LLC



Easement Description:

Being part of the Northeast ¼ of the Southwest ¼, Section 29, Township 27 North Range 8 West, Town of Washington, Eau Claire County Wisconsin described as follows:

Commencing at the South ¼ corner of said Section 29, thence N00°47'00"E along the North South ¼ line a distance of 1332.73 feet to the Southeast corner of said Northeast ¼ of the Southwest ¼;

Thence N89°50'21"W along the South line of said Northeast ¼ of the Southwest ¼ a distance of 405.53 feet to the point of beginning;

Thence continuing N89°50'21"W along said south line a distance of 765.01 feet;

Thence N0°49'35"E a distance of 25.00 feet;

Thence S89°50'21"E a distance of 434.64 feet;

Thence N00°09'39"E a distance of 276.48 feet;

Thence N90°00'00"E a distance of 110.36 feet;

Thence S29°41'07"E a distance of 134.72 feet;

Thence S39°22'50"E a distance of 239.82 feet to the point of beginning.

EASEMENT SKETCH

IN THE NORTHEAST ¼ OF THE SOUTHWEST ¼, SECTION 29,
TOWNSHIP 27 NORTH, RANGE 8 WEST,
TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN

Easement Description:

Being part of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 29, Township 27 North Range 8 West, Town of Washington, Eau Claire County Wisconsin described as follows:

Commencing at the South $\frac{1}{4}$ corner of said Section 29, thence $N00^{\circ}47'00''E$ along the North South $\frac{1}{4}$ line a distance of 1332.73 feet to the Southeast corner of said Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$;

Thence $N89^{\circ}50'21''W$ along the South line of said Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ a distance of 405.53 feet to the point of beginning;

Thence continuing $N89^{\circ}50'21''W$ along said south line a distance of 765.01 feet;

Thence $N0^{\circ}49'35''E$ a distance of 25.00 feet;

Thence $S89^{\circ}50'21''E$ a distance of 434.64 feet;

Thence $N00^{\circ}09'39''E$ a distance of 276.48 feet;

Thence $N90^{\circ}00'00''E$ a distance of 110.36 feet;

Thence $S29^{\circ}41'07''E$ a distance of 134.72 feet;

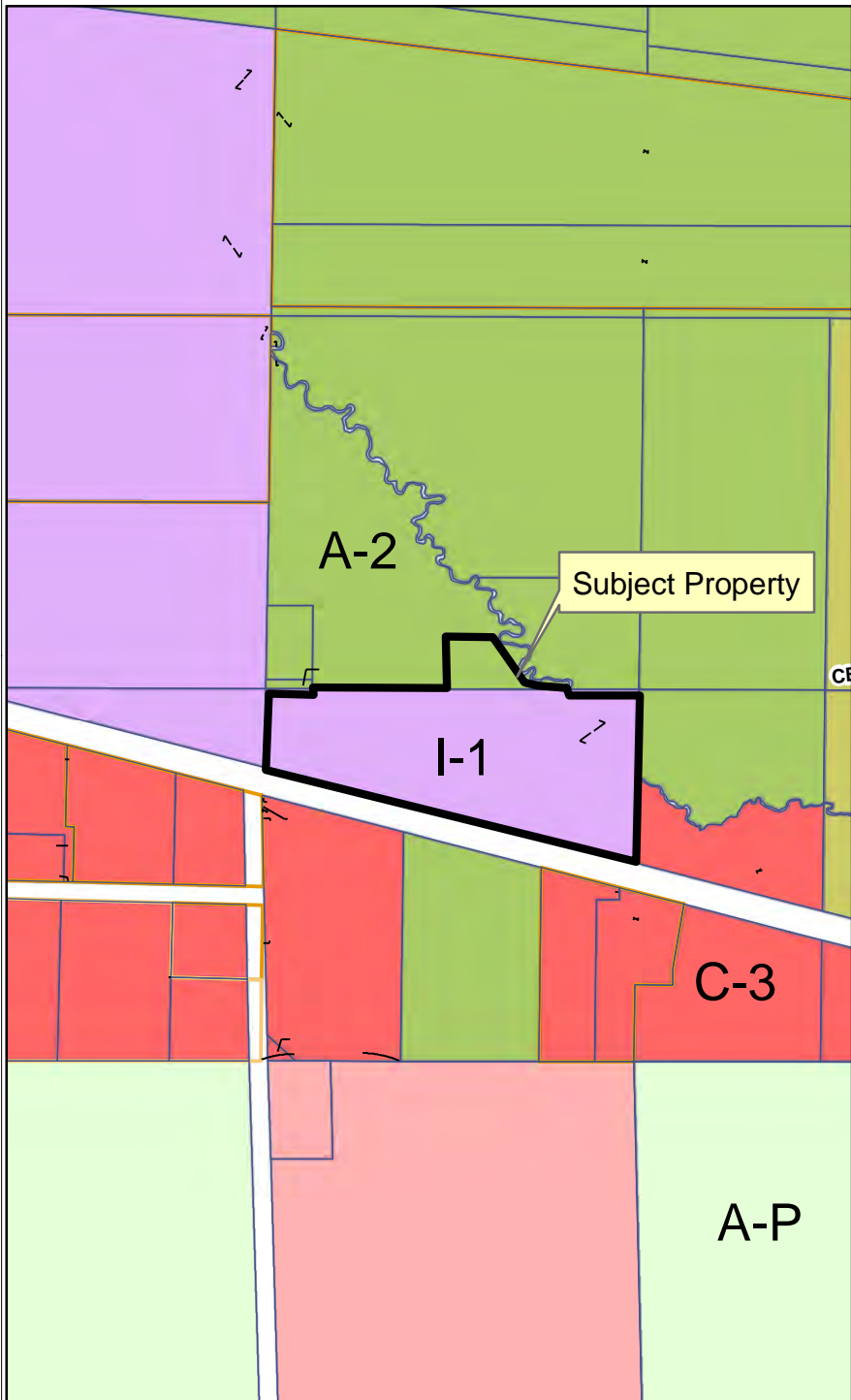
Thence $S39^{\circ}22'50''E$ a distance of 239.82 feet to the point of beginning.



Grip Rezoning: RZN-0012-17

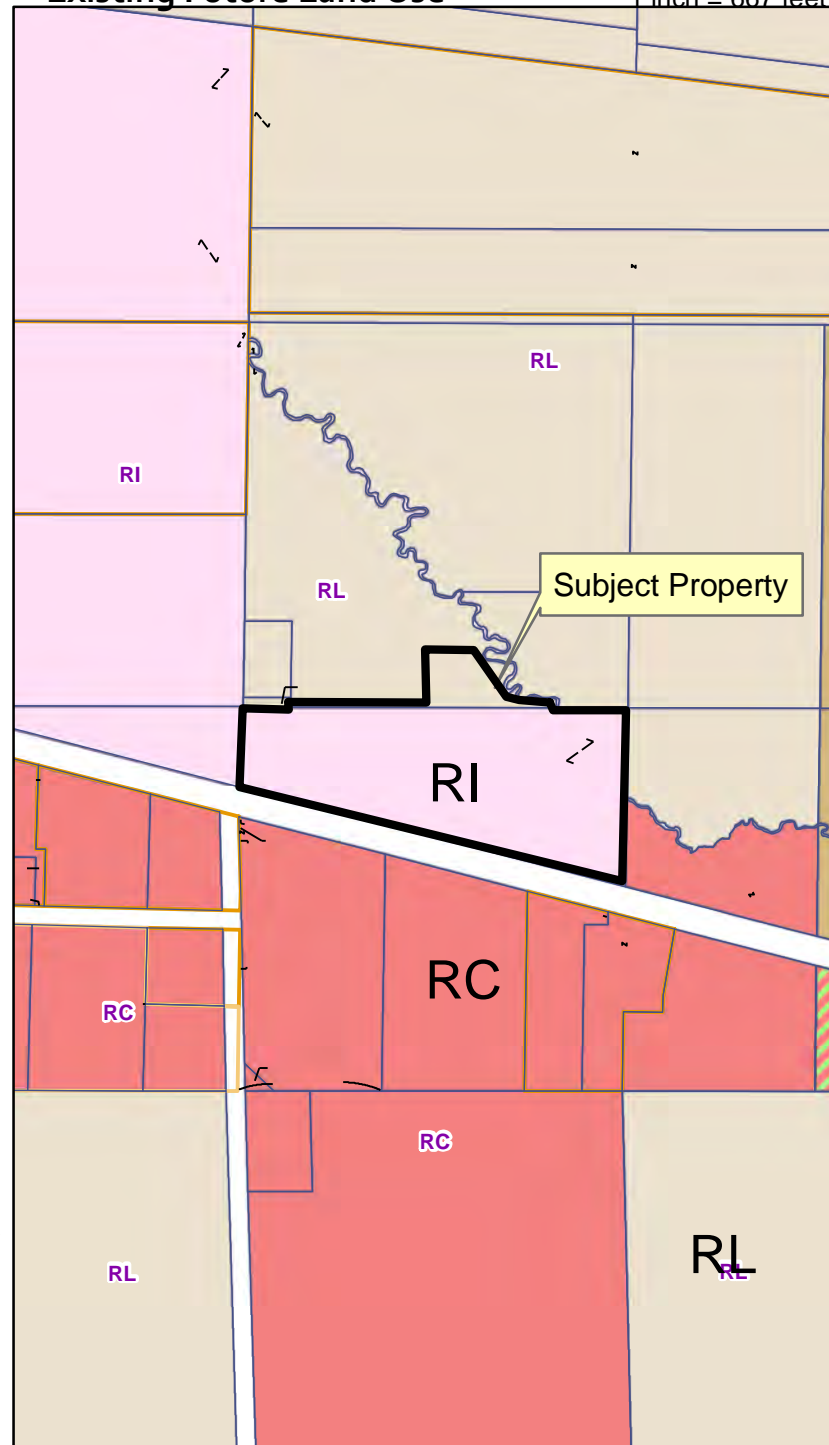
Existing Zoning

1 inch = 666.66667 feet



Existing Future Land Use

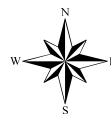
1 inch = 667 feet



Legend

Future Land Use

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



Parcel Mapping Notes:

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

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

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

FACT SHEET

TO FILE NO. 17-18/100

This ordinance is part of the requirement for adoption of the Letter of Map Amendment (LOMR) to the FIRM map panel 55035C0300E off of Barka Road in the Town of Otter Creek. The FIRM map panel is revised and is effective October, 26, 2016.

Fiscal Impact: None.

Respectfully Submitted,



Jared Grande
Planning and Development

JG

Ordinance/17-18.100 Fact

1 Enrolled No.

2 ORDINANCE

3 File No. 17-18/100

4 TO AMEND SECTION 18.20.010.B. OF THE CODE: GENERAL PROVISIONS -

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

6
7 SECTION 1. That paragraph a. of Appendix B of Section 18.20 of the code be created
8 to read:

- 9
- 10 a. Letter of Map Revision, Case No. 16-05-4739X, Revision to Map Panel 55035C0300E,
- 11 Effective October 26, 2016. The effective map amends the floodplain boundary within
- 12 parts of the Town of Otter Creek.

13 ENACTED:

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20 APPROVED BY
21 CORPORATION COUNSEL
22 AS TO FORM
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_____ Gary Gil
 _____ James Dunne
 _____ Adam Kucharski
 _____ Steve Pagni

 Committee on Planning and Development

JG

Dated this 23 day of January, 2018.

FACT SHEET

TO FILE NO. 17-18/101

The review of Chapters 12.73 and 12.74 is part of the strategic plan process.

Section 1. Adds language for clarification of purpose of Chapter 12.73.

Section 2. Deletes language to reflect current procedure.

Section 3. Updates language for mandatory separation of recyclables for owners or occupants of single family and 2 to 4 unit residences by deleting references to number 6 plastics and foam polystyrene packaging.

Section 4. Updates language for processing of recyclables to reflect that recyclables no longer have to be separated by type by owners or occupants of single-family and 2 to 4 unit residences.

Section 5. Deletes language of outdated requirements related to separation of recyclables.

Section 6. Deletes language of outdated requirements related to separation of recyclables.

Section 7. Updates language for mandatory separation of recyclables for owners or occupants of non-residential facilities by deleting references to number 6 plastics and foam polystyrene packaging.

Section 8. Updates language for clarity.

Section 9. & 10. Adds a paragraph on labeling containers and renumbers the exiting paragraph on size of containers.

Section 11. Grammatical corrections.

Section 12. Adds language for clarification, makes grammatical corrections and removes outdated requirements.

Section 13. Changes sentence structure for clarity.

Section 14. Updates the code by removing a function that is not performed by the County.


Section 15. Updates language for mandatory separation of recyclables at multi-family residential dwellings by deleting references to number 6 plastics and foam polystyrene packaging.

Section 16. Removes unnecessary language.

Section 17. Repeals County brush disposal site regulations as the County no longer has a brush site.

Fiscal Impact: None.

Respectfully Submitted,


Keith R. Zehms
Corporation Counsel

KRZ/yk

2
3 - TO AMEND SECTION 12.73.001 OF THE CODE: PURPOSE; TO AMEND
4 SECTION 12.73.010 C. OF THE CODE: MANDATORY SEPARATION OF YARD
5 WASTE FROM REFUSE; TO AMEND SECTION 12.73.100 A. 6. THROUGH 11. OF
6 THE CODE: MANDATORY SEPARATION OF RECYCLABLES BY OWNERS OR
7 OCCUPANTS OF SINGLE FAMILY AND 2 TO 4 UNIT RESIDENCES; TO AMEND
8 SECTION 12.73.120 A. 1. THROUGH 8. OF THE CODE: PROCESSING OF
9 RECYCLABLES FOR COLLECTION BY A RESIDENTIAL SERVICES PROVIDER;
10 TO REPEAL SECTION 12.73.140 B. AND D. AND RELETTER C. AS B. OF THE
11 CODE: PREPARATION OF RECYCLABLES FOR COLLECTION BY A
12 RESIDENTIAL SERVICE PROVIDER; TO AMEND SECTION 12.73.150 A. OF THE
13 CODE: DEPOSITING OF RECYCLABLES AT DROP-OFF LOCATIONS BY
14 OWNERS OR OCCUPANTS OF SINGLE-FAMILY AND 2 TO 4 UNIT
15 RESIDENCES; TO AMEND SECTION 12.73.200 A. 7. THROUGH 12. OF THE
16 CODE: MANDATORY SEPARATION OF RECYCLABLES BY OWNERS OR
17 OCCUPANTS OF NON-RESIDENTIAL FACILITIES; TO AMEND SECTION
18 12.73.210 B. & C. OF THE CODE: REQUIREMENTS FOR OWNERS OF NON-
19 RESIDENTIAL FACILITIES IN ESTABLISHING RECYCLING PROGRAMS; TO
20 RENUMBER SECTION 12.73.240 A. 3. OF THE CODE: REQUIREMENTS FOR
21 NON-RESIDENTIAL FACILITIES THAT SEPARATE RECYCLABLES FROM
22 THEIR REFUSE ON-SITE; TO CREATE SECTION 12.73.240 A. 3. OF THE CODE:
23 REQUIREMENTS FOR NON-RESIDENTIAL FACILITIES THAT SEPARATE
24 RECYCLABLES FROM THEIR REFUSE ON-SITE; TO AMEND SECTION
25 12.73.240 B. 1. AND 3. OF THE CODE: REQUIREMENTS FOR NON-RESIDENTIAL
26 FACILITIES THAT SEPARATE RECYCLABLES FROM THEIR REFUSE ON-SITE;
27 TO AMEND SECTION 12.73.240 D. 1. AND h. OF THE CODE: REQUIREMENTS
28 FOR NON-RESIDENTIAL FACILITIES THAT SEPARATE RECYCLABLES FROM
29 THEIR REFUSE ON-SITE; TO AMEND SECTION 12.73.280 A. OF THE CODE:
30 INSPECTIONS OF NON-RESIDENTIAL RECYCLING PROGRAMS; TO AMEND
31 SECTION 12.73.290 OF THE CODE: WASTE EXCHANGE DIRECTORY; TO
32 AMEND SECTION 12.73.300 A. 6. THROUGH 11. OF THE CODE: MANDATORY
33 SEPARATION OF RECYCLABLES FROM REFUSE GENERATED AT MULTI-
34 FAMILY RESIDENTIAL DWELLINGS; TO AMEND SECTION 12.73.500 OF THE
35 CODE: MANDATORY SEPARATION OF WASTE TIRES FROM REFUSE; TO
36 REPEAL CHAPTER 12.74 OF THE CODE: COUNTY RESIDENTIAL BRUSH
37 DISPOSAL SITE REGULATIONS -

38
39 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

40
41 **SECTION 1.** That Section 12.73.001 of the code be amended to read:

42
43 12.73.001 Purpose. It is the purpose of this chapter to establish rules for extending the
44 useful life of county landfill sites by reducing the amount of refuse placed in landfills and
45 ensuring the proper separation and processing of recyclables, for the conservation of natural
46 resources, and for energy savings.

1 **SECTION 2.** That Subsection C. of Section 12.73.010 of the code be amended to read:

2
3 C. No landfill user or collector shall knowingly deposit or cause to be deposited any
4 yard waste in any landfill, ~~unless so directed or allowed by the committee on planning and~~
5 ~~development.~~

6
7 **SECTION 3.** That paragraphs 6. through 11. of Subsection A. of Section 12.73.100 of
8 the code be amended to read:

9
10 6. Plastic containers made of number 1, number 2, number 3, number 4,
11 number 5 and number 7 plastics and embossed or imprinted as follows:

12 ~~△~~ ~~f~~For number 1 plastics and

13 ~~△~~ ~~f~~For number 2 plastics

14 7. ~~Plastic containers made of number 3, number 4, number 5, number 6, and~~
15 ~~number 7 plastics and embossed or imprinted as follows:~~

16 ~~△~~ For number 3 plastics

17 ~~△~~ For number 4 plastics

18 ~~△~~ For number 5 plastics

19 ~~△~~ For number 6 plastics

20 ~~△~~ For number 7 plastics

21 8. ~~Foam polystyrene packaging.~~

22 97. Magazines or other materials printed on similar paper.

23 108. Corrugated cardboard.

24 119. Waste tires.

25
26 **SECTION 4.** That paragraphs 1. through 8. of Subsection A. of Section 12.73.120 of
27 the code be amended to read:

28 1. Aluminum containers shall be rinsed inside and out until clean and
29 flattened, if possible.

30 2. Glass containers shall be rinsed inside and out ~~until clean~~ and lids and
31 rings made of any material including metal or plastic shall be removed. Broken glass containers
32 shall not be recycled and are considered refuse. ~~Glass may be separated by color.~~

33 3. ~~Newspapers or other materials printed on newsprint shall be placed inside~~
34 ~~a kraft paper bag (e.g. grocery bag). Glossy inserts from newspapers shall be recycled with the~~
35 ~~newspapers.~~ Newspapers or other materials printed on newsprint, including glossy inserts shall
36 be clean and free of other refuse.

37 4. Plastic containers shall be rinsed inside and out until clean and lids and
38 rings shall be removed. ~~Plastic containers may be separated according to the type of plastic.~~

39 5. Steel cans shall be rinsed inside and out ~~until clean.~~ Labels shall be
40 removed. Both ends of steel cans may be removed and steel cans may be flattened.

41 6. Kraft paper shall be placed inside a kraft paper bag (e.g. grocery bag).
42 Kraft paper shall be clean and free of other refuse.

43 7. Bimetal cans shall be rinsed inside and out ~~until clean~~ and may be
44 flattened.

45 8. ~~Magazines, catalogues and similar glossy material shall be placed inside a~~
46 ~~kraft paper bag (e.g., grocery bag).~~ Magazines and similar material shall be clean and free of
47 other refuse.

48
49 **SECTION 5.** That Subsections B. & D. of Section 12.73.140 of the code be repealed
50 and C. be relettered to B.

1 **SECTION 6.** That Subsection A. of Section 12.73.150 of the code be amended to read:

2
3 A. Recyclables deposited at drop-off locations by owners or occupants of single-
4 family and 2 to 4 unit residences shall be processed in accord with 12.73.120. A. and each of the
5 items identified in therein shall be ~~separated and~~ deposited in provided containers ~~that are~~
6 designated for ~~each item~~ recyclables. Depositing refuse at drop-off locations is prohibited.

7
8 **SECTION 7.** That paragraphs 7. through 12. of Subsection A. of Section 12.73.200 of
9 the code be amended to read:

10
11 7. Plastic containers made of number 1, and number 2, number 3, number 4,
12 number 5 and number 7 plastics and embossed or imprinted as follows:

13 ♻ For number 1 plastics

14 ♻ For number 2 plastics

15 ~~8. Plastic containers made of number 3, number 4, number 5, number 6, and~~
16 ~~number 7 plastics and embossed or imprinted as follows:~~

17 ♻ For number 3 plastics

18 ♻ For number 4 plastics

19 ♻ For number 5 plastics

20 ~~♻ For number 6 plastics~~

21 ♻ For number 7 plastics

22 ~~9. Foam polystyrene packaging.~~

23 ~~10. Magazines or other materials printed on similar paper.~~

24 ~~11. Newspapers or other material printed on newsprint.~~

25 ~~12. Waste tires.~~

26
27 **SECTION 8.** That Subsections B. & C. of Section 12.73.210 be amended to read:

28
29 B. Programs developed in accord with 12.73.210 A. shall ~~be developed to~~ recover
30 the recyclables listed therein from every source of waste within a non-residential facility
31 including, but not limited to, office waste, break room waste, processing waste and
32 manufacturing waste.

33 C. A contact person shall be designated ~~as the contact person~~ for the recycling
34 program established in accord with this section.

35
36 **SECTION 9.** That paragraph 3. of Subsection A. of Section 12.73.240 of the code be
37 renumbered to 4.

38
39 **SECTION 10.** That paragraph 3. of Subsection A. of Section 12.73.240 of the code be
40 created to read:

41
42 3. Labeling of containers-recycling containers shall be clearly labeled for
43 recyclables only on the top & front of the container.

44 **SECTION 11.** That paragraphs 1. and 3. of Subsection B. of Section 12.73.240 be
45 amended to read:

46
47 1. The features and standards of the recycling program that has been
48 established including but not limited to the items that must be separated in accord with
49 12.73.200.A, the location of containers for depositing the items that must be separated, how the
50 items must be prepared before they are deposited in appropriate containers, and the hours of

1 operation, if applicable.

2
3 3. Reasons to reduce and recycle including, but not limited to, saving landfill
4 space, conservation of natural resources and energy, and cost savings.

5
6 **SECTION 12.** That subparagraph h. and paragraph 1. of Subsection D. of Section
7 12.73.240 of the code be amended to read:

8
9 1. Minimum processing requirements - recyclables that are separated from
10 refuse at non-residential facilities shall be clean and free of any other refuse, particularly
11 putrescible waste that may attract vectors and vermin or constitute hazardous or toxic waste. At
12 a minimum, recyclables shall be processed as follows:

13
14 h. Plastic containers shall be rinsed inside and out until clean and lids
15 and rings shall be removed. ~~Plastic containers may be separated according to the type of plastic.~~

16
17 **SECTION 13.** That Subsection A. of Section 12.73.280 of the code be amended to read:


18
19 A. Yearly inspections may be conducted ~~each year~~ at multi-family dwellings in Eau
20 Claire County where recycling programs have been established for tenants to separate their
21 recyclables from their refuse on-site to confirm that the established recycling programs are in
22 accord with 12.73.310 and all other applicable sections of this code. Inspections shall be
23 conducted as follows:


24
25 **SECTION 14.** That Section 12.73.290 of the code be amended to read:

26
27 12.73.290 Waste Exchange Directory. Non-residential facilities in Eau Claire County
28 may submit information to the National Materials Exchange Network (NMEN) on the type and
29 volume of waste that they generate. The National Materials Exchange Network will maintain a
30 directory with this information that will be available to the public. This directory will provide a
31 mechanism for non-residential facilities to circulate information about by-products or waste that
32 they generate that may be useful to other non-residential facilities. ~~The Eau Claire County~~
33 ~~Department of Planning and Development shall distribute information concerning the National~~
34 ~~Materials Exchange Network to businesses in Eau Claire County.~~


35
36 **SECTION 15.** That paragraphs 6. through 11. of Subsection A. of Section 12.73.300 of
37 the code be amended to read:


38
39 6. Plastic containers made of number 1, number 2, number 3, number 4,
40 number 5 and number 7 plastics and embossed or imprinted as follows:


41  for number 1 plastics and


42  for number 2 plastics.


43 7. ~~Plastic containers made of number 3, number 4, number 5, number 6, and~~
44 ~~number 7 plastics and embossed or imprinted as follows:~~

45  For number 3 plastics

46  For number 4 plastics

47  For number 5 plastics

48  For number 6 plastics

49  For number 7 plastics

50 8. ~~Foam polystyrene packaging.~~

- 1 97. Magazines or other materials printed on similar paper.
- 2 ~~108.~~ Corrugated cardboard.
- 3 ~~119.~~ Waste tires.

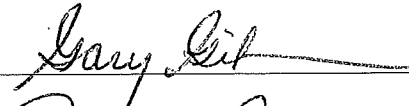

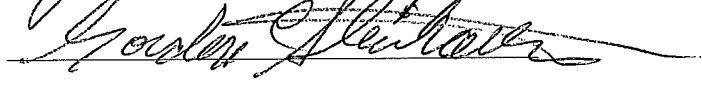
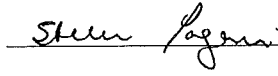
4
5 **SECTION 16.** That Section 12.73.500 of the code be amended to read:

6 12.73.500 Mandatory separation of waste tires from refuse.

7 A. Effective September 1, 1992 all residents of the county and owners, occupants or
8 tenants of a non-residential facility or property shall separate waste tires from their refuse and
9 shall dispose of them in accordance with 12.73.520.
10

11
12 **SECTION 17.** That Section 12.74 of the code be repealed.

13
14 ADOPTED:

15
16 
17
18 
19
20 
21
22 

23
24 APPROVED BY
25 CORPORATION COUNSEL
26 AS TO FORM

27 _____
28 Committee on Planning & Development

29 KRZ/yk

30 Dated this 23 day of January, 2018.

ORDINANCE/17-18.101

FACT SHEET
File No. 17-18/107

RE: Rezoning Petition from Jeffrey D and Sheryl A Hoepner to rezone 5.93 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to divide the existing home and surrounding acreage. The remainder of the property (20 acres +/-) will be rezoned A-3 to be consistent with minimum lot requirements.

Legal Description and Location: A portion of the NW¼ NE¼ of Section 34, T26N, R10W, Town of Brunswick, Eau Claire County (complete legal description attached)

Size of area to be rezoned: 25.93 acres +/-

ADJACENT ZONING & LAND USES:

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

LAND USE PLAN: The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) 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.*

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-2 and A-3 zoning districts are consistent and therefore allowed within the mapped future land use designations.

Town Board Action: The Brunswick Town Board considered this rezoning petition on Tuesday, February 13, 2018 and recommended approval (3-0 vote).

Committee Action: The Eau Claire County Committee on Planning and Development conducted the required public hearing on Tuesday, February 27, 2018 regarding the proposed rezoning. On a vote of in favor 5 and 0 against, the Committee recommends approval of the rezoning petition to the County Board. The committee considered the applicant's testimony as well as the Town Board's and staff's recommendations in their deliberations.

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



Matt Michels, AICP
 Senior Planner

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

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 Brunswick, Eau Claire County described as follows:

10
11 **A parcel of land being the South 660 feet of the Northwest Quarter of**
12 **the Northeast Quarter, Section 34, Township 26 North, Range 10**
13 **West, Town of Brunswick, Eau Claire County, Wisconsin.**

14
15 **Said described lands contain approximately 20.00 acres and is subject**
16 **to the easements and restrictions of record to be reclassified from the**
17 **A-P Agricultural Preservation District to the A-3 Agricultural**
18 **District.**

19
20 **SECTION 2** That the 1982 Official Zoning District Boundary Map for the Town of
21 Brunswick, Eau Claire County described as follows:

22
23 **A parcel of land being part of the Northwest Quarter of the Northeast**
24 **Quarter lying South of State Road Highway 37 excluding the South**
25 **660 feet, Section 34, Township 26 North, Range 10 West, Town of**
26 **Brunswick, Eau Claire County, Wisconsin.**

27
28 **Said described lands contain approximately 5.93 acres of land and is**
29 **subject to the easements and restrictions of record to be reclassified**
30 **from the A-P Agricultural Preservation District to the A-2**
31 **Agricultural-Residential District.**

32
33 **SECTION 3** Where a certified survey map is required and may alter the above
34 described property description, the official zoning district map for the
35 town shall be automatically amended to reflect the property description of
36 the certified survey map.

37
38 **ENACTED:** I hereby certify that the foregoing correctly represents the
39 action taken by the undersigned Committee on
40 February 27, 2018 by a vote of **4** for, **0** against.

41
42 **APPROVED BY**
43 **CORPORATION COUNSEL**
44 **AS TO FORM**



Planning & Development Committee, Chairperson



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-00001-18 **COMPUTER NUMBER:** 004110803000

PUBLIC HEARING DATE: February 27, 2018

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER/AGENT: Jeffrey D & Sheryl A Hoepner, W 4435 State Rd. 37, Eau Claire, WI

REQUEST: Rezone 5.93 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to divide the existing home and surrounding acreage. The remainder of the property (20 acres +/-) will be rezoned A-3 to be consistent with minimum lot requirements.

LOCATION: W 4435 State Road 37

LEGAL DESCRIPTION: A portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T26N, R10W, Town of Brunswick, Eau Claire County (complete legal description attached)

RECOMMENDATION Approval of request based on findings outlined on Page 5 of this report

SUMMARY

Rezone 5.93 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to divide the existing home and surrounding acreage. The remainder of the property (20 acres +/-) will be rezoned A-3 to be consistent with minimum lot requirements.

BACKGROUND

SITE CHARACTERISTICS:

- The property has an existing single-family residence on the northwest portion
- The majority of the property is wooded

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

- Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*

- 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 DISTRICTS:

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

A-3 Agricultural District: The A-3 Agricultural Preservation District is established to: 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
North	A-2	Single-family residence; Woodlands
East	A-P	Single-family residence; Woodlands
South	A-P	Single-family residence; Woodlands
West	A-2	Woodlands

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area. Following is a description of the intent of the applicable County comprehensive plan future land use category and applicable policies. Policies are quoted *in italics* and staff comments, as applicable, are provided thereafter:

- 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-2 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 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.

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-2 and A-3 Districts are not certified farmland preservation districts and the proposed 5.93-acre and 20-acre lots would not qualify for Farmland Preservation tax credits. However, the majority of the property is not well suited for agricultural uses due to soil types and topography, and no productive agricultural land will be taken out of cultivation with this rezoning.

Comprehensive Plan Summary

The proposed A-2 and A-3 zoning districts are consistent with the intent and description and the applicable policies of the Eau Claire County Comprehensive Plan. Further, the Town of Brunswick recommends approval of the proposed rezoning (see attached meeting minutes).

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 two (2) different soil types on the property to be divided, neither of which is considered a prime agricultural soil.

Soil Type	Description	Capability Class
Ad	Adrian muck	6
BoE	Boone-Plainbo complex, 12 to 45% slopes	7

- **Historical Productivity** – The majority of the property is wooded and sloped and shows no evidence of historical agricultural activity
- **Site Location** – The proposed lots have access to Highway 37 and Sandberg Road
- **Adjacent Land Uses** – Uses in the area are a mixture of woodlands, single-family residences, and scattered farmland.

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 Comprehensive Plan, including policies related to limiting residential density in rural areas of the County.

Standard 3 - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan. As discussed, the proposed rezoning will not remove productive farmland out of production and the property is not well-suited for farming due to poor soils and slopes.*

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 Brunswick Town Board considered this rezoning petition on Tuesday, February 13, 2018 and recommended approval (3-0 vote).

The rezoning petition has been evaluated for consistency with the purpose of A-2 and A-3 Districts 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 Eau Claire County Future Land Use plan
- Existing uses in the area include woodlands, and scattered single-family residences, and scattered agricultural fields
- Zoning in the area is predominantly A-P, with scattered A-2 and A-3 zoning

CONCLUSION

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

- Eau Claire County Comprehensive Plan future land use designation
- Eau Claire County 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-2 and A-3 Districts

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 5.93 acres of land from the A-P District to the A-2 District and approximately 20 acres of land from the A-P District to the A-3 District as depicted on the attached map and described in the attached legal description.

FINDINGS

Findings in Favor:

1. The request is consistent with the goals, objectives, and policies of the Eau Claire County Comprehensive Plan, 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 woodlands, single-family residences, and scattered agricultural fields.
3. The property is included in the County Farmland Preservation Plan. However, no productive farmland will be removed from cultivation.

Finding Against:

1. None

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

Application Accepted:	1/22/2018
Accepted By:	Matt Michels
Receipt Number:	54609
Town Hearing Date:	02/08/2018
Scheduled Hearing Date:	2/27/2018
Application No:	RZN-0001-18
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): **A2** Acres to be Rezoned: **25.93**
A3
 Portion Of The Nw1/4 Ne1/4 Of Section 34, T26N, R10W, Town Of Brunswick, Eau Claire County, Wi

Owner/Applicant Name(s):	Address:	Telephone:
Jeffrey D Hoepner	(ow) W 4435 STATE ROAD 37 EAU CLAIRE	
Sheryl A Hoepner	(ow) W 4435 STATE ROAD 37 EAU CLAIRE	

Site Address(es):
 W 4435 STATE ROAD 37 EAU CLAIRE
Property Description: Sec 34 Twn 26 Rge 10 **Town of Brunswick** **Lot Area:** 25.930 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)
1800422610341200001	004110803000	26.10.34.1-2-A	THAT PRT OF THE NW-NE LYG S OF STH 37 CONT 25.93 AC M

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

Owner/Agent Signature *see attached application* Date _____

Check if DATCAP must be notified _____

Check if DNR to Receive Copy _____

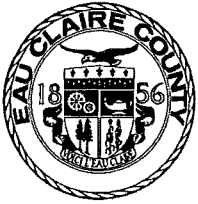
RECEIVED

JAN 22 2018

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.

Sup. Dist. 9 Gordon Steinbauer



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

Table with 2 columns: Field Name, Value. Fields include Application Accepted (1/18/18), Accepted By (MM), Receipt Number (54609), Town Hearing Date (2/8/18), Scheduled Hearing Date (2/27/18).

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): A2
Acres to be rezoned: 25.93

Property Owner Name: JEFF HOEPNER + SHERY HOEPNER Phone# 715-563-0110
Mailing Address: W6090 HENLOCK ROAD, MONDOVI
Email Address: jchoepner@gmail.com

RECEIVED

Agent Name: Phone#
Mailing Address: JAN 22 2018
Email Address:

COUNTY CLERK

SITE INFORMATION

Site Address: W4435 STATE HIGHWAY 37
Property Description: NW 1/4 NES 1/4 Sec. 34 T 26 N, R 10 W, Town of BRUNSWICK
Zoning District: Code Section(s):
Overlay District: Check Applicable [] Shoreland [] Floodplain [] Airport [] Wellhead Protection [] Non-Metallic Mining
Computer #(s): 004-1108-03-000

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.
[] Complete attached information sheet [] Contact the Town to coordinate a recommendation on the application
[X] Provide legal description of property to be rezoned [] 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: Sheryl Astoppner Date: 1-16-18
Jeffrey Hoepner Date: 1-16-2018

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

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

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

Describe the reason(s) for your rezoning request:

SPLIT PROPERTY INTO TWO UNITS. 5.93 with an existing home.
20 ACRES FOR A NEW DWELLING.

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.

SOIL CONDITIONS ON THIS PROPERTY ARE SUB-PAR FOR AGRICULTURAL USE. THERE ARE EROSION CONCERNS ALSO WITH THE STEEP HILLS AND SANDY CONDITIONS. WITH ADEQUATE ROAD FRONTAGE ON HIGHWAY 37 AND SANDBERG ROAD, THE PROPERTY COULD BE SPLIT AND STILL SATISFY COUNTY REQUIREMENTS FOR LOTS WITH ACREAGE. BASED ON THE LOCATION OF THE EXISTING HOME AND POSSIBLE PLACEMENT OF THE NEW HOME, THE NEW HOME WOULD BE BARELY VISIBLE FROM HIGHWAY 37 AND WOULD NOT ENCROACH ON THE BUCKER PROPERTY TO THE EAST. PROPERTY DIVIDED WOULD MEET REQUIREMENTS FOR A2 ZONING INCLUDING: GREATER THAN 5 ACRES, 250' OF ROAD FRONTAGE, DEPTH TO WIDTH LESS THAN 4:1

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.

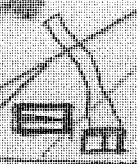
- 1) SOIL CONDITIONS ON THE PROPERTY ARE SUB-PAR FOR AGRICULTURAL PURPOSES, MOST OF THE PROPERTY IS MADE UP OF SANDSTONE, SAND, WETLANDS, AND GRADIS GREATER THAN 20%.
- 2) THROUGH PRELIMINARY CONTACTS WITH JARED GRANDE, EAU CLAIRE COUNTY, LAND USE TECHNICIAN SPLITTING THE PROPERTY IS CONSISTENT WITH COMPREHENSIVE PLANS.
- 3) THE LAND IS NOT SUITABLE FOR FARMING
- 4) THE REZONING WILL NOT LIMIT CURRENT OR FUTURE AGRICULTURAL USE OF SURROUNDING PARCELS

A parcel of land being that part of the Northwest Quarter of the Northeast Quarter lying South of State Trunk Highway 37. All in Section 34, Township 26 North, Range 10 West, Town of Brunswick, Eau Claire County Wisconsin.

Parcel contains approximately 25.93 acres of land.

004110803010

5.93 ACRES



570151000

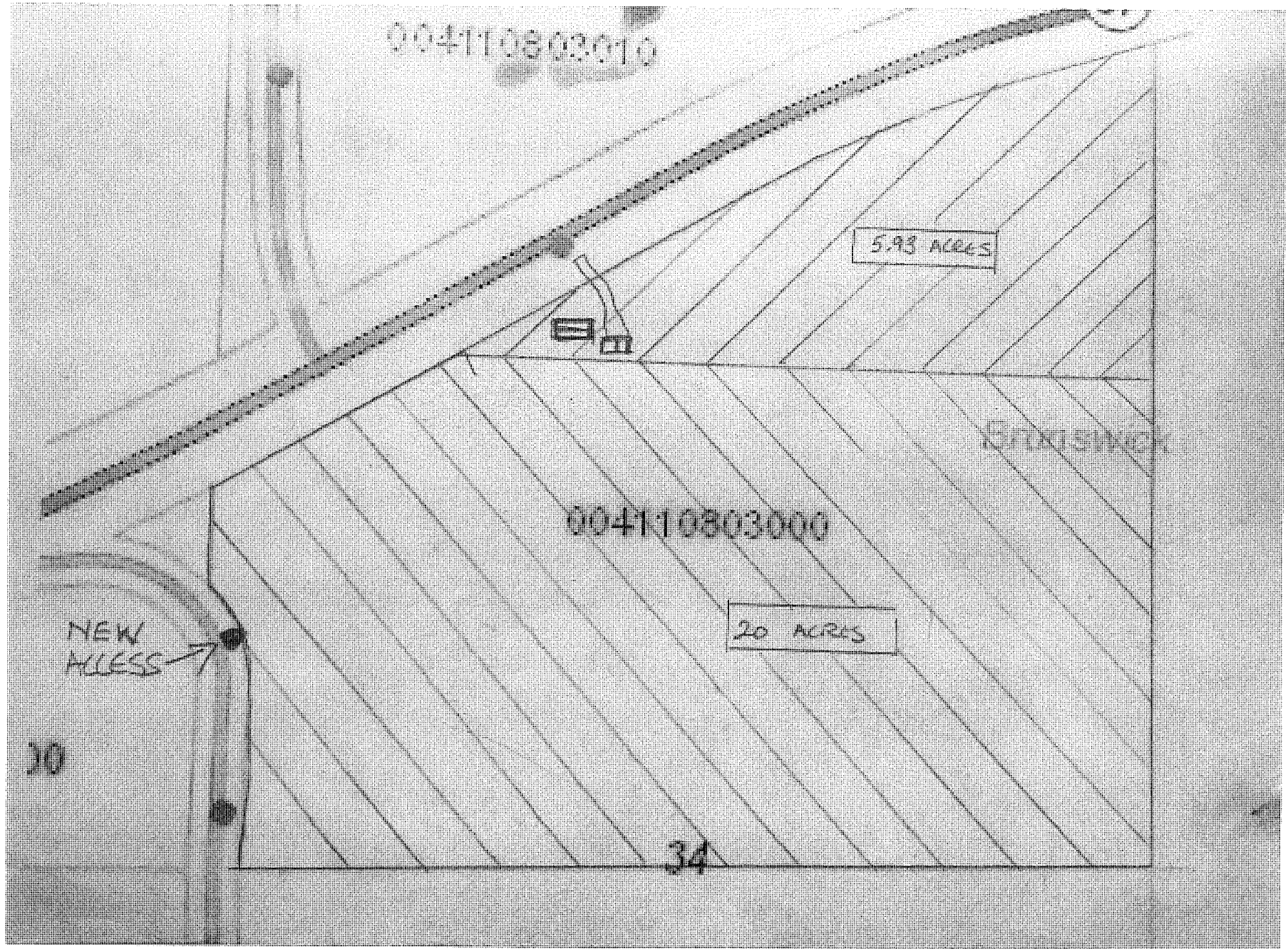
004110803000

20 ACRES

NEW ACCESS →

30

34



MINUTES

Brunswick Town Board Regular Monthly Meeting

February 13, 2018

7 p.m.

Brunswick Town Hall

PRESENT: Chairman Fred Turk, Supervisors Don Jaquish and Dan Sommerfeld, Clerk Debby Grinde and Treasurer Deb Heath.

Call to Order: Chairman Turk called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance to the flag.

Meeting Minutes: Supervisor Jaquish moved to approve the January 9, 2018 meeting minutes. Seconded by Supervisor Sommerfeld. Motion carried.

INFORMAL PUBLIC COMMENT TIME: Doug Carlson requested an invitation to a representative of Farm Technology Days 2020 to speak at the Annual Meeting. It was agreed that Doug should go ahead and extend an invitation to Huntsinger's. Supervisor Jaquish recommended that the school forest be thinned at this time due to favorable lumber prices. Wellner's mowing service will be hired to mow along town roads this spring in response to their recently received letter.

DISCUSSION/ACTION ITEMS

- The rezone application submitted by Jeff and Sheryl Hoepner for W4435 State Road 37, was recommended for approval with a motion by Jaquish/Sommerfeld. Motion passed.
- A motion was made by Sommerfeld/Jaquish to issue a bartender license to Kelsey Pendergast (4-mile). Motion passed.
- A motion was made by Turk/Jaquish to amend the ATV/UTV ordinance to include a short stretch of Maple Road east of CTH B. Motion passed.
- Peter Bergee, Linings, explained to the Board his plans to eliminate U-Hauls and install model "Old Hickory Homes". The Board does not have a problem with it.
- A motion to pay the bills was made by Jaquish/Sommerfeld. Motion carried.
- A motion to accept the Treasurer's report was made by Turk/Jaquish. Motion carried.
- The next meeting is set for Tuesday, March 13, 2018 at 7 p.m. at the Town Hall.
- A motion to accept the 2017 final audit was made by Sommerfeld/Jaquish. Motion passed.

- A motion to adjourn was made by Turk/Sommerfeld. Motion carried. Time: 8:20 p.m.

Respectfully submitted,

Debra Grinde

Town Clerk

HOEPNER REZONING AERIAL 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.

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.

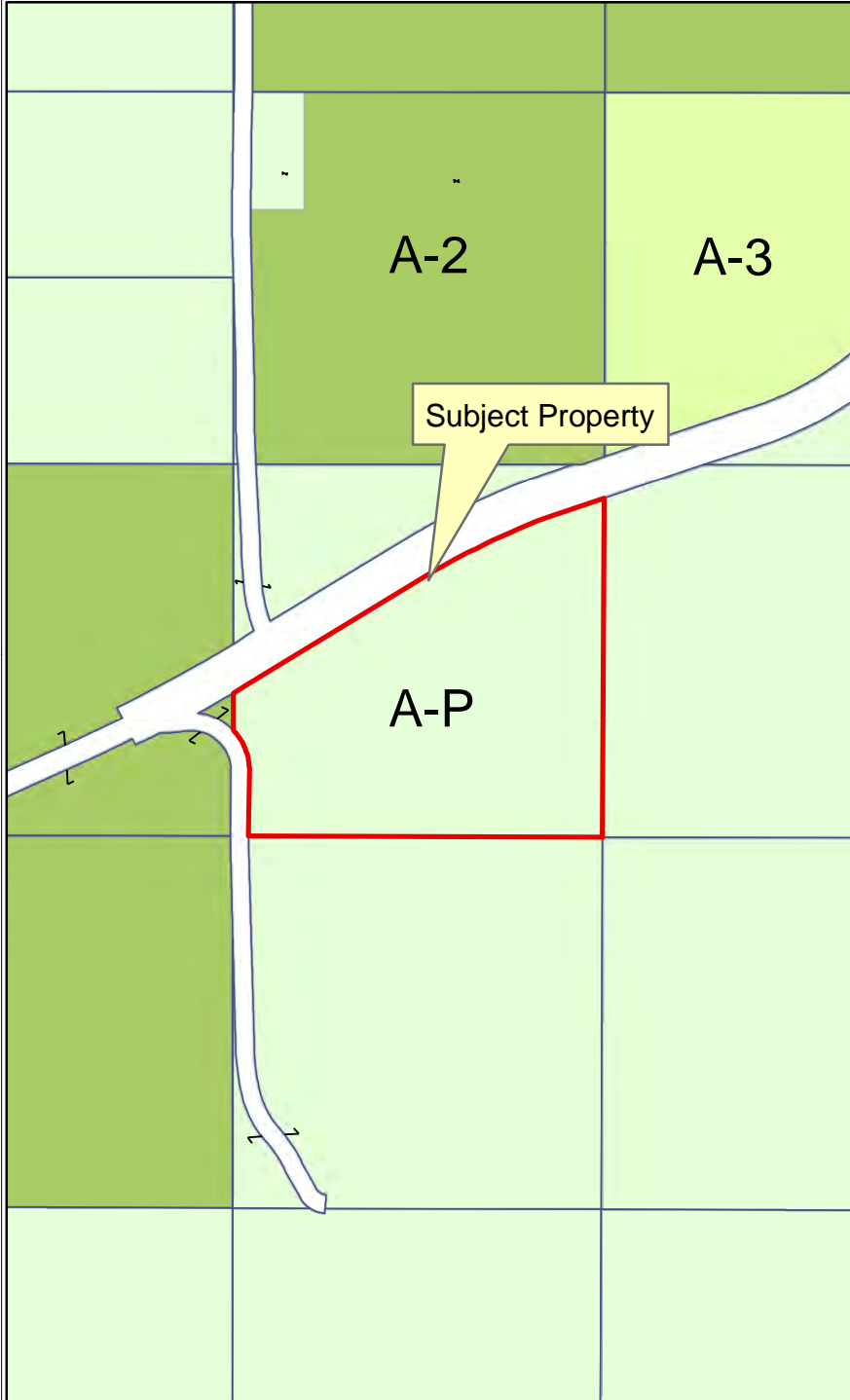




Hoepner Rezoning: RZN-0001-18

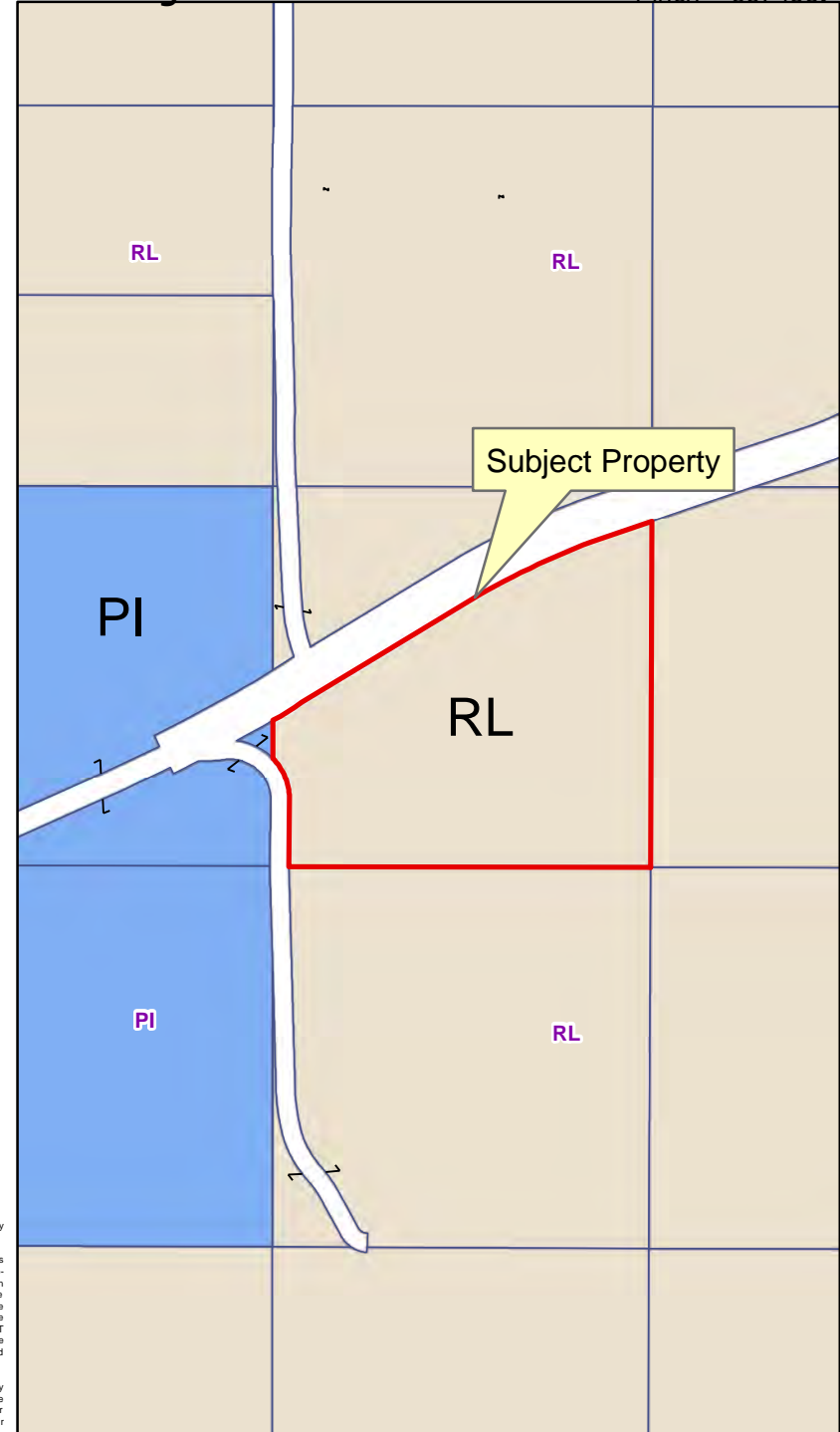
Existing Zoning

1 inch = 666.66667 feet



Existing Future Land Use

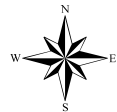
1 inch = 667 feet



Legend

Future Land Use

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



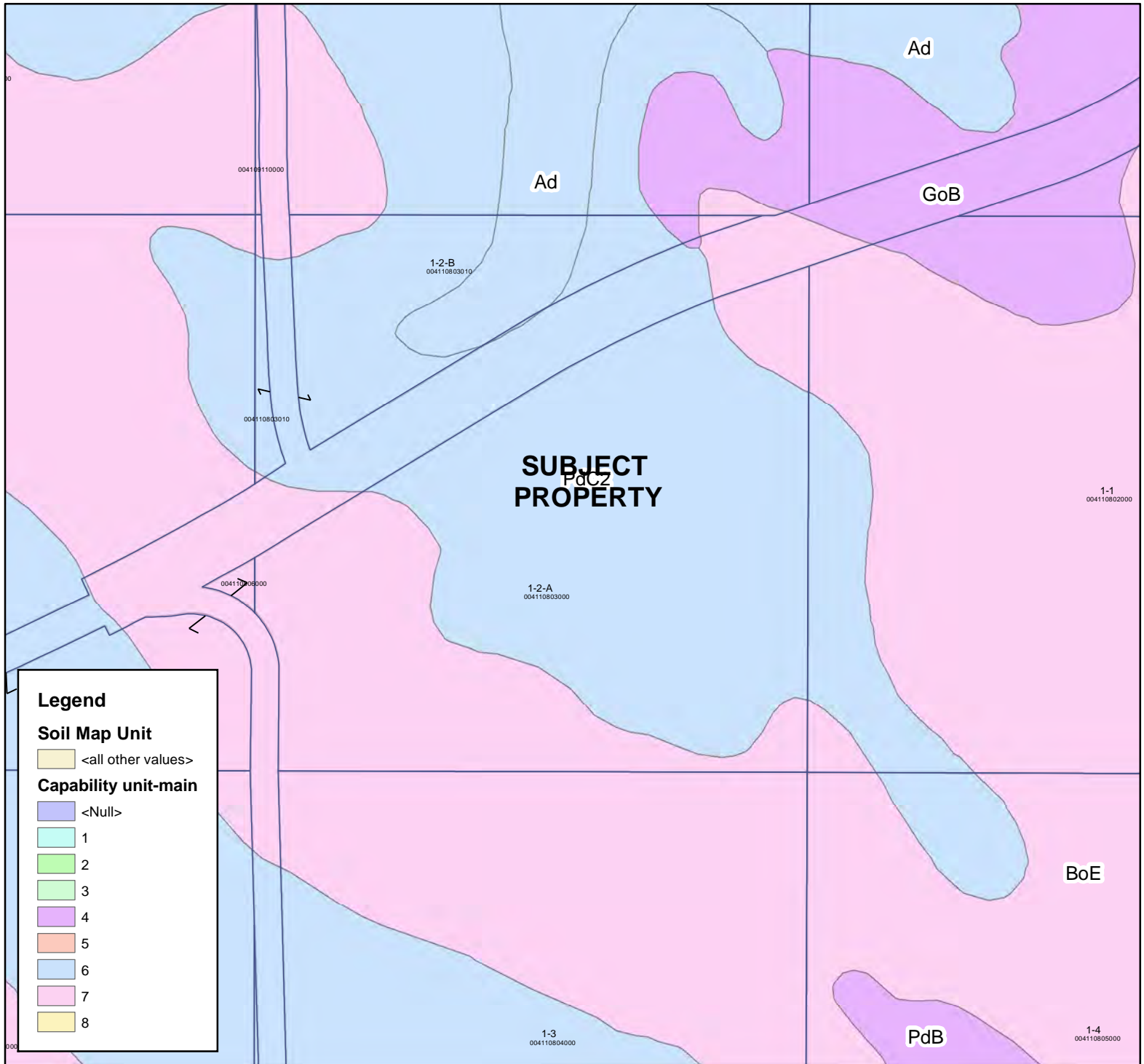
Parcel Mapping Notes:

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

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

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

HOEPNER REZONING SOIL 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.

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



FACT SHEET
File No. 17-18/119

RE: Rezoning Petition from Larry E & Patricia C Smith to rezone 5 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to divide the existing home and surrounding acreage. The remainder of the property (30.75 acres +/-) will be rezoned A-3 to be consistent with minimum lot requirements.

Legal Description and Location: A portion of the SW¼ SE¼ of Section 23, T25N, R8W, Town of Clear Creek, Eau Claire County (complete legal description attached)

Size of area to be rezoned: 35.75 acres +/-

ADJACENT ZONING & LAND USES:

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

LAND USE PLAN: The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) 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.*

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-2 and A-3 zoning districts are consistent and therefore allowed within the mapped future land use designations.

Town Board Action: The Clear Creek Town Board considered this rezoning petition on Monday, February 12, 2018 and recommended approval (3-0 vote).

Committee Action: The Eau Claire County Committee on Planning and Development conducted the required public hearing on Tuesday, February 27, 2018 regarding the proposed rezoning. On a vote of in favor 5 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. 17-18/119

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 **A parcel of land being the West 466.69 feet of the South 466.69 feet of**
12 **the Southwest Quarter of the Southeast Quarter, Section 23,**
13 **Township 25 North, Range 08 West, Town of Clear Creek, Eau Claire**
14 **County, Wisconsin.**

15
16 **Said described lands contain approximately 5.00 acres and is subject**
17 **to the easements and restrictions of record to be reclassified from the**
18 **A-P Agricultural Preservation District to the A-2 Agricultural-**
19 **Residential District.**

20
21 **SECTION 2** That the 1982 Official Zoning District Boundary Map for the Town of
22 Clear Creek, Eau Claire County described as follows:

23
24 **A parcel of land being the Southwest Quarter of the Southeast**
25 **Quarter, Section 23, Township 25 North, Range 08 West, Town of**
26 **Clear Creek, Eau Claire County, Wisconsin.**

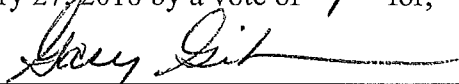
27
28 **Excluding the West 466.69 feet of the South 466.69 feet. Excluding**
29 **parcel described as commencing at the intersection of west line of**
30 **Highway 53 and South line of said forty. Thence West 330.00 feet to**
31 **the point of beginning. Thence West 264 feet. Thence North 330 feet.**
32 **Thence East 264 feet. Thence South 330 feet to the point of beginning.**
33 **Excluding the South 264 feet of the East 330 feet of said forty.**
34 **Excluding Highway described in Volume 140, Page 93.**

35
36 **Said described lands contain approximately 30.8 acres of land and is**
37 **subject to the easements and restrictions of record to be reclassified**
38 **from the A-P Agricultural Preservation District to the A-3**
39 **Agricultural District.**

40
41 **SECTION 3** Where a certified survey map is required and may alter the above
42 described property description, the official zoning district map for the
43 town shall be automatically amended to reflect the property description of
44 the certified survey map.

45
46
47 **APPROVED BY**
48 **CORPORATION COUNSEL**
49 **AS TO FORM**

46 **ENACTED:** I hereby certify that the foregoing correctly represents the
47 action taken by the undersigned Committee on
48 February 27, 2018 by a vote of 4 for, 0 against.

49
50 

51 Planning & Development Committee, Chairperson



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-00002-18 **COMPUTER NUMBER:** 006105806000

PUBLIC HEARING DATE: February 27, 2018

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER/AGENT: Larry E & Patricia C Smith, S 13821 US Highway 53, Osseo, WI

REQUEST: Rezone 5 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) to construct a single-family home for a family member and rezone 30.75 acres +/- from A-P to A-3 (Agricultural) to conform to minimum acreage requirements.

LOCATION: US Highway 53 and Robin Road

LEGAL DESCRIPTION: A portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T25N, R8W, Town of Clear Creek, Eau Claire County (complete legal description attached)

RECOMMENDATION Approval of request based on findings outlined on Page 5 of this report

SUMMARY

Rezone 5 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) to construct a single-family home for a family member and rezone 30.75 acres +/- from A-P to A-3 (Agricultural) to conform to minimum acreage requirements.

BACKGROUND

SITE CHARACTERISTICS:

- The property has an existing single-family residence on the northwest portion
- The majority of the property is wooded

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

- Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*

- 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 DISTRICTS:

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

A-3 Agricultural District: The A-3 Agricultural Preservation District is established to: 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
North	A-P	Single-family residence; Woodlands
East	A-P	Single-family residence; Woodlands
South	A-P	Single-family residence; Woodlands
West	A-P	Woodlands

COMPREHENSIVE PLAN:

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area. Following is a description of the intent of the applicable County comprehensive plan future land use category and applicable policies. Policies are quoted *in italics* and staff comments, as applicable, are provided thereafter:

- 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-2 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 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.

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-2 and A-3 Districts are not certified farmland preservation districts and the proposed lots would not qualify for Farmland Preservation tax credits. The majority of the property contains prime soils and has been cultivated for agriculture. While some land will be taken out of production with this rezoning, the rezoning would enable the farmer's daughter and son in law to move back onto family property and provide support for her parents. The applicant has provided a good background about their farm and intent of this rezoning on Page 5 of the attached application.

Comprehensive Plan Summary

The proposed A-2 and A-3 zoning districts are consistent with the intent and description and the applicable policies of the Eau Claire County Comprehensive Plan and also appear to be generally consistent with the Town of Clear Creek 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 six (6) different soil types on the property to be divided, all of which are considered a prime agricultural soil.

Soil Type	Description	Capability Class
EIC2	Eleva sandy loam, 6-12% slopes, eroded	3
BiB	Billett sandy loam 1-6% slopes	3
EIB	Eleva sandy loam, 2-6% slopes	3
BIC2	Billett sandy loam, 6-12% slopes, eroded	3
On	Orion silt loam	2
SmB	Seaton silt loam, moderately well drained, 2-6% slopes	2

- **Historical Productivity** – The majority of the property has been cultivated for agriculture
- **Site Location** – The property is located on the northwest intersection of US Highway 53 and Robin Road
- **Adjacent Land Uses** – Uses in the area include a mixture of farmland, farm and non-farm housing, and scattered woodlands

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 Comprehensive Plan, including policies related to limiting residential density in rural areas of the County and limiting conversion of productive farmland.

Standard 3 - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan.* As discussed, the proposed rezoning will remove a small amount of productive farmland out of production but will allow the farmer’s daughter and family to reside on family 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 likely impair or limit current or future agricultural use.

Town Board Action: The Clear Creek Town Board considered this rezoning petition on Monday, February 12, 2018. The meeting minutes are attached for your reference (note that the owner’s daughter, Stacy Holden, appeared on behalf of her parents).

The rezoning petition has been evaluated for consistency with the purpose of A-2 and A-3 Districts 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 Eau Claire County Future Land Use plan
- Existing uses in the area include agricultural fields, scattered single-family residences, and scattered woodlands
- Zoning in the area is predominantly A-P, with widely-scattered A-2 and A-3 zoning

CONCLUSION

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

- Eau Claire County Comprehensive Plan future land use designation
- Eau Claire County 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-2 and A-3 Districts

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 5 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) to construct a single-family home for a family member and rezone 30.75 acres +/- from A-P to A-3 (Agricultural) to conform to minimum acreage requirements, as depicted on the attached map and described in the attached legal description.

FINDINGS

Findings in Favor:

1. The request is consistent with the goals, objectives, and policies of the Eau Claire County Comprehensive Plan, 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 agricultural fields, scattered single-family residences, and scattered woodlands

Finding Against:

1. The property is included in the County Farmland Preservation Plan and some productive farmland will be removed from cultivation with this rezoning action. However, the applicant has provided a number of valid reasons to support the rezoning, including allowing their daughter and family to move back onto family property to assist her parents.

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:	2/6/2018
Accepted By:	Matt Michels
Receipt Number:	54732
Town Hearing Date:	02/12/2018
Scheduled Hearing Date:	2/27/2018
Application No:	RZN-0002-18
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): **A2** Acres to be Rezoned: **35.75**
A3
 Portion Of The Sw1/4 Se1/4 Of Section 23, T25N, R8W, Town Of Clear Creek, Eau Claire County

Owner/Applicant Name(s):	Address:	Telephone:
Larry E & Patricia C Smith	(ow) S 13821 US HIGHWAY 53 OSSEO	715-597-3926(H)

Site Address(es):

Property Description: Sec 23 Twn 25 Rge 08 **Town of Clear Creek** **Lot Area:** 35.750 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)
1800622508234300001	006105806000	25.8.23.4-3-A	SW-SE EX THE S 264' OF THE E 330' & EX COM INTERSECTION

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

Owner/Agent Signature see attached application Date _____

Check if DATCAP must be notified _____

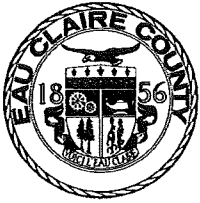
Check if DNR to Receive Copy _____

RECEIVED

FEB 06 2018

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

Sup. Dist 7: Steve Chilson

Application Accepted:	2/5/18
Accepted By:	MM
Receipt Number:	2/2/18 54732
Town Hearing Date:	2/27/18 2/12/17
Scheduled Hearing Date:	3/6/18 2/27/18

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-2 & A-3
 Acres to be rezoned: 37.75 +/-

Property Owner Name: LARRY E. Smith & Patricia C. Smith Phone# 715-597-3926
 Mailing Address: S13821 U.S Hwy 53 Osseo, WI 54758
 Email Address: N/A

Agent Name: N/A Phone# Stacy Holden
 Mailing Address: 715-533-3893
 Email Address:

SITE INFORMATION

Site Address: West Robin Road, Osseo, WI 54758
 Property Description: attached SW 1/4 SE 1/4 Sec. 23 T 25 N, R 8 W, Town of Clear Creek
 Zoning District: Code Section(s):
 Overlay District: Shoreland Floodplain Airport Wellhead Protection Non-Metallic Mining
 Check Applicable
 Computer #(s): 006 - 1058 - 06 - 000

RECEIVED

FEB 06 2018

GENERAL APPLICATION REQUIREMENTS

COUNTY CLERK

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 checked="" 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)

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 Larry E. Smith Date 1-31-18
Patricia C. Smith

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

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

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

Describe the reason(s) for your rezoning request:

Please see attached.

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.

Please see attached.

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.

Please see attached.

We, Larry and Patricia Smith, respectfully request the rezoning of our parcel of land as noted in the legal description attached. This parcel of land is currently zoned AP and we are requesting 5 acres to be rezoned to A2.

The request for the rezoning is being made so that we may sell the 5 acre parcel to our daughter, Stacy, and son-in-law, Virgil Holden to build a home on.

In reviewing the application for rezoning, it became apparent that we are not able to meet the specified criteria as indicated. We would like to note that in reviewing our farmland for a good place to build a home, we took many things into consideration. We have provided an ariel view as printed from Google Maps, to show that the spot we have chosen is as unobtrusive as it can be. The 5 acres is next to adjacent homes that have been on sight for almost 50 years. The driveway will be on West Robin Road and will not impact the traffic flow of Highway 53. The purchase of this lot does not impact access to the remaining farm land.

We would like to provide a little background about our farm. We purchased this particular parcel of land in 1976, along with the farm, which is part of the 156 acres we currently own, in the Town of Clear Creek, south of Foster on Highway 53. As noted previously, this current parcel of land does have two homes on it, which have been there almost 50 years. The house that borders Highway 53 and West Robin Road was moved there in 1963, to be used for housing for the farm employees. The family that lived in this house built next door in 1970. Larry worked for the farm owner, who also owned an excavating business, and we moved into the house on the corner in 1970. In 1976, we purchased the farm. The purchase of the farm included the house on the corner, along with the farm, and included a life-long lease to the farm owner and his wife.

We have owned this farm for 42 years and continue to crop farm, raise beef cattle and run our excavating business. God willing, we plan to remain on this farm for many more years. We wish to be able to provide Virgil and Stacy with a place to make their new home, on the land that she grew up on, and was a part of during her childhood. We also look forward to having them close to us as we move into our later years.

We look forward to hearing your decision and welcome any questions that you may have.

Larry and Patricia Smith

Parcel "A" (5 acres)

A parcel of land being the West 466.69 feet of the South 466.69 feet of the Southwest Quarter of the Southeast Quarter, Section 23, Township 25 North, Range 8 West.

Said parcel contains 5.0 acres of land.

Parcel "B" (Remainder Parcel)

A parcel of land being the Southwest Quarter of the Southeast Quarter, Section 23, Township 25 North, Range 8 West.

Excluding the West 466.69 feet of the South 466.69 feet.

Excluding parcel described as commencing at the intersection of west line of Hwy 53 and South line of said forty. Thence West 330.00 feet to point of beginning. Thence West 264 feet. Thence North 330 feet. Thence East 264 feet. Thence South 330 feet to the point of beginning.

Excluding the South 264 feet of the East 330 feet of said forty.

Excluding Highway described in Volume 140, Page 93.

Parcel contains approximately 30.8 acres of land.

TOWN OF CLEAR CREEK
EAU CLAIRE COUNTY TREASURER
STATE OF WISCONSIN

2017570358

LARRY E & PATRICIA C SMITH
006-1058-06-000

Correspondence should refer to tax number.
See reverse side for important information.

Ass'd Value Land	Ass'd Value Improve	Total Ass'd Value	Avg. Assm't Ratio	Est. Fair Mkt. Land	Est. Fair Mkt. Improve	Total Est. Fair Mkt.
6,300	0	6,300	0.8782	See Reverse, Use Value Assessment		
TAXING JURISDICTION		Est. State Aids Allocated to Tax District		2016 NET TAX	2017 NET TAX	% TAX CHG
STATE		0	0	N/A	0.00	N/A
COUNTY		44,623	47,963	N/A	32.41	N/A
TOWN OF CLEAR CREEK		102,493	111,628	N/A	9.73	N/A
SCHL-OSSEO/FAIR		452,001	452,887	N/A	68.92 *	N/A
CVTC		61,110	67,216	N/A	6.19	N/A
TOTALS		660,227	679,694	N/A	117.25	N/A
Net 2017 county tax reduced by county sales tax credit		9.20	First Dollar Credit	N/A	117.25	N/A
Net 2017 school tax reduced by school levy tax credit		14.59 *	Lottery & Gaming Credit	N/A	0.00	N/A
			Net Property Tax	N/A	0.00	N/A
			NET ASSESSED VALUE RATE (Does not reflect credits)	N/A	117.25	N/A
			0.018612106			
For informational purposes only - Voter Approved Temporary Tax Increases (approved after Dec 31, 2014)		Referendum Value		Total Additional Applied to Property	Year Increase	No Longer Applies
No Referendum Reported						

GROSS PROPERTY TAX	117.25
FIRST DOLLAR CREDIT	0.00
LOTTERY CREDIT	0.00
NET PROPERTY TAX	117.25
TOTALS	117.25

TOTAL DUE FOR FULL PAYMENT
PAY BY January 31, 2018 TO MUNICIPAL TREAS
\$ 117.25

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

Or PAY 1st INSTALLMENT by January 31, 2018 TO MUNICIPAL TREAS \$ 58.63	Or PAY 2nd INSTALLMENT by July 31, 2018 TO COUNTY TREASURER \$ 58.62
----------------------------------------------------------------------------------	--------------------------------------------------------------------------------

IMPORTANT: This description is for tax bill use only and may not be a full legal description
S23/T25/R08 ACRES: 35.750
PCL# 25.8.23.4-3-A
PIN# 18006-2-250823-430-0001
ZONING: A1, AP

SW-SE EX THE S 264' OF THE E 330' & EX COM INTERSECTION OF W LN OF HWY 53 & S LN OF SD 40 TN W 20 RDS (330') TO POB TN W
LEGAL DESC CONT. ON TAX ROLL

910/382 Q613/226 444/732-4
006-1058-06-000
LARRY E & PATRICIA C SMITH
S 13821 US HIGHWAY 53
OSSEO, WI 54758

TEAR HERE

2017570358

EAU CLAIRE COUNTY TREASURER
Courthouse hours: Mon-Fri 8-5. Please mark 7/31/18 on your calendar for 2nd installment. No reminders will be sent.

Tax# 006-1058-06-000
Bill# 2017570358
LARRY E & PATRICIA C SMITH
S 13821 US HIGHWAY 53
OSSEO, WI 54758

TEAR HERE

SECOND INSTALLMENT \$ 58.62	
---------------------------------------	--

PAY BY July 31, 2018

PROPERTY ADDRESS:

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

MAKE CHECK PAYABLE AND MAIL TO:
EAU CLAIRE COUNTY TREASURER
GLENDA J LYONS
721 OXFORD AVE SUITE 1250
EAU CLAIRE, WI 54703-5478

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

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

TEAR HERE

2017570358

TOWN OF CLEAR CREEK

Tax# 006-1058-06-000
Bill# 2017570358
LARRY E & PATRICIA C SMITH
S 13821 US HIGHWAY 53
OSSEO, WI 54758

TEAR HERE

FIRST INSTALLMENT \$ 58.63	FULL PAYMENT \$ 117.25
--------------------------------------	----------------------------------

PAY BY January 31, 2018

PROPERTY ADDRESS:

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


MAKE CHECK PAYABLE AND MAIL TO:
TOWN OF CLEAR CREEK
JODY LOU CARLSON
S15434 US HWY 53
OSSEO, WI 54758

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

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

Google Maps



Imagery ©2018 Google, Map data ©2018 Google 200 ft 

TOWN OF CLEAR CREEK MONTHLY BOARD MEETING – FEBRUARY 12, 2018

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

Pledge of Allegiance was said.

Postings were verified.

Secretary's report was read. Motion made by Kyle Dimmitt and seconded by Steve Carlson to approve.

Treasurer's report was read. Motions by Lotty Macik and seconded by Kyle Dimmitt to approve.

Public Input:

Cheryl Corbin inquired about the date for the town's 2018 picnic so that the Old Town Hall Museum committee could plan to have the museum open. Tentative date, September 16, 2018, will be the Sunday after Cleghorn Fest.

Road Issues:

Two heaving areas on W. Robin and one on Finch. Eddie will work on in a couple of weeks.

Old Business:

Fire protection

Osseo Rural Fire Department proposal - \$12,000 retainer

1,000 per hour

Can by 9% by November 30, 2018

Strum-Unity Fire Department proposal – (attached)

Four members of the Strum-Unity department were in attendance. A discussion followed.

Motion by Lotty Macik and seconded by Steve Carlson to accept Strum-Unity's proposal.

Chairman Lotty Macik will take their proposal and make it a five year contract with a provision that the stand-by feed is not increased more than 2% a year. He will then take it to the town's attorney for his advise. We will need new 911 maps.

New Business:

Stacy Holden had a zoning request. Motion to approve by Lotty Macik and seconded by Kyle Dimmitt. The request is attached.

Communication: None

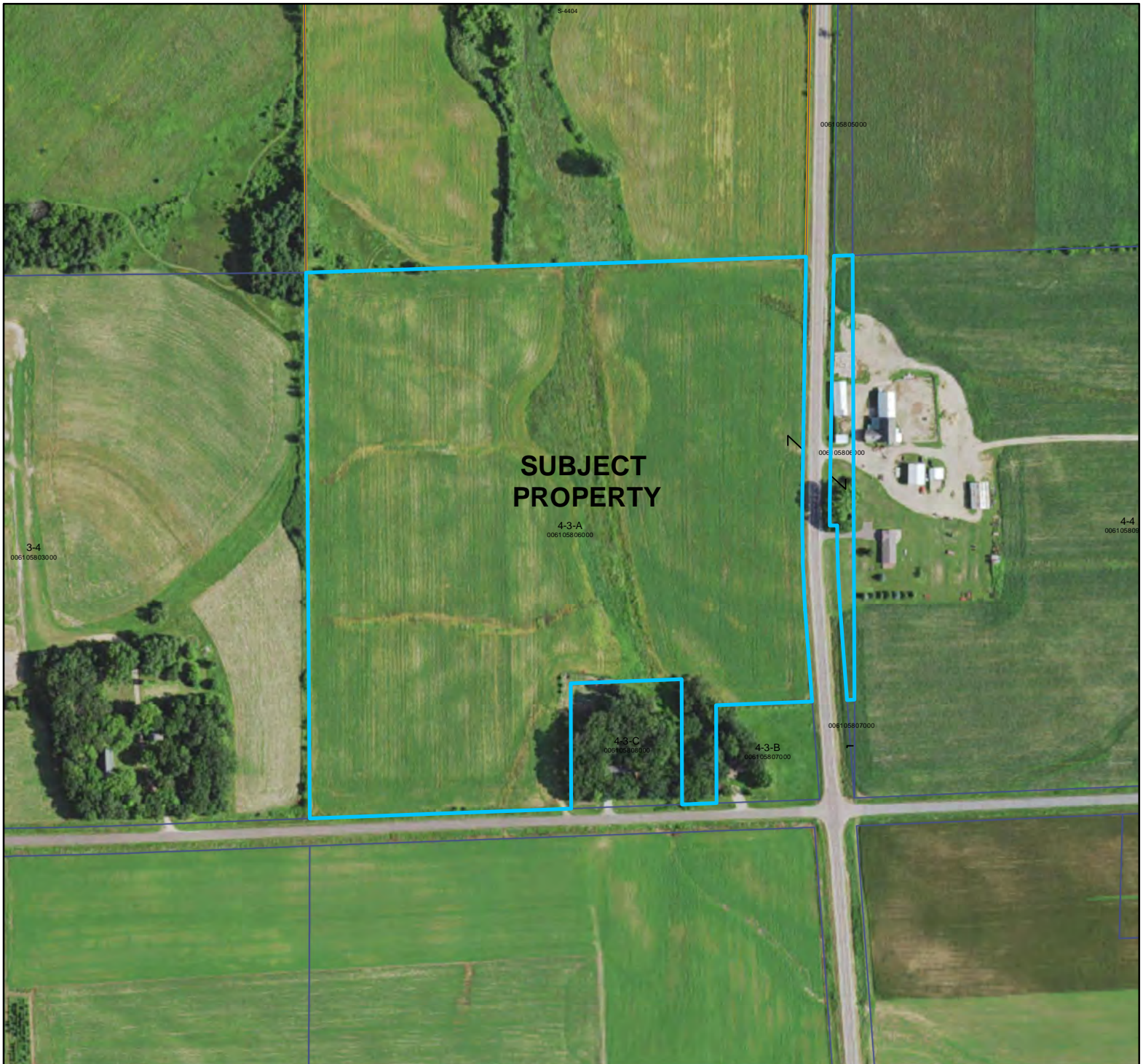
Next meeting will be March 12, 2018.

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

Motion to adjourn by Steve Carlson and seconded by Lotty Macik.

Carmen Dunham, Clerk

SMITH REZONING AERIAL 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.

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.

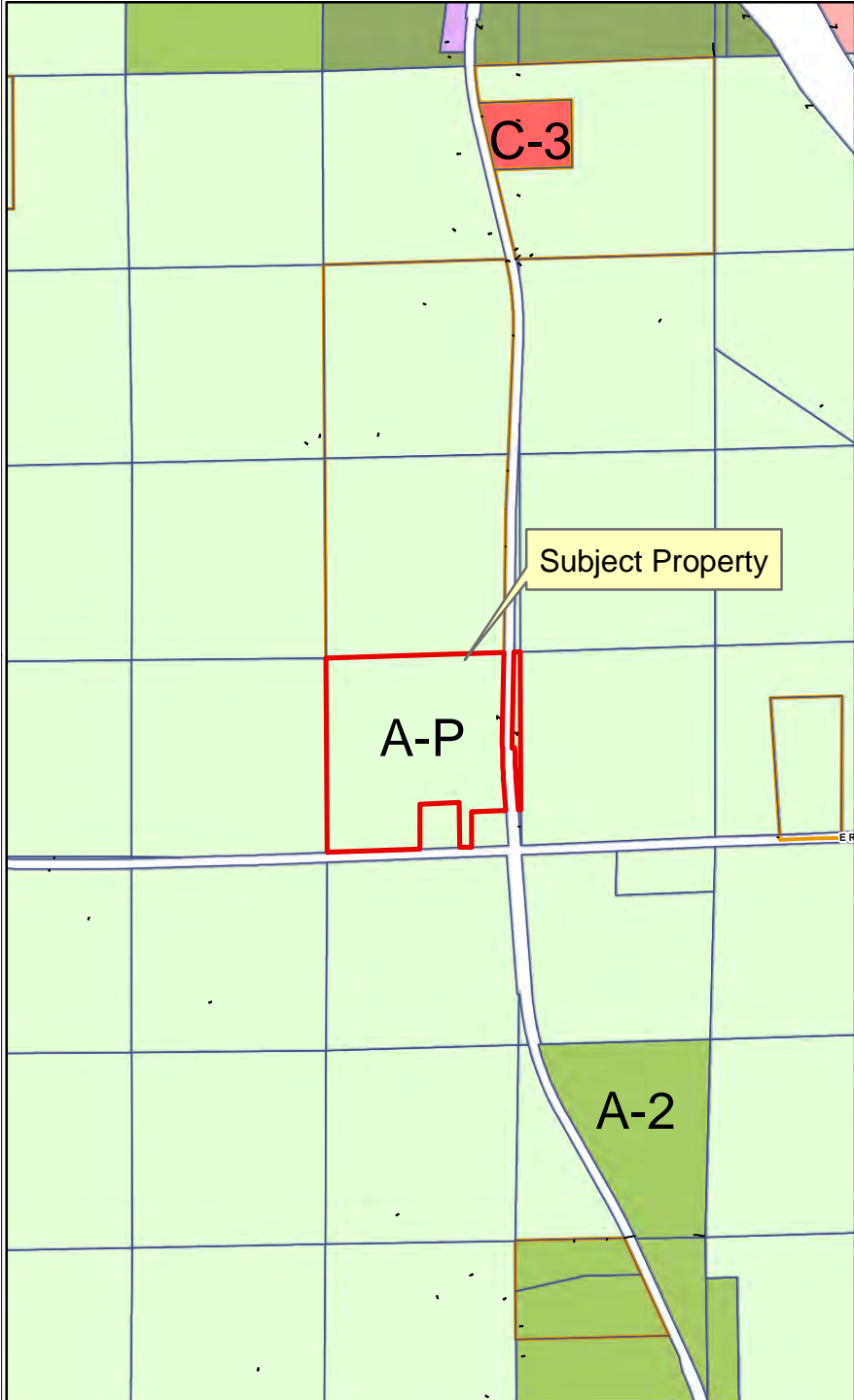




Smith Rezoning: RZN-0002-18

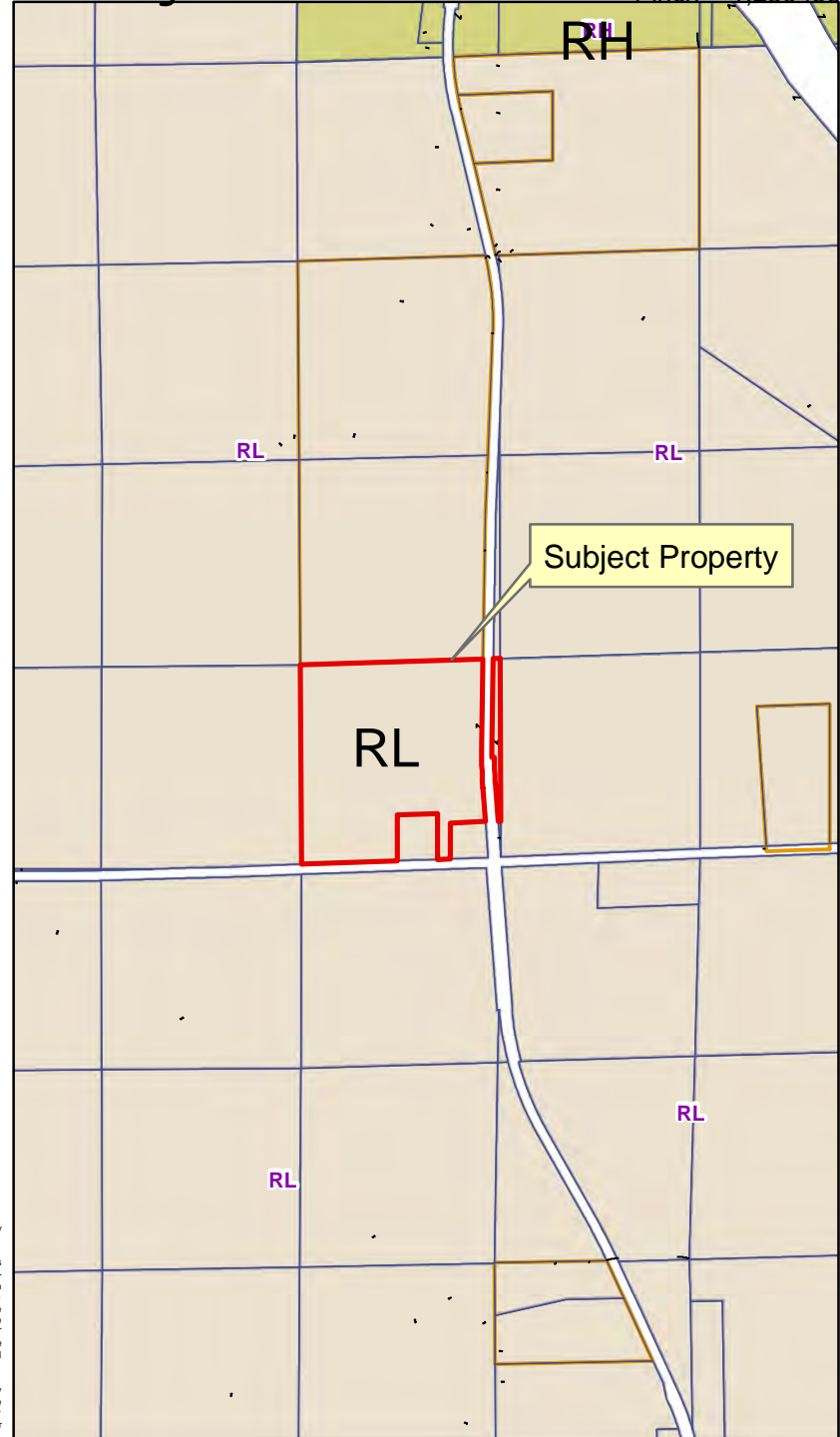
Existing Zoning

1 inch = 1,250 feet



Existing Future Land Use

1 inch = 1,250 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



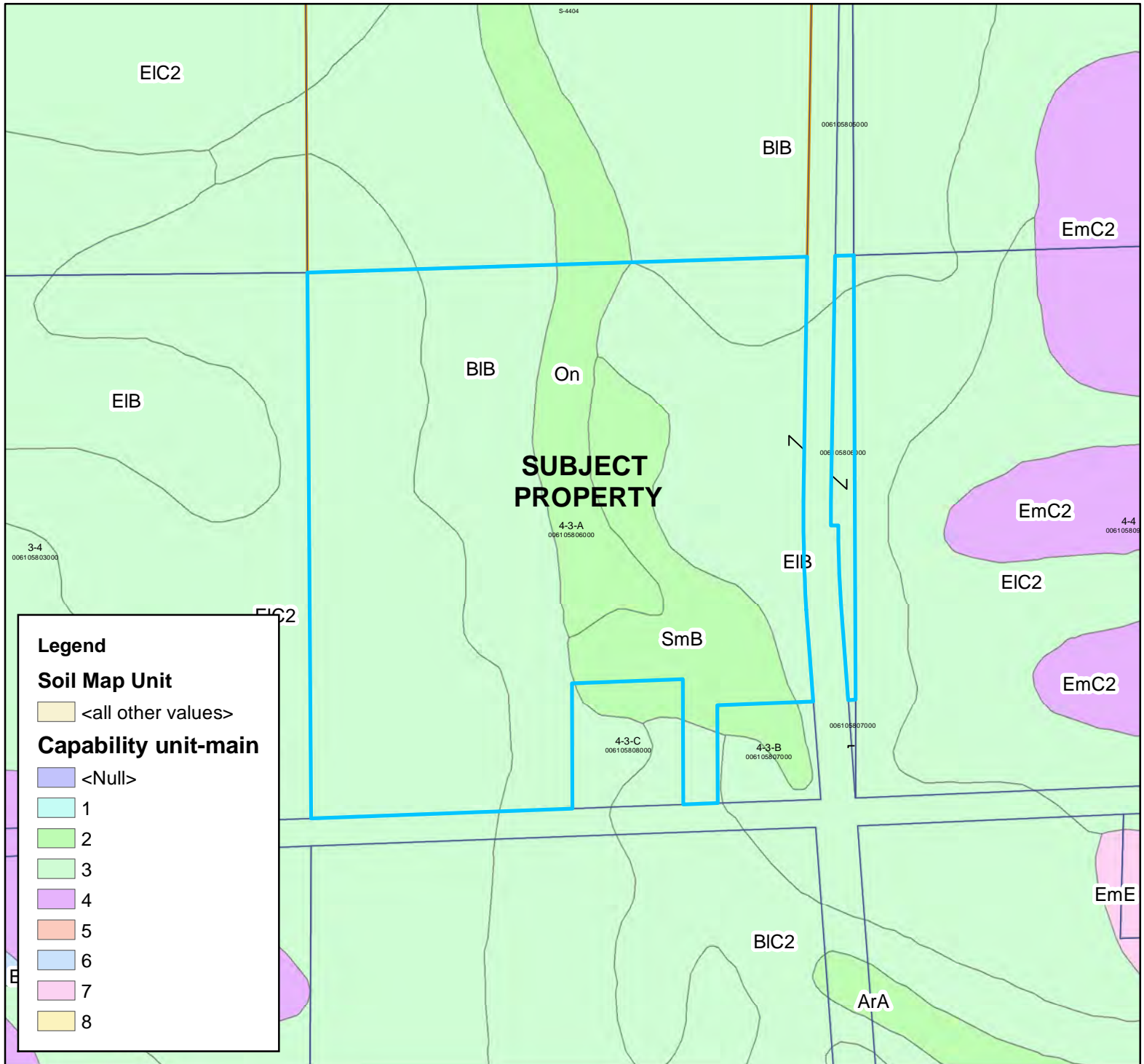
Parcel Mapping Notes:

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

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SMITH 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

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FACT SHEET

File No. 17-18/117

This resolution is an offer to purchase approximately 41.39 Acres of land from Donald and Carol Brown Located in the NW1/4 of the NW ¼ of Section 3, T26N, R7W, in the Town of Lincoln.

This parcel is locate along the Eau Claire River, and adjacent to the Eau Claire County Forest. It is mostly wooded and will be purchased for the purpose of replacing property that was withdrawn from the County forest for the Lake Eau Claire dredge spoils deposit.

The offered purchase price is \$96,050.00. The Parks and Forest Department will be seeking a Knowles-Nelson Stewardship Grant from the Wisconsin Department for Natural Resources in the amount \$51,000. Purchase of the parcel is contingent upon the grant being awarded by the State, and the awarding of a minimum of \$40,050 by the Eau Claire County Board, along with using a \$5000 grant from the National Turkey Foundation.

2
3
4 **-AUTHORIZING THE PURCHASE OF 41.39 ACRES OF LAND IN THE TOWN OF**
5 **LINCOLN FOR PLACEMENT IN THE COUNTY FOREST -**
6

7
8
9
10 WHEREAS, Eau Claire County maintains a County forest for purposes of harvesting timber,
11 and maintaining recreational opportunities for the residents of Eau Claire County; and,
12

13 WHEREAS, Donald D. and Carol J. Brown are the current owners of a parcel of land
14 described as The Fractional Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of
15 Section 3, Township 26 North, Range 07 West, located in the Town of Lincoln, containing
16 approximately 41.39 acres of land more or less; and
17

18 WHEREAS, This parcel of land is vacant forest land located along the Eau Claire River, and
19 is adjacent to the Eau Claire County Forest; and
20

21 WHEREAS, this parcel has been recently appraised and has a value of approximately
22 \$103,500.00. Donald D. and Carol J. Brown have indicated they would be willing to sell the parcel
23 to Eau Claire County for the purchase price of \$96,050.00; and
24

25 WHEREAS, Purchasing this parcel of land would allow the Eau Claire County to replace
26 land that was withdrawn from the County Forest for the purpose of the depositing the Lake Eau
27 Claire dredge spoils, and would create additional forest and recreational opportunities for the
28 residents of Eau Claire County; and
29

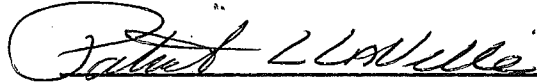
30 WHEREAS, The funds for purchasing this parcel of land will come from the Eau Claire
31 County Board of Supervisors authorizing the use of \$40,050 to purchase the property; the successful
32 application and award of a Knowles-Nelson Stewardship Grant from the State of Wisconsin,
33 Department of Natural Resource in the amount of \$51,000, and the use of \$5,000 from a grant from
34 the National Turkey Federation that has already been awarded to Eau Claire County.
35

36 NOW THEREFORE BE IT RESOLVED The Eau Claire County Board of Supervisors
37 authorizes the purchase of the above described parcel of land for the purchase price of Ninety Six
38 Thousand Fifty and No/100 Dollars (\$96,050.00); and,
39

40 BE IT FURTHER RESOLVED That the offer to purchase shall be contingent upon the
41 award of a grant to Eau Claire County from the State of Wisconsin Department of Natural Resources
42 Knowles-Nelson Stewardship Grant program in the amount of \$51,000.00 with an application to be
43 made by the Parks and Forest Department prior to April 15, 2018, and the award being made on or
44 before July 15, 2018; the use of Five Thousand Dollars (\$5,000.00) from the grant from the National
45 Turkey Federation; and, the authorization of the use of Forty Thousand Fifty and No/100 Dollars
46 (\$40,050.00) by the Eau Claire County Board of Supervisors for the purchase of the parcel; and the
47 approval of the purchase of the property by the Full County Board of Supervisors at a regularly
48 scheduled meeting; and,
49

1 BE IT FURTHER RESOLVED That the Parks and Forest Department is authorized to apply
2 for the Knowles-Nelson Stewardship grant for the purpose of purchasing this property; County
3 Administrator is authorized to sign the Offer to Purchase and the County Clerk is authorized to sign
4 all documents necessary to purchase the above described parcel of land.
5

6 Approved by a vote 5-0 at the January 24, 2018
7 meeting of the Committee on Parks and Forest
8

9
10 

11 Patrick LaVelle, Chairman
12 Committee on Parks and Forest
13

14 APPROVED BY
15 CORPORATION COUNSEL
16 AS TO FORM
17

Reviewed by Finance Dept.
for Fiscal Impact

TJS

ORDINANC/17-18/117

1 **OFFER TO PURCHASE**

2
3
4 Eau Claire County, a Quasi Municipal Corporation hereinafter referred to as "Buyer," does
5 hereby offer to purchase the following described parcel of land subject to the following terms
6 and conditions:
7

8 **Legal description:**

9
10 **The Fractional Northwest Quarter (NW1/4) of The Northwest Quarter (NW1/4) of**
11 **Section 3, Township 26 North, Range 07 West, Town of Lincoln, Eau Claire**
12 **County, Wisconsin. Containing approximately 41.39 acres more or less**
13

14
15 **PURCHASE PRICE:**

16
17 Ninety Six Thousand Fifty and No/100 Dollars (\$96,050.00).
18

19 **A. EARNEST MONEY:**

20
21 A check made payable to the Sellers, Donald D. and Carol J. Brown, in the
22 amount of Two Thousand and No/100 Dollars (\$2,000.00) as earnest money will be sent
23 to the Seller within 5 business days of the date of acceptance of this offer by the Seller,
24 and approval by the Full County Board as set forth in Section F.1.
25

26 If the Seller accepts this offer then all earnest money paid will be credited to the
27 Buyer at the time of closing and applied to the purchase price. If for any reason Buyer is
28 not able to secure the grant referenced in Paragraph F.2. of this document by July 15,
29 2018 and as a result is unable to proceed to closing then all if the earnest money will be
30 returned to Buyer.
31

32 **B. ADDITIONAL ITEMS INCLUDED IN THE SALE:**

33
34 The property is vacant buildings or improvements and is vacant
35
36

37 **C. ITEMS NOT INCLUDED IN THE SALE:**

38
39 The personal property of the Seller.
40
41

42 **D. TIME IS OF THE ESSENCE AS TO:**

43
44 (1) Earnest Money payments, (2) binding acceptance, (3) occupancy; and, (4)
45 closing.
46

47 E. CONTINGENCIES:
48

49 This offer is contingent upon the following:
50

- 51 1. The approval of the Eau Claire County Board of Supervisors pursuant to its authority
52 under Wisconsin Statutes Section 59.51(6), at a properly noticed meeting of the full
53 County Board of Supervisors.
- 54 2. Buyer being awarded a grant in the minimum amount of \$51,000. on or before July
55 15, 2018 from the State of Wisconsin, Department of Natural Resources Knowles-
56 Nelson Stewardship grant program, for the purchase of both parcels of land. Buyer as
57 part of this program will be required to submit to the Wisconsin Department of
58 Natural Resources a completed grant application on or before April 15, 2018.
- 59 3. Consistent and as part of the grant application in #2, the property being appraised for
60 sufficient value as to justify the award of a 50% grant in the amount of \$103,500.
- 61 4. The Eau Claire County Board of Supervisors authorizing and/or allocating on or
62 before April 15, 2018 a minimum of \$ 40,050 to the Parks and Forest budget for use
63 in the purchase of this parcel of land.
64

65
66 F. ACCEPTANCE, DELIVERY AND RELATED PROVISIONS
67

68 This offer is binding upon both parties only if a copy of the accepted offer is
69 delivered to the Buyer on or before 5:00 p.m. within Ten (10) days of delivery to the
70 Seller.
71

72 Unless otherwise stated in this offer, delivery of documents and written notices to
73 a party shall be effective only when accomplished in any of the following ways:
74

- 75 (1) By depositing the document or written notice postage or fees prepaid in the
76 U.S. mail or commercial delivery system addressed to the parties at:
77

78 Buyer: Katheryn Schauf, County Administrator,
79 Eau Claire County Courthouse
80 721 Oxford Ave.
81 Eau Claire, WI 54703
82

83 Seller: Donald D. and Carol J. Brown
84 3030 Neptune Ave.
85 Eau Claire, WI 54703
86

- 87 (2) By giving the document or written notice personally to the party.
88

89 G. CLOSING:
90

91 This transaction is to be closed at the offices of the Eau Claire County
92 Corporation Counsel no later than 5:00 p.m. on August 31, 2018, unless another place or
93 time is agreed to in writing by the parties.
94

95 The following items shall be prorated at closing:
96

97 Real Estate Taxes. Net general real estate taxes shall be prorated based on the net
98 general real estate taxes for the preceding year. All other items normally prorated shall be
99 prorated as of the date of closing.
100

101 Special Assessments. If any, for work onsite actually commenced or levied prior
102 to the date of this offer, shall be paid by Seller no later than closing. All other special
103 assessments shall be paid by Buyer.
104

105 Seller shall give evidence of title in the form of an owner's policy of title
106 insurance in the amount of the purchase price on a current ALTA form issued by insurer
107 licensed to write title insurance in the State of Wisconsin. Seller shall pay for the cost of
108 providing such title insurance evidence. For purposes of closing, title evidence shall be
109 acceptable if the abstract or commitment for the required title insurance is delivered to
110 Buyer's attorney or to Buyer not less than three business days before closing, showing
111 title to the property as of the date not more than fifteen days before delivery of such title
112 evidence to be merchantable, subject only to liens which will be paid out of the proceeds
113 of closing, standard abstract certificate limitations or standard title insurance
114 requirements, and municipal and zoning ordinances and agreements entered under them,
115 recorded easements for the distribution of utility and municipal services, recorded
116 building and use restrictions and covenants, and general taxes levied in the year of
117 closing. If title is not acceptable for closing Buyer shall notify Seller in writing of
118 objections to title by the time set for closing. In such event, Seller shall have reasonable
119 time, but not exceeding thirty days, to remove the objections and the time for closing
120 shall be extended as necessary for this purpose. In the event that Seller is unable to
121 remove said objections, Buyer shall have five days from the receipt of notice thereof, to
122 deliver written notice of waiving objections, and the closing time shall be extended
123 accordingly. If Buyer does not waive the objections this offer shall be null and void.
124 Providing evidence acceptable for closing does not extinguish Seller's obligation to give
125 merchantable title to Buyer.
126

127 Upon payment of the purchase price, seller shall convey to the Buyer title to the
128 property by warranty deed free and clear of all liens and encumbrances, except:
129 Municipal and zoning ordinances and agreements entered under them, recorded
130 easements for the distribution of utility and municipal services, recorded building and use
131 restrictions and covenants, general taxes levied in the year of closing. Seller further
132 agrees to complete and execute the documents necessary to record the conveyance.
133

134 Buyer to the extent applicable shall be responsible for compliance, including all
135 costs, with the State of Wisconsin Rental Weatherization Standards (Wis. Admin. Code
136 Comm. 67).

137
138 Seller shall be responsible for, and pay: the real estate transfer fee. Seller shall
139 pay the cost of title insurance, and the settlement or closing fee charged by the title
140 company. Buyer if applicable will pay all costs associated with the State of Wisconsin
141 Rental Weatherization Standards (Wis. Admin. Code Comm. 67). Each party shall pay its
142 own legal, accounting, and other professional charges incurred as a result of this
143 transaction.
144

145 H. REAL ESTATE CONDITION REPORT:
146

147 Pursuant to Wis. Stats. Section 709.02, the owner of a property shall furnish, not
148 later than ten days after acceptance of a contract of sale or option contract, a copy of the
149 real estate condition report as set forth under Wis. Stats. Section 709.03. A prospective
150 buyer who does not receive a report within the ten days, may within two business days
151 after the end of the ten day period , rescind the contract of sale by delivering a written
152 notice of rescission to the Seller or the Seller's agent . The Buyer reserves the right to
153 rescind this contract within Ten (10) days of receipt of the real estate condition report if
154 the real estate condition report discloses defects that are unacceptable to Buyer.
155

156
157 I. OCCUPANCY AND INSPECTION:
158

159 Seller shall retain occupancy of the above described premises until the time of
160 closing at which time occupancy shall be transferred to the Buyer. Prior to the time that
161 occupancy transfers to the Buyer, the Buyer shall have the right to an inspection of the
162 property for the purpose of discovering any defects, waste, hazards, solid waste or
163 hazardous waste that may impact the value or the planned use of the property as part of
164 the County Forest. Said inspection shall be completed no later than July 31, 2018. If
165 Buyer chooses to exercise this right Seller will, with reasonable notice, allow access to
166 the property and provide a key(s) to allow access to any and all buildings located on the
167 property. Buyer reserves the right to rescind this contract not later than the earlier of
168 August 5, 2018 or within 5 days after completion of the inspection if the inspection
169 discloses defects that are unacceptable to Buyer.
170

171
172 Prior to the time the Buyer taking occupancy of the property the Seller shall not
173 commit any actions that lead to a devaluation of the property or to commit acts of waste
174 on the property including, but not limited to: the cutting of timber, the storage of or
175 disposal of solid waste or hazardous waste on the property, allowing or using the property
176 in any manner that will devalue its use as forest property.
177

178
179 J. RENTS:
180

181 Seller shall be entitled to all rent until the time of closing. Thereafter all rent
182 payments, if any, shall become the property of the Buyer.

183
184 K. MISCELLANEOUS:
185

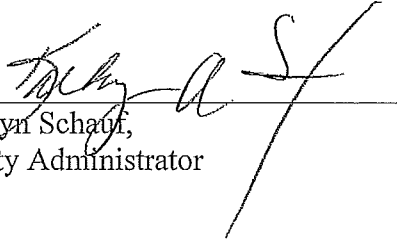
186 Seller warrants that it holds merchantable title and, if they accept this offer can
187 convey clear title, subject to the above-referenced exceptions, for the above-described
188 property. Further Seller has no knowledge that the above described property has been
189 condemned, or otherwise found unfit for human occupancy by any branch of the
190 government, or deemed to be a hazardous waste site and has not been used for the storage
191 and/or disposal of hazardous waste.
192

193 Seller and Buyer each have a legal duty to use good faith and due diligence in
194 completing the terms and conditions of this Offer. A material failure to perform any
195 obligations under this Offer is a default which may subject the defaulting party to liability
196 for damages or other legal remedies. If Buyer defaults, Seller may: (1) Sue for specific
197 performance and request the earnest money as partial payment of the purchase price; of
198 (2) terminate the Offer and have the option to (a) request the earnest money as liquidated
199 damages or (b) retain the earnest money and have the option to sue for actual damages. If
200 Seller defaults, Buyer may: (1) Sue for specific performance; or (2) terminate the Offer
201 and request the return of the earnest money, sue for actual damages, or both.
202

203 Seller and Buyer acknowledge that no realtors/real estate brokers are participating
204 in this transaction and that no realtors/real estate brokers are or will be entitled to a
205 commission for the purchase or sale of the property.
206

207
208 Dated this 9 day of February, 2018
209
210
211

212 Buyer: Eau Claire County

213
214
215 
216 Kathryn Schauf,
217 County Administrator
218
219
220
221
222

223 SELLER ACCEPTS THIS OFFER. THE WARRANTIES, REPRESENTATIONS AND
224 COVENANTS MADE IN THIS OFFER SURVIVE CLOSING AND THE CONVEYANCE OF
225 THIS PROEPRTY. THE UNDERSIGNED HEREBY STATES THAT S/HE HAS THE
226 AUTHORITY AND APPROVAL OF THE SELLER TO SIGN THIS AGREEMENT AND
227 BIND SELLER TO ITS TERMS AND CONDITIONS. SELLER HEREBY AGREES TO
228 CONVEY THE ABOVE DESCRIBED PROEPRTY ON THE TERMS AND CONDITIONS

229 SET FORTH HEREIN AND ACKNOWLEDGES RECEIPT OF A COPY OF THIS
230 DOCUMENT.

231
232
233

234 Sellers:

235
236

Donald D. Brown

238 Donald D. Brown

02/19/18
Dated

239
240

Donald D. Brown POA

243 Carol J. Brown

244 Donald D. Brown

245 POA for Carol J. Brown

02/19/18
Dated

246
247
248
249
250

251 THIS OFFER IS REJECTED.

252
253

254 SELLER'S INITIALS

Dated

255
256
257
258

259 THIS OFFER IS COUNTERED:

260
261

262 SELLER'S INITIALS

Dated

263

VACANT LAND DISCLOSURE REPORT

DISCLAIMER

A. THIS DISCLOSURE REPORT CONCERNS THE REAL PROPERTY LOCATED AT NW/NW 3-26-07 (STREET ADDRESS) IN THE Town (CITY) (VILLAGE) (TOWN) OF Eau Claire, COUNTY OF WI, STATE OF WISCONSIN. THIS REPORT IS A DISCLOSURE OF THE CONDITION OF THAT PROPERTY IN COMPLIANCE WITH SECTION 709.02 OF THE WISCONSIN STATUTES AS OF February (MONTH) 19th (DAY), 2018 (YEAR). IT IS NOT A WARRANTY OF ANY KIND BY THE OWNER OR ANY AGENTS REPRESENTING ANY PRINCIPAL IN THIS TRANSACTION AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THAT THE PRINCIPALS MAY WISH TO OBTAIN.

OWNER'S INFORMATION

B.1 In this form, "am aware" means have notice or knowledge. In this form, "defect" means a condition that would have a significant adverse effect on the value of the property; that would significantly impair the health or safety of future occupants of the property; or that if not repaired, removed or replaced would adversely affect the use of the property.

B.2 The owner discloses the following information with the knowledge that, even though this is not a warranty, prospective buyers may rely on this information in deciding whether and on what terms to purchase the property. The owner hereby authorizes any agent representing any principal in this transaction to provide a copy of this statement, and to disclose any information in the statement, to any person in connection with any actual or anticipated sale of the property.

B.3 The owner represents that to the best of his or her knowledge the responses to the following statements have been accurately noted as "yes," "no," or "not applicable" to the property being sold. If the owner responds to any statement with "yes," the owner shall provide, in the additional information area of this form, an explanation of the reason why the response to the statement is "yes." *If a statement is instead answered by a third party expert's written information, check "See Expert's Report" and attach the information.*

B.4 If the transfer is of a condominium unit, the property to which this form applies is the condominium unit, the common elements of the condominium and any limited common elements that may be used only by the owner of the condominium unit being transferred.

PROPERTY CONDITION STATEMENTS*

	Yes	No	N/A	See Expert's Report
C.1. I am aware of proposed, planned, or commenced public improvements or public construction projects that may result in special assessments or that may otherwise materially affect the property or the present use of the property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C.2. I am aware of a government agency, court order, or federal, state, or local regulations requiring repair, alteration, or correction of an existing condition.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C.3. I am aware of a land division or subdivision for which required state or local approvals were not obtained.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C.4. I am aware that all or a portion of the property is in a floodplain, wetland, or shoreland zoning area under local, state, or federal regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C.5. I am aware that all or part of the property is subject to, or in violation of, an agricultural conservation easement or a farmland preservation agreement with the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) (also see item D. 2.), or under a county farmland preservation plan or enrolled in, or in violation of, a forest cropland, managed forest land (also see item D. 2m.), conservation reserve, or other comparable program.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C.6. I am aware of a boundary or lot dispute, an encroachment, an encumbrance, a joint driveway, or a violation of the fence laws under ch. 90, Wis. stats.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C.7. I am aware of a material violation of an environmental rule or other rule or agreement regulating the use of the property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C.8. I am aware of any condition constituting a significant health risk or safety hazard for occupants of the property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C.9. I am aware of underground or aboveground fuel storage tanks on or previously located on the property. (If "yes," the owner, by law, may have to register the tanks with the Wisconsin Department of Agriculture, Trade and Consumer Protection at P.O. Box 8911, Madison, Wisconsin, 53708, whether the tanks are in use or not. Regulations of the Wisconsin Department of Agriculture, Trade and Consumer Protection may require the closure or removal of unused tanks.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C.9m. I am aware that a dam is totally or partially located on the property or that an ownership in a dam that is not located on the property will be transferred with the property because it is owned collectively by members of a homeowners association, lake district, or similar group. (If "yes," contact the Wisconsin Department of Natural Resources to find out if dam transfer requirements or agency orders apply.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No	N/A	See Expert's Report
C.10. I am aware of a defect or contamination caused by unsafe concentrations of, or unsafe conditions relating to, pesticides, herbicides, fertilizer, radon, radium in water supplies, lead or arsenic in soil, or other potentially hazardous or toxic substances on the premises.	___	✓	___	___
C.11. I am aware that methamphetamine or other hazardous or toxic substances have been manufactured on the property.	___	✓	___	___
C.12. I am aware of high voltage electric (100 kilovolts or greater) or steel natural gas transmission lines located on, but not directly serving, the property.	___	✓	___	___
C.13. I am aware of defects in any well, including unsafe well water due to contaminants such as coliform, nitrates, or atrazine, or any out-of-service wells or cisterns that are required to be abandoned (see § NR 812.26, Wis. Adm. Code) but that are not closed or abandoned according to applicable regulations.	___	✓	✓	___
C.14. I am aware of defects in any septic system or other sanitary disposal system on the property or any out-of-service septic system that is not closed or abandoned according to applicable regulations.	___	✓	✓	___
C.15. I am aware of subsoil conditions that would significantly increase the cost of development, including, but not limited to, subsurface foundations or waste material; any type of fill; dumpsites where pesticides, herbicides, fertilizer, or other toxic or hazardous materials or containers for these materials were disposed of in violation of manufacturer or government guidelines or other laws regulating such disposal; high groundwater; adverse soil conditions, such as low load-bearing capacity, earth or soil movement, or slides; or excessive rocks or rock formations.	___	✓	___	___
C.16. I am aware of brownfields (abandoned, idled, or underused land that may be subject to environmental contamination) or other contaminated land on the property, or that contaminated soils on the property have been cleaned up under the Petroleum Environmental Cleanup Fund Act (PECFA), a Wisconsin Department of Natural Resources (DNR) remedial action program, the DATCP Agricultural Chemical Cleanup Program, or other similar program.	___	✓	___	___
C.17. I am aware that there is no legal access to the property by vehicle from public roads.	✓	___	___	___
C.18. I am aware that the property is subject to any of the following: a homeowners' association; a common area shared or co-owned with another; a zoning violation or nonconforming use; a right-of-way; a restrictive covenant; an easement, including a conservation easement; an easement maintenance agreement; or use of a part of the property by a nonowner, other than a recorded utility easement.	___	✓	___	___
C.19. I am aware that the property is located within a special purpose district, such as a drainage district, lake district, sanitary district, or sewer district, that has the authority to impose assessments against real property located within the district.	___	✓	___	___
C.20. I have received notice of a property tax increase, other than a normal annual increase, or am aware of a completed or pending property reassessment or a proposed or pending special assessment.	___	✓	___	___
C.21. I am aware of burial sites, archeological artifacts, mineral rights, orchards, or endangered species on the property.	___	✓	___	___
C.22. I am aware of flooding, standing water, drainage problems, or other water problems on or affecting the property.	✓	___	___	___
C.23. I am aware of material damage from fire, wind, flood, earthquake, expansive soil, erosion, or landslide.	___	✓	___	___
C.24. I am aware of significant odor, noise, water intrusion, or other irritants emanating from neighboring property.	___	✓	___	___
C.25. I am aware of significant crop damage from disease, insects, soil contamination, wildlife, or other causes; diseased trees; or substantial injuries or disease in livestock on the property or neighboring property.	___	✓	___	___
C.26. I am aware of existing or abandoned manure storage facilities.	___	✓	___	___
C.27. I am aware that the property is subject to a mitigation plan required under administrative rules of DNR related to county shoreland zoning ordinances, which obligates the owner of the property to establish or maintain certain measures related to shoreland conditions and which is enforceable by the county.	___	✓	___	___
C.28. I am aware that a pier attached to the property is not in compliance with state or local pier regulations. See http://dnr.wi.gov/ for information.	___	✓	___	___
C.29. I am aware of impact fees or another condition or occurrence that would significantly increase development costs or reduce the value of the property to a reasonable person with knowledge of the nature and scope of the condition or occurrence.	___	✓	___	___
C.30. I am aware of other defects affecting the property.	___	✓	___	___

ADDITIONAL INFORMATION

Yes No N/A

D.1 Use-Value Assessments. The use-value assessment system values agricultural land based on the income that would be generated from its rental for agricultural use rather than its fair market value. When a person converts agricultural land to a nonagricultural use, such as residential or commercial development, that person may owe a conversion charge. To obtain more information about the use-value law or conversion charge, contact the Wisconsin Department of Revenue's (DOR's) equalization section at (608) 266-2149 or visit: http://www.revenue.wi.gov/faqs/slf/useassmt.html.

- a. I am aware that all or part of the land has been assessed as agricultural land under § 70.32(2r), Wis. stats.
b. I am aware that the owner has been assessed a use-value conversion charge under § 74.485(2), Wis. stats.
c. I am aware that the payment of a use-value conversion charge has been deferred under § 74.485(4), Wis. stats.

D.2. Farmland Preservation. Early termination of a farmland preservation agreement or removal of land from a farmland preservation agreement can trigger payment of a conversion fee equal to 3 times the class 1 "use value" of the land. For more information, call (608) 224-4500 or visit: http://workinglands.wi.gov.

- a. I am aware that the property is subject to a farmland preservation agreement.

D.2m. Managed Forest Land. The managed forest land program is a landowner incentive program that encourages sustainable forestry on private woodlands by exempting the landowner from the payment of property taxes in exchange for the payment of a lower acreage share payment and compliance with certain conservation practices. Orders designating lands as managed forest lands remain in effect for 25 or 50 years. When ownership of land enrolled in the managed forest land program changes, the new owner must sign and file a report of the change of ownership on a form provided by the Wisconsin Department of Natural Resources (DNR) and pay a fee. By filing this form, the new owner agrees to comply with the management plan for the land and the managed forest land program rules. The DNR Division of Forestry monitors forest management plan compliance. Changes that a landowner makes to property that is subject to an order designating it as managed forest land, or to its use, may jeopardize benefits under the program or cause the property to be withdrawn from the program and may result in the assessment of penalties. For more information, call your local DNR forester or visit: http://dnr.wi.gov/forestry.

- a. I am aware that all or part of the property is enrolled in the managed forest land program.

D.3. Utility Connections. I am aware that the property is connected to the following utilities on the property or at the lot line:

- a. Electricity.
b. Municipal water.
c. Telephone.
d. Cable television.
e. Natural gas.
f. Municipal sewer.

D.4. The owner has owned the property for 13 years.

D.5. Explanation of "yes" responses. (See B.3.) C4 - Believes it is Flood Plain
C-17 * Property is Landlocked C-22 - Property does get flooded from the River

NOTICE REGARDING SEX OFFENDER REGISTRY

E. The prospective buyer may obtain information about the sex offender registry and persons registered with the registry by contacting the Wisconsin Department of Corrections at (608) 240-5830 or by visiting http://www.widocoffenders.org.

OWNER'S CERTIFICATION

F. The owner certifies that the information in this report is true and correct to the best of the owner's knowledge as of the date on which the owner signs this report.

Owner Donald W. Braun Date 02/19/18

CERTIFICATION BY PERSON SUPPLYING INFORMATION

G. A person other than the owner certifies that he or she has supplied information on which the owner relied for this report and that that information is true and correct to the best of that person's knowledge as of the date on which the person signs this report.

Person Items Date
Person Items Date
Person Items Date

NOTICE REGARDING ADVICE OR INSPECTIONS

H. THE PROSPECTIVE BUYER AND THE OWNER MAY WISH TO OBTAIN PROFESSIONAL ADVICE OR INSPECTIONS OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN THEM WITH RESPECT TO ANY ADVICE, INSPECTIONS, DEFECTS, OR WARRANTIES.

BUYER'S ACKNOWLEDGEMENT

I.1. The prospective buyer acknowledges that technical knowledge such as that acquired by professional inspectors may be required to detect certain defects such as floodplain status.

I.2. I acknowledge receipt of a copy of this statement.
Prospective Buyer x Date
Prospective Buyer Date
Prospective Buyer Date

*NOTE: All information appearing in italics in this Vacant Land Disclosure Report is purely of a supplemental nature and is not required pursuant to Section 709.033 of the Wisconsin Statutes.

FACT SHEET

TO FILE NO. 17-18/126

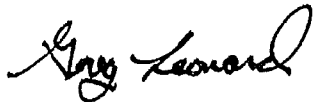
The Land Conservation Division of the Planning and Development Department is interested in pursuing a Targeted Runoff Management (TRM) grant from the Wisconsin Department of Natural Resources (WI-DNR). This grant will continue the implementation of the Eau Claire River Watershed 9-Key Element Plan which was recently approved by the US Environmental Protection Agency and the WI-DNR. The WI-DNR grant application process requires an individual to be authorized to act on behalf of Eau Claire County.

The WI-DNR expects the individual in the position authorized by this resolution to become familiar with the applicable grant program's procedures for the purpose of taking the necessary actions to undertake, direct, and complete the approved project. This includes acting as the primary contact for the project, submitting required materials for a complete grant application, fulfilling the requirements of the grant agreement, carrying out acquisition or development project (e.g., obtaining required permits, noticing, bidding, following acquisition guidelines, etc.), and closing the grant project (e.g., submitting final report, grant reimbursement forms and documentation, and organization of project files for future monitoring of compliance).

The Land Conservation Manager position, under direction of the Land Conservation Commission and the Planning and Development Committee, will perform these duties.

Fiscal Impact: None.

Respectfully submitted,



Gregory R. Leonard
Land Conservation Manager
Land Conservation Division – Planning and Development

GL

2
3 **- AUTHORIZING THE LAND CONSERVATION MANAGER TO ACT ON BEHALF**
4 **OF EAU CLAIRE COUNTY TO SUBMIT AN APPLICATION TO THE STATE OF**
5 **WISCONSIN DNR FOR ACQUIRING A GRANT FOR THE PURPOSE OF**
6 **IMPLEMENTING MEASURES TO CONTROL AGRICULTURAL OR URBAN STORM**
7 **WATER RUNOFF POLLUTION SOURCES -**
8

9 WHEREAS, Eau Claire County is interested in acquiring a Grant from the Wisconsin
10 Department of Natural Resources for the purpose of implementing measures to control agricultural
11 or urban storm water runoff pollution sources (as described in the application and pursuant to Wis.
12 Stats. §§ 281.65 and 281.66 and Wis. Admin Code chs. NR 151, 153 and 155); and
13

14 WHEREAS, a cost-sharing grant is required to carry out the project; and
15

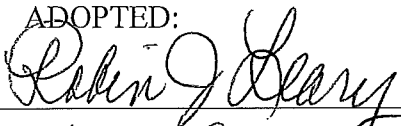
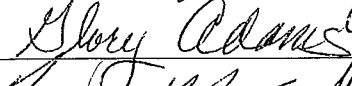
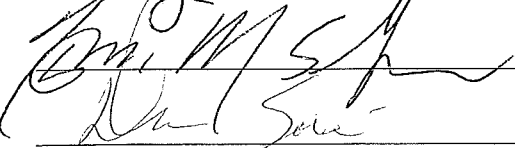
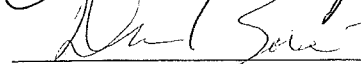
16 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors
17 authorizes the land conservation manager to act on behalf of Eau Claire County to:
18

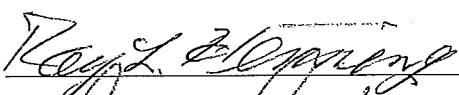
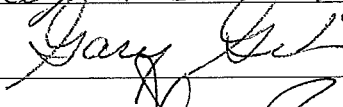
- 19 • Sign and submit an application to the State of Wisconsin Department of Natural
- 20 Resources for any financial aid that may be available;
- 21 • Sign a grant agreement between the local government (applicant) and the Department of
- 22 Natural Resources;
- 23 • Enter into cost-share agreements with landowner/operator to install best management
- 24 practices;
- 25 • Make cost-share payment to landowner/operator after payment is requested, evidence of
- 26 contractor payment by landowner/operator has been received, and grantee has verified
- 27 proper BMP installation;
- 28 • Sign and submit reimbursement claims along with necessary supporting documentation;
- 29 • Sign and submit interim and final reports and other documentation as required by the
- 30 grant agreement; Sign and submit an Environment Hazards Assessment Form, if
- 31 required; and
- 32 • Take necessary action to undertake, direct and complete the approved project.
- 33

34 BE IT FURTHER RESOLVED that Eau Claire County shall comply with all state and federal
35 laws, regulations and permit requirement pertaining to implementation of this project and to
36 fulfillment of the grant document provisions.

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

37
38 ADOPTED:

39 
40 _____
41 
42 _____
43 
44 _____
45 
46 _____

47 
48 _____
49 

Land Conservation Commission

48 GL/yk
49 Dated this 26 day of February, 2018.