

Prior to the County Board Organizational meeting, an informal reception for all county board members, department heads and Judges will be held in the Law Enforcement Center of the Courthouse (Room 1301 – 1302) at 6 pm. In addition, staff will be available from 5:30 to 6 pm in the county board room for a photo shoot of ALL county board members for badge & website use.

AGENDA

Eau Claire County Board of Supervisors
Tuesday, April 17, 2018 / 7 pm

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

Eau Claire County Mission Statement:

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

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

1. Call to Order
2. Presentation of the Colors and Honoring of the Flag
by: Girl Scout Troop 3513 of Eau Claire; Leader Rebecca Dyar
3. Moment of Reflection by: Supervisor Kevin Stelljes
4. Certificate of Election (**pg. 3**)
5. Administration of the Oath of Office / by Honorable Michael A. Schumacher
6. Call of the Roll
7. *Election of Board Officers: County Board Chair, 1st Vice and 2nd Vice Chair*
8. Adoption on the Rules of Order ([Chapter 2.04](#))
9. Approval of the Journal of Proceedings (April 4, 2018) (**pg. 4-5**)
10. **PUBLIC COMMENT**
11. **REPORTS TO THE COUNTY BOARD UNDER 2.04.320**

Oral Reports

Annual Message: Kathryn Schauf, County Administrator

Soil and Water Stewardship: "Watersheds, Our Water, Our Home" / presentation by:
Greg Leonard, Land Conservation Manager

11. REPORTS TO THE COUNTY BOARD UNDER 2.04.320 (con't)

Written Reports

- Independent Agency Report: Local Emergency Planning Committee (LEPC) **(pg. 6)**
- Contingency Fund Report **(pg. 7)**
- 1st Quarter Comp Time/OT report **(pg. 8-11)**

12. PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

Communication Received: Rezoning Request of David Hehli (owner) **(pg. 12)**

13. FIRST READING OF ORDINANCES BY COMMITTEES

File No.

18-19/006 (1) To Amend Section 8.25.030 of the Code: Permit and Inspection Required; To Amend Section 8.25.050 of the Code; Inspection and Enforcement **(pg. 13-15)**

14. FIRST READING OF ORDINANCES AND RESOLUTIONS BY MEMBERS

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

Committee on Planning & Development

File No.

18-19/003 (1) Amending the 1982 Official Zoning District Boundary Map for the Town of Brunswick **(pg. 16-17)**

Committee on Finance & Budget

File No.

18-19/010 (1) Authorizing Payment of Vouchers Over \$10,000 Issued During the Month of March 2018 **(pg. 18-19)**

16. 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.

STATE OF WISCONSIN)
)
COUNTY OF EAU CLAIRE)

CERTIFICATE OF ELECTION

TO THE HONORABLE EAU CLAIRE COUNTY BOARD OF SUPERVISORS

I, Janet K. Loomis, County Clerk for the County of Eau Claire, State of Wisconsin, do hereby certify that, at a Spring Election held on the Third Day of April, A.D., 2018, the following persons were, by the greatest number of votes, duly elected to the office of the County Board of Supervisors for the districts herein stated, for the term of two years commencing on the 17th Day of April, A.D., 2018, as appears from the Certificate of the County Board of Canvassers, on file in my office.

<u>DISTRICT</u>	<u>SUPERVISOR</u>
District 1	Gary G. Gibson
District 2	Sandra McKinney
District 3	Joe Knight
District 4	Stella Pagonis
District 5	Carl Anton
District 6	Bert Moritz
District 7	Steve Chilson
District 8	Kevin Stelljes
District 9	Donald D. Mowry
District 10	Nancy Coffey
District 11	Ray L. Henning
District 12	Colleen A. Bates
District 13	Connie Russell
District 14	Judy Gatlin
District 15	Nick Smiar
District 16	Lydia Boerboom
District 17	Martha Nieman
District 18	James A. Dunning
District 19	Gerald "Jerry" Wilkie
District 20	John P. Richie
District 21	Mark Beckfield
District 22	Sue Miller
District 23	Robin J. Leary
District 24	Heather DeLuka
District 25	Melissa Janssen
District 26	Tami Schraufnagel
District 27	Brandon Buchanan
District 28	Kimberly A. Cronk
District 29	Patrick L. LaVelle

Given under my hand and official seal at the County Courthouse in the City of Eau Claire, in said County, this 9th day of April, A.D., 2018.


Janet K. Loomis
Eau Claire County Clerk

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

Wednesday, April 4, 2018

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Wednesday, April 4, 2018, and was called to order by Chair Gregg Moore at 7:01 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Colleen Bates.

Roll Call: 27 present: Supervisors Gary G. Gibson, Sandra McKinney, Douglas Kranig, Stella Pagonis, Steve Chilson, Kevin Stelljes, Gordon C. Steinhauer, Mike Conlin, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Judy Gatlin, Nick Smiar, David P. Mortimer, Gregg Moore, James A. Dunning, Gerald L. Wilkie, John Richie, Mark Beckfield, Sue Miller, Robin J. Leary, Heather DeLuka, Mark Olson, Tami Schraufnagel, Brandon Buchanan, Kimberly A. Cronk, Patrick L. LaVelle
2 absent: Supervisors Carl Anton, Katy Forsythe

JOURNAL OF PROCEEDINGS (March 20, 2018)

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

PUBLIC COMMENT

Darrel Peterson and Bethany Ida spoke about the rezoning request in the Town of Washington.

Dunn County Board of Supervisors Chair Steve Rasmussen thanked and recognized Eau Claire County Board of Supervisors Chair Gregg Moore for his services on both county and state levels.

PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

The County Clerk read a proclamation supporting national volunteer week, proclaiming the week of April 15-21, 2018, as National Volunteer Week in Eau Claire County.

On a motion by Supervisor Smiar, seconded by Supervisor Gatlin, the proclamation was approved.

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

Committee on Administration

Ordinance 17-18/120 TO AMEND SECTION 2.52.010 F. OF THE CODE: DEFINITIONS; TO AMEND SECTION 2.52.020 OF THE CODE: HEALTH DEPARTMENT ESTABLISHED; TO AMEND SECTION 2.52.040 C. & H. OF THE CODE: POWERS AND DUTIES; TO AMEND SECTION 2.52.050 OF THE CODE: REGULATIONS

Motion by Supervisor Olson, seconded by Supervisor Beckfield, for enactment.

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

27 ayes: Supervisors Gibson, McKinney, Kranig, Pagonis, Chilson, Stelljes, Steinhauer, Conlin, Henning, Bates, Clark, Gatlin, Smiar, Mortimer, Moore, Dunning, Wilkie, Richie, Beckfield, Miller, Leary, DeLuka, Olson, Schraufnagel, Buchanan, Cronk, LaVelle

0 noes

2 absent: Supervisors Anton, Forsythe

Resolution 17-18/129 RECOGNIZING, COMMENDING AND THANKING EAU CLAIRE COUNTY BOARD SUPERVISORS UPON THEIR DEDICATED YEARS OF SERVICE

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

Resolution 17-18/134 PURCHASING PROPERTY IN THE TOWN OF SEYMOUR CONSISTENT WITH A SECTION 404 HAZARD MITIGATION GRANT FOR FLOOD ABATEMENT

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

Committee on Human Resources

Resolution 17-18/133 CREATING ONE 1.0 CORRECTIONAL OFFICER-UTILITY POSITION

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

Committee on Planning and Development

Ordinance 17-18/128 AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF WASHINGTON

Motion by Supervisor Henning, seconded by Supervisor Chilson, for enactment.
There were no objections to allowing Senior Planner Matt Michaels to speak.
On a roll call vote, the ordinance was enacted as follows:

15 ayes: Supervisors Gibson, Kranig, Pagonis, Stelljes, Steinhauer, Henning, Bates, Clark, Moore, Wilkie, Miller, Leary, Buchanan, Cronk, LaVelle

12 noes: Supervisors McKinney, Chilson, Conlin, Gatlin, Smiar, Mortimer, Dunning, Richie, Beckfield, DeLuka, Olson, Schraufnagel

2 absent: Supervisors Anton, Forsythe

Committee on Finance and Budget

Resolution 17-18/135 AUTHORIZING THE SALE OF TAX DEED PROPERTY TO FORMER OWNERS PHILIP R. SPRATT AND MARCI A. SPRATT FOR \$20,667.11; 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 Beckfield, seconded by Supervisor Smiar, for adoption.
On a roll call vote, the resolution was unanimously adopted.

The Board adjourned at 8:18 p.m.

Respectfully submitted,



Janet K. Loomis
County Clerk

LEPC Report

Patrick LaVelle

During 2017, the Eau Claire County Local Emergency Planning Committee (LEPC) met four times and completed a variety of tasks that are part of their duties. To start with, there was an opportunity to learn and make new connections as several members either chose to retire or not pursue reappointment. While the members that stepped away provided extensive expertise, we are excited to have brought in new members that are mostly representing the same facilities.

In addition to the new members, we reviewed and approved ten off-site facility plans and revised our Hazardous Materials Strategic Plan. This was a fairly straightforward process as the facilities we selected had been done previously, so there were no new facilities. However, due to the nature of chemicals and evacuation radius for several of our selected facilities, we did extensive research of high risk facilities that may be affected in a worst case scenario. This research includes hospitals, schools, government buildings, day cares, long term care facilities, and other facilities that may house or employ many people.

As a LEPC we were fortunate to tour two facilities. Diversey, Inc and the Eau Claire Wastewater Treatment Plant both opened up their facilities to our Committee. Both of these facilities provide immense value to our County through employing our residents, providing safe and innovative solutions, and breaking down waste water.

As we start on the 2018 plans, we're excited to have several new facilities on our list that highlight the economic growth of our County. We're also looking forward to building new friendships and relationships as we have had several new members step up and fill vacant seats. Our Committee is ever-evolving but the members are very knowledgeable and provide great oversight.

Thank you,

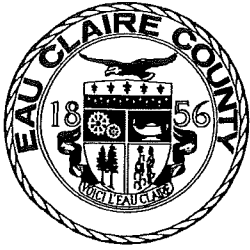
Patrick LaVelle

TO: Honorable Eau Claire County Board of Supervisors
FROM: Committee on Finance & Budget
DATE: April 11, 2018
SUB: 2018 Contingency Fund

Pursuant to Section 4.04 of the County Code of General Ordinances, the following is the status of the 2018 Contingency Fund as of noon on April 11, 2018

January 1, 2018	2018 Contingency Fund / Budget Allocation	\$300,000
March 20, 2018	CB: Authorizing a Transfer in the Contingency Fund in the Amount of \$20,000 for Startup Costs Associated with Farm Technology Days (File #17-18/132)	\$20,000
Balance Available		\$280,000

CB: denotes county board action



FINANCE DEPARTMENT



To: The Honorable Eau Claire County Board of Supervisors

From: Finance Department

Date: March 31st, 2018

Re: Required Statistical Reports – 1st Quarter 2018

Please find the following 1st Quarter 2018 reports:

- Overtime Utilization
- Compensatory Time Utilization
- Number of Employees

County of Eau Claire

1st Quarter 2018 Overtime Report - Regular

Department	Budget Amount	Period Amount	YTD Expended	Budget Balance	% Spent
Aging Disability & Resource	-	1,923.64	1,923.64	(1,923.64)	100.00% +
Airport	12,500.00	3,584.21	3,584.21	8,915.79	28.67%
Child Support	-	137.56	137.56	(137.56)	100.00% +
Circuit Court Operations	-	-	-	-	0.00%
Clerk of Courts	100.00	-	-	100.00	0.00%
Corporation Counsel	-	-	-	-	0.00%
District Attorney	-	-	258.58	(258.58)	100.00% +
Facilities	13,000.00	5,994.91	5,994.91	7,005.09	46.11%
Finance	5,000.00	-	-	5,000.00	0.00%
Highway	487,662.50	91,628.42	91,628.42	396,034.08	18.79%
Human Resources	-	2.66	2.66	(2.66)	100.00% +
Human Services	-	17,932.25	17,932.25	(17,932.25)	100.00% +
Information Systems	-	-	-	-	0.00%
Parks & Forest General & Admin	300.00	563.22	563.22	(263.22)	100.00% +
Parks & Forest: County Forest	420.00	-	-	420.00	0.00%
Parks & Forest: Coon Forks	2,000.00	-	-	2,000.00	0.00%
Parks & Forest: Lake Altoona	1,500.00	19.99	19.99	1,480.01	1.33%
Parks & Forest: Lake Eau Claire	200.00	-	-	200.00	0.00%
Parks & Forest: Tower Ridge	500.00	-	-	500.00	0.00%
Purchasing	-	6.69	6.69	(6.69)	100.00% +
Register of Deeds	-	-	-	-	0.00%
Register of Probate	-	-	-	-	0.00%
Planning & Development	-	-	-	-	0.00%
Planning & Development: General	-	-	-	-	0.00%
Planning & Development: Land Conservation	-	19.51	19.51	(19.51)	100.00% +
Sheriff: Huber	67,808.00	19,307.45	19,307.45	48,500.55	28.47%
Sheriff: Investigative	46,463.00	11,492.52	11,492.52	34,970.48	24.73%
Sheriff: Anti -Drug Grant	14,860.00	4,057.45	4,057.45	10,802.55	27.30%
Sheriff: Civil Process	8,455.00	1,726.93	1,726.93	6,728.07	20.42%
Sheriff: Courthouse Security	15,595.00	2,630.43	2,630.43	12,964.57	16.87%
Sheriff: Crime & Comm Caretkg	122,352.00	30,354.82	30,354.82	91,997.18	24.81%
Sheriff: Jail Secure	222,469.00	81,512.03	81,512.03	140,956.97	36.64%
Sheriff: Traffic Control & Enf	88,217.00	23,108.29	23,108.29	65,108.71	26.19%
Treasurer	1,000.00	275.69	275.69	724.31	27.57%
U.W. Extension	-	-	-	-	0.00%
Veterans	-	-	-	-	0.00%
Victim/Witness	-	-	-	-	0.00%
Victim/Witness Crisis	-	-	-	-	0.00%
Total Regular O/T	\$ 1,110,401.50	\$ 296,278.67	\$ 296,537.25	\$ 813,864.25	26.71%

4th Quarter 2017 Overtime Report - Temporary

Department	Budget Amount	Period Amount	YTD Expended	Budget Balance	% Spent
Parks & Forest	20.00	-	-	20.00	0.00%
Parks & Forest: Big Falls	20.00	-	-	20.00	0.00%
Total Temporary O/T	\$ 40.00	\$ -	\$ -	\$ 40.00	0.00%

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

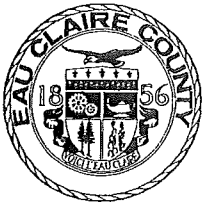
COMPENSATORY TIME

1st Quarter 2018

<u>Department</u>	<u>Hours Earned</u>	<u>Hours Paid Out</u>
Circuit Court Operations	1.90	0.00
Clerk of Courts	0.80	0.00
Juvenile Court Intake	35.30	30.80
Administration	16.20	0.00
Airport	0.00	0.00
County Clerk	2.30	0.00
Human Resources	1.10	0.00
Information Systems	20.70	0.00
District Attorney	37.90	0.00
Corporation Counsel / Child Support	8.90	9.90
Facilities	66.20	1.80
Sheriff - Field Svcs Division	948.40	300.50
Sheriff - Security Svcs Division	1051.40	144.20
Sheriff - Administration	6.20	0.00
Aging Disability & Resource Center	23.30	0.00
Finance	6.50	0.00
Purchasing	13.10	0.00
Juvenile Detention	180.20	21.40
Human Services Org Svcs Div	113.20	2.80
Human Services Fiscal Div.	61.40	1.50
Human Services Adult Svcs	220.50	15.80
Human Services Emp & Econ Unit	0.00	0.00
Human Services Family Svcs	486.20	23.00
Highway	400.20	0.20
Parks & Forest	79.70	26.30
Planning & Development	48.20	0.00
TOTAL	<u>1602.70</u>	<u>91.00</u>

Eau Claire County Finance Department
Number of Employees as of March 31st, 2018

<u>Department / Division Name</u>	<u>Permanent</u>	<u>Non-Permanent</u>	<u>Total</u>
Administration	7	0	7
Aging & Disability Resource Center	35	0	35
Airport	7	0	7
Circuit Court Operations	5	0	5
Clerk of Courts	20	0	20
Corporation Counsel & Child Support	23	0	23
County Clerk	4	0	4
County Treasurer	7	0	7
DHS: Adult Services Unit	35	0	35
DHS: Employment & Econ Resource Unit	39	0	39
DHS: Family Services Unit	53	0	53
DHS: Fiscal Services Unit	10	0	10
DHS: Organizational Services Division	15	0	15
District Attorney	17	0	17
Facilities	15	0	15
Finance	6	1	7
Highway Administration	4	0	4
Highway Supervisory	6	0	6
Highway Labor	51	5	56
Human Resources	6	0	6
Information Systems	13	0	13
Juvenile Court Intake	2	0	2
Juvenile Detention	18	0	18
Parks & Forest	11	0	11
Planning & Development	26	1	27
Purchasing	5	0	5
Register in Probate	4	0	4
Register of Deeds	4	0	4
Sheriff, Administration	9	0	9
Sheriff, Field Services Division	34	0	34
Sheriff, Reserve Officers/Special Deputies	17	0	17
Sheriff, Security Services Division	67	0	67
U.W. Extension	2	0	2
Veterans Services	3	0	3
Total	580	7	587



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

March 29, 2018

RECEIVED

APR 02 2018

COUNTY CLERK

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: David Hehli

Applicant: Real Land Surveying

File Number: 18-19/009

Legal Description: NW-SW of Section 04, T25N-R08W, Town of Clear Creek, Eau Claire County, Wisconsin.

Site Address: S 10655 County Road D, Strum

Date Received: March 29, 2018

Regards,

A handwritten signature in cursive script that reads "Jeanna Allen".

Jeanna Allen

Administrative Specialist, Planning and Development

FACT SHEET

TO FILE NO. 18-19/006

This ordinance regulating honey bees is being updated to reflect amendments recently adopted by the City of Eau Claire. The Eau Claire City-County Health Department enforces both ordinances.

The substantive changes involve limiting the requirements in renewal applications for providing: detailed diagrams only if hives are going to be relocated or the number increased; and limiting the need to provide neighbor consent only if there has been a change in real estate ownership, there was a beekeeping complaint or the number of hives will be increased. In addition an unnecessary reference is being eliminated and a statutory citation corrected.

Fiscal Impact: None.

Respectfully Submitted,

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

Keith R. Zehms
Corporation Counsel

KRZ/yk

Ordinance/18-19.006 Fact

2
3 - TO AMEND SECTION 8.25.030 OF THE CODE: PERMIT AND INSPECTION
4 REQUIRED; TO AMEND SECTION 8.25.050 OF THE CODE: INSPECTION AND
5 ENFORCEMENT-

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

8
9 SECTION 1. That Section 8.25.030 of the code be amended to read:

10
11 8.25.030 Permit and inspection required.

12 A. A person who keeps more than four colonies of honey bees in the RH, R-1-L and
13 R-1-M zoning districts must obtain a permit from and pay an annual fee established by the Eau
14 Claire City-County Health Department.

15 B. Permits shall not be transferrable or refundable. Only the owner of the proposed
16 permitted real property, or an occupant of the proposed permitted real property with the owner's
17 written permission, is eligible to obtain a beekeeping permit.

18 C. All permits issued shall expire on March 31st of the year following issuance
19 unless sooner revoked. (~~Ord. 160-005, Sec. 1, 2016~~)

20 D. Applicants shall provide detailed lot diagrams of the beekeeping equipment
21 location including the distances to property lines and from nearby structures or neighboring
22 properties, and on any renewal only if the applicant intends to increase the number or relocate any of the
23 hives on the property from the previous permit .

24 E. Applicants shall provide written consent from at least 80% of the owners with real
25 estate within 100 feet of the applicant's proposed permitted property.

26 1. Large acreage exemption. When the proposed location of the beekeeping
27 equipment is within a lot greater than four acres in size, the applicant is exempt from the above
28 neighbor consent requirement if either of the following is true:

29 a. The applicant provides approval from 80% of the occupants of real
30 estate situated within 250 feet of the beekeeping equipment; or

31 b. The applicant demonstrates that the beekeeping equipment is
32 greater than 250 feet away from any property line.

33 2. Renewal. The applicant shall resubmit the above neighbor consent
34 certification if any of the following apply since the previous permit was issued:

35 a. Real estate subject to the neighbor consent requirement changed
36 ownership;

37 b. The applicant was the subject of a beekeeping complaint; or
38 c. The applicant intends to increase the number of hives on the

39 property.

40 F. New permits may only be granted subject to the successful completion of the
41 City-County Health Department pre-inspection. Permit renewals may only be granted subject to
42 the successful completion of at least one annual inspection by an inspector approved by the City-
43 County Health Department.

44 SECTION 2. That Subsection B. of Section 8.25.050 be amended to read:

45
46
47 B. Violations to this Chapter may constitute a public nuisance under Wis. Stat. §
48 823.01 and are enforceable by Eau Claire County.
49

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ENACTED: I hereby certify that the foregoing correctly represents the
action taken by the undersigned Committee on
April 10, 2018 by a vote of 3 for, 0 against.

Gary Gibson / rje
Planning & Development Committee, Chairperson

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

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 **Located in the Southwest ¼ of the Northeast ¼, the Southeast ¼ of the**
12 **Northwest ¼, the Northeast ¼ of the Southwest ¼, and the Northwest**
13 **¼ of the Southeast ¼, all being in Section 10, Township 26 North,**
14 **Range 10 West, Town of Brunswick, Eau Claire County, Wisconsin,**
15 **being more particularly described as follows:**

16
17 **Commencing at the West ¼ corner of Section 10; thence**
18 **N00°21'57"E, along the West line of the Northwest ¼ of Section 10, a**
19 **distance of 785.52 feet; thence S89°38'03"E, a distance of 1319.86 feet**
20 **to the Point of Beginning; thence S00°29'58"W, along the East line of**
21 **both the Southeast ¼ of the Northwest ¼ and the Northeast ¼ of the**
22 **Southwest ¼, of Section 10, a distance of 1515.90 feet to the North**
23 **right-of-way line of Jene Road; thence 200.99 feet along the arc of a**
24 **curve concave Northerly, radius of 1279.95 feet, central angel of**
25 **008°59'58", and a chord bearing and distance of N80°20'26"E, 200.79**
26 **feet; thence N75°50'27"E, along said Northerly right-of-way line, a**
27 **distance of 264.90 feet; thence 190.33 feet along the arc of a curve**
28 **concave southerly, radius of 503.32 feet, central angle of 021°40'00",**
29 **and a chord bearing and distance of N86°40'27"E, 189.20 feet; thence**
30 **S82°29'33"E, along said Northerly right-of-way, a distance of 509.44**
31 **feet; thence 33.51 feet along the arc of a curve concave Northerly,**
32 **radius of 515.30 feet, central angel of 003°43'32", and a chord bearing**
33 **and distance of S84°21'19"E, 33.50 feet; thence N09°24'45"W, a**
34 **distance of 282.21 feet; thence N82°42'19"E, a distance of 299.27 feet;**
35 **thence N85°42'22"E, a distance of 248.56 feet; thence N61°22'21"E, a**
36 **distance of 306.17 feet; thence N51°52'19"E, a distance of 180.90 feet;**
37 **thence N65°53'47"E, a distance of 139.84 feet; thence N89°42'19"E, a**
38 **distance of 178.90 feet to said Northerly right-of-way; thence**
39 **N52°44'58"E, along said Northerly right-of-way, a distance of 109.78**
40 **feet to the North line of the Southeast ¼ of Section 10; thence**
41 **S89°43'04"W, along said North line of the Southeast ¼, a distance of**
42 **535.64 feet to the start of a meander line to Cooley Lake; thence**
43 **N40°30'00"E, along said meander line, a distance of 634.50 feet to the**
44 **end of said meander line; thence N56°00'00"W, a distance of 316.00**
45 **feet; thence S42°00'00"W, a distance of 850.00 feet; thence**
46 **S89°00'00"W, a distance of 340.00 feet; thence N79°00'00"W, a**
47 **distance of 480.00 feet; thence N47°00'00"W, a distance of 620.00 feet;**
48 **thence N05°00'00"W, a distance of 302 feet, more or less to the South**
49 **right-of-way line of Chicago, Milwaukee, St. Paul, and Pacific**

1 **Railroad; thence Southwesterly along said South right-of-way line, a**
2 **distance of 240 feet, more or less, to the Point of Beginning.**

3
4 **Lands between the meander line of Cooley Lake and not to be**
5 **included in the above described parcel.**

6
7 **Said described lands contain approximately 40.18 acres, more or less,**
8 **and is subject to the easements and restrictions of record to be**
9 **reclassified from the A-1 Exclusive Agricultural District and A-P**
10 **Agricultural Preservation District to the A-2 Agricultural-Residential**
11 **District.**

12
13 **SECTION 2**

14 Where a certified survey map is required and may alter the above
15 described property description, the official zoning district map for the
16 town shall be automatically amended to reflect the property description of
17 the certified survey map.

18 ENACTED: I hereby certify that the foregoing correctly represents the
19 action taken by the undersigned Committee on
20 April 10, 2018 by a vote of **3** for, **0** against.

21
22 

23 _____
24 Planning & Development Committee, Chairperson

APPROVED BY
CORPORATION COUNSEL
AS TO FORM



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-00006-18 **COMPUTER NUMBERS:** 004104010000
004104008000
004104202010
004103904000

PUBLIC HEARING DATE: April 10, 2018

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER: American Express Transport & Excavation, LLC, W 3450 WI-37 Eau Claire, WI 54701

AGENT: Matthew T. McHugh, 4850 Karissa Dr., Eau Claire, WI 54701

REQUEST: Rezone 40.18 acres +/- of land from A-P (Agricultural Preservation) and A-1 (Exclusive Agriculture) Districts to A-2 (Agricultural-Residential) District to allow the development of a single-family residence and allow potential land divisions in the future.

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 40.18 acres +/- of land from A-P (Agricultural Preservation) and A-1 (Exclusive Agriculture) Districts to A-2 (Agricultural-Residential) District to allow the development of a single-family residence and allow potential land divisions in the future.

BACKGROUND

SITE CHARACTERISTICS:

- The property contains rolling hills and areas of steep slopes
- Portions of the property have been mined for sand and gravel in the past
- 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;*

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

REQUESTED ZONING DISTRICT:

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. Note that the proposed rezoning would allow additional land divisions of five or more acres in the future.

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 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. The 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:

Portions of the property are included in the Farmland Preservation Plan Map, which allows the property owner to claim Farmland Preservation tax credits. The proposed A-2 District is not a certified farmland preservation district. 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 zoning district is 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 four (4) different soil types on the property to be divided, none of which are prime agricultural soils.

Soil Type	Description	Capability Class
PfB	Plainfield loamy sand, 1 to 6 percent slopes	4
Tn	Terrace escarpments, sandy	7
Af	Alluvial land, wet	6
Ae	Alluvial land, sandy	7

- **Historical Productivity** – The majority of the property is covered in grass, scrub, or wooded and sloped and shows no evidence of historical agricultural activity
- **Site Location** – The property has access to Jene Road
- **Adjacent Land Uses** – Uses in the area are a mixture of woodlands, single-family residences, scattered farmland, and sand and gravel mining

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, March 13, 2018 and recommended approval (3-0 vote).

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

- The proposed rezoning is consistent with the intent and purpose of the Eau Claire County Future Land Use plan
- Existing uses in the area include woodlands, scattered single-family residences and agricultural fields, and sand and gravel mining operations
- Zoning in the area is predominantly A-2, A-1 and A-P Districts

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 District

In addition, the following factors have also been considered:

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

RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the petition to rezone 40.18 acres +/- of land from A-P (Agricultural Preservation) and A-1 (Exclusive Agriculture) Districts to A-2 (Agricultural-Residential) District to allow the development of a single-family residence and allow potential land divisions in the future 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 woodlands, scattered single-family residences and agricultural fields, and sand and gravel mining operations
3. The property is included in the County Farmland Preservation Plan. However, no productive farmland will be removed from cultivation.

Finding Against:

1. The proposed rezoning would allow additional land divisions in the future which will not be evaluated through a public process to ensure compatibility with adjacent land uses and community fit.

Sup. Dist 9: Gordon Steinhauer

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:	3/16/2018
Accepted By:	Matt Michels
Receipt Number:	55117
Town Hearing Date:	03/13/2018
Scheduled Hearing Date:	4/10/2018
Application No:	RZN-0006-18
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: **A1** Proposed Zoning District(s): **A2** Acres to be Rezoned: **40.18**

Owner/Applicant Name(s): American Express Transportation L (ow) Matthew T & Rebecca S Mchugh (ow)	Address: W 3450 STATE ROAD 37 EAU CLAIRE S 4850 KARISSA DR EAU CLAIRE	Telephone: 715-832-9843(H) 715-834-2323(W) 715-829-8950(H)
--	--	---

Site Address(es):
S 4850 KARISSA DR EAU CLAIRE

Property Description:	Sec 10 Twn 26 Rge 10	Town of Brunswick	Lot Area:	26.520 ACRES
				32.000 ACRES
Zoning District(s):	A1 AP A2			19.500 ACRES
				6.300 ACRES

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

PIN	Alternate No	Parcel No	Legal (partial)
1800422610101200002	004103904000	26.10.10.1-2-B	PRT NW-NE PRT LYG W OF LN COM 18 RDS W OF NE COR 40,
1800422610102400001	004104008000	26.10.10.2-4-A	THAT PART OF SE OF NW LYG S & E OF R R R/W
1800422610103100001	004104010000	26.10.10.3-1-A,	PRT NE-SW THAT PRT LYG N OF TN ROAD EX PCL 3-1-E RECO
1800422610104200003	004104202010	26.10.10.4-2-C	PRT NW-SE THAT PRT LYG N OF TN RD EX THAT PRT LYG S OF

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 March 16, 2018

Check if DATCAP must be notified _____

Check if DNR to Receive Copy _____

RECEIVED

MAR 16 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.

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Owner/Applicant Name(s):	Address:	Telephone:
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Matthew T & Rebecca S Mchugh (ow)	S 4850 KARISSA DR EAU CLAIRE	715-834-2323(W) 715-829-8950(H)

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Existing Zoning District: **AP** Proposed Zoning District(s): **A2** Acres to be Rezoned: **40.18**

Owner/Applicant Name(s):	Address:	Telephone:
American Express Transportation L (ow)	W 3450 STATE ROAD 37 EAU CLAIRE	715-832-9843(H)
Matthew T & Rebecca S Mchugh (ow)	S 4850 KARISSA DR EAU CLAIRE	715-834-2323(W) 715-829-8950(H)

Site Address(es):
 S 4850 KARISSA DR EAU CLAIRE

Property Description:	Sec 10 Twn 26 Rge 10	Town of Brunswick	Lot Area:	26.520	ACRES
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Zoning District(s):	A1 AP A2			19.500	ACRES
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Overlay District: Shoreland Flood Plain Airport Wellhead Protection Non-Metallic Mining
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Application No:	RZN-0006-18
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: **A2** Proposed Zoning District(s): **A2** Acres to be Rezoned: **40.18**

Owner/Applicant Name(s):	Address:	Telephone:
American Express Transportation L (ow)	W 3450 STATE ROAD 37 EAU CLAIRE	715-832-9843(H)
Matthew T & Rebecca S Mchugh (ow)	S 4850 KARISSA DR EAU CLAIRE	715-834-2323(W) 715-829-8950(H)

Site Address(es):
 S 4850 KARISSA DR EAU CLAIRE

Property Description:	Sec 10 Twn 26 Rge 10	Town of Brunswick	Lot Area:	26.520	ACRES
				32.000	ACRES
Zoning District(s):	A1 AP A2			19.500	ACRES
				6.300	ACRES

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

PIN	Alternate No	Parcel No	Legal (partial)
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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 _____ Date _____

Check if DATCAP must be notified _____

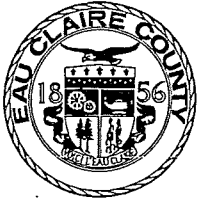
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 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	3/16/18 3/16/18
Accepted By:	mm
Receipt Number:	55117
Town Hearing Date:	4/10/18 3/13/18
Scheduled Hearing Date:	4/10/18 4/10/18

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/A1/A2	Proposed Zoning District(s): A2
Acres to be rezoned: Approx. 33	

Property Owner Name: American Express Transport & Excavation LLC	Phone# (800) 826-7322
Mailing Address: W3450 WI-37, Eau Claire, WI 54701	
Email Address: tim@axtilc.net	

Agent Name: Matthew T. McHugh	Phone# (715) 559-3500
Mailing Address: S 4850 Karissa Dr. Eau Claire, WI 54701	
Email Address: mtm51973@gmail.com	

RECEIVED
MAR 16 2018
COUNTY CLERK

SITE INFORMATION

Site Address: NA																	
Property Description: <u>SEE ATTACHED</u> % % Sec. _____, T. _____, N, R. _____ W, Town of <u>BRUNSWICK</u>																	
Zoning District: AP/A1/A2	Code Section(s): 18.04, 18.05, 18.32																
Overlay District: Check Applicable	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining																
Computer #(s):	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">004</td> <td style="width: 25%;">_ 104</td> <td style="width: 25%;">_ 010</td> <td style="width: 25%;">_ 000</td> <td style="width: 25%;">004</td> <td style="width: 25%;">_ 104</td> <td style="width: 25%;">_ 008</td> <td style="width: 25%;">_ 000</td> </tr> <tr> <td>004</td> <td>_ 104</td> <td>_ 202</td> <td>_ 010</td> <td>004</td> <td>_ 103</td> <td>_ 904</td> <td>_ 000</td> </tr> </table>	004	_ 104	_ 010	_ 000	004	_ 104	_ 008	_ 000	004	_ 104	_ 202	_ 010	004	_ 103	_ 904	_ 000
004	_ 104	_ 010	_ 000	004	_ 104	_ 008	_ 000										
004	_ 104	_ 202	_ 010	004	_ 103	_ 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.

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

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

Owner/Agent Signature Date 3-15-18

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:

Arvid Jereczek has an accepted offer to purchase approx. 140 acres of vacant land from Huntsinger Farms. Mr. Jereczek has plans to retain 100 acres and utilize some of the land, accessible from State Highway 85, for commercial use for his excavating business. Matt McHugh has an accepted offer to purchase approx. 40 acres of part of the same vacant land from Arvid Jereczek, subject to the closing of Huntsinger Farms/Jereczek sale and proposed land division per attached map. The McHugh family would like to build a home on proposed land division but some of parcels have current zoning of AP/A1. At a later point in the future, the McHugh family would like to have the option to further divide the 40 acre parcel to allow additional home sites. Due to land topography and other factors and depending on the location of the McHugh home site, it is anticipated that it may be feasible for 1-3 additional 5 acre minimum home sites.

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.

Of the parcels that are being proposed to be rezoned, one is currently zoned A2, two parcels are zoned AP, and one parcel is zoned A1. The land surrounding these parcels contain multiple residential homes that are currently zoned A2. The requested rezoning to A2 is consistent with and compatible with current land uses in the area and seems to uphold the purpose of the zoning ordinance. The McHugh family is not a farming family and does not have intentions of farming on these parcels. Recent history indicates that farming has not taken place on these parcels. Poor, sandy soil conditions, along with the topography of this land make it unlikely and cost prohibitive for it to be used for agricultural purposes now or in the future. The proposed McHugh home would be placed on parcel 004104010000, likely in a location that would maximize privacy from Jene Rd. and permit enjoyment of, and accessibility to Cooley Lake. The proposed home placement would not interfere or impact any adjacent property owners and would be compatible with adjacent agricultural uses.

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. The land topography can generally be described as containing hills, some steep slopes, deep ravines, and contains some shallow water and wetland areas. It does not appear it has been used for agricultural purposes of any kind due to the land topography and the established, yet stunted and diseased, tree stands are evidence of this. The current tree stands show signs of established oak wilt with younger tree varieties of pine and buckthorn replacing the more mature hardwoods. Soil has been described as being very sandy, thus not conducive to productive agricultural purposes of any kind.
2. The area surrounding these parcels contain rural land that is occupied mostly by non-farm housing, thus rezoning to A2 is consistent with the comprehensive plan already in place and in practice for this area. A2 zoning will encourage very low density rural housing that is already present in the area.
3. Due to the relatively close proximity of these parcels to the City of Eau Claire, there has been measurable growth in the construction of residential properties in the surrounding areas, including areas further South, East, and West of these parcels. These land parcels contain soil and land topography conditions that are not productive for agricultural purposes and is consistent with the Certified Eau Claire County Farmland Preservation Plan.
4. Such use and low density (5 acre minimum lot size requirements will be met and exceeded for McHugh home and any potential future land division of the 40 acres) will not create any hardship to existing or future residences in the area and there is adequate buffer space to permit established agricultural practices to continue or expand. At this time, the proposed McHugh home would be the only home on the 40 acre parcel and with the potential for future division to allow for additional home sites, given the topography and other land considerations, the likely minimum lot size would be approximately 5-10 acres each. The proposed A2 zoning does not create any hardship or incompatibility issues of the surrounding parcels.

LOCATED IN THE SOUTHWEST ¼ OF THE NORTHEAST ¼, THE SOUTHEAST ¼ OF THE NORTHWEST ¼, THE NORTHEAST ¼ OF THE SOUTHWEST ¼, & THE NORTHWEST ¼ OF THE SOUTHEAST ¼, ALL BEING IN SECTION 10, TOWNSHIP 26 NORTH, RANGE 10 WEST, TOWN OF BRUNSWICK, EAU CLAIRE COUNTY, WISCONSIN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the west ¼ corner of section 10;

THENCE n.00°21'57"e., along the west line of the northwest ¼ of section 10, a distance of 785.52 feet;

THENCE s.89°38'03"e., a distance of 1319.86 feet to the point of beginning;

THENCE S.00°29'58"W., ALONG THE EAST LINE OF BOTH THE SOUTHEAST ¼ OF THE NORTHWEST ¼ & THE NORTHEAST ¼ OF THE SOUTHWEST ¼, OF SECTION 10, A DISTANCE OF 1515.90 FEET TO THE NORTH RIGHT OF WAY LINE OF JENE ROAD;

THENCE 200.99 FEET ALONG THE ARC OF A CURVE CONCAVE NORTHERLY, RADIUS OF 1279.95 FEET, CENTRAL ANGLE OF 008°59'58", AND A CHORD BEARING AND DISTANCE OF N.80°20'26"E., 200.79 FEET;

THENCE N.75°50'27"E., ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 264.90 FEET;

THENCE 190.33 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHERLY, RADIUS OF 503.32 FEET, CENTRAL ANGLE OF 021°40'00", AND A CHORD BEARING AND DISTANCE OF N.86°40'27"E., 189.20 FEET;

THENCE S.82°29'33"E., ALONG SAID NORTHERLY RIGHT OF WAY, A DISTANCE OF 509.44 FEET;

THENCE 33.51 FEET ALONG THE ARC OF A CURVE CONCAVE NORTHERLY, RADIUS OF 515.30 FEET, CENTRAL ANGLE OF 003°43'32", AND A CHORD BEARING AND DISTANCE OF S.84°21'19"E., 33.50 FEET;

THENCE N.09°24'45"W., A DISTANCE OF 282.21 FEET;

THENCE N.82°42'19"E., A DISTANCE OF 299.27 FEET;

THENCE N.85°42'22"E., A DISTANCE OF 248.56 FEET;

THENCE N.61°22'21"E., A DISTANCE OF 306.17 FEET;

THENCE N.51°52'19"E., A DISTANCE OF 180.90 FEET;

THENCE N.65°53'47"E., A DISTANCE OF 139.84 FEET;

THENCE N.89°42'19"E., A DISTANCE OF 178.90 FEET TO SAID NORTHERLY RIGHT OF WAY;

THENCE N.52°44'58"E., ALONG SAID NORTHERLY RIGHT OF WAY, A DISTANCE OF 109.78 FEET TO THE NORTH LINE OF THE SOUTHEAST ¼ OF SECTION 10;

THENCE S.89°43'04"W., ALONG SAID NORTH LINE OF THE SOUTHEAST ¼, A DISTANCE OF 535.64 FEET TO THE START OF A MEANDER LINE TO COOLEY LAKE;

THENCE N.40°30'00"E., ALONG SAID MEANDER LINE, A DISTANCE OF 634.50 FEET TO THE END OF SAID MEANDER LINE;

THENCE N.56°00'00"W., A DISTANCE OF 316.00 FEET;

THENCE S.42°00'00"W., A DISTANCE OF 850.00 FEET;

THENCE S.89°00'00"W., A DISTANCE OF 340.00 FEET;

THENCE N.79°00'00"W., A DISTANCE OF 480.00 FEET;

THENCE N.47°00'00"W., A DISTANCE OF 620.00 FEET;

THENCE N.05°00'00"W., A DISTANCE OF 302 FEET, MORE OR LESS TO THE SOUTH RIGHT OF WAY LINE OF CHICAGO, MILWAUKEE, ST. PAUL, AND PACIFIC RAILROAD;

THENCE SOUTHWESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 240 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Lands between the meander line of Cooley Lake and not to be included in the above described parcel.

The described lands above are approximately 40.18 acres.



PARCEL A
1,743,050 SQUARE FEET
40.01 ACRES



REAL LAND SURVEYING

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

FIELD WORK WAS COMPLETED ON _____

COPYRIGHT 2013
REAL LAND SURVEYING

CADD No. 088888 PLAT

MAP OF SURVEY

*IN THE ¼ OF THE ¼, SECTION ,
TOWNSHIP - NORTH, RANGE - WEST,
CITY/TOWN OF , COUNTY, WISCONSIN*

FOR: CLIENT NAME

MINUTES

Brunswick Town Board Regular Monthly Meeting

March 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 February 13, 2018 meeting minutes. Seconded by Supervisor Sommerfeld. Motion carried.

INFORMAL PUBLIC COMMENT TIME: Doug Carlson updated the Board on Farm Technology Days 2020. A Representative from Huntsinger Farms will attend the annual meeting on April 17 to answer any questions. Doug inquired as to whether Don's sunflowers would be blooming during that event. That depends on the variety. Josh Liljander was commended for the excellent job he did on replacing the kitchen entryway.

DISCUSSION/ACTION ITEMS

- The rezone application submitted by Matt McHugh for Arvid Jereczek to rezone 40 acres on Jene Road was recommended for approval by Turk/Jaquish. Motion carried.
- A motion by Jaquish/Sommerfeld to amend the ATV/UTV ordinance to include that part of Maple Road between County Hwy B and the East boundary of the Town was passed.
- Town Roads: the washout on County Line Road has been addressed and will be repaired by American Express Excavation. The large Pine tree that blocked Olson Road was pushed off to allow mowing in the right-of-way and snowplowing.
- Supervisor Jaquish is meeting with the County Forester to mark trees for removal at the School Forest. There will be revenue from the sale of the timber.
- 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/Sommerfeld. Motion carried.
- The next meeting is set for the THIRD Tuesday, April 17, 2018 at the Town Hall. We will start with the Annual Meeting at 7 p.m. and the regular meeting will commence thereafter.

- A motion to adjourn was made by Jaquish/Sommerfeld. Motion carried. 7:27 p.m.

Respectfully submitted,

Debra Grinde

Town Clerk

McHUGH 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.

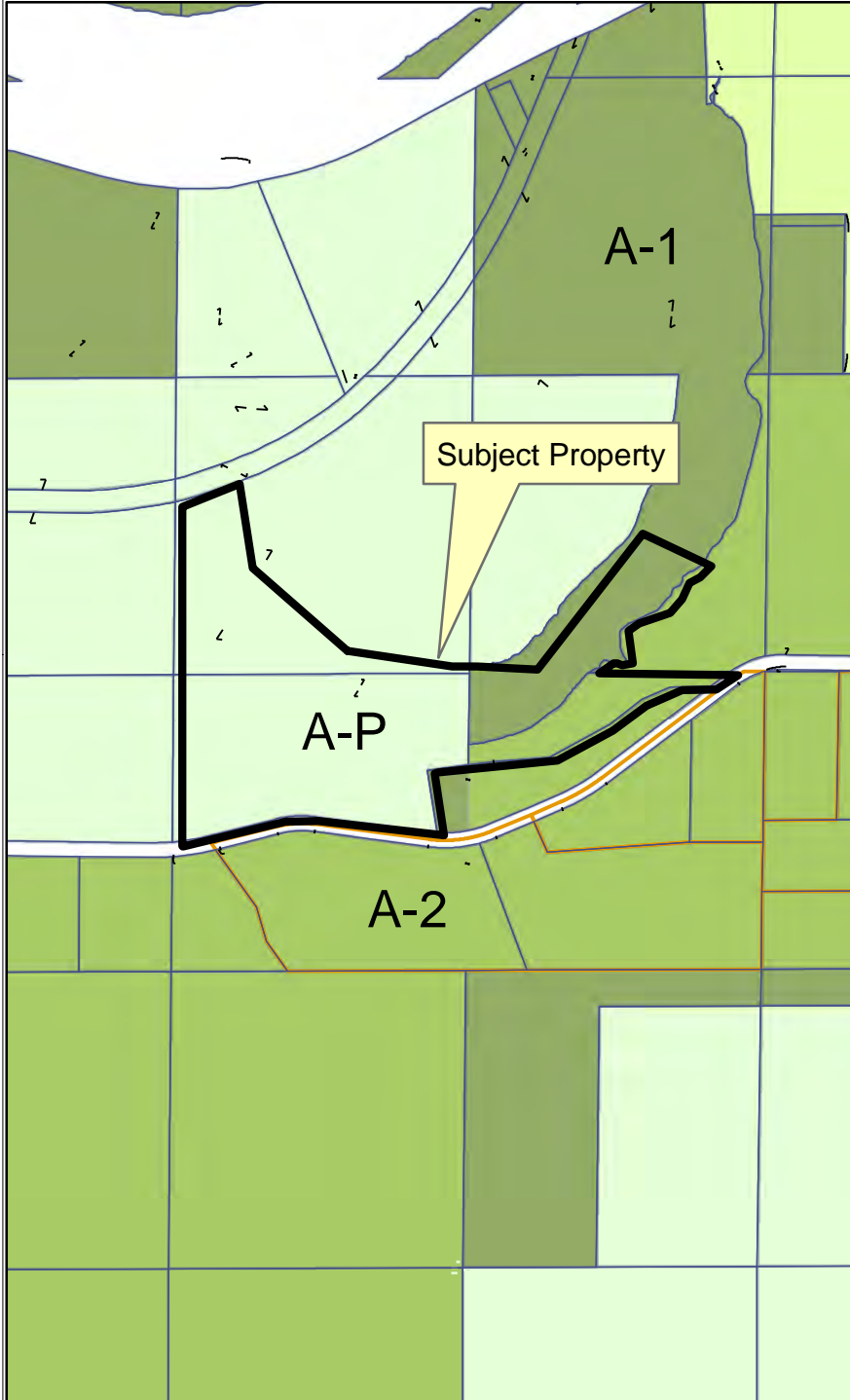




McHugh Rezoning: RZN-0006-18

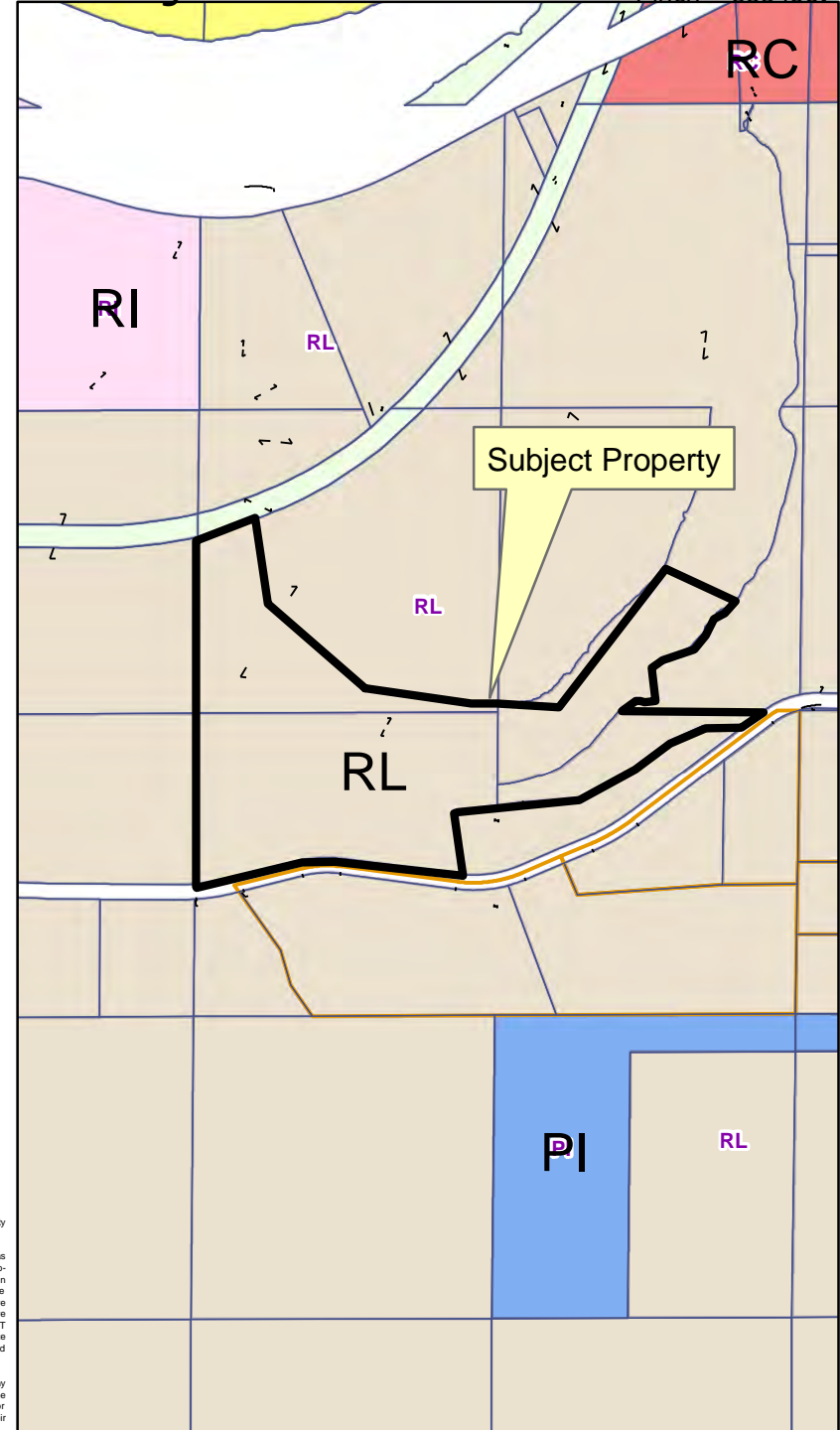
Existing Zoning

1 inch = 833.333333 feet



Existing Future Land Use

1 inch = 833 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 Hamelt
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential Mobile Home
- Rural Transition
- Urban Mixed Use



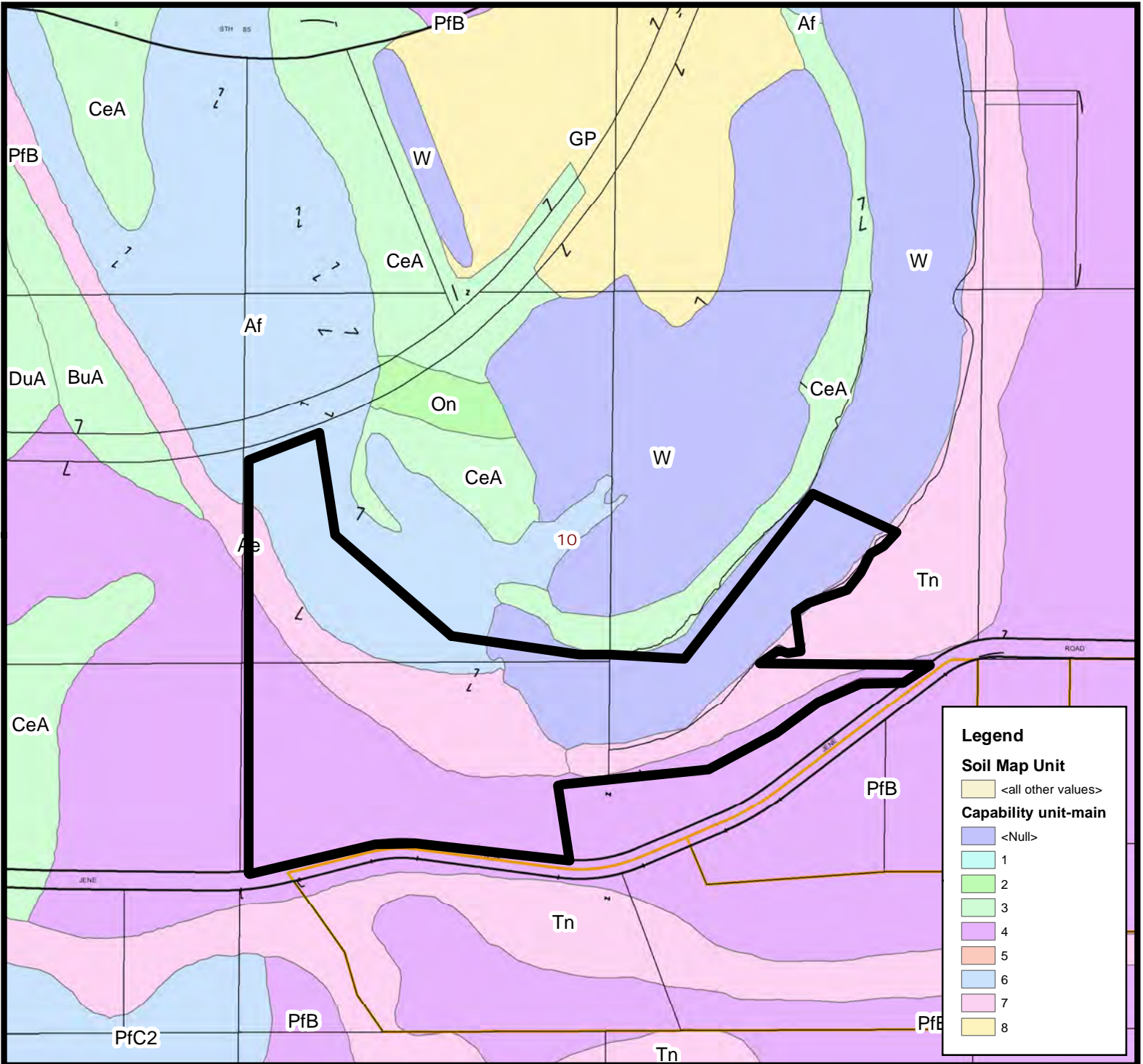
Parcel Mapping Notes:

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

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McHUGH 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

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Enrolled No.

RESOLUTION

File No. # 18-19/010

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF MARCH 2018

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

<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
Group Health Cooperative	April Health Insurance Premiums	\$ 510,003.78
L E Phillips Memorial Public Library	Library Levy Payment	\$ 303,078.00
Ewald	New Trucks - Hwy	\$ 248,674.00
City of Eau Claire Treasurer	Golf & Prill Rd Cost Sharing - Construction-Hwy	\$ 165,659.15
City of Eau Claire	March Comm Center Payment	\$ 136,453.33
Board of Comm of Public Lands	Refinance Airport Hangar - Airport	\$ 123,929.41
Eau Claire City County Health Dept	March Payment	\$ 100,039.00
Altoona Public Library	Library Levy Payment	\$ 96,715.00
Xcel Energy	Courthouse gas/electric - February	\$ 61,405.30
Correct Care Solutions LLC	April Medical Services	\$ 53,711.05
US Bancorp Government Leasing	Vogelle Asphalt Paver - Hwy	\$ 53,278.42
Lutheran Social Services	February 2018 Payment	\$ 52,000.00
Tapco	CTH EE Project Signals - Hwy	\$ 50,450.00
Delta Dental	Feb 2018 Dental Insurance Premiums	\$ 44,239.09
Advanced Disposal	January Recycling	\$ 43,326.27
Advanced Disposal	February Drop Box and Recycling	\$ 42,188.27
Xcel Energy	Xcel Solar Connect Community Solar Garden -Maint	\$ 26,560.00
Boxx Sanitation	February Recycling	\$ 25,889.31
Gordon Bruss	Right of Way Purchase CTH TT - Hwy	\$ 25,000.00
Fall Creek Public Library	Library Levy Payment	\$ 23,235.00
Cargill Inc	Hwy Salt	\$ 23,153.23
Ultramax Ammunition	Ammunition - Sheriff	\$ 22,205.00
Augusta Memorial Public Library	Library Levy Payment	\$ 21,999.00
City of Eau Claire Treasurer	Water/Sewer - CTHS	\$ 20,876.29
Stainless & Repair Inc	Repairs to 3800 gallon walker tank - Hwy	\$ 19,500.00
Standard Insurance Company	February 2018 STD/LTD Premiums	\$ 19,485.30
Wisconsin Municipal Mutual Ins Co	Sir Imprest Replenishment (Work Comp)	\$ 19,027.52
Fuel Service DJ's Mart	Fuel - Hwy	\$ 18,028.16
Xcel Energy	Airport Electric/Gas - February	\$ 16,528.37
Friends of Beaver Creek Reserve	March Payment	\$ 15,000.00
Martin's Forestry LLC	Ref Timber Sale #1744 - Parks	\$ 13,972.38
Waste Management Northern WI	February Recycling	\$ 12,728.22
New Deal Deicing	Deicing - Airport	\$ 11,982.00
Wisconsin Municipal Mutual Ins Co	Sir Imprest Replenishment (Liability)	\$ 11,833.88
Securian Financial Group Inc	April Life Insurance Premiums	\$ 11,657.66
Try Inc	March Payment	\$ 11,134.92
Precise MRM LLC	Air and Road Temp Sensor - Hwy	\$ 10,881.89
City of Eau Claire Treasurer	Health Department WRS payment	\$ 10,875.28
Bartingale Mechanical	Hvac Service CTHS/Ag Center - February	\$ 10,708.67
Provyro Waste Services LLC	Recycling - February	\$ 10,671.32
	<i>subtotal</i>	\$ 2,498,083.47
County of Chippewa	<i>IM Consortia Payment</i>	\$ 43,532.00
County of Douglas	<i>IM Consortia Payment</i>	\$ 46,098.00
County of Pierce	<i>IM Consortia Payment</i>	\$ 69,982.00
County of Polk	<i>IM Consortia Payment</i>	\$ 83,489.00
County of Washburn	<i>IM Consortia Payment</i>	\$ 20,452.00

62	Brotoloc, Inc	Contracted	\$	174,562.70
63	Caillier Clinic	Contracted	\$	12,995.00
64	Career Development Center	Contracted	\$	10,397.30
65	Chileda Institute	Contracted	\$	57,886.08
66	Clark County Health Care Center	Contracted	\$	10,857.00
67	Clinicare Corporation	Contracted	\$	29,956.50
68	Garlick's CBRF Inc	Contracted	\$	10,030.00
69	H S Fence Company	Contracted	\$	10,462.00
70	Habilitation Center	Contracted	\$	12,600.00
71	Lad Lake Inc	Contracted	\$	10,457.44
72	Lutheran Social Services	Contracted	\$	223,318.75
73	MCHS Eau Claire Clinic	Contracted	\$	25,792.41
74	New Hope Hallie Inc	Contracted	\$	29,964.00
75	New Visions Treatment Homes	Contracted	\$	18,970.00
76	New Visions Wilderness	Contracted	\$	10,695.00
77	Northwest Counsel & Guidance Clinic	Contracted	\$	83,410.91
78	Oconomowoc Development Training	Contracted	\$	15,486.04
79	Positive Alternatives	Contracted	\$	13,923.00
80	Rawhide Inc	Contracted	\$	11,015.20
81	Relias Learning LLC	Contracted	\$	11,234.82
82	State of WI Department of Corrections	Contracted	\$	21,450.00
83	Trempealeau County	Contracted	\$	96,649.74
84	Vantage Point Clinic & Assessment	Contracted	\$	26,456.67
85	Western Dairyland Economic Opport	Contracted	\$	14,312.64
86	Youth Villages Inc	Contracted	\$	14,000.00

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James Dunning - Chairperson
Committee on Finance and Budget

Total	\$	1,220,436.20
Grand Total	\$	<u>3,718,519.67</u>

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

Reviewed by Finance Dept.
for Fiscal Impact