

## AGENDA

Eau Claire County Board of Supervisors  
**Wednesday, February 20, 2019 / 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 1<sup>st</sup> Reading
- (2) Indicates 2<sup>nd</sup> Reading
  
- 1. Call to Order
  
- 2. Honoring of the Flag and Moment of Reflection by: Supervisor Kimberly Cronk
  
- 3. Call of the Roll
  
- 4. Approval of the Journal of Proceedings (January 15, 2019) [Page 4](#)
  
- 5. **PUBLIC COMMENT**
  
- 6. **REPORTS TO THE COUNTY BOARD UNDER 2.04.320** [Page 4-5](#)

### **Oral Reports**

County Administrator Kathryn Schauf updates on:

- Emergency Management with Tyler Esh, Emergency Management Coordinator
- WCA Legislative Exchange with Vice Chair Bates

Human Services Director Diane Cable, regarding programming and service overview

Corporation Counsel Keith Zehms, update on a change regarding the resolution for vouchers over \$10,000 that will be offered in a future meeting

### **Written Reports**

- Final 2018 Contingency Report [Page 6](#)
- 2019 Contingency Report [Page 7](#)

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

### **Communication received**

Rezoning request from owners Charles and Betty Lund, Town of Drammen [Page 8](#)

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

**File No.** [Pages 9-10](#)

18-19/104 (1) To Amend Section 2.90.070 of the Code: Destruction after Request for Inspection; To Amend Section 2.90.280 of the Code: Destruction Pending Litigation; To Amend Section 2.90.285 of the Code: Microfilming or Electronic Format Storage of Department Records

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

**Committee on Administration**

**File No.**

18-19/102 (1) Requesting Changes in the Statutory Bidding Requirements for Public Work Construction Projects [Pages 11-13](#)

**Committee on Human Resources**

**File No.**

18-19/106 (1) Authorizing Reclassification of One .50 FTE Administrative Associate II to One .50 FTE Administrative Associate III [Pages 14-15](#)

18-19/108 (1) Abolish One 1.0 FTE Payroll Assistant and Create One 1.0 FTE Payroll Specialist Position [Pages 16-17](#)

**Committee on Planning & Development**

**File No.**

18-19/101 (1) A Resolution Approving an All Hazards Mitigation Plan for Eau Claire County [Pages 18-19](#)

18-19/100 (1) Amending the 1982 Official Zoning District Boundary Map for the Town of Lincoln [Pages 20-27](#)

**Highway Committee**

**File No.**

18-19/080 (1) Authorizing the Purchase of Approximately 42 acres of Land Located in the in the City of Eau Claire along USH 53 from the Wisconsin Department of Transportation for \$385,363.00; .... [Pages 28-31](#)

**Committee on Finance & Budget**

**File No.**

18-19/096 (2) To Repeal and Recreate Section 4.90.020 of the Code: Findings and Settlement; to Repeal Section 4.90.030 of the code: ..... [Pages 32-33](#)

**11. APPOINTMENTS**

- Indianhead Federated Library System (IFLS) for two positions, appointing Jan Daus and Stella Pagonis
- Corporation Counsel – Tim Sullivan

Tim has been working as an Assistant Corporation Counsel at Eau Claire County for the past 25 years; and, for the past 5 years, he has held the role as Supervisor for the Eau Claire County Child Support Agency. Tim obtained his law degree from William Mitchell College of Law. The position is in pay range X and an offer was made at Step 3.

A summary of the applications received is below:

Total Applicants	8
First round interviews	5
second round	3

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

**Tuesday, January 15, 2019**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, January 15, 2019, and was called to order by Chair Nick Smiar at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.  
Moment of reflection was presented by Supervisor Tami Schraufnagel.

Roll Call: 26 present: Supervisors Gary G. Gibson, Sandra McKinney, Joe Knight, Carl Anton, Bert Moritz, Steve Chilson, Kevin Stelljes, Donald Mowry, Nancy Coffey, Ray L. Henning, Colleen A. Bates, Connie Russell, Judy Gatlin, Nick Smiar, Lydia Boerboom, Martha Nieman, James A. Dunning, Nathan Anderson, Mark Beckfield, Sue Miller, Heather DeLuka, Melissa Janssen, Tami Schraufnagel, Brandon Buchanan, Kimberly A. Cronk, Patrick L. LaVelle

3 absent: Supervisors Stella Pagonis, Gerald L. Wilkie, Robin J. Leary

**JOURNAL OF PROCEEDINGS (December 18, 2018)**

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

**PUBLIC COMMENT**

No one wished to speak.

**REPORTS TO THE COUNTY BOARD UNDER 2.04.320**

The Honorable Michael Schumacher provided an update on the Sixth Courtroom.

The following individuals spoke regarding the jail population:  
From Eau Claire County: Sheriff's Dept. Lt. Dave Riewestahl; Sheriff's Dept. Capt. Dan Bresina; Coordinator Tiana Glenna, Criminal Justice Coordinating Council; District Attorney Gary King; and from the WI Dept. of Corrections, Corrective Field Supervisor Michael Felton

County Administrator Kathryn Schauf provided oral updates on:

- Performance Management Reports
- Strategic Planning Process
- Financial Stability
- Capital Improvement Plan

The following written reports were presented:

- 2018 Contingency Fund Report as of January 7, 2019
- 2019 Contingency Fund Report as of January 7, 2019
- Quarter 4, 2018 Statistical Reports: Overtime Utilization, Compensatory Time Utilization, Number of Employees

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

A report regarding a rezoning request in the Town of Lincoln was received from LaVern Stewart on behalf of Keller Williams.

**FIRST READING OF ORDINANCES BY COMMITTEES**

**Ordinance 18-19/096** TO REPEAL AND RECREATE SECTION 4.90.020 OF THE CODE: FINDINGS AND SETTLEMENT; TO REPEAL SECTION 4.90.030 OF THE CODE: NOTICE OF CLAIM SETTLEMENT; TO REPEAL SECTION 4.90.040 OF THE CODE: DEPARTMENT TO COOPERATE; TO AMEND SECTION 4.90.060 OF THE CODE: BAR UPON FURTHER ACTION; TO AMEND SECTION 4.90.070 OF THE CODE: COMMITTEE AUTHORIZATION FOR CONTINGENCY FUND TRANSFER

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

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

**Committee on Human Resources**

**Ordinance 18-19/081** AMENDING SECTION 2.09.005 A. OF THE CODE; DEFINITIONS

Motion by Supervisor Miller, seconded by Supervisor Schraufnagel, for enactment.

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

26 ayes: Supervisors Gibson, McKinney, Knight, Anton, Moritz, Chilson, Stelljes, Mowry, Coffey, Henning, Bates, Russell, Gatlin, Smiar, Boerboom, Nieman, Dunning, Anderson, Beckfield, Miller, DeLuka, Janssen, Schraufnagel, Buchanan, Cronk, LaVelle

0 noes

3 absent: Supervisors Pagonis, Wilkie, Leary

**Committee on Parks & Forest**

**Ordinance 18-19/021** TO AMEND SECTION 16.30.040 B. OF THE CODE: FEES AND CHARGES

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

On a roll call vote, the ordinance was unanimously enacted.

**Committee on Finance & Budget**

**Resolution 18-19/098** AUTHORIZING THE SALE OF TAX DEED PROPERTY TO FORMER OWNER DAVID A. LONEWOLF, FOR \$3,905.68; 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 LaVelle, seconded by Supervisor DeLuka, for adoption.

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

**Resolution 18-19/099** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF DECEMBER 2018

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

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

24 ayes: Supervisors Gibson, McKinney, Knight, Anton, Moritz, Stelljes, Mowry, Coffey, Henning, Bates, Russell, Gatlin, Smiar, Boerboom, Nieman, Dunning, Anderson, Miller, DeLuka, Janssen, Schraufnagel, Buchanan, Cronk, LaVelle

2 noes: Supervisors Chilson, Beckfield

3 absent: Supervisors Pagonis, Wilkie, Leary

**APPOINTMENTS**

CONFIRMING APPOINTMENT OF SIDNEY HANSON TO THE VETERANS SERVICE COMMISSION

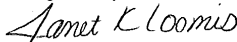
On a motion by Supervisor LaVelle, seconded by Supervisor Bates, the appointment was unanimously approved on a roll call vote.

CONFIRMING APPOINTMENT OF ERIC KILLEN AS VETERAN SERVICES DIRECTOR

On a motion by Supervisor Henning, seconded by Supervisor Beckfield, the appointment was unanimously approved on a roll call vote.

The Board adjourned at 8:27 p.m.

Respectfully submitted,



Janet K. Loomis  
County Clerk

**TO:** Honorable Eau Claire County Board of Supervisors  
**FROM:** Committee on Finance & Budget  
**DATE:** February 14, 2019  
**SUBJECT:** 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 February 14, 2019:

January 1, 2018	2018 Contingency Fund / Budget Allocation	\$300,000
March 20, 2018	CB: Authorizing a transfer from the Contingency Fund in the amount of \$20,000 for startup costs associated with Farm Technology Days (File #17-18/132)	\$20,000
July 17, 2018	CB: Authorizing a transfer from the Contingency Fund in the amount of \$49,999 to replace copper water pipe lines at Beaver Creek Reserve (File # 18-19/044)	\$49,999
July 17, 2018	CB: Authorizing a transfer from the Contingency Fund in the amount of \$15,495 to replace the jail radio system (File # 18-19/045)	\$15,495
September 18, 2018	CB: Authorizing a transfer from the Contingency Fund in the amount of \$10,000 for ballots for November election (File # 18-19/066)	\$10,000
Balance Available		\$204,506

CB: denotes county board action

**TO:** Honorable Eau Claire County Board of Supervisors  
**FROM:** Committee on Finance & Budget  
**DATE:** February 14, 2019  
**SUBJECT:** 2019 Contingency Fund

Pursuant to Section 4.04 of the County Code of General Ordinances, the following is the status of the 2019 Contingency Fund as of February 14, 2019:

January 1, 2019	2019 Contingency Fund / Budget Allocation	\$300,000
	Balance Available	\$300,000

CB: denotes county board action



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

February 5, 2019

RECEIVED

FEB 08 2019

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:** Charles & Betty Lund

**Applicant:** Tom Fedie

**File Number:** 18-19/110

**Legal Description:** Frac SW-NW in Section 18, T25N-R10W, Town of Drammen, Eau Claire County, Wisconsin.

**Site Location:** North of West Walnut Road and West of County Road ZZ, Mondovi

**Date Received:** February 4, 2019

Regards,

Jeanna Allen

Administrative Specialist, Planning and Development



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**Enrolled No.**

**ORDINANCE**

**File No. 18-19/104**

- TO AMEND SECTION 2.90.070 OF THE CODE; DESTRUCTION AFTER REQUEST FOR INSPECTION; TO AMEND SECTION 2.90.280 OF THE CODE; DESTRUCTION PENDING LITIGATION; TO AMEND SECTION 2.90.285 OF THE CODE; MICROFILMING OR ELECTRONIC FORMAT STORAGE OF DEPARTMENT RECORDS -

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

SECTION 1. That Section 2.90.270 of the code be amended to read:

2.90.270 Destruction after request for inspection.

Destruction after request for inspection. No requested record may be destroyed until after the request is granted or 60 days after the request is denied or 90 days if the requester is committed or incarcerated. If an action is commenced under Wis. Stat. §19.37, the requested record may not be destroyed until a court order is issued and all appeals have been completed. See Wis. Stat. § 19.35(5).

SECTION 2. That Section 2.90.280 of the code be amended to read:

2.90.280 Destruction pending litigation.

No record subject to pending litigation shall be destroyed until the litigation has been resolved or a court ordered request for inspection or copying is granted.

SECTION 3. That Section 2.90.285 of the code be amended to read:

2.90.285 Microfilming or Electronic Format Storage of Department Records.

Departments may keep and preserve public records through the use of microfilm or another reproductive device, optical imaging or electronic format storage providing that the applicable standards established in Wis. Stat. §§ 16.61(7) and 16.612, respectively are met. Departments should consider factors such as retention periods and estimated costs and benefits of converting records between different media in deciding which records to microfilm or store on electronic format. After verification paper records converted to either microfilm or electronic format storage should be destroyed after notification to the SHSW if applicablé. The retention periods identified in this ordinance apply to records in any media.

ADOPTED:

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\_\_\_\_\_  
\_\_\_\_\_  
Committee on Administration

KRZ/yk

Dated this 12 day of February, 2019.

ORDINANCE/18-19.104

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

Reviewed by Finance Dept.  
for Fiscal Impact

**FACT SHEET**

**TO FILE NO. 18-19/104**

This ordinance is housekeeping in nature. It simply updates three sections of the County records retention ordinance to comply with state statutes.

Fiscal Impact: None.

Respectfully Submitted,

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

Keith R. Zehms  
Corporation Counsel

Ordinance/17-18.104 Fact

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Enrolled No.

RESOLUTION

File No. 18-19/102

REQUESTING CHANGES IN THE STATUTORY BIDDING REQUIREMENTS FOR  
PUBLIC WORK CONSTRUCTION PROJECTS- -

WHEREAS; under Wis. Stat. §59.52(29) counties are required to engage in a competitive bidding process on public work construction projects greater than \$25,000 and provide a class 1 notice on public work with a cost between \$5,000-\$25,000; and

WHEREAS, these statutory limits have been inn place for decades and need to be updated to reflect the time and cost incurred by counties in the competitive bidding process. A change to \$100,000 for competitively bid projects would be more realistic, and

WHEREAS, eliminating the requirement for a class 1 notice would reduce the time required to begin projects while reflecting the fact that almost all bids are delivered via email or other electronic means; and

WHEREAS, removing the phrase “or furnishing supplies or material of any kind” from Wis. Stat. §59.52(29) would be consistent with Wis. Stat. §62.16 for cities and is not needed due to the statutory definition of “public work”.

NOW THEREFORE BE IT RESOLVED, that the Eau Claire County Board of Supervisors requests that our state legislators introduce and support legislation changing the stator bidding requirements for public work construction projects for counties under Wis. Stat. §59.52(29) by increasing the project limit from \$25,000 to \$100,000, eliminating the class 1 notice requirement and eliminating the “or furnishing supplies or materials of any kind” language.

BE IT FURTHER RESOLVED, that the Eau Claire County Board directs the county clerk to forward a copy of this resolution to legislators representing Eau Claire County, Governor Tony Evers and the Wisconsin Counties Association.

Reviewed by Finance Dept. \_\_\_\_\_  
for Fiscal Impact \_\_\_\_\_

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APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM  
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\_\_\_\_\_  
Committee on Administration

KRZ/yk

Dated this 12 day of February, 2018.

ORDINANC/18-19/102

## FACT SHEET

### TO FILE NO. 18-19/102

This resolution requests legislative action to change Wis. Stat. § 59.52 (29) (a) regarding competitive bidding for public work construction projects by counties. The proposed changes are to increase the competitive bidding requirement for construction projects from \$25,000 to \$100,000, eliminate the class 1 notice provision and eliminate the “or furnishing of supplies or material of any kind” language. The proposed changes are shown below.

#### (29) PUBLIC WORK, HOW DONE; PUBLIC EMERGENCIES.

(a) All public work, including any contract for the construction, repair, remodeling or improvement of any public work ~~or building, or furnishing of supplies or material of any kind~~ where the estimated cost of such work will exceed ~~\$25~~100,000 shall be let by contract to the lowest responsible bidder. Any public work, the estimated cost of which does not exceed ~~\$25~~100,000, shall be let as the board may direct. If the estimated cost of any public work is between \$25,000 and ~~\$25~~100,000, the board ~~shall give a class 1 notice under ch. 985 before it contracts for the work or~~ shall contract with a person qualified as a bidder under s. 66.0901 (2). A contract, the estimated cost of which exceeds ~~\$25~~100,000, shall be let and entered into under s. 66.0901, except that the board may by a three-fourths vote of all the members entitled to a seat provide that any class of public work or any part thereof may be done directly by the county without submitting the same for bids. This subsection does not apply to public construction if the materials for such a project are donated or if the labor for such a project is provided by volunteers. This subsection does not apply to highway contracts which the county highway committee or the county highway commissioner is authorized by law to let or make.

Reasons to support the changes:

- The threshold has not been increased for many years.
- Municipalities need to prepare specs and sometimes plans or drawings for each of the projects requiring a formal bid, currently \$25,000. Preparing these documents take time and **money**. Increasing this threshold will save money.
- The scope of many of these smaller projects (less than \$100,000) can be described to contractors by staff verses hiring an engineer to write plans and specs. We would use a request for quote (an informal process) for the projects under the threshold. We would advertise with the local builders’ exchange, on our website and with our bid-letting on-line service.
- The current process takes requiring the Class 1 notice is time consuming and does not reflect our current procurement methods such as using email, bid letting services and other website listings. The Class 1 process is outdated and not effective. A Class 2 notice would still be required on projects over \$100,000. Note, Class 2 requires 2 notices in the newspaper 10 days apart and the last notice to be at least one week prior to bid date. This takes 3-4 weeks. Using electronic notices and mail this can be completed under 10 days.

- Working with partnerships, such as private public partnerships that involve donations of building materials, supplies or construction services will be easier to work with without the requirement to bid the project under the new threshold.

Examples of projects with an estimated cost under \$100,000 that we would save time and potentially money include; tuck pointing, a small addition to a building or pavilion, a small parking lot or remodeling project, a small dredging project. Eau Claire County would request quotes for projects < \$100,000 and this process allows for negotiation of cost, different solutions and timeframe. These negotiations many times save money and improve the quality and delivery of the project.

Fiscal Impact: Cost savings will depend on size and complexity of projects..

Respectfully Submitted,

Frank D. Draxler  
Operations Manager

Ordinance/18-19.102 Fact



**FACT SHEET**

**TO FILE NO. 18-19/106**

Information Systems has submitted a request to reclassify one .50 FTE Administrative Associate II to one .50 FTE Administrative Associate III.

Positions are reviewed when they become vacant to determine if any changes should be made to reflect changes in duties and responsibilities that have occurred over time or are anticipated due to changing requirements in the department. The changes to the Information Systems Administrative Associate position are a combination of both.

Changes in the Records Center have reduced that workload allowing additional responsibilities to be added to the position including updating and maintaining the Eau Claire County website, monitoring website activity and posting information on Eau Claire county social media outlets and monitoring and responding to public comments or escalating to appropriate staff. This position will play a key role in the upcoming Eau Claire County website redesign project.

In addition to the new website and social media responsibilities, process changes in the Finance Department have added new financial processing responsibilities to the IS Department. These new tasks will be added to the modified Administrative Associate position.

The fiscal impact of this change is \$1,663.

Respectfully submitted,

*David M. Hayden*

David M. Hayden  
Information Systems Director

*Jamie K Gower*

Jamie Gower  
Human Resources Director

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Enrolled No.

RESOLUTION

File No. 18-19/108

- ABOLISH ONE 1.0 FTE PAYROLL ASSISTANT AND CREATE ONE 1.0 FTE PAYROLL SPECIALIST POSITION -

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

WHEREAS, the finance department is requesting a staffing change to abolish one 1.0 FTE PAYROLL ASSISTANT position and create one 1.0 FTE PAYROLL SPECIALIST position; and

WHEREAS, there is no additional cost for this change and is included in their operating budget and

NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board hereby approves abolishing one 1.0 FTE PAYROLL ASSISTANT position and creating one 1.0 FTE PAYROLL SPECIALIST position

BE IT FURTHER RESOLVED that the Eau Claire County Board hereby approves abolishing one 1.0 FTE PAYROLL ASSISTANT position and creating one 1.0 FTE PAYROLL SPECIALIST position

ADOPTED:

*Judy Gathin*  
\_\_\_\_\_  
*Gene Miller*  
\_\_\_\_\_  
*Constantine Russell*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Committee on Human Resources

Dated this 14th day of February, 2019.

/JM

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

ORDINANCE/18-19/108

Reviewed by Finance Dept.  
for Fiscal Impact




**Fact Sheet – Change in Title of the Payroll Assistant position**

**Background:** The Payroll area has historically been staffed with a Payroll Administrator or other Payroll management that directly supervised the Payroll Assistant. Given the evolution of the Payroll process, the introduction of NetTime for time tracking and other process changes, the Payroll Assistant no longer is directly supervised by the Payroll Administrator and the Payroll Administrator position has been replaced by an Accountant position. Currently the Payroll Assistant is managed by the Sr. Accounting Manager.

**Request:** Given the changes with Payroll processing, the nature and scope of the work done by the Payroll Assistant, and the experience required of the position, I am requesting a change in title for this position from Payroll Assistant to Payroll Specialist. The job description for this position has been updated to better reflect the current duties and reviewed externally in relationship to the existing compensation level with no resulting level change recommended. I believe this new title better reflects the job description for this position.

**Fiscal Impact:** There is no fiscal impact as a result of this title change.

Respectfully Submitted,



Norbert Kirk

Finance Director

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Enrolled No.

RESOLUTION

File No. 18-19/101

- A RESOLUTION APPROVING AN ALL HAZARD MITIGATION PLAN FOR  
EAU CLAIRE COUNTY -

WHEREAS, hazard mitigation planning is the process of developing a set of actions designed to reduce or eliminate long-term risk to people and property from hazards and their effects; and

WHEREAS, Eau Claire County, through an ad hoc steering committee formed by Eau Claire County Emergency Management and in cooperation with West Central Wisconsin Regional Planning Commission and the municipalities of Eau Claire County, has updated the *Eau Claire County Multi-Hazard Mitigation Plan*, to assess the magnitude of hazard risks, and to develop strategies for minimizing or reducing these risks; and

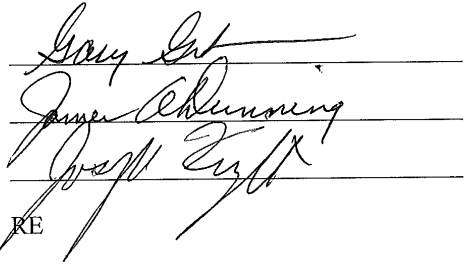
WHEREAS, Eau Claire County Emergency Management provides emergency management planning, coordination, response, and recovery support on behalf of all communities of Eau Claire County; and

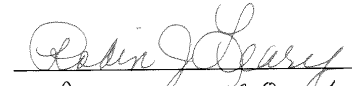

WHEREAS, Eau Claire County towns, villages, and cities participated in the planning process through a presentation to the Town's Association, a Town hazard assessment survey, meetings with each city and village, an ad hoc City of Eau Claire plan update steering committee, and various other meetings, interviews, web-based surveys, and communications; and

WHEREAS, public comment was invited on the draft plan through a public notice issued in September 2018 and a public informational meeting on the draft plan was held on September 21, 2018; and

WHEREAS, adoption of the Plan by the County Board will make the County and its unincorporated towns eligible for federal grant dollars for hazard mitigation projects.

NOW, THEREFORE BE IT RESOLVED, that the Eau Claire County Board of Supervisors adopts the *Eau Claire County Multi-Hazard Mitigation Plan 2018-2023* as the official all hazards mitigation plan for the County with the intent of implementing the plan recommendations as funding and resources allow.

  
RE

  
  
Committee on Planning & Development

APPROVED BY  
CORPORATION COUNCIL  
AS TO FORM

Dated this 2nd day of January, 2019.

Reviewed by Finance Dept.  
ORDINANC/18-19/101  
for Fiscal Impact

**FACT SHEET**

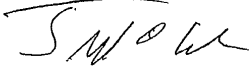
**TO FILE NO. 18-19/101**

At its meeting on January 22, 2019, the Committee on Planning and Development adopted resolution file number 18-19/101 approving an All Hazard Mitigation Plan for Eau Claire County.

The primary focus of the plan is to evaluate the County's potential exposure to natural and manmade disasters and identify appropriate mitigation strategies. By addressing these hazards of significant risk, this plan conforms with Federal all hazards mitigation planning requirements. Development of the plan will help the County and its communities identify its areas of risk, assess the magnitude of the risk and vulnerability, and develop strategies for reducing the risk and vulnerabilities. This plan highlights two different items for the first time, a joint plan with the City of Eau Claire and the inclusion of manmade disasters that include cyber-attacks and active threats, amongst others. Through this process, the County can address issues related to the protection of life, property, and critical services, and the reduction of costs associated with disaster relief and rescue efforts. Completion and approval of the plan will also continue to make Eau Claire County and participating jurisdictions eligible to apply for future hazard mitigation project funds through FEMA.

There are no fiscal impacts anticipated. Having this plan allows Eau Claire County to pursue annual grants for pre-disaster mitigation and grants following disasters. These grants help the county purchase properties in the flood plain, build storm shelters, purchase weather radios, and a variety of other projects designed to improve public safety.

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



Tyler Esh,  
Emergency Management Coordinator

1 **Enrolled No.** **ORDINANCE** **File No. 18-19/100**  
2  
3 - AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE  
4 TOWN OF LINCOLN -  
5

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

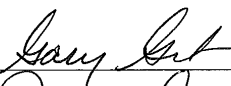
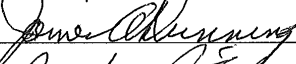
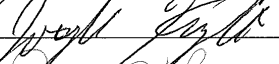

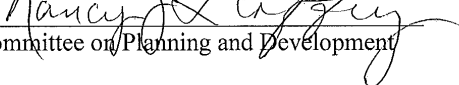
8 **SECTION 1** That the 1982 Official Zoning District Boundary Map for the Town of  
9 Lincoln, Eau Claire County described as follows:  
10

11 **That part of the Southwest Quarter of the Southwest Quarter of**  
12 **Section 18, Township 26 North, Range 07 West lying East of County**  
13 **Highway K EXCEPT the East 300 feet more or less (that part East of**  
14 **a line beginning on the Southeast corner of Starline Road running**  
15 **North along the East side of Starline Road and continuing North**  
16 **along the East side of the old road bed to the North line of the said**  
17 **property).**  
18

19 **Said described lands contain approximately 13.07 acres of land and is**  
20 **subject to the easements and restrictions of record to be reclassified**  
21 **from the A-P Agricultural Preservation District to the A-2**  
22 **Agriculture-Residential District.**  
23

24 **SECTION 3** Where a certified survey map is required and may alter the above  
25 described property description, the official zoning district map for the  
26 town shall be automatically amended to reflect the property description of  
27 the certified survey map.  
28

29 ENACTED:

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31 \_\_\_\_\_  
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39 \_\_\_\_\_  
40 Committee on Planning and Development  
41

Dated this 22nd day of January, 2019.

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

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

**FACT SHEET**  
**File No. 18-19/100**

**RE:** Rezone 13 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) to divide the existing home and outbuildings and non-tillable land from the remainder of the property, which will remain in agricultural production.

**Legal Description and Location:** A portion of the SW¼ SW¼ of Section 18, T26N, R7W, Town of Lincoln, Eau Claire County (complete legal description attached)

**Size of area to be rezoned:** 13 acres +/-

**ADJACENT ZONING & LAND USES:**

LOCATION	ZONING	LAND USE
Subject	A-P	Farmstead and pasture
North	A-P	Agricultural fields
East	A-P	Agricultural fields
South	A-P	Farmstead
West	A-P	Wetlands

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

**Eau Claire County 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.”*

**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 zoning district is consistent and therefore allowed within the mapped future land use designation.

**Town Board Action:** The Lincoln Town Board considered this rezoning petition on Monday, January 14, 2019 and recommended approval (3-0 vote).

**Committee Action:** The Eau Claire County Committee on Planning and Development conducted the required public hearing on Tuesday, January 22, 2019 regarding the proposed rezoning. On a vote of 5 in favor and 0 against, the Committee recommends approval of the rezoning petition to the County Board. The committee considered the applicant’s testimony as well as the Town Board’s and staff’s recommendations in their deliberations. No members of the public were in attendance to speak for or against the rezoning petition.

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



Matt Michels, AICP  
 Senior Planner



## EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-00001-19      COMPUTER NUMBER: 012104203000

PUBLIC HEARING DATE: January 22, 2019

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER: Dennis Dehnke, S 7220 Starline Dr., Fall Creek, WI 54742

APPLICANT: LaVern "L.L." Stewart, Keller Williams Realty, 2115 E. Clairemont Ave,  
Ste 4, Eau Claire, WI 54701

REQUEST: Rezone 13 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to divide the existing home and outbuildings and non-tillable land from the remainder of the property, which will remain in agricultural production.

LOCATION: S 7220 Starline Dr.

LEGAL DESCRIPTION: A portion of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 18, T26N, R7W, Town of Lincoln, Eau Claire County (complete legal description attached)

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

### BACKGROUND

#### SITE CHARACTERISTICS:

- The property contains a single-family residence and several agricultural outbuildings
- The northern five acres is mapped wetlands and is unsuitable for cultivation
- The property does not contain steep slopes

#### EXISTING ZONING DISTRICT:

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;*

EAU CLAIRE COUNTY PLANNING & DEVELOPMENT STAFF RECOMMENDATIONS, RZN-0001-19

- 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.

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-P	Farmstead and pasture
North	A-P	Agricultural fields
East	A-P	Agricultural fields
South	A-P	Farmstead
West	A-P	Wetlands

COMPREHENSIVE PLANS:

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

Following is a description of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies. Policies are quoted *in italics*.

**Eau Claire County:**

- Rural Lands Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- Applicable Policies:
  1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property. There is an existing home on the property to be divided. This use and other uses permitted in the A-3 District are typically compatible with nearby agricultural uses.*
  2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*

3. For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:
  - a. Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.

**Town of Lincoln:**

- Rural Preservation Comprehensive Plan Intent and Description: The primary intent of this designation is to, "preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas."
- Applicable Policies:
  1. Farming and agricultural uses shall be established as the primary land uses within these areas. Non-farm development shall only be allowed if it will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take significant tracts of land suitable for cultivation or other agricultural use out of production.

...
  3. Proposals for any new non-farm residential development shall be consistent with the following policies:
    - a. The maximum gross density for non-farm residential lots shall be one (1) unit per five (5) acres held in single ownership, except as otherwise provided below for conservation subdivisions. The minimum lot size for non-farm residential lots shall be one (1) acre. The balance of the land not included in the residential lots shall be placed in a permanent conservation easement for agriculture, forestry, and open space use.

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

...

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



**FARMLAND PRESERVATION PLAN:**

This property is included in the Farmland Preservation Plan Map, which allows the property owner to claim Farmland Preservation tax credits. The property is also included in the Golden Triangle Agricultural Enterprise Area. However, there are no agricultural activities on the property.

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.

**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** – The subject property contains five (5) soil types, four of which are considered prime agricultural soils. However, the property is developed with a farmstead with the remaining land as pasture since it is within a mapped wetland and is not viable for agricultural production.

Soil Type	Description	Capability Class
Er	Etrick silt loam	2
SfB	Seaton silt loam, benches 2-6% slopes	2
Cu	Curran silt loam	2
Ho	Houghton muck	6
SeC2	Seaton silt loam, 6-12% slopes, eroded	3

- **Historical Productivity** – The subject property has been used as a farmstead and pasture. There is no evidence of prior agricultural activity.
- **Site Location** – The property has frontage on County Highways K and JJ
- **Adjacent Land Uses** – Uses in the area are a mixture of cropland, woodlands and other agricultural uses, and scattered farmsteads and single-family residences. Zoning in the area is predominantly A-P, with A-1 and A-2 zoning approximately one-quarter mile east of the subject property.

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

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

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

Although the property contains prime agricultural soils, the rezoning is substantially consistent with the Farmland Preservation Plan as it will not take productive farmland out of production and will have no foreseeable impact on productive farmland surrounding the property.

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

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

**Town Board Action:** The Lincoln Town Board considered this rezoning on Monday, January 14, 2019 and voted unanimously (3-0) to recommend approval of the proposed rezoning. No one spoke against the request at the meeting.

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 substantially consistent with the intent and purpose of the Eau Claire County Future Land Use plan
- Existing uses in the area include agricultural uses, scattered single-family residences, and woodlands.
- Zoning in the area is predominantly A-P with scattered A-R zoning in the vicinity and A-2 and A-3 approximately one to two miles from the subject property.

#### 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 has been received in favor of or opposing the proposed rezoning 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 13 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to divide the existing home and outbuildings and non-tillable land from the remainder of the property, which will remain in agricultural production.

#### FINDINGS

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 uses, scattered single-family residences, and woodlands
3. Although the property is included in the County Farmland Preservation Plan, no productive farmland will be removed from cultivation and no incompatible uses are proposed
4. No changes in land use are proposed with this rezoning action

# DEHNKE REZONING LOCATION 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.



This map was produced on January 3, 2019 by the Eau Claire County Department of Planning and Development and is for reference purposes only. Not to Scale

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Enrolled No.

RESOLUTION

File No. 18-19/080

- AUTHORIZING THE PURCHASE OF APPROXIMATELY 42 ACRES OF LAND LOCATED IN THE CITY OF EAU CLAIRE ALONG USH 53 FROM THE WISCONSIN DEPARTMENT OF TRANSPORTATION FOR \$385,363.00; AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ALL NECESSARY DOCUMENTS ON BEHALF OF EAU CLAIRE COUNTY-

WHEREAS, the highway facility space needs study from May 24, 2016 states the highway department facility in Altoona has \$3,292,067.00 of code compliance, life safety, and structural repair cost needs; and

WHEREAS, the existing Altoona highway facility shop is 53,000 sq. ft. and to adequately store current fleet operations the space needs study has calculated that the main shop facility needs to be 119,370 sq. ft.; and

WHEREAS, the space study concluded that the existing 12-acre Altoona facility is too small to house the current operations and further investment as well as expanding on the current site is not in the County's best interest; and

WHEREAS, a site selection analysis was completed comparing 15 different properties based on location near major highways, water and sewer service availability, size of 30-40 acres, and cost of property. After completing the analysis, the property owned by WIDOT was identified to be the best candidate; and

WHEREAS, the cost to purchase this property from the WIDOT is approximately \$8,300.00/acre and the cost of other properties that were evaluated in the site selection analysis were \$25,000.00/acre making the property from the WIDOT a good value for the County; and

WHEREAS, the purchase of land from WIDOT would not remove any property from the property tax levy since it is currently owned by the State of Wisconsin; and

WHEREAS, Eau Claire County is granted home rule authority by Wis. Stat. §59.03(1) as construed under Wis. Stat. §59.04 which can be exercised by the county board by adoption of a resolution under §59.02; and

WHEREAS, Eau Claire County intends to acquire the property in the City of Eau Claire along US 53 by purchase from WIDOT for the future site of a highway facilities shop and in order to facilitate blight elimination through assistance from the Wisconsin Department of Natural Resources; and,

WHEREAS, by exercising its home rule authority under Wis. Stat. §59.03(1) to acquire the property in the City of Eau Claire and Town of Washington along USH 53 for the purpose of blight elimination granted to counties by Wis. Stat. § 292.11(9)(e)1m.d., Eau Claire County, through adoption of this resolution will qualify for a local governmental liability exemption for the investigation and cleanup of contaminated property and solid waste management.

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NOW THEREFORE, BE IT RESOLVED, that the Eau Claire County Board of Supervisors hereby authorize the purchase of approximately 42 acres of land located in the City of Eau Claire along USH 53 from the Wisconsin Department of Transportation for \$385,363.00; and

BE IT FURTHER RESOLVED, that the acquisition of the property is at least in part for blight elimination under Wis. Stat. §292.11(9)(e)1m.d. of the existing environmental contamination caused by discharges of hazardous substances.

BE IT FURTHER RESOLVED, that the county administrator is authorized to execute all necessary documents on behalf of Eau Claire County.

*Colleen Bates*  
*Madeline*  
*Kyle*  
*Kyle*  
*Kyle*  
Committee on Administration

*Bob*  
*Cal*  
*John*  
*John*  
*Ray*  
Highway Committee

KRZ/yk

Dated this 12 day of February, 2018.

Dated this 23rd day of January, 2019  
ORDINANC/18-19/080

Reviewed by Finance Dept.  
for Fiscal Impact

REVIEWED BY  
CORPORATION COUNSEL  
AS TO FORM

**FACT SHEET**

**TO FILE NO. 18-19/080**

**SUBJECT**

Property purchase from Wisconsin Department of Transportation (WIDOT)

**REQUEST**

Purchase 42 acres from WIDOT for Three Hundred Eighty Five Thousand Three Hundred Sixty Three (\$385,363.00.00) for location of a future Highway Department facility

**PURPOSE / JUSTIFICATION**

Eau Claire County has completed its site selection study and has identified this property to be the best value and location for possible future highway facility construction. The facility study that was completed and approved by the county board identified that an increase in acreage is needed for the operational needs of the Highway Department.

The Department of Transportation has completed a phase 1 environmental study on the property as well as a Phase 2 Environmental Sampling Investigation. The results of these studies show that DOT caused the contamination discovered on the property to date. By acquiring the property at least partially for blight elimination under Wis. Stat. §292.11(9)(e)1m. Eau Claire County will receive a local governmental liability exemption for the investigation and cleanup of contaminated property and solid waste management.

Fiscal Impact: \$385,363.00 from 2018 Highway Capital Funds

Respectfully Submitted,



Jon Johnson  
Highway Commissioner

**JJ**

Ordinance/18-19/080 Fact

TO THE HONORABLE EAU CLAIRE COUNTY BOARD OF SUPERVISORS

Committee on Administration

File No. 18-19/080

**ANALYSIS**

The Committee on Administration has reviewed the proposed ordinance 18-19/080 authorizing the purchase of approximately 42 acres of land as the future site for a highway facilities shop.

**RECOMMENDATION**

BE IT RESOLVED by the Eau Claire County Board of Supervisors that File No. 18-19/080 be and is hereby adopted.

I hereby certify that the foregoing correctly represents the action taken by the undersigned committee on February 12, 2019 by a vote of 4 for, 0 against.

\_\_\_\_\_  
Nick Smiar, Chair  
Committee on Administration

kz

ORDINANCE\Rept.18-19/080

1 **Enrolled No.** **ORDINANCE** **File No. 18-19/096**  
2  
3 - TO REPEAL AND RECREATE SECTION 4.90.020 OF THE CODE: FINDINGS AND  
4 SETTLEMENT; TO REPEAL SECTION 4.90.030 OF THE CODE: NOTICE OF CLAIM  
5 SETTLEMENT; TO REPEAL SECTION 4.90.040 OF THE CODE: DEPARTMENT TO  
6 COOPERATE; TO AMEND SECTION 4.90.060 OF THE CODE: BAR UPON FURTHER  
7 ACTION; TO AMEND SECTION 4.90.070 OF THE CODE: COMMITTEE AUTHORIZATION  
8 FOR CONTINGENCY FUND TRANSFER -

9 The County Board of Supervisors of the County of Eau Claire does ordain as follows:  
10 SECTION 1. That Section 4.90.020 of the code be repealed and recreated to read:

11 4.90.020 Disallowance of Claims.

12 A. All claims of \$10,000 or less shall be managed by the county insurance carrier  
13 and/or corporation counsel. All claims over \$10,000 recommended for disallowance by the  
14 county insurance carrier shall be handled by the committee. Risk management shall work with  
15 corporation counsel and the insurance carrier to process claims.

16 B. The county insurance carrier is responsible for settling claims. For all claims of  
17 \$10,000 or less where the county insurance carrier has recommended disallowance, corporation  
18 counsel shall review and issue a notice of disallowance upon the claimant. For all claims  
19 exceeding \$10,000 where the county insurance carrier has recommended disallowance the  
20 committee shall review, and service of disallowance upon the claimant is made by the county  
21 clerk.

22 C. Failure to take action upon a claim by the corporation counsel or committee as  
23 provided in this section shall be deemed to be a disallowance thereof as of 120 days after filing  
24 of the claim.

25 SECTION 2. That Section 4.90.030 of the code be repealed.

26 SECTION 3. That Section 4.90.040 of the code be repealed.

27 SECTION 4. That Section 4.90.060 of the code be amended to read:

28 4.90.060 Bar upon further action.

29 A. The decision of the ~~board~~ corporation counsel or committee under 4.90.020 in  
30 disallowing, in whole or in part, any claim duly presented for its consideration shall bar any  
31 further proceedings by the said claimant for collection unless an action be commenced against  
32 the county within 6 months after service of notice of disallowance upon the claimant by the  
33 clerk.

34 SECTION 5. That Section 4.90.070 of the code be amended to read:

35 4.90.070 Committee authorization for contingency fund transfer.

36 The committee is authorized to transfer moneys from the contingency fund in order to  
37 settle accounts under 4.90.020 €.

38 ADOPTED:

39 \_\_\_\_\_  
40 *Robin J. Gary*  
41 \_\_\_\_\_  
42 *James A. Cunningham*  
43 \_\_\_\_\_  
44 KRZ/yk CORPORATION COUNSEL  
45 AS TO FORM

\_\_\_\_\_ *Steve Pagan* \_\_\_\_\_  
Committee on Finance and Budget

Dated this 7<sup>th</sup> day of January, 2018.  
ORDINANCE/18-19.096

Reviewed by Finance Dept.  
for Fiscal Impact



FACT SHEET

TO FILE NO. 18-19/096

This ordinance makes changes in the settlement of claims process to better reflect the existing process, eliminate internal inconsistencies and to reflect best practices. No changes have been made in current code provisions regarding the exclusive claims remedy 4.90.001, definitions 4.90.005, claims procedure 4.90.010 and specialized claims 4.90.050.

Section 1: The only claims presented to the committee on finance and budget or county board were in cases where the County's insurance carrier and corporation counsel had recommended they be disallowed. Small claims usually not exceeding \$2,500 have been reviewed and settled by corporation counsel in consultation with department managers. The formal process for the committee to require sworn testimony and compel attendance of witness was never used. The proposed ordinance grants the authority to manage all claims of \$10,000 or less to the county's insurance carrier and/or corporation counsel working with risk management to process claims. Claims over \$10,000 recommended for disallowance by the county's insurance carrier and corporation counsel will go to the finance and budget committee.

Section 2: Eliminates the notification by county clerk which is redundant since it is now included in 4.90.020 B.

Section 3: Eliminates language regarding cooperation of departments which is mandatory.

Section 4: Conforms 4.90.060 to be consistent with the new language in 4.90.020.

Section 5: Conforms 4.90.070 to be consistent with the new language in 4.90.020.

Fiscal Impact: None.

Respectfully Submitted,



Keith R. Zehms  
Corporation Counsel

Ordinance/18-19/096. Fact

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-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF  
JANUARY 2019

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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.

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<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
10 Jacob's Well Church	Financial Assurance Release	185,345.39
11 City of Eau Claire Treasurer	2019 Comm Center Contract - January Pmt	143,120.83
12 Correct Care Solutions LLC	Jail Medical Services	107,422.10
13 Eau Claire City County Health Department	2019 Contract - January Payment	101,183.33
14 Town of Bridge Creek Treasurer	Pymt for 2018 Timber Sales - Sev 15%	87,670.72
15 West Central Wisconsin Regional	2019 Comm Agency	60,678.00
16 Xcel Energy	Courthouse/Jail Natural Gas	57,163.91
17 Eau Claire Area Economic Development Cor	2019 Comm Agency	50,000.00
18 Town of Wilson Treasurer	Pymt for 2018 Timber Sales - Sev 15%	49,045.84
19 Aramark Services Inc	Inmate Meals	45,076.53
20 Goodwill Industries	2019 Comm Agency	38,668.00
21 City of Augusta	2019 Comm Agency	30,000.00
22 Phillips, L E Senior Central Inc	2019 Comm Agency	30,000.00
23 Town of Fairchild Treasurer	Pymt for 2018 Timber Sales - Sev 15%	29,206.49
24 City of Eau Claire Treasurer	Hazardous Materials Contract	28,477.00
25 Dunn County Administration	Medical Examiner Fees	25,671.13
26 Chippewa Valley Museum	2019 Comm Agency	25,000.00
27 Department of Administration	SFY19-2nd QTR VAWA Grant Prosecutor	24,277.24
28 Bolton Refuge House Inc	2019 Comm Agency	22,500.00
29 Jamie Schoettl	Financial Assurance Release	20,000.00
30 Children's Service Society of Wisconsin	2019 Comm Agency	20,000.00
31 Martin's Forestry LLC	Return of Cash Bond	17,693.25
32 Family Resource Center For	2019 Comm Agency	16,600.00
33 Chippewa Valley Community Television	2019 Comm Agency	16,444.00
34 Lereta LLC	Tax Overpayment	16,411.68
35 Family Promise of The Chippewa Valley	2019 Comm Agency	15,500.00
36 Town of Washington Treasurer	Transfer to Municipality	14,593.07
37 Wisconsin Counties Association	Annual Membership for Wisc County Assoc	14,077.00
38 Catholic Charities	2019 Comm Agency	13,000.00
39 Dell Marketing Lp	Precision 3630 Tower - P&D, HWY	12,236.00
40 Rave Mobile Safety	RAVE Alert License Fee	12,110.00
41 Town of Lincoln Treasurer	Pymt for 2018 Timber Sales - Sev 15%	11,281.09
42 Try Inc	TRY Mediation 2019 Contract	11,134.92
43 Bartingale Mechanical Inc	HVAC Service/PM for Ag Center	11,029.91
44 Town of Pleasant Valley Treasurer	Ag Use Penalty	10,486.91
45 Opengov Inc	Annual Contract	10,318.06
46	<b>TOTAL FUND: GENERAL</b>	<b>1,383,422.40</b>
47		
48 Trempealeau County	Contracted Services	125,672.38
49 Trempealeau County	Contracted Services	104,728.68
50 Brotoloc Inc	Contracted Services	102,791.80
51 Northwest Counsel & Guidance Clinic Inc	Contracted Services	100,296.60
52 County of Polk Dept of Human Services	IM Consortia Payment	75,652.00
53 Lutheran Social Services	Contracted Services	70,655.20
54 Chileda Institute Inc	Contracted Services	62,020.80
55 Northwest Counsel & Guidance Clinic Inc	Contracted Services	59,578.60
56 Dungarvin Wisconsin LLC	Contracted Services	58,187.00
57 Northwest Passage Ltd	Contracted Services	56,604.34
58 Lutheran Social Services Inc	Contracted Services	56,215.17
59 County of St Croix	IM Consortia Payment	53,699.00

60	County of Douglas	IM Consortia Payment	47,959.00
61	County of Chippewa	IM Consortia Payment	45,677.00
62	County of Barron	IM Consortia Payment	44,980.00
63	Lutheran Social Services	Contracted Services	43,794.90
64	County of Dunn	IM Consortia Payment	39,084.00
65	Lutheran Social Services	Contracted Services	35,588.33
66	Caillier Clinic Inc	Contracted Services	32,799.33
67	County of Pierce	IM Consortia Payment	31,113.00
68	CDW Government Inc	Computer Equipment	30,846.86
69	Brotoloc Inc	Contracted Services	30,442.21
70	Alia	Contracted Services	30,100.00
71	Caillier Clinic Inc	Contracted Services	25,630.31
72	Brotoloc Inc	Contracted Services	24,781.72
73	Caillier Clinic Inc	Contracted Services	23,961.15
74	Synergy Group of Eau Claire S.C.	Contracted Services	20,869.19
75	Rawhide Inc	Contracted Services	20,456.80
76	Synergy Group of Eau Claire S.C.	Contracted Services	19,491.95
77	Clinicare Corporation	Contracted Services	19,218.06
78	County of Burnett	IM Consortia Payment	18,968.00
79	Cooperative Educational Service Agency	B-3 Education/Service Coord - November	18,155.25
80	County of St Croix	CCS Professional Services	17,420.00
81	Impact Coaching LLC	Contracted Services	16,933.06
82	Clear Water Therapy LLC	Contracted Services	16,353.28
83	Youth Villages, Inc.	Contracted Services	15,500.00
84	Lutheran Social Services	Contracted Services	15,011.75
85	Western Dairyland Economic Opport. Inc	December Energy Assistance	14,503.19
86	Cooperative Educational Service Agency	B-3 Education/Service Coord - December	14,349.00
87	Positive Alternatives Inc	Contracted Services	14,254.50
88	Trinity Equestrian Center	Contracted Services	14,116.99
89	Oconomowoc Development Training Center	Contracted Services	14,095.08
90	Habilitation Center	Contracted Services	13,950.00
91	Community Care Resources Inc	Contracted Services	13,529.64
92	Breaking Barriers Construction LLC	Contracted Services	13,221.05
93	Mchs - Eau Claire - Luther Campus	Contracted Services	13,218.06
94	Gerard Academy	Contracted Services	13,034.57
95	Washburn County	IM Consortia Payment	12,370.00
96	Family Innovations Inc	Contracted Services	12,215.44
97	Career Development Center	Contracted Services	12,175.20
98	Eau Claire Transit Company	Bus Fares	11,317.00
99	Garlick's Cbrf Inc	Contracted Services	10,540.00
100	Tomorrow's Children	Contracted Services	10,137.00
101		<b>TOTAL FUND: DHS</b>	<b>1,818,263.44</b>
102			
103	Walker Brothers	2018 SEG Reimbursement	12,800.00
104	John Ristau	2018 SEG Reimbursement	11,550.00
105		<b>TOTAL FUND: LAND CONSERVATION</b>	<b>24,350.00</b>
106			
107	Advanced Disposal	Curbside Dec	42,416.74
108	Boxx Sanitation LLC	Curbside-Dec	27,771.22
109	Waste Management Northern Wi - Mn	Curbside-Dec	12,108.08
110	Provyro Waste Services LLC	Curbside-Dec	11,874.76
111		<b>TOTAL FUND: RECYCLING</b>	<b>94,170.80</b>
112			
113	City of Eau Claire Treasurer	November 2018 Paratransit Services	14,727.35
114	Verizon Wireless	December Phone Charges	11,838.49
115		<b>TOTAL FUND: ADRC</b>	<b>26,565.84</b>
116			
117	Heartland Business Systems	Disaster recovery site network equipment	256,645.38
118	Bartingale Mechanical Inc	Furnish/Install Bldg Automation Systems	124,342.65
119	Dell Construction Co	DHS Remodel	61,498.25

120	Od Security North America	Full Body Scanning System - 30% of total	35,625.00
121		<b>TOTAL FUND: CAPITAL PROJECTS</b>	<b>478,111.28</b>
122			
123	County of Chippewa	Special Assessments	23,004.00
124	Xcel Energy	December Natural Gas	16,035.40
125	New Deal Deicing	Maintenance - Chemicals	15,619.00
126	County of Eau Claire	Special Assessments	14,850.00
127	City of Eau Claire Treasurer	2018 Quarter 4 Water/Sewer	10,766.56
128		<b>TOTAL FUND: AIRPORT</b>	<b>80,274.96</b>
129			
130	Universal Truck Equipment	Truck Attachments for Truck #785	137,132.00
131	Mid State Truck Service Inc	Sign Truck Chasis for Truck # 152	83,947.67
132	Valk Manufacturing Company	Repair Parts	36,400.00
133	Chippewa Concrete Services Inc	Roadway Supplies	16,307.00
134		<b>TOTAL FUND: HIGHWAY</b>	<b>273,786.67</b>
135			
136	Wisconsin Municipal Mutual Ins Company	2019 liability insurance coverage	290,663.80
137	Wisconsin Municipal Mutual Ins Company	Workers Comp Claims	17,335.40
138		<b>TOTAL FUND: RISK MANAGEMENT</b>	<b>307,999.20</b>
139			
140		<b>GRAND TOTAL: ALL FUNDS</b>	<b>4,486,944.59</b>
141			
142			
143			
144			
145	Stella Pagonis - Chairperson		
146	Committee on Finance and Budget		

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

Reviewed by Finance Dept.  
for Fiscal Impact