# <u>AGENDA</u>

# Eau Claire County Board of Supervisors **Tuesday, December 17, 2019/ 7 pm** Courthouse, County Boardroom (Room 1277) 721 Oxford Ave. Eau Claire, WI

\*\*Meet & Greet Prior to meeting with Child Support, Clerk of Courts, and Register in Probate\*\*

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 Robin Leary
- **3.** Call of the Roll
- 4. Approval of the Journal of Proceedings December 3, 2019 Pages 1-3

#### **APPOINTMENTS**

Confirming Dr. Katherine Schneider to fill vacant County Board Supervisor District 22 seat County Clerk, Janet Loomis, to administer Oath of Office; afterwards, Dr. Schneider will be Seated to begin duties as a County Board member

#### 5. <u>PUBLIC COMMENT</u>

#### 6. <u>REPORTS TO THE COUNTY BOARD UNDER 2.04.320</u>

#### **Oral Reports**

- Recognition of Judge Thomas Barland and Judge Benjamin Proctor for their service and dedication to the CJCC given by Judge Michael Schumacher
- 980 Presentation Richard Eaton (Assistant Corporation Counsel)
- Jail Data Blitz Report and Presentation Ruth Cronje (UWEC) and class

#### Written Reports

- 2019 Contingency Report from the Finance Department Page 4
- November 2019 Payments over \$10,000 from the Finance Department Pages 5-6
- Update on Wind Energy from Rod Eslinger Director of Planning and Development Pages 7-12

# 7. PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

# 8. FIRST READING OF ORDINANCES BY COMMITTEES

## 9. FIRST READING OF ORDINANCES AND RESOLUTIONS BY MEMBERS

## 10. <u>REPORTS OF STANDING COMMITTEES, COMMITTEES, COMMISSIONS AND BOARDS</u> UNDER 2.04.160 AND SECOND READING OF ORDINANCES

#### **Committee on Administration**

#### <u>File No.</u>

19-20/081 (2) Ordinance - To Amend Section 2.04.030 D. of the Code: Rule 3 – Opening of Meeting; To Amend Section 2.04.120 A. of the Code: Rule 12 – Standing Committees **Pages 13-17** 

#### **Committee on Planning and Development**

19-20/077 (2) Ordinance - To Amend Section 18.55.200 of the Code: Groundwater Protection Overlay District – Village of Fall Creek **Pages 18-23** 

## Committee on Parks and Forest

File No.

File No.

19-20/086 (1) Resolution – Authorizing submittal of the Municipal Dam Grant application with the Wisconsin DNR by February 28, 2020; directing the Parks and Forest Director to take all steps necessary to comply with grant requirements **Pages 24-25** 

#### 11. <u>APPOINTMENTS</u>

- Eau Claire County Housing Authority Page 26
- Local Emergency Planning Committee (LEPC) Page 26
- Judiciary and Law Enforcement Committee **Page 26**
- Aging & Disability Resource Center Board **Page 26**
- Committee on Human Resources Page 26

#### OFFICIAL PROCEEDINGS OF THE COUNTY BOARD OF SUPERVISORS

#### Tuesday, December 3, 2019

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, December 3, 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 Joe Knight.

Roll Call: 25 present: Supervisors Gary G. Gibson, Joe Knight, Stella Pagonis, Carl Anton, Bert Moritz, Kevin Stelljes, Donald Mowry, Nancy Coffey, Ray L. Henning, Colleen A. Bates, Connie Russell, Judy Gatlin, Nick Smiar, Martha Nieman, James A. Dunning, Gerald L. Wilkie, Nathan Anderson, Mark Beckfield, Sue Miller, Robin J. Leary, Heather DeLuka, Melissa Janssen, Tami Schraufnagel, Zoe Roberts, Kimberly A. Cronk, Patrick L. LaVelle

3 absent: Supervisors Sandra McKinney, Steve Chilson, Lydia Boerboom 1 vacancy: District 22

\*Supervisor Chilson arrived later in the meeting.

#### JOURNAL OF PROCEEDINGS (November 5, 2019)

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

#### PUBLIC COMMENT

The following individuals addressed the county board regarding the school choice proclamation: Michael Lindsay, Susan Smith, Carol Craig, Chris Hambuch-Boyle, Eleanor Wolf, Liz Spencer, Libby Stupak, Robert Wojnowski

\*Supervisor Chilson arrived at this time.

#### **REPORTS TO THE COUNTY BOARD UNDER 2.04.320**

The following oral reports were presented:

-Update on the 2020 Farm Technology Days by Mark Hagedorn, M.S., PAS Extension Program Manager; John Leary, Executive Chair of the Farm Technology Days Executive Committee; and Bob Panzer, Executive Vice Chair of the Farm Technology Days Executive Committee

-County Administrator Kathryn Schauf provided information on the Operational Effectiveness Training initiative.

The following written reports were presented: -2019 Contingency Fund Report as of November 8, 2019 -October 2019 Payments over \$10,000

#### PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

The county clerk read a proclamation proclaiming January 26 through February 1, 2020, as Eau Claire County School Choice Week.

Motion by Supervisor Chilson, seconded by Supervisor Beckfield, for approval.

The proclamation failed on a roll call vote as follows:

2 ayes: Supervisors Chilson, Beckfield

24 noes: Supervisors Gibson, Knight, Pagonis, Anton, Moritz, Stelljes, Mowry, Coffey, Henning, Bates, Russell, Gatlin, Smiar, Nieman, Dunning, Wilkie, Anderson, Leary, DeLuka, Janssen, Schraufnagel, Roberts, Cronk, LaVelle

2 absent: Supervisors McKinney, Boerboom

1 vacancy: District 22

A rezoning request in the Town of Brunswick was received from Lisa and Dan Sommerfeld, owners and applicants.

A rezoning request in the Town of Union was received from Jean A. Amundson, owner; and Real Land Surveying, applicant.

#### FIRST READING OF ORDINANCES BY COMMITTEES

#### **Committee on Administration**

**Ordinance 19-20/081** TO AMEND SECTION 2.04.030 D. OF THE CODE: RULE 3 – OPENING OF MEETING; TO AMEND SECTION 2.04.120 A. OF THE CODE: RULE 12 – STANDING COMMITTEES

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

#### **Committee on Planning and Development**

Ordinance 19-20/077 TO AMEND SECTION 18.55.200 OF THE CODE: GROUNDWATER PROTECTION OVERLAY DISTRICT – VILLAGE OF FALL CREEK

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

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

#### Committee on Judiciary and Law Enforcement

**Resolution 19-20/078** REQUESTING THE WISCONSIN LEGISLATURE REVISE CHAPTER 814 TO MAKE FILING FEES CONSISTENT BETWEEN THE CLERK OF COURT AND REGISTER IN PROBATE

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

#### **Committee on Finance and Budget**

Ordinance 19-20/071 TO AMEND SECTION 4.35.200 OF THE CODE: OVERPAYMENT AND UNDERPAYMENTS

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

**Resolution 19-20/084** REQUIRING ANY DEPARTMENT OF OVER 50 EMPLOYEES, TRENDING SIGNIFICANTLY AND REPEATEDLY OVER BUDGET, TO SEEK APPROVAL PRIOR TO FILLING VACANT STAFF POSITIONS AND TO PROVIDE FISCAL REPORTS TO THE COUNTY BOARD OF SUPERVISORS UPON REQUEST

Motion by Supervisor LaVelle, seconded by Supervisor Chilson, for enactment.

Motion by Supervisor Gatlin, seconded by Supervisor Bates, to refer this resolution to the Committees on Human Resources and Administration.

Motion by Supervisor Leary, seconded by Supervisor Nieman, to amend the referral to include the Sheriff, Highway, and Human Services departments.

On a roll call vote, the amendment to include the Sheriff, Highway, and Human Services departments was adopted as follows:

22 ayes: Supervisors Gibson, Knight, Pagonis, Anton, Chilson, Mowry, Coffey, Henning, Bates, Russell, Smiar, Nieman, Dunning, Wilkie, Anderson, Leary, DeLuka, Janssen, Schraufnagel, Roberts, Cronk, LaVelle 4 noes: Supervisors Moritz, Stelljes, Gatlin, Beckfield

2 absent: Supervisors McKinney, Boerboom

1 vacancy: District 22

Thereafter, the motion to refer as amended once was adopted via roll call vote as follows:

25 ayes: Supervisors Gibson, Knight, Pagonis, Anton, Moritz, Stelljes, Mowry, Coffey, Henning, Bates, Russell, Gatlin, Smiar, Nieman, Dunning, Wilkie, Anderson, Beckfield, Leary, DeLuka, Janssen, Schraufnagel, Roberts, Cronk, LaVelle

1 no: Supervisor Chilson

2 absent: Supervisors McKinney, Boerboom

1 vacancy: District 22

# Ordinance 19-20/073 TO AMEND SECTION 4.14.010 B. OF THE CODE: DAILY JUVENILE DETENTION RATE ESTABLISHED

On a motion by Supervisor Pagonis, seconded by Supervisor Dunning, the ordinance was unanimously enacted via roll call vote.

#### **Committee on Planning and Development**

**Resolution 19-20/075** ADDING REQUIRED LANGUAGE THAT WAS OMITTED FROM TWO PREVIOUSLY ENACTED ORDINANCES REGARDING AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAPS: 18-19/105 AND 18-19/116

On a motion by Supervisor Anderson, seconded by Supervisor Gatlin, the resolution was unanimously adopted via roll call vote.

**Resolution 19-20/074** SUPPORTING PARTICIPATION IN THE 2020 U.S. CENSUS COMPLETE COUNT COMMITTEE

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

25 ayes: Supervisors Gibson, Knight, Pagonis, Anton, Moritz, Stelljes, Mowry, Coffey, Henning, Bates, Russell, Gatlin, Smiar, Nieman, Dunning, Wilkie, Anderson, Beckfield, Leary, DeLuka, Janssen, Schraufnagel, Roberts, Cronk, LaVelle

1 no: Supervisor Chilson

2 absent: Supervisors McKinney, Boerboom 1 vacancy: District 22

The Board adjourned at 8:39 p.m.

Respectfully submitted,

lanet KLoomis

Janet K. Loomis, County Clerk

то:	Honorable Eau Claire County Board of Supervisors
FROM:	Finance Department
DATE:	December 10, 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 December 10, 2019:

January 1, 2019	2019 Contingency Fund / Budget Allocation	\$300,000
April 16, 2019	Resolution 19-20/003: Resolution to Establish Goals of 100% Renewable Energy and Carbon Neutrality by the Year 2050 for Eau Claire County and to Amend the Budget to Move \$10,000 from Contingency for Initial Planning.	10,000

Balance Available

\$290,000

TO: FROM: DATE: SUBJECT: Honorable Eau Claire County Board of Supervisors Finance Department December 10, 2019 November 2019 Payments over \$10,000

Pursuant to Section 4.06.060 of the County Code of General Ordinances, the following are the details for expenditures and payments of \$10,000 or more issued during November 2019.

Vendor	Description	Amount
Department of Employee Trust Funds	October 2019 WRS Contributions	334,888.35
City of Eau Claire Treasurer	Communications Center November monthly payment	143,120.83
Eau Claire City County Health Department	November monthly payment	101,183.33
Lutheran Social Services Inc	1/12 - Monthly EC Crisis Midway Street	91,440.00
Correct Care Solutions LLC	2019 billbacks 7/1-9/30/19	85,391.00
Correct Care Solutions LLC	Monthly medical services 12/1-12/31/2019	47,335.91
Friends of Beaver Creek Reserve	Beaver Creek Reserve 2019 Contract	45,000.00
Xcel Energy	Courthouse/Jail Electric	36,783.95
Aramark Services Inc	Inmate meals, snacks 10/2-23/19	30,935.08
Delta Dental Plan of Wisconsin Inc	Delta Dental Nov-2019	28,685.78
Dunn County Finance	October 2019 Medical Examiner	27,993.71
Nationwide Retirement Solutions Inc	457(b) EE contributions - 11/22/19 PR	24,108.65
Nationwide Retirement Solutions Inc	457(b) EE contributions - 11/08/19 PR	24,033.65
Standard Insurance Company	EE Dis/Acc/CI Premiums Oct-2019	22,595.66
Viking Electric Supply Inc	LED Light Fixture	22,204.37
Department of Administration	SFY19-1st QTR VAWA Pros Salary & Fringe	21,865.61
Election Systems & Software	Election System annual support - CLK	21,755.00
Avidia Bank	HSA EE contributions - 11/08/19 PR	21,459.09
Avidia Bank	HSA EE contributions - 11/22/19 PR	21,209.09
Opg-3 Inc	Laserfiche annual support	15,728.82
City of Eau Claire Treasurer	Purchasing Mgr 7/01-9/30/19	12,319.15
Securian Financial Group Inc	EE Life Ins Prem Dec-2019	12,278.45
Wisconsin Land Information Program	October Land Info Recording Fees	11,347.00
J & F Facility Services Inc	Monthly Janitorial Service	11,318.00
Fuel Service DJ's Mart LLC	ULS Dyed #12 Fuel	10,814.12
US Bank Voyager Fleet Systems	Oct-2019 fuel costs TOTAL FUND: General	10,554.20
	TOTAL FOND: General	1,236,348.80
Brotoloc Inc	Contracted Services	131,348.03
Northwest Passage Ltd	Contracted Services	63,079.28
Northwest Counsel & Guidance Clinic Inc	Crisis Calls Out/Service Usage - Oct	59,322.40
Lutheran Social Services Inc	Intensive In-Home - Oct	57,733.92
Caillier Clinic Inc	Contracted Services	48,054.16
Lutheran Social Services	Contracted Services	43,699.04
Brotoloc Inc	Contracted Services	42,551.37
Lutheran Social Services	Contracted Services	37,578.32
Lutheran Social Services	Contracted Services	37,287.71
Mayo Clinic Chileda Institute Inc	Contracted Services	37,056.60
Caillier Clinic Inc	Contracted Services	34,514.16
Caillier Clinic Inc	Contracted Services Contracted Services	34,171.92
Lutheran Social Services	Contracted Services	30,396.40 27,945.19
Brotoloc Inc	Contracted Services	
L E Phillips Treatment Center	Contracted Services	27,831.89 26,391.40
Western Dairyland Economic Opport. Inc	Energy Assistance - October	23,376.34
L E Phillips Treatment Center	Contracted Services	23,039.70
Lutheran Social Services	Contracted Services	21,401.40
Cooperative Educational Service Agency	Education Itinerant - October	20,930.14
Julie L O'Brien	Contracted Services	19,792.00
Synergy Group of Eau Claire S.C.	Contracted Services	19,405.40
Caillier Clinic Inc	Contracted Services	19,215.28
Positive Alternatives Inc	Contracted Services	18,024.95
Chileda Institute Inc	Contracted Services	17,257.08
Youth Villages, Inc.	Contracted Services	15,500.00
Family Innovations Inc	Contracted Services	15,145.22
New Hope Hallie Inc	Contracted Services	14,874.00
Oconomowoc Development Training Center	Contracted Services	14,561.94
Career Development Center	Contracted Services	14,384.00
Caillier Clinic Inc	Contracted Services	13,470.70

Trinity Equestrian Center	Contracted Services	13,160.48
Gerard Academy	Contracted Services	13,034.57
Trinity Equestrian Center Brotoloc Inc	Contracted Services	13,016.01
Prevea Western	Contracted Services Contracted Services	12,847.10
Lutheran Social Services	Contracted Services	11,601.29
American Fence Company	Contracted Services	11,463.29
The Hills Youth And Family Services Inc	Contracted Services	11,300.00
The this fourth And Farmy Services inc	TOTAL FUND: Human Services	10,914.68
	TOTAL TOND. Human Services	1,106,677.36
County of Barron	IM Consortia Payment - August	105,506.00
County of Chippewa	IM Consortia Payment - August	60,232.00
County of St Croix	IM Consortia Payment - August	56,332.00
County of Douglas	IM Consortia Payment - August	52,639.00
County of Polk Dept of Human Services	IM Consortia Payment - August	46,725.00
County of Pierce	IM Consortia Payment - August	44,908.00
County of Burnett	IM Consortia Payment - August	28,382.00
Washburn County	IM Consortia Payment - August	12,356.00
	TOTAL FUND: DHS Pass Thru Grants	407,080.00
Advanced Dispesal	Curbaide Constant and	
Advanced Disposal Boxx Sanitation LLC	Curbside Service oct 19 Curbside Service Oct	43,715.87
WRR Environmental Services Co Inc	Curbside Service Oct	42,091.70
	Sept Clean Sweep	21,152.07
Waste Management Northern WI - MN	Curbside Service Aug 2019	12,029.34
	TOTAL FUND: Recycling	118,988.98
CDW Government Inc	NetApp SAN replacement	178,153.43
Netsmart Technologies Inc	Joxel optimization project	61,625.00
Viking Electric Supply Inc	LED Lighting/Jail	23,195.33
Viking Electric Supply Inc	LED Lighting/Jail	21,362.57
CBS Squared Inc	Architecture, Apex Engineering	10,784.00
	TOTAL FUND: Capital Projects	295,120.33
Fahrner Asphalt Sealers LLC	Asphaltic Seal Coat	245 725 72
Mathy Construction Co	CTH G	245,735.72
Wathy construction Co Inc	CTH G	98,755.38
Fahrner Asphalt Sealers LLC	Asphaltic Seal Coat	67,860.04 51,135.52
Larson Construction Company Inc	Thompson Valley Creek Bridge	37,105.77
Gray's Inc	Carb insert Rubber Blade	25,988.45
Corre Inc	CTH Q	22,423.22
Chippewa Valley Energy	Diesel	18,292.50
Senn Blacktop Inc	Hot mix	18,281.31
Larson Construction Company Inc	Thompson Valley Creek Bridge	17,059.85
Ayres Associates	Engineering Services for CTH K & CTH V Bridge replacements	14,241.09
Senn Blacktop Inc	Trucking services	13,860.00
	TOTAL FUND: Highway	630,738.85
Wisconsin Municipal Mutual Ins Company	October Workers' Comp Imprest	44,297.49
	TOTAL FUND: Risk Management	44,297.49
WEA Insurance Corporation	EE Health Ins Prem Dec-2019	516,113.54
Difference Card	Nov-2019 Diff Card Fees	20,799.90
	TOTAL FUND: Health Insurance	536,913,44
		550,5151-14
Payments Affecting Multiple Funds		
U.S. Bank Corporate Payment Systems	Pcard Charges:November 2019	81,075.02
U.S. Bank Corporate Payment Systems Staples Business Advantage	DHS workstations	81,075.02 51,818.57
U.S. Bank Corporate Payment Systems Staples Business Advantage Pelion Benefits Inc	DHS workstations PTO/ELB payouts & unused deductibles	51,818.57 46,389.18
U.S. Bank Corporate Payment Systems Staples Business Advantage Pelion Benefits Inc Heartland Business Systems	DHS workstations PTO/ELB payouts & unused deductibles IS Hardware/Telephones	51,818.57 46,389.18 36,699.67
U.S. Bank Corporate Payment Systems Staples Business Advantage Pelion Benefits Inc Heartland Business Systems Heartland Business Systems	DHS workstations PTO/ELB payouts & unused deductibles IS Hardware/Telephones IS Hardware/Telephones	51,818.57 46,389.18 36,699.67 21,947.15
U.S. Bank Corporate Payment Systems Staples Business Advantage Pelion Benefits Inc Heartland Business Systems Heartland Business Systems CDW Government Inc	DHS workstations PTO/ELB payouts & unused deductibles IS Hardware/Telephones IS Hardware/Telephones IS Hardware/Server	51,818.57 46,389.18 36,699.67 21,947.15 16,573.10
U.S. Bank Corporate Payment Systems Staples Business Advantage Pelion Benefits Inc Heartland Business Systems Heartland Business Systems	DHS workstations PTO/ELB payouts & unused deductibles IS Hardware/Telephones IS Hardware/Telephones IS Hardware/Server October phone charges	51,818.57 46,389.18 36,699.67 21,947.15 16,573.10 1,432.60
U.S. Bank Corporate Payment Systems Staples Business Advantage Pelion Benefits Inc Heartland Business Systems Heartland Business Systems CDW Government Inc	DHS workstations PTO/ELB payouts & unused deductibles IS Hardware/Telephones IS Hardware/Telephones IS Hardware/Server	51,818.57 46,389.18 36,699.67 21,947.15 16,573.10
U.S. Bank Corporate Payment Systems Staples Business Advantage Pelion Benefits Inc Heartland Business Systems Heartland Business Systems CDW Government Inc	DHS workstations PTO/ELB payouts & unused deductibles IS Hardware/Telephones IS Hardware/Telephones IS Hardware/Server October phone charges	51,818.57 46,389.18 36,699.67 21,947.15 16,573.10 1,432.60



# **Eau Claire County** DEPARTMENT OF PLANNING AND DEVELOPMENT

Eau Claire County Courthouse, Rm. 3344 721 Oxford Avenue Eau Claire, Wisconsin 54703-5481 (715) 839-4741

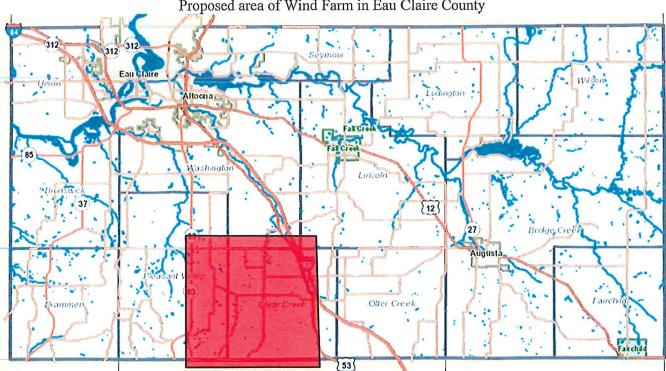
Land Use Controls 839-4743 Planning 839-5055 Land Information 839-4742 Land Conservation 839-6226

Emergency Management Coordinator 839-4736

# Memo

Re:	Possible Wind Farm in Eau Claire County
Date:	12/13/2019
From:	Rodney J. Eslinger, Director of Planning and Development
To:	Honorable Eau Claire County Board of Supervisors

I'm writing to update the board regarding a possible wind energy farm in south central Eau Claire County (refer to the map inset below). The proposed company, RWE Renewables Americas, is exploring options to locate a 200-megawatt (MW) wind farm in the towns of Clear Creek and Pleasant Valley. This project may involve 40-70 wind turbines and may be as tall as 500 feet. The project may encompass about 20,000 acres. Company officials have stated that they anticipated construction starting after 2023. RWE Renewables Americas is based in Chicago and is a subsidiary of Essen, Germany-based RWE AG.



# Proposed area of Wind Farm in Eau Claire County

# Permitting Authority

In accord with Wis. Stats, 196,491, wind energy systems (wind farms) with an operational capacity of 100 megawatts (MW) or greater are regulated by the Public Service Commission of Wisconsin (PSC). Due to the proposed operational capacity of 200 megawatts, RWE would need to apply to the PSC for Certificate of Public Convenience and Necessity (CPCN). Note: Wis. Stats. 196.491 (3)(i), states: "If installation or utilization of a

facility for which a certificate of convenience and necessity (CPCN) has been granted is precluded or inhibited by a local ordinance, the installation and utilization of the facility may nevertheless proceed." This statute restricts the ability of local governments to block a project through a local ordinance if the project has received a CPCN.

#### Local Permitting Authority

RWE officials have consulted with staff regarding constructing a MET tower. Before a MET tower can be constructed it requires the approval of a conditional use permit by the committee on planning and development, with input from the town.

County code defines a MET Tower as: including any anchor, base, base plate, boom, cable, electrical or electronic equipment, guy wire, hardware, indicator, instrument, telemetry device, vane, or wiring, that is used to collect or transmit meteorological data, including wind speed and wind flow information, in order to monitor or characterize wind resources at or near a wind energy system.

At this time RWE officials have not filed for a conditional use permit application to install a MET tower.

Other local safety ordinances/approvals/permits that fall outside of the PSC approval scope may include:

- Road limits (road use agreements)
- Utility, Crossing and driveway access permits (state, county, town)
- Noise abatement ordinances (could limit when construction occurs)
- Building permits (commercial)
- Culvert approvals
- Erosion and stormwater

#### Town of Clear Creek Moratorium

The Town of Clear Creek Town Board approved an ordinance on November 11, 2019 imposing a one-year moratorium on construction of wind turbines within the town to allow time to study the environmental, financial, health and safety issues. The Town of Clear Creek also requested that the county enact a similar moratorium on the construction on wind farms. The committee on planning and development considered this request at their November 19<sup>th</sup> regularly scheduled meeting. In a memo dated November 13, 2019, Corporation Counsel Tim Sullivan concluded that Eau Claire County does not have the authority to adopt a development moratorium for a wind energy farm. Based on Corporation Counsel's memo the committee recommended that the Town of Clear Creek moratorium be forwarded to the board as information. The town's ordinance and Corporation Counsel's opinion are included as correspondences to the board.

#### County Code Update

Section 18.30.260 of the Eau Claire County Code is the wind energy system chapter containing the county's regulations for wind energy systems. These standards apply to wind energy systems that are smaller than 100 megawatts. It is acknowledged that these standards were adopted prior to Wis. Stats. 66.0401 and Chapter PSC 128 Wis. Admin. Code (Wind Energy System) and this wind energy chapter must be rewritten to bring the code up to date with state law. Staff is working with the MSA Professional Services, who is the county's consultant that was hired for the comprehensive zoning rewrite on how best to approach rewriting section 18.30.260.



# **OFFICE OF CORPORATION COUNSEL**

EAU CLAIRE COUNTY EAU CLAIRE COUNTY COURTHOUSE 721 OXFORD AVE., SUITE 3520 EAU CLAIRE, WI 54703 PH: (715) 839-4836 Fax: (715) 839-6243

ASSISTANT CORPORATION COUNSEL Sharon G. Mcllquham Richard A. Eaton Charles R. Ellefsen, III

CORPORATION COUNSEL Timothy J. Sullivan

November 13, 2019

ROD ESLINGER, PLANNING AND EVELOPMENT TO: FROM: TIM SULLIVAN

RE: WIND ENERGY SYSTEM MORATORIUM

QUESTION: Can the county adopt a development moratorium as it relates the to the proposed wind energy farm development in Eau Claire County?

# ANSWER: No.

A company that develops wind energy farms has been in contact with your department to discuss the possibility of developing a wind energy farm in the Towns of Clear Creek and Pleasant Valley. They have not as of this time filed a request for a permit from your office or with the Public Service Commission (PSC).

On November 12, 2019 the Town of Clear Creek adopted a moratorium on the development of wind farms pursuant to Wis. Stats.66.1002; "to study the environmental, financial, health and safety issues as well as reviewing a completed county zoning ordinance regulating wind turbine structures." (Town of Clear Creek Ordinance No. 11-5-19).

Eau Claire County has adopted a wind energy ordinance found in Section 18.30.260 of the Eau Claire County Code. Currently, Title 18 of the code is undergoing a rewrite to bring it up to date. The County's wind energy ordinance was drafted prior to the adoption of Wis. Stats §66.0401, and the adoption of Chapter PSC 128 of the Wisconsin Administrative Code (Wind Energy systems). **§PSC 128.03** contains the following language: "*A political subdivision may not place any restriction, either directly or in effect, on the installation or use of a wind energy system except by adopting an ordinance that complies with this chapter and s. 66.0401 Stats., and is not more restrictive than this chapter."* 

The Town of Clear Creek adopted its moratorium pursuant to the language of Wis. Stats §66.1002. Section **66.1002(2)** reads in part: "*Subject to the limitations and requirements in this*"

section, a municipality may enact a development moratorium ordinance if the municipality has . ..." Pursuant to §66.1002(1)(d) "Municipality" means any city, village, or town. The definition does not include a county, as such the county does not have the authority under Section 66.1002(2) to adopt a moratorium. The limitations of §66.1002 are stated in part, in sub (2)(b) "... except that the governing body may not adopt such a resolution unless it obtains a written report from a registered engineer or public health professional stating that in his or her opinion the proposed or specified activity . ...presents such a significant threat to the public health or safety that the need for a moratorium is justified.

**Wis. Stats. §59.69(4)** reads in part: . . . The (county) board may not enact a development agreement moratorium , as defined in s.66.1002(1)(b), under this section or s. 59.03, by acting under ch.236, or by acting under any other law, except that this prohibition does not limit any authority of the board to impose a moratorium that is not a development moratorium.

#### Wis. Stats, §66.0401(6) (a)

- **1.** A county ordinance enacted under sub (2) applies only to the towns in the county that have not enacted an ordinance under sub.(2).
- 2. If a town enacts an ordinance under sub. (2) after a county has enacted an ordinance under sub. (2), the county ordinance does not apply, and may not be enforced, in the town, except that if the town later repeals its ordinance, the county ordinance applies in that town.

The language of Wis. Stats. §66.1002(2) only grants authority to cities, villages and towns to adopt a development moratorium. It does not grant authority to the County. If it granted authority to the county, and in order to be in compliance with §66.1002(2)(b) the county would need a statement from a registered engineer or public health official indicating that the wind energy farm presents a significant threat to the public health or safety and the need for the moratorium is justified before it could adopt a moratorium. The language of Wis. Stats. §59.69(4) prohibits the county from enacting a development moratorium.

"[T]he legislature already made the policy decision that it favors wind energy systems . . . and restricted the political subdivisions' ability to contravene this policy." *Ecker Bros. v Calumet County, 2009 WI App 112,* ¶*321 Wis. 2d 51, 65. 772 N.W.2d 240. 247.* 

If the Town of Clear Creek or Pleasant Valley enacts its own wind energy ordinance, then the county wind energy ordinance would not apply in that town pursuant to the language of Wis. Stats. §66.0401(6)(a) 2.

Considering all the foregoing information, it would be my conclusion that Eau Claire County does not have the authority to adopt a development moratorium for a wind energy farm.

X:Memos/2019 memos/wind energy moratorium

# TOWN OF CLEAR CREEK EAU CLAIRE COUNTY STATE OF WISCONSIN ORDINANCE No: 11-5-19

# **SECTION 1. TITLE AND PURPOSE**

The title of this ordinance is the town of Clear Creek. Ordinance to impose a moratorium on construction of wind turbines within the town of Clear Creek, Eau Claire County pending the completion of Eau Claire County's comprehensive revision of title 18 of our zoning code. County board supervisor Carl Anton sent us a letter which states in part: Eau Claire County will be responsible for issuing permits and developing an ordinance.

RWE Renewables Americas, LLC lease agreement on page 38 acknowledges there are health and safety issues. Therefore, residents at a special meeting on November 5<sup>th</sup> directed town board to draft a one year moratorium to study the environmental, financial, health and safety issues as well as reviewing a completed county zoning ordinance regulating wind turbine structures.

# **SECTION 2. AUTHORITY**

The town board has specific authority granted under village powers of the town board pursuant to WI Stat 60.10 [2] [c]. WI Stat 66.1002 development moratoria. Defines the procedure required.

## **SECTION 3. ADOPTION**

This ordinance adopted by a majority vote at November 5<sup>th</sup> special meeting directed town board to draft moratorium ordinance. Proper notice having been given provides for the imposition of a moratorium regarding application for land use, conditional use permits relating to construction of wind turbines within the town of Clear Creek Eau Claire County Wisconsin.

# **SECTION 4. DEFINITIONS**

Title 18 of the Eau Claire County zoning code section 18.30.260 [b] covers wind turbines.

## **SECTION 5. MORATORIUM IMPOSED**

The town board of the town of Clear Creek Eau Claire County hereby establish a temporary stay on the acceptance, review and approval of any applications of any permits for wind turbines operation after the effective date of this ordinance until the effective period of the moratorium expires.

# **SECTION 6. DURATION OF MORATORIUM**

Moratorium shall be in affect for one year after published as required under Wi Stat 60.80.[2]

# SECTION 7. ACTION AND STUDY DURING MORATORIUM

The town board will publish a request for residents to form a committee which studies environmental, financial, health and safety issues for the town.

# **SECTION 8. SEVERABILITY CLAUSE**

If any provision of this ordinance or it's application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given affect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

# **SECTION 9. PENALTY PROVISION**

Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay forfeiture of not less than 500.00 plus the applicable sur charges assessments and costs for each violation. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

Adopted this day <u>11-11-19</u>	_ Signatures of Town Board
	Lota Maak
	Town Chairperson
	- We have
	Town Supervisor
	Town Supervisor
Attest:	

By: Carmen Sunham Town Clerk

Fact Sheet

Proposed Amendment to 19-20/81

The amendment as adds the language to the proposed ordinance: "that he or she is not otherwise a member of" so that the proposed change to Subsection A. of Section 2.04.120 ordinance would now read: <u>The chair of the board shall be an ex-officio, non-voting member of all standing committees that the chair is not otherwise a member of.</u>

Without this amendment the proposed ordinance could be interpreted to mean that the chair is a non-voting member of all committees that he or she is a member of. This language limits the status of ex-officio non-voting membership just to those committees where the chair is not already a member.

AMENDMENT:

File No. 19-20/081

Line 34: Add the following language, following the word "committees" <u>that he or she is</u> not otherwise a member of :

Nick Smiar, Chair



# **OFFICE OF CORPORATION COUNSEL**

EAU CLAIRE COUNTY EAU CLAIRE COUNTY COURTHOUSE 721 OXFORD AVE., SUITE 3520 EAU CLAIRE, WI 54703 PH: (715) 839-4836 Fax: (715) 839-6243



ASSISTANT CORPORATION COUNSEL

> Sharon G. McIlquham Richard A. Eaton Charles R. Ellefsen, III

CORPORATION COUNSEL Timothy J. Sullivan

November 12, 2019

# RE: Fact Sheet, Ordinance 19-20/081

This ordinance amends sections 2.04.030 D. and 2.04.120 A. of the code.

Section 1 of this ordinance amends Section 2.04.030 D. that determines the order of business for the annual board meeting, otherwise known as the budget meeting. Number 7 of the order of business currently reads "7. *Budget deliberations -1<sup>st</sup> vice-chair presides.*" The proposed change to this section is to remove the language "1<sup>st</sup> vice-chair presides."

Previously the county board resolved into the committee of the whole when it engaged in budget deliberations. According to Roberts Rules of Order "if the motion of referral to the committee of the whole is adopted, the presiding officer immediately calls another member to the chair – frequently, but not necessarily, the vice (chair) and take his place as a member of the committee." RONR (10<sup>th</sup> ed.), p. 515, l. 12-15. The board stopped using the committee of the whole process in 2014 when adopted ordinance 13-14/162 which repealed section 2.04.170 The Committee of the Whole. Because the board no longer goes into the committee of the whole it is not necessary for the vice chair to preside during the budget deliberations.

Section 2 of this ordinance amends section 2.04.120 by adding the following language: "*The chair of the board shall be an ex-officio, non-voting member of all standing committees.*" This language gives the chair the authority to attend and participate in discussion at committee meetings where he is not otherwise a member. He would be a non-voting member of the committee.

. . . .

Timothy J. Sullivan Corporation Counsel TJS

1 2	Enrolled No.	ORDINANCE	File No. 19-20/081
2 3 4 5		SECTION 2.04.030 D. OF THE CODE: RULI SECTION 2.04.120 A. OF THE CODE: RULI	
6 7	The C	ounty Board of Supervisors of the County of Ea	au Claire does ordain as follows:
8 9	SECT	ION 1. That Subsection D. of Section 2.04.030	) of the code be amended to read:
10	D.	Order of Business for the Annual Meeting.	The order of business shall be as
11	follows for th	e annual meeting:	
12		1. Call to order;	a
13		2. Honoring of the flag and moment of re	effection;
14 15		<ol> <li>Call of the roll;</li> <li>Approval of the journal of proceedings</li> </ol>	
16		5. Public hearing on the annual budget;	·,
17		<ol> <li>Presentation of petitions, claims and co</li> </ol>	ommunications:
18		<ol> <li>Budget deliberations; -1<sup>st</sup> vice-chair pre</li> </ol>	
19		8. Reports to the county board under 2.04	
20		9. First reading of ordinances by commit	
21		10. First reading of ordinances and resolut	
22	1	11. Reports of standing committees, comm	
23		0 and second reading of ordinances. The comm	
24 25		give an oral report and fact sheet by staff expl	aining the reasons for the committee
23 26	action;	12. Reports of select committees and second	ad reading:
20 27	L.	13. Appointments.	iu reading,
28			
29	SECT	ON 2. That Subsection A. of Section 2.04.120	of the code be amended to read:
30			
31	A.	As soon as practical, the following standing co	
32		ard and shall consist of five members each exc	
33 34	committees:	nair of the board shall be an ex-officio, non-vot	ing member of all standing
34 35	commutees.		
36		1. Committee on administration (3 of who	om shall be the county board
37	officers);		shi shun be the county bound
38	,,,	2. Committee on human resources;	
39		3. Committee on judiciary and law enforce	ement;
40		4. Committee on UW-Extension educatio	n;
41		5. Committee on planning and developme	ent;
42		6. Highway committee;	
43		7. Committee on parks and forest;	
44 45		8. Committee on finance and budget;	we are a f ( a a surface has a day a surface has a day a
45 46		9. The human services board (for appoint	ment of 6 county board members);
46			
47			
47 48			

1 2 3 4 5 6 7 8 9 10 11	ENACTED:	Valo formant Regel & long of
12		Committee on Administration
12	TJS/yk	
14		
15		
16	Dated this 12_ day of NOVEMBEY	, 2019.
17		
18		
19		
20 21		
21		
22		
24		APPROVED BY
25		CORPORATION COUNSEL AS TO FORM
26		
27		
28		
29		
30 21		Reviewed by Finance Dept.
31 32		
33		for Fiscal Impact
34		a a to b a a paper a a pain a b a b a b a b a b a b a b a c a c a c
35		
36		
37		

#### FACT SHEET

#### **TO FILE NO. 19-20/077**

At its meetings on November 19, 2019, the Committee on Planning and Development reviewed and approved file #19-20/077 to repeal and recreate a groundwater protection overlay district for the Village of Fall Creek.

This ordinance is being proposed based upon the resolutions from the Village of Fall Creek requesting Eau Claire County to amend the wellhead protection district for their water recharge areas that lie outside its municipal boundary. The Village of Fall Creek administers and enforces the Wellhead Protection Ordinance within their boundary.

The County Board created chapter 18.55 Wellhead Protection of the County Code in 2001 to protect recharge areas of a municipal water supply and to control certain land uses and activities that can seriously threaten or degrade groundwater quality. In accord with Section 18.55.040, a groundwater protection overlay district shall only be created at the request of the municipality. Section 18.55.040 C. requires that the county board create a groundwater protection overlay district after receipt of recommendations from both the Eau Claire County Groundwater Advisory Committee and the Committee on Planning and Development.

On November 18, 2019, the Groundwater Advisory Committee voted 6-0 to recommend to the County Board to recommend adoption of the revision to the Village of Fall Creek Wellhead Protection Ordinance and Map.

On November 19, 2019, the Committee on Planning and Development reconvened a public hearing to consider ordinance #19-20/077. After considering staff recommendations and the Groundwater Advisory Committee's recommendation, the committee voted 5-0 to recommend approval of the ordinance #19-20/077 to the County Board. No one was present at the public hearing. The ordinance was drafted by staff and reviewed by the Corporation Counsel's office. There are no fiscal impacts anticipated.

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

Rodney J. Eslinger

Rodney J. Eslinger, Director Planning and Development

RJE

1	Enrolled No.	ORDINANCE	File No. 19-20/077
2 3 4	TO AMEND SECTION 18.55.20 OVERLAY DISTRICT – VILLAGE		WATER PROTECTION
5 6 7	The County Board of Supervisors of	the County of Eau Claire does orda	in as follows:
8 9	SECTION 1. That Section 18	3.55.200 of the code be repealed and	l recreated to read:
10		ection Overlay District- Village of F	
11 12 13	groundwater protection overlay distr boundaries as shown on the map date Protection Zones, Wells 1, 3, and 4,	ed November 21, 2018, entitled Maj	p of the Wellhead
14	department.	-	
15 16 17 18 19 20 21 22 23 24 25 26 27	ENACTED:	James Ch James Ch Joseff Committee on Plan	Lange Development
28 29 30	RE		
31 32	Dated this 19 <sup>th</sup> day of November <del>201</del>	9° 645	
33	ORDINANCE/19-20.077		

APPROVED BY CORPORATION COUNSEL

Reviewed by Finance Dept. for Fiscal Impact

# EAU CLAIRE COUNTY PLANNING DEPARTMENT STAFF RECOMMENDATIONS

DATE PREPARED: November 13, 2019 PUBLIC HEARING DATE: November 19, 2019 PETITIONER: Eau Claire County Committee on Planning and Development

**PETITION**: Repeal and recreate Section 18.55.200 of the County Code relating to Groundwater Protection Overlay District – Village of Fall Creek.

#### APPLICABLE ZONING REGULATIONS AND STATUTORY REQUIREMENTS:

Authority. Pursuant to Wis. Stat. §§ 59.69 (1) and Wis. Admin. Code ch. NR 811.

#### BACKGROUND INFORMATION AND DETAILS OF REQUEST:

File No. 19-20/077 is an ordinance to repeal and recreate the groundwater protection overlay district for the Village of Fall Creek. In 2018 the Village of Fall Creek decommissioned wellhead #2. With the removal of this well, the wellhead protection area lying south of the village limits is no longer necessary. When the village decommissioned wellhead #2, it essentially removed the risk of future water supply from contamination.

Eau Claire County is responsible for the administration and enforcement of the chapter 18.55 Wellhead Protection and it has been enforced since 2001. Along with chapter 18.55, the county maintains a wellhead protection map that identifies all wellheads protection zones in the county.

At the request of Davy Engineering, the Village of Fall Creek's engineer, the village is requesting that the county adopt its current wellhead protection map dated November 21, 2018. This map reflect the wellhead protection areas for the village's remaining wellheads.

There are no anticipated fiscal impacts on the County.

Corporation Counsel has reviewed the proposed ordinance.

**ANALYSIS:** When evaluating a petition to amend the wellhead protection regulations *a determination should be made that the amendment is necessary to protect municipal water supplies and to promote the public health, safety, and general welfare of the residents of Eau Claire County and the Village of Fall Creek.* 

It appears that findings can be made that the proposed ordinance repeal and recreate section 18.55.200 is necessary as the Village of Fall Creek properly abandoned its well #2 in 2018 and no longer requires that wellhead protection zone to extend into the Town of Lincoln A finding can be made that the amendment will ensure the wellhead protection code will continue to protect the health and safety of the citizens of Eau Claire County.

**STAFF CONLCUSIONS AND RECOMMENDATION:** Staff recommends that the committee forward a recommendation to the County Board to approve the ordinance amendment file 19-20/077 as submitted.

#### Wisconsin Department of Natural Resources

#### Well / Drillhole / Borehole Filling & Sealing

Pones da 19

19<sup>10</sup>

Form 3300-005

Notice: Completion of this report is required by chs. 160, 281, 283, 289, 291-293, 295 and 299, Wis. Stats., and ch. NR 141 Wis. Adm. Code. In accordance with chs. 281, 289, 291-293, 295 and 299, Wis. Stats., failure to file this form may result in a forfeiture of between \$10-25,000, or imprisonment for up to one year, depending on the program and conduct involved. Personally identifiable information on this form is not intended to be used for any other purpose.

#### Date of Filling & Sealing: 05/09/2019

Rec #: 160717

Verification. Check only if well filling & sealing was done previously and you are just verifying that work.: No

1. Well Location In			ng was done pi	,,,,,,,,	, , , , , , , , , , , , , , , , , , ,		,,			
County: Eau Claire WI U			WI Unique V	WI Unique Well #: BF780 DNR H		DNR Hica	ap Well	#: 78089		
Latitude: (DD.DDDDD°	) 44.75646 °	N	Longitude: ( °W	Longitude: (DD.DDDDD°) 91.27486 °W		GPS Met	hod Co	de: GPS008		
Gov't Lot #:	Qtr/Qtr: SV	J	Quarter: S	E	Section	#: 6	Township	<b>o</b> #: 2	6 North Range #:	7 We
Well Street Address:	150 E RANDA	LL ROA	/D				Subdivisi	on Nai	me:	
Well City/Village/Town: CREEK	: Village of F	ALL	Well Zip Coo	le: 54742	Lot #:		Does a ne	ew wel	l replace this well	? No
Reason for Filling & Se	ealing: HIGH	NITRA	TES				WI Uniqu	e Well	# of Replacement	Well:
2. Facility / Owner	Informatio	on					<u>v</u>			
Facility Name: FALL	CREEK WATE	RWORK	S	FID #:	61802961		License	e/Perm	it/Monitoring #:	
Original Well Owner:	VILLAGE OF	FALL CF	REEK	Service	Category	: Mu	nicipal/Com	munity		
Present Well Owner:	VILLAGE OF I	FALL CR	REEK	Mailing	Address	of Pre	sent Owner	: РО	BOX 156	
				City: F	ALL CRE	EK	State:	WI	Zip Code: 54	742
3. Well / Drillhole /	Borehole	Inform	nation							
Well Type: Water Well		Origi	nal Construction Date: 08/03/1965 (mm/dd/yyyy) Construction Type: D			Drilled				
Formation Type: Bed	rock	Total	Well Depth From Ground Surface (ft.): 101.00			101.00	(specify Other):			
Casing Diameter (in.):	10.00	Lowe	er Drillhole Dian	Drillhole Diameter (in.): 16.00 Casing Depth (ft.)			ing Depth (ft.): 4	3.00		
Was well annular space	e grouted?	lf yes	s, to what depth	to what depth (ft.)? Depth to Water			th to Water (ft.):	33.00		
4. Pump, Liner, Sci	reen, Casi	ng & S	Sealing Mate	erial						
Pump and piping remo	ved?	Yes	Liner(s) remov	ed?		N/A	lf no, was	s liner	perforated?	
Screen removed?		N/A	Casing/Loop le	eft in place	?	Yes	Was casi surface?		off below	Yes
Did sealing material ris surface?	e to		Did material se hours?	ttle after 2	4	No	lf yes, wa	is hole	retopped?	
If bentonite chips were	used, were th	iey hydr	rated with water	r from a kn	own wate	er sou	rce?			N/A
Method of Placing Seal	ing Material:	Condu	ctor Pipe-Pumpe	ed		(Ехр	lain Other)			
Water Well Sealing Mat	erials: Sand	-Cement	t (Concrete) Gro	ut		Mon	itoring Wel	ls & ot	her Drillholes:	
5. Material Used to	Fill Well /	Drillh	ole							
Material:	From (ft.):	To (ft.):	# and Units Sealant:	of	Mix R	atio o	r Mud Weig	ht:	_	
SAND-CEMENT GROUT	Surface	101.00	9 CUBIC YA	RDS	94 LB SAND		IENT, 6 GAI	L WATE	ER, 1 CUBIC FOO	Г

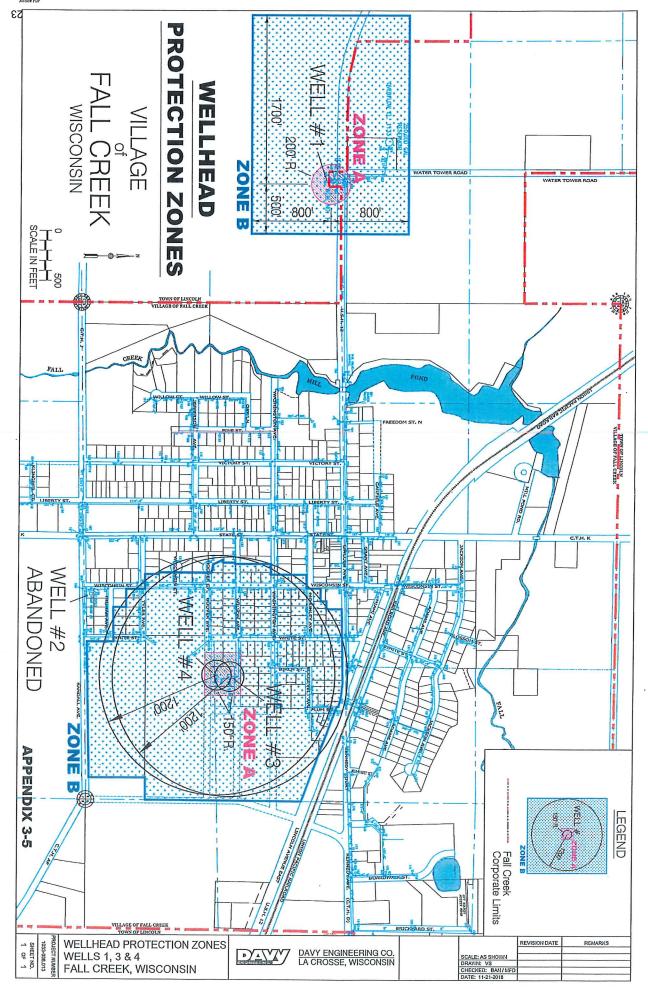
#### 5/14/2019

#### Well / Drillhole / Borehole Filling & Sealing

6	Comments
0.	Comments

oi oonninenta				
7. Supervision of Work				
Name of Person or Firm Doir CORP		License #: 0364	Phone: 262-253-6613	
21500 W GOOD HOPE RD LANNON WI 53046-9720 Email Address: SARAH.NUNN@CTWCORPORATION.COM				
8. DNR Use Only				
Signed On: 05/10/2019	Submitted By: ctwlan	Received On: 05/10/20	19 Approved On: 05/13/2019	

The Official Internet site for the Wisconsin Department of Natural Resources 101 S. Webster Street . PO Box 7921 . Madison, Wisconsin 53707-7921 . 608.266.2621



#### FACT SHEET

#### TO FILE NO. 19-20/086

This resolution allows the county to apply for matching funding for up to 50% of our costs for maintaining the Lake Eau Claire Dam. This funding source, available from the Wisconsin DNR, is one that the county has utilized in the past for reimbursement for other projects in Eau Claire County.

Eau Claire County received an administrative directive from the Wisconsin DNR dam safety engineer to have the actuators replaced at the Lake Eau Claire dam. The existing actuators for the gates are beginning to pull the gates up irregularly and replacement is needed. The timeline for compliance on this directive is by June 1, 2020.

Fiscal Impact: The estimated cost of the replacement of the actuators is \$15,000. If the Municipal Dam Grant is awarded, the net cost to the county will be approximately \$7,500.

Respectfully Submitted,

an Al

Josh Pedersen Parks and Forest Director

1	Enrolled No.	RESOLUTION	Fi	le No. 19-20/086
2 3 4 5 6 7	THE WISCONSIN DNR BY	AL OF THE MUNICIPAL DAM G February 28, 2020; Directing All Steps Necessary to	G THE PAR	RKS AND FOREST
8 9 10 11 12	DNR to repair the actuators at	re County has received a Directive fit the Lake Eau Claire River Dam in coorder to conserve design capacity of and	order to ensu	are operability of
13 14 15 16		aid is required to carry out this project open with a deadline to submit the		
17 18 19		hare for such a project may not exceed or 25% of the next \$800,000.00 of t		
20	WHEREAS, the Direct	tive states that the repairs must be co	ompleted by	June 1, 2020; and
21 22 23 24	WHEREAS, the DNR due for inspection by a profess	has notified Eau Claire County that sional engineer in 2020; and	the Eau Cla	ire River Dam is
25 26 27		BE IT RESOLVED the Eau Claire ire County Parks and Forest Director		
28 29 30 31 32 33	<ul> <li>Resources for a</li> <li>sign and sub- documentation</li> <li>sign a grant agr</li> </ul>	t the application to the State of Wi ny financial aid that may be availab mit reimbursement claims along within 6 month of project completic eement with WI-DNR and action to undertake, direct and comp	ble, g with nec on date,	cessary supporting
34 35	BE IT FURTHER RES	SOLVED that Eau Claire County w	vill comply v	with state or federal
36	rules for the programs; may pe	erform force account work; will ma	aintain the co	ompleted project in
37 38		e manner; will keep the facilities op th the type of facility; and will obta		
39	Department of Natural Resou	rces or the National Park Service a	approval in	
40 41	change is made in the use of th	he project site. Reviewed by Fina		CORPORATION C
42	ADOPTED:	for Fiscal Im	0 1 AA	ASTOREA
43 44	Bullin		Alla	$\mathcal{A}$
45		ing the		
46 47	Day sur	Darka and Far	L. L	Nelle_
47 48	Ami M Sw	Parks and For		
49	CE/yk Dated this	day of	_, 2019.	ORDINANCE//19-20/086 25
				20



*Eau Claire County Board of Supervisors* 721 Oxford Avenue, Room 3520 Eau Claire, WI 54703 Phone: 715-839-5106 Fax: 715-839-6243



TO: FROM:	Eau Claire County Board of Supervisors Nick Smiar, Chair
RE:	Appointment of Members to Various Boards, Commissions and Councils
DATE:	December 17, 2019

I certify that the named citizen representatives below have been selected for appointment as follows:

Local Emergency Planning Committee	TERM EXPIRES
Robert King (filling vacancy)	April 2021
Eau Claire County Housing Authority	TERM EXPIRES
Philip Swanhorst (filling vacancy)	April 2020
Committee on Judiciary and Law	TERM EXPIRES
Patrick LaVelle	April 2020
Aging & Disability Resource Center Board	TERM EXPIRES
Dr. Katherine Schneider	April 2020
Committee on Human Resources	TERM EXPIRES
Dr. Katherine Schneider	April 2020