

AGENDA

Eau Claire County Board of Supervisors
Tuesday, March 3, 2020/ 7 pm
Courthouse, County Boardroom (Room 1277)
721 Oxford Ave. Eau Claire, WI

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

1. Call to Order
2. Honoring of the Flag and Moment of Reflection by: Supervisor Connie Russell
3. Call of the Roll
4. Approval of the Journal of Proceedings February 19, 2020 **Pages 1-4**

5. **PUBLIC COMMENT**

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

Oral Reports

- Presentation from Rachael Manning – Partnership Specialist, U.S. Census Bureau

Written Reports

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

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

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

File No.

19-20/109 (1)

Resolution – Directing the County Administrator to take significant action steps with the Department of Human Services to ensure budget compliance in the year 2020 **Pages 5-7**

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

Committee on Human Resources

File No.

19-20/108 (2) Ordinance – To repeal and recreate section 3.20.005 of the code: Salaries of elected officials; amending section 3.20.010 E. of the code; benefits of elected officials **Pages 8-9**

Committee on Judiciary and Law Enforcement

File No.

19-20/085 (2) Ordinance – To amend section 9.70.001 of the code: Declaration of policy; to amend section 9.70.005 D. of the code: Definitions **Pages 10-11**

Committee on Planning and Development

File No.

19-20/079 (2) Ordinance – Create chapter 12.74; relating to approval of broadband network projects **Pages 12-14**

19-20/098 (2) Ordinance – Amending the 1982 official zoning district boundary map for the Town of Pleasant Valley **Pages 15-24**

11. APPOINTMENTS

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

Wednesday, February 19, 2020

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Wednesday, February 19, 2020, 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 Kimberly Cronk.

Roll Call: 26 present: Supervisors Gary G. Gibson, Joe Knight, Stella Pagonis, Carl Anton, Bert Moritz, Steve Chilson, Kevin Stelljes, Donald D. Mowry, Nancy Coffey, Ray L. Henning, Colleen A. Bates, Connie Russell, Judy Gatlin, Nick Smiar, Martha Nieman, James A. Dunning, Nathan Anderson, Mark Beckfield, Katherine Schneider, Robin J. Leary, Heather DeLuka, Melissa Janssen, Tami Schraufnagel, Zoe Roberts, Kimberly A. Cronk, Patrick L. LaVelle

2 absent: Supervisors Sandra McKinney, Gerald L. Wilkie

1 vacancy: District 16

JOURNAL OF PROCEEDINGS (January 21, 2020)

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

PUBLIC COMMENT

The following individuals spoke about the proposed windfarm in Clear Creek:
Mary Judd, Mike Klotz, Blythe Watcher, Tom Edwards, Vicki Iverson, Bill Schulte
Tab Butler spoke about Roundtable Revival, Inc.

REPORTS TO THE COUNTY BOARD UNDER 2.04.320

Lt. Dave Riewestahl of the Eau Claire County Sheriff's department provided a review of 2nd floor security screening in 2019.

County Administrator Kathryn Schauf provided an oral update and handouts on strategic planning (Speak Your Peace).

The following written reports were presented:

- January 2020 Payments over \$10,000 as of February 7, 2020
- Compensatory Time Report as of December 31, 2019
- Number of Employees as of December 31, 2019
- Trended Personnel Costs – Total Personnel
- Trended Personnel Costs – Regular Wages
- Trended Personnel Costs – Overtime Wages
- Trended Personnel Costs – Payroll Benefits
- 2020 Contingency Fund Report as of February 7, 2020

PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

Chair Smiar announced a proclamation proclaiming March 15 through March 21, 2020, as "Fair Housing Week" in the County of Eau Claire. On a motion by Supervisor Gatlin, seconded by Supervisor Bates, the proclamation was unanimously approved via roll call vote.

A report regarding a rezoning request in the Town of Pleasant Valley was received from Nicholas A. Semling and Rebecca J. Semling, owners and applicants.

Chair Smiar provided a memo listing the Rules of Order for the board's organizational meeting on April 21, 2020.

FIRST READING OF ORDINANCES BY COMMITTEES

Committee on Human Resources

Ordinance 19-20/108 TO REPEAL AND RECREATE SECTION 3.20.005 OF THE CODE: SALARIES OF ELECTED OFFICIALS; AMENDING SECTION 3.20.010 E. OF THE CODE: BENEFITS OF ELECTED OFFICIALS

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

Committee on Judiciary and Law Enforcement

Ordinance 19-20/085 TO AMEND SECTION 9.70.001 OF THE CODE: DECLARATION OF POLICY; TO AMEND SECTION 9.70.005 D. OF THE CODE: DEFINITIONS

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

Committee on Planning and Development

Ordinance 19-20/079 TO CREATE CHAPTER 12.74: BROADBAND NETWORK PROJECT APPLICATIONS

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 Administration

Resolution 19-20/095 IN SUPPORT OF 2019-2020 SENATE BILL 576, CREATION OF THE CHIPPEWA VALLEY REGIONAL TRANSPORTATION AUTHORITY

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

Resolution 19-20/102 SUPPORTING A CHANGE IN STATE REGULATIONS OR LEGISLATION TO REQUIRE LOCAL INPUT IN THE SITING OF WINDFARMS

Motion by Supervisor Chilson, seconded by Supervisor Leary, for adoption.

On a motion by Supervisor Cronk, seconded by Supervisor Dunning, Amendment No. 1 was offered as follows:

On Page 1, Line 13, insert "a" after the word "as".

On Page 1, Line 14, insert the word "and" after the word "statutes".

On Page 1, Line 15, delete the word "handled".

On Page 1, Line 35, insert "Wisconsin Counties Association," after "Evers,".

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

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

Committee on Human Resources

Resolution 19-20/092 AUTHORIZING RECLASSIFICATION OF THE HUMAN RESOURCES DIRECTOR POSITION

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

Supervisor Pagonis moved to refer the resolution to the Committee on Finance and Budget. Chair Smiar ruled that Corporation Counsel clarified this issue, and the motion to refer was not recognized.

The resolution was adopted via roll call vote as follows:

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

1 no: Supervisor Pagonis

2 absent: Supervisors McKinney, Wilkie

1 vacancy: District 16

Committee on Administration and Committee on Human Resources

Resolution 19-20/099 AUTHORIZATION TO ABOLISH ONE (1.0) FTE CRIMINAL JUSTICE COORDINATING COUNCIL MANAGER POSITION AND TO CREATE ONE (1.0) FTE CRIMINAL JUSTICE COORDINATING COUNCIL DIRECTOR POSITION

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

On a motion by Supervisor Pagonis, seconded by Supervisor Chilson, the resolution was referred to the Committee on Judiciary and Law Enforcement via roll call vote as follows:

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

3 noes: Supervisors Bates, Gatlin, Schneider

2 absent: Supervisors McKinney, Wilkie

1 vacancy: District 16

Committee on Planning and Development

Ordinance 19-20/080 AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF UNION

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

Ordinance 19-20/083 AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF BRUNSWICK

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

Ordinance 19-20/088 AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF WASHINGTON

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

Committee on Finance and Budget

Resolution 19-20/097 APPROVAL OF 2019 GIFTS, GRANTS, AND/OR DONATIONS TO EAU CLAIRE COUNTY

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

Resolution 19-20/096 AUTHORIZING A TRANSFER FROM THE 2020 CONTINGENCY FUND IN THE AMOUNT OF \$15,000 TO REPLACE THE ACTUATORS AT THE LAKE EAU CLAIRE DAM

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

Resolution 19-20/101 FINANCIAL POLICY: REVENUE AVAILABILITY

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

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 Chilson, seconded by Supervisor Henning, for adoption.

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

10 ayes: Supervisors Knight, Pagonis, Anton, Chilson, Stelljes, Henning, Beckfield, Leary, Roberts, LaVelle

16 noes: Supervisors Gibson, Moritz, Mowry, Coffey, Bates, Russell, Gatlin, Smiar, Nieman, Dunning, Anderson, Schneider, DeLuka, Janssen, Schraufnagel, Cronk

2 absent: Supervisors McKinney, Wilkie

1 vacancy: District 16

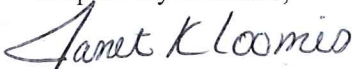
APPOINTMENTS

CONFIRMING CITIZEN AND COUNTY BOARD APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS AND COUNCILS BY CHAIR NICK SMIAR

On a motion by Supervisor Bates, seconded by Supervisor Coffey, the appointment of Dustin Indermuehle to the Veteran Services Commission was approved via voice vote.

The Board adjourned at 8:52 p.m.

Respectfully submitted,



Janet K. Loomis
County Clerk

Fact Sheet
File No. 19-20/109

The Department of Human Services (DHS) has been changing the Eau Claire County human services delivery system to “preserve and strengthen families”. DHS staff and Human Services Board should be commended for its visionary planning. The last three years of financial data clearly demonstrate the plan is being implemented at a pace available funds cannot handle. DHS has exceeded its budgets with a deficit of \$225,089 in 2016, \$1,934,293 in 2017, \$2,492,413 in 2018 and 2,180,909 in the preliminary report for 2019. Having continued budget overages is going to have substantial and long-term negative effects on the entire county’s critical needs, including the level of services and funding available for the vulnerable population and competitive staff compensation.

The problem is primarily caused by the lack of sufficient state reimbursement. Eau Claire County has repeatedly expressed our concern to the state. We should continue to lobby the state to do right by counties, but the county can’t count on it happening any time soon.

In DHS's data reporting out of home placements have been trending down and there has been transitioning from high-cost placements. This helped slow the cumulative deficit for 2019. This resolution supports and acknowledges these efforts and recognizes additional adjustments likely will be required to avoid the 4th year of a substantial deficit in the DHS department.

This resolution directs and grants/reaffirms the authority and responsibility of the Administrator to take significant action steps in the DHS department to ensure there is budget compliance in 2020. The resolution further attempts to provide the support, tools, and options to achieve a zero deficit in the DHS budget for 2020

This resolution directs the Administrator to evaluate with the DHS finance and county finance teams or contract for an evaluation to determine if the DHS fiscal department should be consolidated within the county finance department.

Respectfully submitted by,

Gerald “Jerry” Wilkie

County Board Supervisor District#19

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3 DIRECTING THE COUNTY ADMINISTRATOR TO TAKE SIGNIFICANT ACTION STEPS
4 WITH THE DEPARTMENT OF HUMAN SERVICES TO ENSURE BUDGET
5 COMPLIANCE IN THE YEAR 2020
6

7 WHEREAS, the County Administrator, the County Finance Director, governing committees
8 and the Finance and Budget Committee all have the responsibility to provide fiscal oversight,
9 support adherence to the adopted budget, and report to the County Board; and,
10

11 WHEREAS, among other things, the County Administrator administers the county budget
12 and works with departments to remain in compliance with the adopted budget within the budget
13 parameters. It is understood many departments have budget areas of risk. The administrator and
14 department heads are expected to take all possible corrective action when departments are exceeding
15 their budget; and,
16

17 WHEREAS, the County Board of Supervisors is committed to seeing that the County
18 Administrator has the necessary support and authority to achieve budget compliance in the
19 Department of Human Services; and,
20

21 WHEREAS, the Department of Human Services has exceeded its annual budgets resulting in
22 deficits as follows: \$225,089 in the year 2016; \$1,934,293 in the year 2017; \$2,492,413 in the year
23 2018; and the preliminary report for the year 2019 shows a deficit of \$2,180,909; and,
24

25 WHEREAS, Eau Claire County has repeatedly expressed concern to the state for the lack of
26 adequate state reimbursement. Eau Claire County should continue to lobby the state to do right by
27 counties, but not count on it happening any time soon.
28

29 WHEREAS, the repeated deficits of the Department of Human Services have contributed to
30 placing Eau Claire County in a precarious financial condition that has resulted in depleted cash
31 reserves, and a depletion of the county fund balance; and,
32

33 WHEREAS, the depleted cash reserves could result in the county needing to engage in short
34 term borrowing to meet payroll. This may result in lost revenue associated with the cost of
35 borrowing, and the potential loss of revenue from investments; and,
36

37 WHEREAS, the continued depletion of the fund balance will at some point have an impact
38 on the county's bond rating, causing a substantial increase in expense for the county when it comes
39 to borrowing for the county's capital projects and to meet the county's critical needs; and,
40

41 WHEREAS, currently there is an unacceptable time lag in the Department of Human
42 Services fiscal reports which does not allow for prompt management adjustments and adequate fiscal
43 oversight. As such, it may be beneficial to determine if the fiscal division of the Department of
44 Human Services combined with the County Finance Department would be more cost-effective and
45 improve fiscal reporting.
46

47 NOW THEREFORE BE IT RESOLVED, the County Administrator is directed to take
48 significant action steps within the Department of Human Services to make sure there is
49 compliance with the 2020 adopted budget; and,
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51 BE IT FURTHER RESOLVED, the County Administrator is authorized to place any

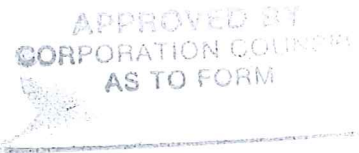
1 vacant positions on hold, or delay the hiring for newly approved positions in the Department of
2 Human Services; and,
3

4 BE IT FURTHER RESOLVED, the County Administrator is supported and directed to
5 bring to the Department of Human Services Board and the Committee on Finance and Budget
6 any administrative tool that is also required to be brought before the county board for approval,
7 to fulfill the expectation of a Department of Human Services net-zero deficit in the year 2020;
8 and,

9 BE IT FURTHER RESOLVED, the County Administrator shall either conduct an in-
10 house evaluation or contract for an outside evaluation to determine if the Department of Human
11 Services fiscal unit should be combined with the County Finance Department.
12
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18 _____
19 Supervisor Gerald Wilkie
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22 Dated this _____ day of _____, 2020 .



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

FACT SHEET

TO FILE NO. 19-20/108

Background: The positions of The County Clerk, County Treasurer, and Register of Deeds are filled by partisan candidates who have been elected to a four (4) year term. The roles and responsibilities of these County Officers fall under 59.17 of the Wisconsin State Statute. The positions are Department Head positions, performing the duties and functions that department heads undertake.

Salaries for these positions are reviewed and considered every four (4) years, prior to the April election. Information was presented to the Committee on Human Resources regarding the setting of compensation for these positions.

The recommendation is based on compensation for these positions within communities of similar size:

County	Population	2020	2021	2022	2023	2024
Fond du lac	104,035	\$73,642				
La Crosse	119,193	\$81,000	*\$82,620	*\$84,272	*\$87,651	*\$89,404
Ozaukee	86,395	\$77,877	\$80,225	\$81,827	\$83,470	\$85,134
Walworth	102,228	\$74,344	\$81,035	\$82,656	\$84,309	\$85,995
St. Croix	88,583	\$74,018	*\$77,510	*\$79,060	*\$80,641	*\$82,254
Eau Claire	102,816	\$73,620				

*Proposed not approved

Year one is a 6% increase from the prior year, subsequent years increase at 3% per year.

2021: \$78,037

2022: \$80,378

2023: \$82,790

2024: \$85,273

Fiscal Impact: The fiscal impact of this change is an eventual annual cost of \$34,960 with the initial annual cost of \$13,252.

Respectfully Submitted,



Jessica Rubin

Human Resources Director

2
3 **- TO REPEAL AND RECREATE SECTION 3.20.005. OF THE CODE;**
4 **SALARIES OF ELECTED OFFICIALS; AMENDING SECTION 3.20.010 E. OF**
5 **THE CODE; BENEFITS OF ELECTED OFFICIALS –**
6

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

9 **SECTION 1.** That Section 3.20.005 of the code be repealed and recreated to
10 read:
11 3.20.005 Salaries of elected officers.
12

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

15 B. The total annual compensation of the elected officials for calendar year
16 2021 shall be as follows:

- 17 1. County clerk \$78,037
- 18 2. County treasurer \$78,037
- 19 3. Register of deeds \$78,037

20
21 C. The total annual compensation of the elected officials for calendar year
22 2022 shall be as follows:

- 23 1. County clerk \$80,378
- 24 2. County treasurer \$80,378
- 25 3. Register of deeds \$80,378

26
27 D. The total annual compensation of the elected officials for calendar year
28 2023 shall be as follows:

- 29 1. County clerk \$82,790
- 30 2. County treasurer \$82,790
- 31 3. Register of deeds \$82,790

32
33 E. The total annual compensation of the elected officials for calendar year
34 2024 shall be as follows:

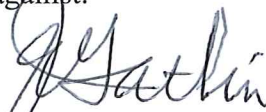
- 35 4. County clerk \$85,273
- 36 5. County treasurer \$85,273
- 37 6. Register of deeds \$85,273

38
39 **SECTION 2.** that this ordinance be effective January 1, 2021.
40

41 APPROVED BY
42 CORPORATION COUNSEL
43 AS TO FORM

44 Reviewed by Finance Dept.
45 for Fiscal Impact
46

I certify that the foregoing correctly
represents the action taken by the undersigned
committee on February 14, 2020 by a vote of for,
against.



47
48 Judy Gatlin, Vice-Chair
49 Committee on Human Resources

FACT SHEET

TO FILE NO. 19-20/085

The proposed changes in this ordinance update definitions of protected status as it relates to equal opportunities in Eau Claire County.

Fiscal Impact: None.

Respectfully Submitted,

Zoe Roberts
County Board Supervisor – District 27

Ordinance/19-20/085

2
3 TO AMEND SECTION 9.70.001 OF THE CODE: DECLARATION OF POLICY; TO
4 AMEND SECTION 9.70.005 D. OF THE CODE: DEFINITIONS

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

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8 SECTION 1. That Section 9.70.001 of the code be amended to read:

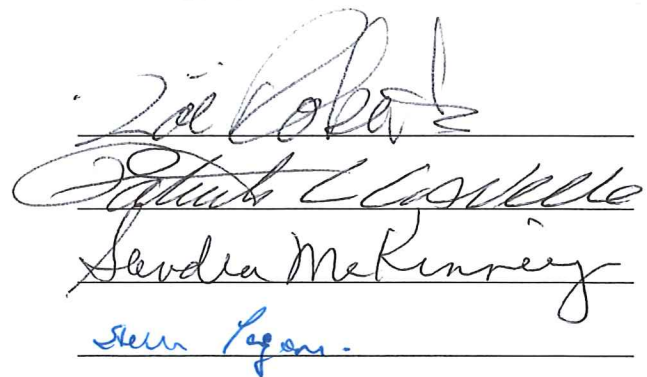
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10 9.70.001 Declaration of Policy. It is the intent of this chapter to prohibit discrimination
11 in housing within the boundaries of the County of Eau Claire pursuant to the authority granted to
12 counties by Wis. Stat. § 66.1011 It is the duty of the County of Eau Claire to assist in the orderly
13 prevention or removal of all discrimination in housing through the powers granted by the State of
14 Wisconsin. It is declared, therefore, to be the policy of the County of Eau Claire, in the exercise
15 of its police power on behalf of the public safety, health, and general welfare, that all persons
16 shall have an equal opportunity for housing regardless of actual or perceived sex, race, color,
17 physical condition, disability as defined in Wis. Stat. § 106.50 (1m)(g), sexual orientation as
18 defined in Wis. Stat. § 111.32 (13m), religion, national origin, sex or marital status, familial
19 status as defined in Wis. Stat. § 106.50(1m)(k), lawful source of income, age, or ancestry as
20 defined in the Wisconsin Statutes, and in all subsequent amendments to the definitions and
21 provisions outlined therein and age, gender identity, gender expression or veterans status.

22
23 SECTION 2. That Subsection D. of Section 9.70.005 of the code be amended to read:

24
25 D. "Member of protected class" means a group of natural persons, or a natural
26 person, who may be categorized based on one or more of the following characteristics: sex, race,
27 color, disability, sexual orientation as defined in Wis. Stat. § 111.32(13m), religion, national
28 origin, sex or marital status of the person maintaining a household, familial status, lawful source
29 of income, age, or ancestry, as defined in Wis. Stat. § 106.50(1m)(nm), and as subsequently
30 amended and age, gender identity, gender expression or veterans status.

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32 ENACTED:

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37 Reviewed by Finance Dept.
38 for Fiscal Impact
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Committee on Judiciary and Law Enforcement

TJS/yk

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47 Dated this 12th day of February, 2020.

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

FACT SHEET

To File NO. 19-20/079

The Committee on Planning and Development held a hearing on January 28, 2020 to review ordinance 19-20/079 to create chapter 12.74 of the Eau Claire County Code of Ordinance for approving broadband network projects in the County.

Broadband access is increasingly important to the economy, education, and daily life. The state of Wisconsin as a whole as well as its citizens, local units of government, broadband providers, schools and businesses all have an interest in expanding broadband access and usage in underserved areas of the state. The Public Service Commission of Wisconsin (Commission) has been authorized to certify communities as being "broadband ready" by issuing a Broadband Forward! Certification that signals a local unit of government has taken steps to reduce obstacles to broadband infrastructure investment.

Under Wis. Stat. § 196.504(4) a city, village town or county may apply to the Commission for certification as a Broadband Forward! Community. The Commission has prepared this Broadband Community Model Ordinance and application form to facilitate certification and statewide consistency. If a political subdivision adopts this model ordinance, or enacts its own ordinance and submits a certification that its ordinance meets the statutory criteria in Wis. Stat § 196.504(5), it is eligible for Broadband Forward! Certification.

Enacting the Broadband Forward! Community Model Ordinance and obtaining Broadband Forward! Certification ensures the Public Service Commission of Wisconsin and the people of the state of Wisconsin the Eau Claire County has: 1) streamlined its administrative procedures by appointing a single point of contact for all matters relating to a broadband network project, 2) established a timely approval process, 3) charges only reasonable fees for reviewing applications and issuing permits, 4) imposes only reasonable conditions for issuing a permit, and 5) does not discriminate between telecommunication service providers.

After considering the staff's recommendation and reviewing the ordinance, the committee voted 4-0-0 to approve ordinance 19-20/079. On February 6, 2020, the Broadband Committee considered ordinance 19-20/079 and unanimously voted to support the ordinance.

Fiscal Impact: It is anticipated to expect a decrease of approximately \$1,000 in revenue from fees that would have been possible from the potential projects.

Sincerely,



Rodney J. Eslinger
Director, Eau Claire County Planning & Development

2
3 -CREATE CHAPTER 12.74; RELATING TO APPROVAL OF BROADBAND NETWORK
4 PROJECTS

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

7
8 Chapter 12.74. Broadband Network Project Applications

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10 **SECTION 1. GENERAL PROVISIONS**

11
12 **1.1 Purpose and policy.** The purpose of this chapter is to encourage the
13 development of broadband access in Eau Claire County (County) by reducing
14 administrative obstacles to broadband service providers and coordinating the review of
15 applications to ensure such applications are timely processed. This chapter shall at all
16 times be construed consistent with the forestated purpose.

17
18 **1.2 Definitions. In this chapter:**

19 (1) "Applicant" means a person applying for a permit for a broadband
20 network project.

21 (2) "Broadband network project" means the construction or deployment of
22 wireline or wireless communications facilities to provide broadband communication
23 services in the County.

24 (3) "Permit" means any local permit, license, certificate, approval,
25 registration, or similar form of approval required by policy, administrative rule,
26 regulation, ordinance, or resolution with respect to a broadband network project.

27 (4) "Written" or "in writing" means information that is inscribed on a
28 tangible medium or that is stored in an electronic or other intangible medium and is
29 retrievable in perceivable form.

30
31 **1.3 Point of contact.** The County shall appoint a single point of contact for all
32 matters related to a broadband network project. The County shall provide on its public
33 website the contact information, including the e-mail address, for the point of contact
34 authorized to receive a broadband network project application.

35
36 **SECTION 2. ELECTRONIC SUBMISSION OF APPLICATIONS.** An applicant
37 may sign and file all forms, applications, and documentation related to a broadband
38 network project electronically. Due to the large size of maps, the applicant shall also
39 submit one hard copy of the application.

40
41 **SECTION 3. REVIEW OF APPLICATIONS.** Notwithstanding any other provision in
42 the County's ordinances, resolutions, regulations, policies, or practices to the contrary,
43 the following process shall apply exclusively upon receiving a broadband network project
44 application. Unless noted in this Ordinance, all existing regulatory review and approval
45 processes set forth in County Ordinances, are not amended, repealed or otherwise
46 modified. The County shall continue to adhere to all other regulatory requirements set
47 forth in the County Ordinances, the Wisconsin Statutes, the Wisconsin Administrative
48 Codes, or other applicable statutes, codes or laws.

1 **3.1 Completeness review.** Upon receiving a broadband network project application
2 the County shall:

3 (1) Determine whether an application is complete and notify the applicant
4 of the determination by the County in writing within 10 calendar days of receiving an
5 application. If the County does not notify the applicant in writing of its completeness
6 determination within 10 calendar days of receiving the application, the application shall
7 be considered complete.

8 (2) If the County determines that an application is not complete, the
9 written notification to the applicant shall specify in detail the required information that is
10 not complete. The applicant may resubmit an application as often as necessary until the
11 application is complete.

12 **3.2 Approval or denial of complete applications.**

13 (1) Within 60 calendar days of receiving an application that is complete,
14 or considered complete under sub. (1), the County shall approve or deny the application
15 and provide the applicant written notification of the approval or denial. If the County
16 does not notify the applicant of its approval or denial within 60 calendar days of
17 receiving a complete application, the application shall be considered approved and any
18 required permit shall be considered issued.

19 (2) If the County denies an application, the written notification of the
20 denial under sub. (1) shall include evidence that the denial is not arbitrary and capricious.

21 **SECTION 4. FEES.** Any fee imposed by the County to review an application, issue a
22 permit, or perform any other activity related to a broadband network project shall be
23 reasonable. An application fee that exceeds \$100.00 is unreasonable.

24 **SECTION 5. INITIAL APPLICABILITY.** The treatment of this ordinance first
25 applies to applications received by the County on or after the effective date of this
26 ordinance.

27 **SECTION 6. EFFECTIVE DATE.** This ordinance takes effect on the day after
28 publication.

29 ENACTED:

30
31
32
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36
37
38 Reviewed by Finance Dept.
39 for Fiscal Impact
40
41

34 *Gary*
35 *James*
36 *Jeff*
37 *Robin*

42 Committee on Planning and Development

43 FD/sc

44
45 Dated this 28th day of January, 2020.

46 APPROVED BY
47 CORPORATION COUNSEL
48 AS TO FORM

ORDINANCE/19-20/079

Reviewed by Finance Dept.
for Fiscal Impact

FACT SHEET
File No. 19-20/098

RE: Rezone 19.86 acres +/- of land from A-3 (Agricultural) District to A-2 (Agriculture-Residential) District to allow the applicant to divide the property into two 9.62 +/- acre parcels.

Legal Description: A parcel of land located in the South ½ of the Southwest ¼ of the Northeast ¼ of Section 30, Township 26 North, Range 09 West, except land for highway described in Volume 229, Page 348, Town of Pleasant Valley, Eau Claire County, Wisconsin.

Location: East side of County Highway F approximately one-half mile south of Cedar Road

Size of area to be rezoned: 19.86 acres +/-

ADJACENT ZONING & LAND USES:

LOCATION	ZONING	LAND USE
Subject	A-3	Agricultural Field
North	A-2	Single-Family Residence; Woodland; Agricultural Field
East	A-3	Agricultural Field
South	A-P	Agricultural Field; Farmstead
West	A-P	Single-Family Residences; Agricultural Field; Farmstead

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

Eau Claire County Rural Lands Comprehensive Plan Intent and Description: *The intent of this classification is to identify areas for a mix of commercial or industrial development that enhances the tax base, creates employment and provides needed goods and services to residents. The CI areas include land along major transportation corridors or near existing commercial or industrial development.*

Staff Conclusions and Recommendation: Staff finds that the proposed rezoning request 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 Pleasant Valley Town Board considered this rezoning petition on Monday, February 10, 2020 and recommended approval (unanimous vote).

Committee Action: The Eau Claire County Committee on Planning and Development conducted the required public hearing on Tuesday, February 25, 2020 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.

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



Matt Michels, AICP
Senior Planner

1 **Enrolled No.**

ORDINANCE

File No. 19-20/098

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

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 Pleasant Valley, described as follows:

10
11 A parcel of land located in the South 1/2 of the Southwest 1/4 of the
12 Northeast 1/4 of Section 30, Township 26 North, Range 09 West, except
13 land for highway described in Volume 229, Page 348, Town of Pleasant
14 Valley, Eau Claire County, Wisconsin.

15
16 Said described parcel of land containing 19.86 acres +/-, of land and is
17 subject to the easements and restrictions of record to be reclassified from
18 the A-3 Agricultural District to the A-2 Agriculture-Residential District.

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

24
25
26 **ENACTED:** I hereby certify that the foregoing correctly represents the
27 action taken by the undersigned Committee on February
28 25, 2020 by a vote of 5 for, 0 against.

29
30 

31
32 _____
33 Committee on Planning & Development, Chairperson

34
35 SS

36
37 Dated this 25th day of February 2020

38
39 ORDINANCE 19-20/098
40

APPROVED BY
CORPORATION COUNCIL
AS TO FORM

Reviewed by Finance Dept.
for Fiscal Impact

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

19-20/098 RECEIVED SUP dist. 7 Steve Chilson

JAN 29 2020
 COUNTY CLERK

Application Accepted: 1/29/2020
Accepted By: Matt Michels
Receipt Number: 62852, B2856
Town Hearing Date: 02/10/2020
Scheduled Hearing Date: 2/25/2020
Application No: RZN-0002-20
Appl Status: Pending

Rezoning - County

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

Existing Zoning District: **A3** Proposed Zoning District(s): **A2** Acres to be Rezoned: **19.86**

Owner/Applicant Name(s): **Address:** **Telephone:**
 Nicholas A Semling (ow) S 8615 COUNTY ROAD F EAU CLAIRE
 Rebecca J Semling (ow) S 8615 COUNTY ROAD F EAU CLAIRE

Site Address(es):

Property Description: Sec 30 Twn 26 Rge 09 **Town of Pleasant Valley** **Lot Area:** 19.860 ACRES

Zoning District(s): A3

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

PIN	Alternate No	Parcel No	Legal (partial)
1801822609301300002	018112604000	26.9.30.1-3-B	S 1/2 OF SW-NE EXC LAND FOR HWY DESC 229/348 348 CO

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

Owner/Agent Signature _____ Date _____

Check if DATCAP must be notified _____ Check if DNR to Receive Copy _____

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



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

Application Accepted:	
Accepted By:	
Receipt Number:	
Town Hearing Date:	
Scheduled Hearing Date:	

REZONING APPLICATION

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

Existing Zoning District: A3 Proposed Zoning District(s): A2
 Acres to be rezoned: 19.86

Property Owner Name: Nicholas Semling Phone# 715-450-6011
 Mailing Address: S8615 County Road F, Eau Claire, WI 54701
 Email Address: nsemling4213@yahoo.com

Agent Name: _____ Phone# _____
 Mailing Address: _____
 Email Address: _____

SITE INFORMATION

Site Address: 0 Hwy F & 0 Cedar Road, Eau Claire, WI 54701
 Property Description: _____ ¼ _____ ¼ Sec. _____, T _____, N, R _____, W, Town of Pleasant Valley
 Zoning District: _____ Code Section(s): _____
 Overlay District: Shoreland Floodplain Airport Wellhead Protection Non-Metallic Mining
 Check Applicable
 Computer #(s): 018 1126 04 000

GENERAL APPLICATION REQUIREMENTS

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

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

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

Owner/Agent Signature Date 12-9-19

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

REZONING APPLICATION CHECKLIST

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

Required Application Items:

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

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

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

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

■ Describe the reason(s) for your rezoning request:

I am proposing to change the current zoning to better fit the design of the land. The current Parcel would be split in to 2 parcels where a good majority of the new east/west property would be on a natural boundary which is a very shallow stream bed. This stream bed makes it nearly impossible to traverse the property with out getting on to County Road F and/or Cedar Road for access. Currently the parcel to be rezoned and an adjacent parcel that own do not meet the code requirement that A3 zoning is 20 acres minimum which you can see on my attached map. If this rezone request is approved I will create survey that divides the rezoned parcel into 2 and upsizes my adjacent parcel to meet the 20 acre minimum which is also depicted on my attached map.

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

This zoning request matches a majority of the property that it is adjacent to and also the natural features of the property provide and optimal layout of the new property lines.



2019 Property Record | Eau Claire County, WI

*Assessed values not finalized until after Board of Review
Property search information is updated nightly.
Parcel and address geometry is updated monthly or as needed.*

OWNERS

NICHOLAS SEMLING
REBECCA SEMLING

IN CARE OF

MAILING ADDRESS

NICHOLAS SEMLING
S 8615 COUNTY ROAD F
EAU CLAIRE WI
54701-9632

PROPERTY INFORMATION

Computer No: 018112604000
PIN: 1801822609301300002
Historical Map ID: 26.9.30.1-3-B
School District: Eau Claire

PROPERTY DESCRIPTION

S 1/2 OF SW-NE EXG LAND FOR HWY DESC 229/348 348 CONT .14
AC M/L SEE T-1777

<u>Section</u>	<u>Town</u>	<u>Range</u>
30	26N	09W

Property Address:

Municipality: Town Of Pleasant Valley

Document History:

1168433 1079737 Q726/250; Q726/250 530/149 191/184; 1079737
Q726/250 530/149

ZONING

<u>Zoning Code</u>	<u>Description</u>
A3	Agriculture

TAX INFORMATION

Gross Tax: 204.14
School Credit: 21.17
Lottery Credit: .00
First Dollar Credit: .00
Net Tax: 182.97

LAND USE

<u>Land Use Code</u>	<u>Description</u>
AA	Agriculture-General

	<u>Amt Due</u>	<u>Amt Paid</u>	<u>Balance</u>
RE Net Tax	182.97	.00	182.97
Special Assmnt	.00	.00	.00
Special Chrg	.00	.00	.00
Delq Utility	.00	.00	.00
MFL	.00	.00	.00
RE Interest	.00	.00	.00
Other Interest	.00	.00	.00
Penalty	.00	.00	.00
TOTAL	182.97	.00	182.97

LAND VALUATION

	<u>Acres</u>	<u>Land</u>	<u>Improve</u>	<u>Total</u>
G4	13.000	2,400.00	.00	2,400.00
G5	6.860	8,900.00	.00	8,900.00
	19.860	11,300.00	.00	11,300.00

Total Acres: 19.860
Mill Rate: 0.016193336
Fair Market Value: 13,200.00
Assessment Ratio: .8600

INSTALLMENTS

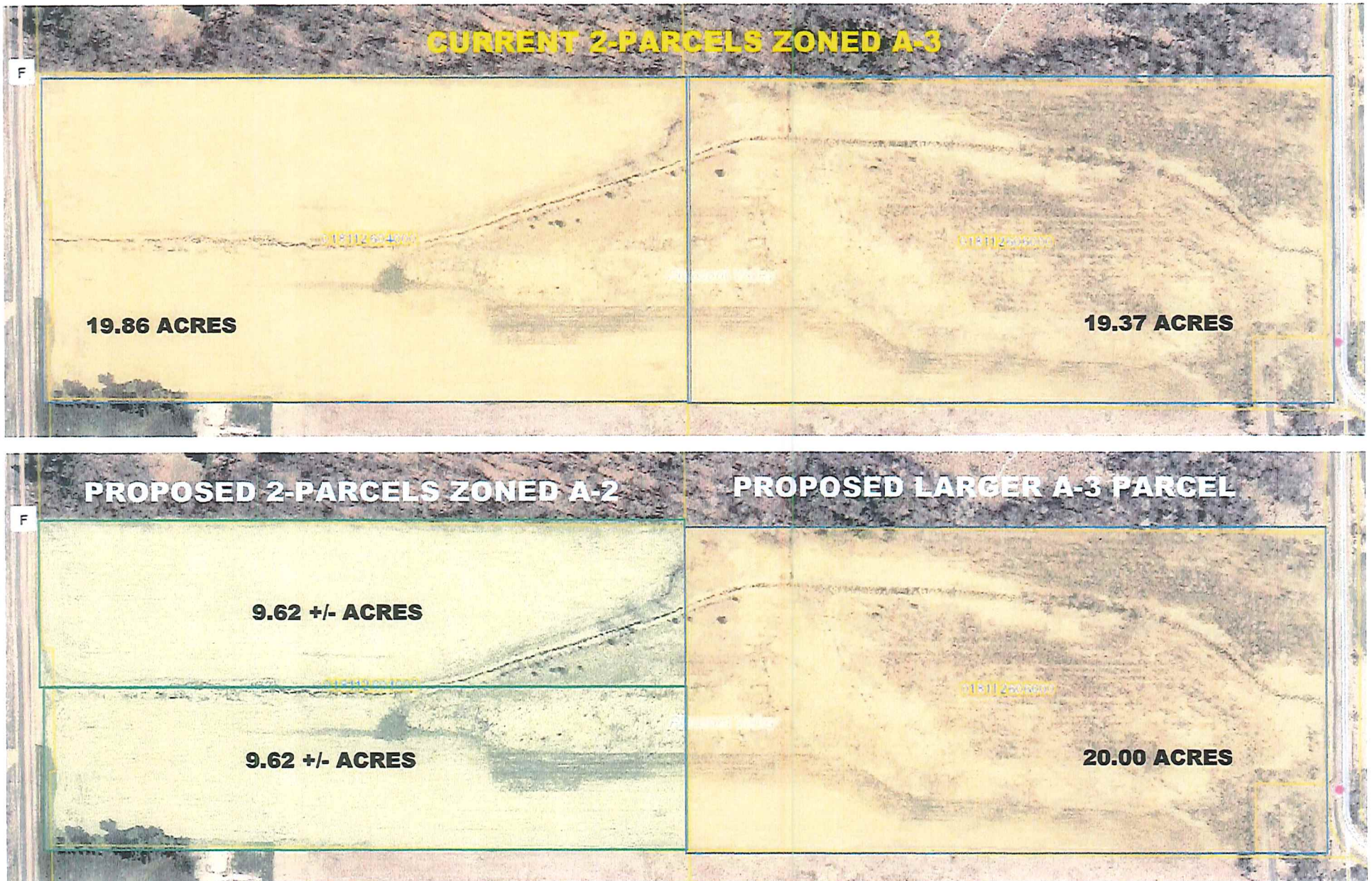
<u>Period</u>	<u>End Date</u>	<u>Amount</u>
1	1/31/2020	91.49
2	7/31/2020	91.48

PAYMENT HISTORY (POSTED PAYMENTS)

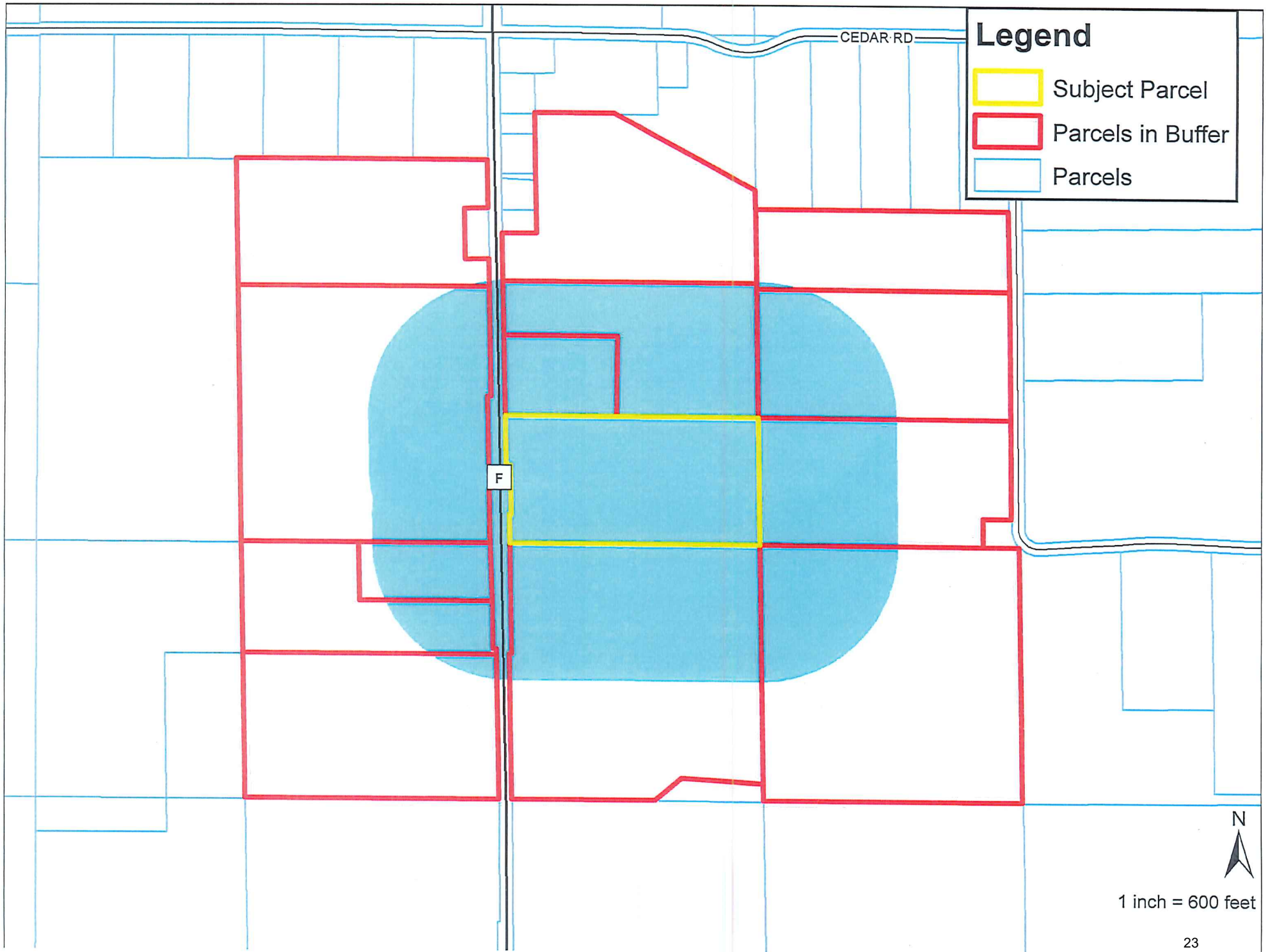
Please allow up to 7 days for your payments to display.

<u>Date</u>	<u>Receipt #</u>	<u>RE Tax</u>	<u>Other Tax</u>	<u>RE Int</u>	<u>Other Int</u>	<u>Penalty</u>	<u>Total</u>
-------------	------------------	---------------	------------------	---------------	------------------	----------------	--------------

Proposed 2-Parcel Rezone from A-3 to A-2



The image above depicts the future land division once the property is rezoned. It will simply divide one parcel into 2 and increase size of other to be 20 acres which meets code . This land division will provide the best fit for the natural features of the property.



Legend

- Subject Parcel
- Parcels in Buffer
- Parcels



1 inch = 600 feet

FirstName	LastName	Address	City	State	Zip
GEOFFREY	ERICKSON	S 8830 COUNTY ROAD F	EAU CLAIRE	WI	54701-9701
GERALD	TRYBULA	S 8865 COUNTY ROAD F	EAU CLAIRE	WI	54701-9632
MARK	TWEET	S 8590 COUNTY ROAD F	EAU CLAIRE	WI	54701-9631
MICHAEL	TWEET	1006 N LAKE RD	OCONOMOWOC	WI	53066-2224
NICHOLAS	SEMLING	S 8615 COUNTY ROAD F	EAU CLAIRE	WI	54701-9632
PATRICK	SCHAFFER	E 950 CEDAR RD	EAU CLAIRE	WI	54701-9629
ROBERT	BIRCHLER	2907 WISHBONE WAY	ENCINITAS	CA	92024-7236
STEPHEN	CURTIS	W 865 CEDAR RD	EAU CLAIRE	WI	54701-1611
TROY	MYHER	3712 RUDOLPH RD	EAU CLAIRE	WI	54701-7907
	ERICKSON FARM HOLDINGS LLC	3600 STATE ROAD 157	LA CROSSE	WI	54601
	DAVID M FREDERIKSON TRUST	PO BOX 3111	EAU CLAIRE	WI	54702-3111