



AGENDA

Eau Claire County Board of Supervisors
Tuesday, October 20, 2020 at 7 pm
Virtual Meeting via Webex

For those wishing to make public comment (verbal or written), you must fill out your information on the following link and click “Submit” **at least 60 minutes prior** to the start of the meeting. Comments are limited to 3 minutes/person – session has a 30-minute maximum. Link: [County Board Electronic Comment Form](#)

Public Access:

LIVE Streaming on YouTube: <https://www.youtube.com/user/EauClaireCounty>
(individuals who will be making public comment should use the access information below during the session. YouTube is a streaming service only and public comment will not be available through the platform)

Dial In Number: 1-415-655-0001

Access Code: 145 221 2295

**Mute personal devices upon entry*

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

1. Call to Order
2. Honoring of the Flag and Moment of Reflection by: Supervisor Katherine Schneider
3. Call of the Roll
4. Approval of the Journal of Proceedings from October 6, 2020 *Pages 1-4*
5. **PUBLIC COMMENT (30-minute session - 3 minutes per speaker)**
6. **REPORTS TO THE COUNTY BOARD UNDER 2.04.320**

Oral Reports

- 2020 NWS Weather-Ready Nation (WRN) Ambassador of Excellence Award Presentation from Daniel Luna, Meteorologist in Charge – Twin Cities, MN Weather Forecast Office
- 2011B Advanced Refunding Bids – Sean Lentz, Ehlers
- Proposed Local Health Ordinance Report by Tim Sullivan – Corporation Counsel, Lieske Giese – Health Department Director, and Kathryn Schauf – County Administrator

Written Reports

- Reports from the Finance Department
 - 2020 Contingency Fund *Page 5*
 - September 2020 Payments over \$10,000 *Pages 6-7*

7. PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

- Rezoning request from owners, Dana and Sheryl Turner; and applicant, Peter Gartmann for the Town of Brunswick *Page 7*

8. FIRST READING OF ORDINANCES BY COMMITTEES

Committee on Administration

File No.

20-21/078 (1) Ordinance – To amend Title 2 Chapter Table: Administration; to amend Chapter 2.75 County Risk Management Program *Pages 9-12*

9. FIRST READING OF ORDINANCES AND RESOLUTIONS BY MEMBERS

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

Committee on Administration

File No.

20-21/073 (2) Ordinance – To create Chapter 8.30 of the Code: Communicable Disease; to amend section 1.50.020 of the Code: Citation Code ([WCA Guidance on Communicable Diseases reference](#)) *Pages 13-18*

20-21/080 (1) Resolution – Extending the existence of the special committee on rural broadband *Pages 19-21*

Chippewa Valley Regional Airport Commission

File No.

20-21/082 (1) Resolution – Ratifying and affirming the Chippewa Valley Regional Airport Commission Petition for Airport Improvement Aid dated October 16, 2020 (the Highway Commission is meeting prior to the board meeting to act on this resolution) *Pages 22-23*

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-6945, (FAX) 839-1669 or 839-4735, TTY: use Relay (711) or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.

Highway Committee

File No.

20-21/077 (1)

Resolution – Authorizing the replacement of one Highway Maintenance Supervisor with one Heavy Equipment Operator in the County’s Bridge Plan
Pages 24-25

Human Services Board

File No.

20-21/063 (2)

Resolution – Authorizing the filling of the “Operations Administrator” position in the Department of Human Services *Pages 26-30*

Committee on Finance and Budget

File No.

20-21/064 (1)

Resolution – Disallowing the claim of Donald Miller in the amount of \$250,000 filed by his attorney, Steven B. Goff served on the Eau Claire County Clerk on August 10, 2020; directing the County Clerk to notify the claimant of said disallowance *Pages 31-32*

20-21/083 (1)

Resolution – Authorizing a 2020 Budget Transfer of Capital Projects Fund (the Committee on Finance & Budget is meeting prior to the board meeting to act on this resolution) *Pages 33-34*

20-21/084 (1)

Resolution – Authorizing the issuance and establishing parameters for the sale of not to exceed \$14,000,000 General Obligation Refunding Bonds (the Committee on Finance & Budget is meeting prior to the board meeting to act on this resolution) *This resolution will be provided on Monday, October 19 to the County Board*

11. APPOINTMENTS

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD OF SUPERVISORS

Tuesday, October 6, 2020

The County Board of Supervisors of the County of Eau Claire convened remotely via Webex Events on Tuesday, October 6, 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 Mark Beckfield.

Roll Call: 29 present: Supervisors Gary G. Gibson, Sandra McKinney, Joe Knight, Stella Pagonis, Carl Anton, Dane Zook, Steve Chilson, Kevin Stelljes, Donald Mowry, Nancy Coffey, Ray L. Henning, Colleen Bates, Connie Russell, Judy Gatlin, Nick Smiar, Chris Hambuch-Boyle, Martha Nieman, James A. Dunning, Gerald Wilkie, Nathan Anderson, Mark Beckfield, Katherine Schneider, Robin Leary, Heather DeLuka, Melissa Janssen, Tami Schraufnagel, Zoe Roberts, Kimberly A. Cronk, Missy Christopherson

JOURNAL OF PROCEEDINGS (September 15, 2020)

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

PUBLIC COMMENT

The following presented oral reports to the Board:

Karen Hurd, Maggie Vinopal, Jason Gonzales, Rebecca Zimmerman, Kayla Rick, Jason Richards regarding the County Health Ordinance

Jerry Ripley wished to speak on a rezoning ordinance 20-21/050 but had technical difficulties and Samantha Kraegenbrink, Administrative Specialist, read his written comment.

Written comments had been sent to the county board supervisors.

The following person had a written comment "in favor" of the county health ordinance: Gina Holt

The following people had written comments "against" the county health ordinance: Hilary Andrew, Michelle Allen, Rev Joshua D. Andrew, Andrew and Cassie Draper, Mindy Eichelberger, Tony Eichelberger, Jayne Fleming, Annalee Fuerstenau, Gary G. and Bettie J. Gerdes, Jared Hanson, Karen Herbison, Tom Herro, Hillary Andrew, Rick and Diane Hobein, Allan and Kerrie Jordan, Nathan and Mariena Kent, Jim Koenig, Kim Landry-Ayres, Margi and Tom Meis, Brad and Charleen Merkel, David Manor, Jason Richards, Jennifer Schaller, Donald Sherman, Brian Stewart, Steve and Leslie Strey, Stephan Svensson, William J. Vincent II, Venessa White, Lori Wirth

The following people had written comments "in favor" of the resolution requesting a DHS forensic audit:

Bethany Aberle, Michelle Allen, Jayne Fleming, Karen Herbison, Tom Herro, Margi and Tom Meis, Noel Smith, Ross and Gretchen Springer, Bret P Tangley, Jennifer and Aaron Joos, William J. Vincent II

The following people had written comments "against" the resolution requesting a DHS forensic audit:

R. Cronje and Eleanor Wolf.

Trudy Valteau presented a written comment regarding the rezoning ordinance 20-21/050.

REPORTS TO THE COUNTY BOARD UNDER 2.04.320

Kathryn Schauf, County Administrator gave an oral and power point presentation on the proposed 2021 County Administrators Budget Recommendations.

The proposed budget was referred to the Committee on Finance and Budget.

PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

A report regarding a rezoning request in the Town of Pleasant Valley was received from Troy Schneider, owner and applicant. The report was referred to a future meeting.

A report regarding a rezoning request in the Town of Otter Creek was received from Paul W. and Joella Rauch, owners and applicants. The report was referred to a future meeting.

FIRST READING OF ORDINANCES BY COMMITTEES

Committee on Administration

Ordinance 20-21/073 TO CREATE CHAPTER 8.30 OF THE CODE: COMMUNICABLE DISEASE; TO AMEND SECTION 1.50.020 OF THE CODE: CITATION CODE

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 and Committee on Finance and Budget

Amended Ordinance 20-21/028 TO AMEND SECTION 2.04.485 OF THE CODE: COMMITTEE ON FINANCE AND BUDGET; TO AMEND SECTION 2.06.060 OF THE CODE: BUDGET PREPARATION AND EXECUTION; AND TO AMEND CHAPTER 4.02 OF THE CODE: BUDGETARY PROCEDURE

On a motion by Supervisor Leary, seconded by Supervisor Gatlin, the ordinance was enacted unanimously on a poll vote.

Committee on Human Resources

Ordinance 20-21/072 TO AMEND SECTION 2.09.005 A. OF THE CODE: LEGAL HOLIDAYS; TO AMEND SECTION 2.09.010 A. OF THE CODE: BUSINESS HOURS

On a motion by Supervisor Nieman, seconded by Supervisor Gatlin, the ordinance was enacted via voice vote.

Committee on Planning and Development

Ordinance 20-21/059 TO AMEND SECTION 15.01.010 OF THE CODE: STATUTORY AUTHORIZATION; TO RELETTER SECTION 15.01.030 B. THROUGH N. TO C. THROUGH O. OF THE CODE: DEFINITIONS; TO CREATE SECTION 15.01.030 B. OF THE CODE: DEFINITIONS; TO AMEND SECTION 15.01.040 OF THE CODE: SCOPE; TO AMEND SECTION 15.01.050 OF THE CODE: ADOPTION OF CODES; TO AMEND SECTION 15.01.060 OF THE CODE: JURISDICTION; TO AMEND SECTION 15.01.080 OF THE CODE: BUILDING PERMITS; TO AMEND SECTION 15.01.090 OF THE CODE: ISSUANCE OF PERMIT; TO AMEND SECTION 15.01.110 OF THE CODE: PERMIT FEES

Motion by Supervisor Janssen, seconded by Supervisor Coffey, for enactment.

There were no objections to allow Rod Eslinger, Planning and Development Director, to speak.

Thereafter, the ordinance was enacted via voice vote.

Ordinance 20-21/050 AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF BRUNSWICK

Motion by Supervisor Henning, seconded by Supervisor Anderson, for enactment.

There were no objections to allow Rod Eslinger, Planning and Development Director, to speak.

On a required ¾ vote the ordinance was defeated on a poll vote as follows:

19 ayes: Supervisors Gibson, Knight, Pagonis, Anton, Zook, Chilson, Coffey, Henning, Bates, Russell, Smiar, Hambuch-Boyle, Dunning, Wilkie, Anderson, Beckfield, Schneider, Leary, DeLuka

10 noes: Supervisors McKinney, Stelljes, Mowry, Gatlin, Nieman, Janssen, Schraufnagel, Roberts, Cronk, Christopherson.

Ordinance 20-21/065 AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF PLEASANT VALLEY

Motion by Supervisor Gatlin, seconded by Supervisor Anderson, for enactment.

There were no objections to allow Matt Michels, Senior Planner, to speak.

Thereafter, the ordinance was enacted via voice vote.

Ordinance 20-21/066 AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF WASHINGTON

On a motion by Supervisor Bates, seconded by Supervisor Gatlin, the ordinance was enacted via voice vote.

Committee on Finance and Budget

Ordinance 20-21/067 TO AMEND SECTION 4.35.090 OF THE CODE: PERMIT, VARIANCE, REZONING, SPECIAL EXCEPTION, SIGN AND LAND USE FEES; TO AMEND SECTION 4.35.092 OF THE CODE: SHORELAND FEES; TO AMEND SECTION 4.35.095 OF THE CODE: AIRPORT ZONING FEES; TO AMEND SECTION 4.35.160 OF THE CODE: STORM WATER MANAGEMENT AND EROSION CONTROL FEES; TO AMEND SECTION 4.35.170 OF THE CODE: PROPERTY ADDRESSING FEE

On a motion by Supervisor Dunning, seconded by Supervisor Janssen, the ordinance was enacted via voice vote.

Resolution 20-21/061 AUTHORIZING THE EXPENDITURE OF FUNDS TO CONDUCT A FORENSIC AUDIT OF THE FINANCES OF THE DEPARTMENT OF HUMAN SERVICES

The following amendment was presented at the September 15, 2020 county board meeting but had not been acted on:

“On a motion by Supervisor Stelljes, seconded by Supervisor Christopherson, Amendment No. 1 was presented as follows:

On Page 1, Delete lines 30-38: “NOW THEREFORE BE IT FURTHER RESOLVED, that the Eau Claire County Board of Supervisors authorizes a complete forensic audit to be completed of the Department of Human Services; with the scope of work to be determined jointly by the Committee on Administration and the Committee on Finance and Budget; and,

NOW THEREFORE BE IT FURTHER RESOLVED, the Board of supervisors authorizes the expenditure of up to \$100,000 to complete a forensic audit of the finances of the Department of Human Services by an accounting firm, the name of which will be determined jointly by the Committee on Administration and the Committee on Finance and Budget.”

On Page 1, Line 30, Insert: “NOW THEREFORE BE IT RESOLVED, that the Eau Claire County Board of Supervisors authorizes:

The Sheriff's department to hire forensic experts to pursue the full scope of the credit card theft, to include heretofore unreported thefts or other persons involved. The authorization provides funding of \$25,000 for such experts and the findings of said expert will be provided to the District Attorney and the County Board of Supervisors.

The Committee on Finance and Budget is authorized to spend up to \$75,000 for a Program Audit of DHS with the defined goals of:

- Evaluation of management controls within DHS and recommendations for improvement
- Evaluating accounting and forecasting practices for accuracy, timeliness, and consistency. Such evaluation will compare Eau Claire County practices to similar counties in Wisconsin and recommend "best practices" implemented by those counties considered to be "best in class", which Eau Claire may implement.
- Provide detailed program evaluation for the services provided by DHS. This will include:

...Analysis of current program outcome effectiveness. This will evaluate both internally delivered services and externally contracted services.

...The scope of external services should cover 80% of the expenditures for the past three years and audit the vetting and evaluation of vendors for service delivery outcomes and compliance with County contract terms.

...The audit should also review both Statewide and Nationwide, best practices for evaluating the cost-benefit (e.g. effectiveness) for the delivery of social services.

While this may seem somewhat subjective, every government entity in the Country provides some level of these services. Multiple government entities and higher educational institutions have dedicated staff to address this important issue. The audit will identify any gaps in Eau Claire County current methods to achieve such status and a recommendation regarding possible implementation steps.

Should the cost of each of the above two expenditures not be feasible within the limits cited above, the Committee on Finance and Budget may modify the expenditures not to exceed \$100,000 in total."

The following amendment to the amendment was presented at the September 15, 2020 county board meeting and was adopted:

"Motion by Supervisor Coffey, seconded by Supervisor Wilkie to amend Amendment No. 1 to limit the dollars spent to 25% of \$100,000 for a forensic audit and limit the dollars spent to 75% of \$100,000 for a program audit. If either of the audits will cost more than the limits, the request will need to go to the Committee on Finance and Budget and the Administration Committee for any additional funding.

Motion by Supervisor Pagonis, seconded by Supervisor Leary, to table amendment 1 as amended once and the resolution.

On a poll vote amendment 1 as amended once and resolution 20-21/061 was tabled as follows:

22 ayes: Supervisors Gibson, McKinney Knight, Pagonis, Stelljes, Mowry, Coffey, Bates, Russell, Gatlin, Smiar, Hambuch-Boyle, Nieman, Dunning, Anderson, Leary, DeLuka, Janssen, Schraufnagel, Roberts, Cronk, Christopherson

7 noes: Supervisors Anton, Zook, Chilson, Henning, Wilkie, Beckfield, Schneider

The Board adjourned at 9:27 p.m.

Respectfully submitted,



Janet K. Loomis
County Clerk.

TO: Honorable Eau Claire County Board of Supervisors
FROM: Finance Department
DATE: October 8, 2020
SUBJECT: 2020 Contingency Fund

Pursuant to Section 4.04 of the County Code of General Ordinances, the following is the status of the 2020 Contingency Fund as of October 8, 2020:

January 1, 2020	2020 Contingency Fund / Budget Allocation	\$300,000
February 19, 2020	Resolution 19-20/096: Authorizing a transfer from the 2020 contingency fund in the amount of \$15,000 to replace actuators at the Lake Eau Claire Dam	\$15,000
March 17, 2020	Resolution 19-20/105: Authorizing a transfer from the 2020 contingency fund in the amount of \$18,100 to replace a jail oven	\$18,100
Balance Available		<u><u>\$266,900</u></u>

TO: Honorable Eau Claire County Board of Supervisors
FROM: Finance Department
DATE: October 10, 2020
SUBJECT: September 2020 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 September 2020.

Vendor	DESCRIPTION	Amount
Department of Employee Trust Funds	Aug-2020 WRS Contributions	324,083.49
Correct Care Solutions LLC	11/1-30/2020 Medical Services	60,186.61
Lutheran Social Services Inc	August Ctc Contract	52,000.00
Xcel Energy	Courthouse/Jail Electric	47,247.09
Delta Dental Plan of Wisconsin Inc	Delta Dental Sep-2020	29,883.80
City of Eau Claire Treasurer	Water/Sewer For Parcel #050036	29,867.48
Dunn County Finance	July Medical Examiner Contract	28,730.48
Dunn County Finance	August Medical Examiner Services	28,681.93
Heartland Business Systems	Vmware Annual Support	24,761.54
Nationwide Retirement Solutions Inc	457(B) Ee Contributions - 09/11/20 Pr	23,731.65
Nationwide Retirement Solutions Inc	457(B) Ee Contributions - 09/25/20 Pr	23,731.65
Aramark Services Inc	Monthly Services-July/August	23,586.73
Avidia Bank	HSA Ee Contributions - 09/11/20 Pr	22,658.67
Avidia Bank	HSA Ee Contributions - 09/25/20 Pr	22,608.67
Fall Creek Public Library	Reissue Lost Check/Library Levy Pmt	22,392.00
Opg-3 Inc	Laserfiche Annual Support	18,039.92
Securian Financial Group Inc	Ee Life Ins Premiums - Oct-2020	12,488.44
Wisconsin Land Information Program	August Land Info Recording Fees	12,292.00
J & F Facility Services Inc	Monthly Janitorial Service	11,318.00
Bartingale Mechanical Inc	HVAC PM Monthly Billing	10,733.66
Advanced Disposal	County Parks Garbage Service	10,298.30
	TOTAL FUND: General	839,322.11
Brotoloc Inc	Contracted Services	114,635.25
Trempealeau County	Contracted Services	66,654.57
Lutheran Social Services Inc	Contracted Services	56,326.91
Northwest Counsel & Guidance Clinic Inc	Contracted Services	50,473.24
Brotoloc Inc	Contracted Services	37,453.25
Chileda Institute Inc	Contracted Services	35,645.66
Lutheran Social Services	Contracted Services	31,901.80
Brotoloc Inc	Contracted Services	28,385.50
Lutheran Social Services	Contracted Services	21,556.79
Lutheran Social Services	Contracted Services	16,856.64
Stable Living Llp	Contracted Services	15,352.09
Western Dairyland Economic Opport. Inc	Contracted Services	15,104.46
Habilitation Center	Contracted Services	14,725.00
Trinity Equestrian Center	Contracted Services	13,711.84
Rawhide Inc	Contracted Services	13,015.66
Clinicare Corporation	Contracted Services	12,464.79
KIMberly Schmidt, Pmhnp-Bc, Ltd	Contracted Services	12,187.50
Caillier Clinic Inc	Contracted Services	11,372.72
Lutheran Social Services	Contracted Services	10,512.10
	TOTAL FUND: Human Services	578,335.77
County of Dunn	IM Consortia Payment - May	140,808.00
County of Barron	IM Consortia Payment - June	107,075.00
County of St Croix	IM Consortia Payment - June	61,820.00

County of Chippewa	IM Consortia Payment - June	61,792.00
County of Polk Dept of Human Services	IM Consortia Payment - June	55,850.00
County of Douglas	IM Consortia Payment - June	54,486.00
County of Burnett	IM Consortia Payment - June	19,209.00
Washburn County	IM Consortia Payment - June	13,804.00
	TOTAL FUND: DHS Passthrough Grants	514,844.00
Advanced Disposal	Curbside Service-Aug	46,074.08
Boxx Sanitation LLC	Curbside Service-Aug	43,041.30
Waste Management Northern Wi - Mn	Curbside Service-Aug	12,386.10
	TOTAL FUND: Recycling	101,501.48
Sysco Baraboo	C2 Supplies	12,169.21
	TOTAL FUND: ADRC	12,169.21
Axcel Technology LLC	ArcServe backup and recovery	135,060.00
Moss Roofing & Insulation Inc	Roof Replacement Hwy Building 1	103,474.95
Dell Marketing Lp	Latitude 5400 and 5500 with docks	29,460.00
Ayres Associates	Aerial IMagery 2020	26,695.00
Pcs Technologies	Blinq Care all sites - LTE upgrade	22,960.00
Ayres Associates	LiDAR Data Collection	13,347.50
Bartingale Mechanical Inc	Hwy Shop HVAC	10,868.00
	TOTAL FUND: Capital Projects	341,865.45
Olympic Builders General Contractors Inc	Hangar Construction Project, Payment #2	52,137.90
Xcel Energy	Airport Electric August	10,117.88
	TOTAL FUND: Airport	62,255.78
Us Bancorp Government Leasing & Finance	Highway Equipment Lease	367,104.73
Senn Blacktop Inc	Hot mix	70,697.88
Fahrner Asphalt Sealers LLC	line painting	59,477.77
H & L Mesabi Company	Snow plow blades	46,045.70
Fahrner Asphalt Sealers LLC	Town of PV Spruce RD Warranty Work	29,087.14
Senn Blacktop Inc	Hot mix	24,486.39
Henry G Meigs LLC	Crackfill material	22,162.50
Fuel Service Dj'S Mart LLC	Diesel	12,331.65
Monarch Paving Company	Road Construction Supplies	12,034.50
	TOTAL FUND: Highway	643,428.26
WEA Insurance Corporation	EE Health Ins Prem Oct-2020	528,881.38
	TOTAL FUND: Health Insurance	528,881.38
Heartland Business Systems	Branch 3 video conferencing - Courts	84,854.54
	TOTAL FUND: Shared Services	84,854.54
Payments affecting Multiple Funds		
AT&T FirstNet	August 2020 Payment	13,396.68
U.S. Bank Corporate Payment Systems	August 2020 Pcard Payment	77,362.33
AT&T Mobility LLC	July 2020 Payment	14,666.06
Pelion Benefits Inc	PTO/ELB payouts	18,910.55
	TOTAL MULTIPLE FUNDS	124,335.62
	GRAND TOTAL: ALL FUNDS	3,831,793.60



Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT
Eau Claire County Courthouse - Room 3344
721 Oxford Avenue
Eau Claire, Wisconsin 54703-5212
(715) 839-4741

Building Inspection
839-2944
Emergency Management
839-4786
Geographical Information Systems
839-4730
Land Conservation
839-6226
Land Records
839-4742
Land Use Management
839-4743
Planning
839-5055
Recycling
839-2756

October 5, 2020

RECEIVED

OCT 05 2020

COUNTY CLERK

Report to the Eau Claire County Board of Supervisors

The Eau Claire County Department of Planning and Development has received the following application for rezoning:

Owner: Dana and Sheryl Turner

Applicant: Peter Gartmann

File Number: . 20-21/081

Legal Description: Northwest ¼ of the Northwest ¼, except Lot 1 of Certified Survey Map Volume 14 Page 329 (#2641) The West ½ of the Southwest ¼ of the Southwest ¼ of Section 8, Township 26 North, Range 10 West, Town of Brunswick, Eau Claire County, Wisconsin.

Site Address: West of Spehle Road, East of Schuh Road and North of Town Hall Road, Eau Claire, WI 54701

Existing Zoning District: A-P Agricultural Preservation

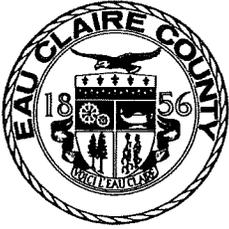
Purposed Zoning District: A-2 Agriculture-Residential

Acres to be Rezoned: 38.5 Acres +/-

Date Received: 10/5/2020

Regards,

Cheryl Cramer
Administrative Specialist, Planning and Development



CORPORATION COUNSEL

Timothy J. Sullivan

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*

October 5, 2020

FACT SHEET 20-21.078, Amending Chapter 2.75.

This ordinance amends Chapter 2.75 County Risk Management Program, to reflect changes to the program. The "director" of the Risk Management program was previously the purchasing director. With the retirement of Frank Draxler and the re organization of the risk management program the responsibilities of the director have been transferred to the Risk Manager. The ordinance amends Chapter 2.75 to reflect these changes.

Timothy J. Sullivan
Corporation Counsel
TJS

2
3 TO AMEND TITLE 2 CHAPTER TABLE: ADMINISTRATION; TO AMEND CHAPTER
4 2.75 COUNTY RISK MANAGEMENT PROGRAM

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

7
8 SECTION 1. That Chapter 2.75 of the Table of Title 2 of the code be amended to read:

9
10 2.75 County ~~Safety~~ Risk Management Program

11
12 SECTION 2. That Chapter 2.75 of the code be amended to read:

13
14 Chapter 2.75

15
16 COUNTY RISK MANAGEMENT PROGRAM

17
18
19 Sections:

- 20
- 21
- 22 2.75.001 Purpose.
- 23 2.75.010 Definitions.
- 24 2.75.020 Responsibilities of ~~director~~ Risk Manager
- 25 2.75.030 Responsibility of departments.
- 26 2.75.040 Employee responsibility.

27
28 2.75.001 Purpose. The purpose of this chapter shall be to establish a risk
29 management program including the promotion of employee safety for the county. The risk
30 management objectives include:

31 A. Protection of the county against financial consequences of accidental losses which
32 are catastrophic in nature and preservation of county assets and public service capabilities.

33 B. Minimization of long term costs to the county due to activities related to the
34 identification, prevention and control of accidental losses and their consequences.

35 C. Provision of a safe and healthy work and service environment, in which
36 employees, and the general public can enjoy safety and security in the course of their daily
37 pursuits. It is the county's goal to prevent employee illness and injury and to reduce county
38 losses of property and productivity, which may result because of employee accidents.

39 D. Specific risk management provisions.

40 1. Loss control committee (with members representing upper management
41 who will establish county goals, support ~~R.M.~~ risk management activities and monitor for
42 effectiveness).

43 2. Hazard identification activities (including facilities, equipment,
44 environmental assessments, job hazard analysis and work practice monitoring).

45 3. Insurance/self-insurance program (distribution of risk where appropriate).

46 4. Self-insurance of worker's compensation program (reducing claims and
47 losses).

48 5. Compliance with OSHA and Wisconsin Department of ~~Commerce~~ safety
49 requirements Safety and Professional Services (federal and state laws).

1 6. Employee and management training programs (such as alcohol and drug
2 awareness; defensive driving; safe work practices, sexual harassment prevention and others).

3 7. Safety committees (to facilitate employee partnerships for promoting
4 communication of safety needs, expectations, and resources).

5 8. Contract managing program (enforcing minimum insurance levels and
6 safety requirements for contractors).

7 9. ~~Safety coordinator~~ Risk Manager (to promote a proactive safety
8 environment; to coordinate and facilitate hazard control activities within the workplace).

9
10 2.75.010 Definitions. The following definitions apply to this chapter:

11 A. "Committee" means the committee on administration.

12 ~~B. "Director" means the purchasing director.~~

13 ~~C, B. "Employee" means all persons, whether paid on an hourly basis or via salary,~~
14 ~~both management and nonmanagement and represented by a collective bargaining agreement and~~
15 ~~nonrepresented employed and paid by Eau Claire County regardless of employee status.~~

16 ~~D. C. "Loss control" means any action designed to reduce financial losses to the least~~
17 ~~possible amount.~~

18 ~~E. D. "Loss reduction" means any measure taken to reduce the severity of a loss after it~~
19 ~~occurs.~~

20 ~~F. E. "Loss prevention" means any measure taken to reduce the frequency of loss.~~

21 ~~G. F. "Workers compensation coordinator" the risk manager means shall be the~~
22 ~~employee assigned the responsibility for coordinating the workers compensation paperwork.~~

23
24 2.75.020 Responsibilities of ~~director~~ Risk Manager.

25 A. The ~~director~~ risk manager shall have the responsibility of implementing the
26 county's risk management program and shall enforce county ~~polices~~ policies and procedures by
27 directive. The loss control committee shall promulgate policies and procedures which shall be
28 formulated and recommended by the ~~director~~ risk manager.

29 B. With respect to employee safety matters, subject to the supervision of the county
30 administrator, the ~~director~~ risk manager shall have ~~line~~ authority over all county ~~administrative~~
31 ~~personnel~~ department heads and officers solely for the purpose of implementing the county risk
32 management program with respect to this chapter.

33 C. The ~~director~~ risk manager is authorized to appoint, with the concurrence of the
34 respective department heads, safety committees and loss control committees to be composed of
35 supervisory and nonsupervisory personnel therein. Such committees shall assist the ~~director~~ risk
36 manager in the formulation of risk management policies and procedures and in their
37 implementation.

38 D. Other responsibilities include:

39 1. Identifying and measuring all risk of accidental loss.

40 2. Selection and recommendation of appropriate risk management techniques
41 for specific exposure problems.

42 3. ~~Develop~~ Utilize and maintain an information system for timely and
43 accurate recording of losses, claims, insurance premiums and other costs.

44 ~~3~~ 4. Analyzing and allocating insurance premiums, uninsured losses and other
45 risk costs to the budgetary units.

46
47 2.75.030 Responsibility of Departments.

48 A. The respective department heads and their subordinate supervisors shall cooperate
49 with and implement the directives of the ~~director~~ risk manager.

1 B. Department heads shall be primarily responsible for the implementation of county
2 risk management policies, procedures and activities.

3 C. Subject to the general supervision of their department heads, supervisors shall be
4 responsible for the following aspects of the safety program:

- 5 1. Inspection of work areas or job sites for physical hazards;
6 2. Supervision of employees for the purpose of ascertaining and enforcing
7 compliance of their work habits with county risk management policies and procedures; and
8 3. Within one working day of the knowledge of the occurrence or the report
9 thereof, whichever is first, the reporting to the worker's compensation coordinator of all
10 employee accidents, injuries and near misses and the causes thereof.

11 D. Failure of department heads or subordinate administrators to comply with the
12 county risk management policies and procedures may result in discipline invoked by the county
13 administrator or the appropriate department head, in accordance with 2.75.040 D.

14
15 2.75.040 Employee responsibility.

16 A. All employees shall comply with such provisions of the county risk management
17 policies and procedures as may affect or concern their job description, work habits and work
18 sites.

19 B. Each employee who suffers an injury or is involved in an accident on the job shall
20 report the same verbally to the supervisor as soon as is physically possible after the occurrence.
21 Within one working day he or she shall submit the employee incident form, upon forms as
22 supplied by the supervisor, a detailed written report of the nature of the occurrence. The injured
23 employee shall keep the supervisor or the worker's compensation coordinator informed of the
24 injury status, including informing the supervisor or worker's compensation coordinator within
25 one working day after learning of a recommended surgery for cure or treatment of the injury.
26 The injured employee shall make "contact" with the supervisor or worker's compensation
27 coordinator at least once every 7 ~~less~~ lost work days. "Contact" meaning: Providing detailed
28 information regarding the condition of the employee's injury in the form of written physician
29 reports; and status updates (via a personal telephone call or visit) of other relevant findings and
30 plans.

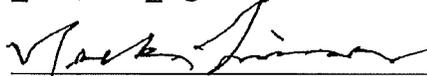
31 C. Employees shall submit only worker's compensation claims pertaining to
32 employment at Eau Claire County. Inappropriate and fraudulent claims will be denied.
33 Information related to fraudulent claims will be forwarded to the district attorney for appropriate
34 action and to the human resources department for the appropriate discipline which may lead to
35 termination.

36 D. Failure to comply with the county risk management policies and procedures may
37 result in discipline of an employee based upon just cause. Discipline shall be invoked by the
38 appropriate department head based upon information provided by the director and the human
39 resources director.

40
41 ENACTED:
42 Reviewed by Finance Dept.
43 for Fiscal Impact
44 -----

45
46 APPROVED BY
47 CORPORATION COUNSEL
48 AS TO FORM
49 TS/yk

I hereby certify that the foregoing correctly
represents the action taken by the undersigned
Committee on October 13, 2020 by a vote of
5 for, and 0 against.



Nick Smiar, Chair
Committee on Administration

FACT SHEET
FILE NO. 20-21/073

This ordinance authorizes the local health officer to issue orders of general application in times of public health emergency with retained legislative oversight. The ordinance is needed to delegate limited legislative authority for prompt, evidence-based, effective, and enforceable action to protect public health from highly infectious, novel, or difficult to treat communicable disease that threatens human life. Any orders must be necessary to mitigate local public health conditions, based on best available scientific information, share that information and any restrictions with the public, and maintain the ability for the public, through its elected officials, to make or amend the laws affecting them consistent with our constitutional structure of government. The ordinance specifically grants the ability for elected officials to make any enforceable order issued pursuant to this section into one that is advisory if, after consideration on a properly noticed agenda, the elected officials deem it necessary to do so.

A local legislative enabling ordinance that does not alter state statute but necessarily incorporates it into local code with the constitutionally required safeguards is needed to allow local enforcement of a local health officer order. Those safeguards ensure decisions are evidence-based, that foundational evidence and information is shared with the public, that there is a means of legislative input and oversight, and then permits lawful enforcement of any necessary orders to protect and preserve our community's health and safety. Similarly, this ordinance does not give the local health officer any additional authority beyond that granted by statute, but provides the necessary legislative oversight to enforce general orders of general application.

There have been several important state supreme court and appellate level judicial decisions, a statewide multi-disciplinary public health task force, and consideration of and consultation with national scholarly writings and topical experts that have informed this proposed ordinance. Only carefully crafted orders and authorizing ordinances that thoughtfully balance public health benefits along with impact on liberty interests and timely professional action with required democratic legislative participation, are likely to result in orders found legitimate by the public and lawful and enforceable by the courts.

Fiscal Impact: None

Respectfully,



Samantha Kraegenbrink

September 16, 2020

TO: Kathryn Schauf, Dale Peters

FR: Merey Price

RE: Eau Claire City Council and County Board Ordinances related to Communicable Disease General Orders

Based on the 9/14/20 Eau Claire Board of Health meeting, as president of the Board I would like to offer the following summary of our recommendations to the Eau Claire City Council and Eau Claire County Board for their consideration. The Board of Health unanimously passed the motion regarding these recommendations.

Undoubtedly all involved want to protect the health of the community. However, as the governing body of the Health Department, according to state statute the Board of Health has responsibility for protecting the health of the public. In both the City and County proposed communicable disease ordinances there are two areas we believe could negatively impact the public's health.

In a situation where the City Council and County Board do not agree on the appropriateness of a general order and one body approves while the other does not, that will create a patchwork of expectations and enforcement that will add confusion, questions and ultimately impact the effectiveness of managing the communicable disease.

The other area of concern is the potential delay of necessary public health action during a crisis when timing will be critical. The requirement for publication limited to the local newspaper could mean a delay since the local paper is no longer published 7 days/week. Language in the ordinance related to official publication being as soon as possible would best protect the public.

During the midst of this pandemic, we recognize there is a wide variance in public opinion and beliefs about COVID-19. Nonetheless, you can be assured that the local health officer, Health Department and Board of Health will continue to support the public's health using the best public health principles and practices available. We also appreciate the heavy responsibility for any person or group involved in making public health decisions and always stand ready to assist.

Thank you.

2
3 TO CREATE CHAPTER 8.30 OF THE CODE: COMMUNICABLE DISEASE; TO AMEND
4 SECTION 1.50.020 OF THE CODE: CITATION CODE

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

7
8 SECTION 1. That Chapter 8.30 of the code be created to read:

9
10 Chapter 8.30

11
12 COMMUNICABLE DISEASE

13
14
15 Sections:

16
17
18 8.30.010 Purpose.

19 8.30.020 Definitions.

20 8.30.030 Duties and authority of the local health officer.

21 8.30.040 Orders authorized by the county board.

22 8.30.050 Order authorization by direct legislation.

23 8.30.060 Procedural safeguards.

24 8.30.070 Substantive safeguards.

25 8.30.080 Advisory directives.

26 8.30.090 Exclusive application.

27 8.30.100 Enforcement.

28
29
30 8.30.010 Purpose. The purpose of this Chapter is to establish the authority of the Local
31 Health Officer as defined in section 2.52.06 of the code to ensure for the health and safety of the
32 residents as it relates to communicable disease within Eau Claire County by taking appropriate
33 measures to investigate, prevent, suppress and control communicable disease within Eau Claire
34 County. During such times, the responsibility of the health officer to act in a manner that is
35 reasonable and necessary cannot encompass everything and anything but shall be focused. This
36 chapter neither restricts the local health officer's statutorily granted authority to issue orders to
37 specific individuals or entities related to communicable disease, nor the local health officer's
38 ability to issue advisory directives, rather it delegates limited legislative authority compatible
39 with constitutional structure and with necessarily retained oversight to promptly issue
40 enforceable orders of general application consistent with Ch. 252 Wis. Stats. and this Chapter.

41
42 8.30.020 Definitions. In this chapter, the following words and terms shall have the
43 following meanings, unless the context clearly requires otherwise:

- 44 A. "Board of health" means the board of health established under 2.52.030.
45 B. "City" means the city of Eau Claire.
46 C. "City council" means the city council of the City of Eau Claire.
47 D. "County" means Eau Claire County.
48 E. "County board" means the Eau Claire County Board.
49 F. "DHS" means the State of Wisconsin Department of Health Services.

1 G. "Health department" means the Eau Claire city-county health department
2 established under 2.52.020.

3 H. "Local Health Officer" is the Director of the Health Department as established
4 under 2.52.060.

5 I. "Public Gathering" is gathering or assembly of individuals, not of the same
6 household, at a public place, business or event that is open or accessible to members of the
7 community at large.

8
9 8.30.030 Duties and authority of the local health officer. Consistent with the language of
10 Wisconsin Statutes § 252.03 the Local Health Officer shall have the following duties and
11 authority:

12 A. Investigation. Upon the appearance of any communicable disease in the County
13 shall immediately investigate and make a full report to the Board of Health as to the nature and
14 spread of the disease.

15 B. Do what is reasonable and necessary for the prevention and suppression of
16 disease, including ordering isolation and quarantine consistent with Wisconsin Statutes §§252.06
17 and 252.07.

18 C. Consistent with Wisconsin Statutes §252.03 may inspect schools and other public
19 buildings as needed to determine whether the buildings are kept in sanitary condition.

20 D. May do what is reasonable and necessary for the prevention and suppression of
21 disease, including prohibiting or limiting public gatherings when deemed necessary to control
22 outbreaks identified to individuals or businesses, subject to the following:

23 1. Orders directed at specific individuals or businesses shall be based on the
24 best available scientific understanding as informed by the local conditions in Eau Claire County
25 that an individual or business is either infected or the source of a community based infection,
26 and that in order to stop the spread of the infection it is necessary to order the individual or
27 business to quarantine, isolate or close, but only for so long as is necessary to stop or suppress
28 the spread of the disease, and shall only be in effect until such time as the business has taken the
29 appropriate actions to appropriately sanitize the business and take the appropriate precautions to
30 prevent future spread of the disease; or the individual has completed the quarantine or has been
31 released from isolation under health department guidelines.

32
33 8.30.040 Orders authorized by the county board. In the absence of an emergency
34 declaration, when an enforceable general local public health order of general application is found
35 to be necessary by the local health officer, based on the best available scientific understanding of
36 the conditions in Eau Claire County, the local health officer may issue such an order consistent
37 with the requirements of s. 252.03, Wis. Stats., for a duration of no longer than 30 days.

38 A. Within the duration of any order issued in accordance with this paragraph, the
39 county board may consider on its agenda a resolution to support and uphold such order. If the
40 resolution fails, the order shall become advisory and shall no longer be enforceable within the
41 county. If the order is not considered by the county board within the duration of the order, the
42 order shall be deemed approved.

43 B. Orders issued in accordance with this chapter may be issued in no more than 30
44 day increments up to a maximum of 180 days from the first local public health order issued
45 related to the same incident or local health condition.

46 1. Upon request of the local health officer, based on local conditions, the
47 county board may consider resolutions to extend the enforceability of a local health officer order
48 for an additional 90 days each to a total maximum of one year.
49

1
2
3 8.30.050 Order authorization by direct legislation. As an alternative means of protecting
4 the public health, safety and welfare of the county and its residents, the county board may
5 consider adoption by ordinance of a local health officer order, or advisory, in whole or in part, at
6 any time. Ordinance adoption following a properly noticed meeting and public discussion shall
7 be necessary in order to continue enforceability of any local health officer order, in whole or in
8 part, after the time period of one year related to the same incident or local health condition.
9

10 8.30.060 Procedural safeguards. Any order issued pursuant to this chapter shall satisfy
11 all of the following or failing to do so shall be only advisory in nature.

12 A. As soon as practicable upon issuance of an order and regularly thereafter, the
13 local health officer shall undertake an investigation of all relevant local medical and public
14 health conditions and report the same to the board of health for review and recommendation.

15 B. Such orders shall be no longer than 30 days in effect but may be renewed for
16 succeeding 30 day or shorter periods based on local conditions.

17 C. The local health officer shall make a report to the county board regarding the local
18 conditions and the necessity of any requirements in the local health order at every held regularly
19 scheduled county board meeting during the order, which shall be at least every 30 days.

20 D. Publication as a class one notice under ch. 985, Wis. Stats. for public notice and
21 awareness of standards of conduct they must follow or be subject to enforcement. Such orders
22 shall have the full force and effect of law immediately upon publication of the order as a class 1
23 notice under ch. 985, Wis. Stats., and, unless otherwise specifically provided, shall take effect
24 immediately following publication. Publication shall be required upon the initial issuance of the
25 order and for any renewal of the order in which the substantive requirements for an individual or
26 entity's actions have changed.
27

28 8.30.070 Substantive Safeguards. Any order issued pursuant to this chapter shall also
29 satisfy all of the following or failing to do so shall be only advisory in nature.

30 A. Only impose such restrictions and requirements as are necessary based on a
31 factual inquiry into local circumstances to prevent, suppress and control direct human health
32 risks proximately related to a highly infectious, novel or otherwise unusually difficult to treat
33 communicable disease, illness, or comparable community wide public health threat that without
34 prompt action significantly threatens the health and imperils the lives of residents as determined
35 in the professional judgment of the local health officer.

36 B. To the extent feasible, orders shall be content neutral, non-discriminatory, avoid
37 classifications and shall be reasonable and necessary in scope and duration . Classification shall
38 only be used when necessary, and if necessary, then only when classification substantially relates
39 to the mitigation of a threat to public health based on local conditions and as supported by best
40 available scientific understanding. n scope and duration.

41 C. State the strategic purpose of the order.

42 D. State a finding by the local health officer that voluntary targeted disease control
43 strategies are inadequate to achieve the order's purpose and that compulsory measures are
44 reasonable and necessary to disrupt the disease transmission.

45 E. State the current scientific understanding on which the order relies are is based,
46 including any available evidence and the reasoning behind any determinations the public health
47 officer has made regarding the transmission and virulence of the infectious agent or toxin, the
48 routes by which the it is transmitted, and the factors the determine the risk of transmission as
49 they relate to the content of the order, including the local health officer's finding that a

1 communicable disease as described in subparagraph A. above is affecting or is likely in the near
2 future to affect the geographic area to which the order is applied and that voluntary measures or
3 targeted disease control measures are unlikely to be adequate to achieve the strategic purpose of
4 the order.

5 F. Include any limitation, exceptions, or accommodations reasonably necessary to
6 ensure conformance with requirements of federal, state, and local disability laws, federal and
7 state constitutions.

8
9 8.30.080 Advisory directives. The local health officer shall consider the issuance of an
10 advisory directive prior to utilization of county board authorization under this chapter.
11 Mandatory enforceable general orders of general application shall only be utilized when deemed
12 necessary to ensure the public health safety and welfare of the county as determined in the
13 legislative discretion of the county board as directly exercised or lawfully delegated in this
14 chapter. Local health officer orders issued beyond one year that have not been previously
15 adopted by ordinance prior to that date shall not be enforceable and shall be thereafter solely
16 advisory in nature.

17
18 8.30.090 Exclusive application. Only those orders issued pursuant to and in compliance
19 with this chapter shall be applicable within Eau Claire County.

20
21 8.30.100 Enforcement. Failure of an individual or business to comply with the order of
22 the Local Health Officer may result in the issuance of a citation by the Local Health Officer or
23 his or her designee, resulting in a forfeiture of up to \$200 per incident, with each incident
24 constituting a new and separate violation.

25
26 SECTION 2. To amend Section 1.50.020 of the code:

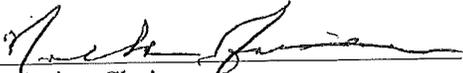
27
28

<u>ORDINANCE</u>	<u>OFFENSE</u>	<u>DEPOSIT</u>
29 8.20.090	Animal control - violation—penalties	500.00
30 8.30.040	Communicable Disease Order	200.00
31 9.40.040	License - Assemblies	500.00

32

33 ENACTED:

34
35 The foregoing represents the action of the
36 Committee on Administration on
37 September 10, 2020 by a vote
38 of 6 for, 0 against.

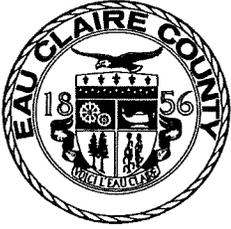
39
40 
41 Nick Smiar, Chair
42 Committee on Administration

The foregoing represents the action of the
City-County Board of Health on
September 14, 2020 by a vote
of 7 for, 0 against.

Merey Price, Chair
City-County Board of Health

**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

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



CORPORATION COUNSEL

Timothy J. Sullivan

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

October 5, 2020

FACT SHEET 20-21/080

This resolution extends the existence of the special committee on rural broadband. The committee was originally formed as the result of resolution 19-20/020. The committee was to be in existence for "up to 12 months or until a final plan was approved."

There is a need to extend the existence of the rural broadband committee so they can complete their work of "identifying under-served rural areas, identify funding resources, identify potential strategies to improve access, and to recommend cooperative ventures to improve rural broadband coverage."

Based on the information provided by Supervisor Mowry: as of this time the broadband special committee has developed a vision, mission, and goals/objectives but not a final plan. They have applied for a pilot program to WEDA and the PSC for the Broadband Connectors Pilot Program and their number one goal is to develop a plan to bring broadband access to all of Eau Claire County.

Timothy J. Sullivan
Corporation Counsel
TJS

2
3
4 EXTENDING THE EXISTENCE OF THE SPECIAL COMMITTEE ON RURAL
5 BROADBAND
6

7 WHEREAS, The Eau Claire County Board of Supervisors, pursuant to Resolution No.
8 19-20/020, Enrolled No. R163-013 created a special committee on Rural Broadband; and,
9

10 WHEREAS, the Rural Broadband Special committee was charged with the function of
11 identifying under-served rural areas and gaps in broadband service. Identify potential strategies
12 to improve access, and recommend cooperative ventures to improve rural broadband coverage;
13 and,
14

15 WHEREAS, the Rural Broadband Committee is composed of varied stakeholders who
16 represent educational, technical, Extension, and rural partners; and,
17

18 WHEREAS, the Rural Broadband Committee has made progress in reaching its goals it
19 has yet to approve a final plan to improve access to broadband services in rural areas of Eau
20 Claire County.
21

22 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors
23 extends existence of the special committee on Rural Broadband as created by Resolution No. 19-
24 20/020, Enrolled No. R163-013 until such time as a final plan is approved but not longer than 24
25 months from the date of approval of this resolution.
26

27 I hereby certify that the foregoing
28 correctly represents the action of the
29 Committee on Administration on
30 October 13, 2020, by a vote of 5 for, and 0
31 against.
32

33 
34 Nick Smiar, Chair
35 Committee on Administration
36
37
38

**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

2
3
4 EXTENDING THE EXISTENCE OF THE SPECIAL COMMITTEE ON RURAL
5 BROADBAND
6

7 WHEREAS, The Eau Claire County Board of Supervisors, pursuant to Resolution No.
8 19-20/020, Enrolled No. R163-013 created a special committee on Rural Broadband; and,
9

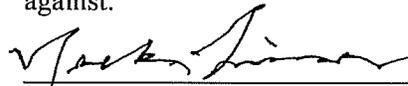
10 WHEREAS, the Rural Broadband Special committee was charged with the function of
11 identifying under-served rural arears and gaps in broadband service. Identify potential strategies
12 to improve access, and recommend cooperative ventures to improve rural broadband coverage;
13 and,
14

15 WHEREAS, the Rural Broadband Committee is composed of varied stakeholders who
16 represent educational, technical, Extension, and rural partners; and,
17

18 WHEREAS, the Rural Broadband Committee has made progress in reaching its goals it
19 has yet to approve a final plan to improve access to broadband services in rural areas of Eau
20 Claire County.
21

22 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors
23 extends existence of the special committee on Rural Broadband as created by Resolution No. 19-
24 20/020, Enrolled No. R163-013 until such time as a final plan is approved but not longer than 12
25 months from the date of approval of this resolution.
26

27 I hereby certify that the foregoing
28 correctly represents the action of the
29 Committee on Administration on
30 October 13, 2020, by a vote of 5 for, and 0
31 against.
32

33 

34 Nick Smiar, Chair
35 Committee on Administration
36
37
38

FACT SHEET

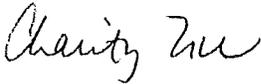
TO FILE NO. 20-21/082

The State of Wisconsin acts as agent for Airports desiring state or federal aid for airport development projects. The Airport Commission passed the necessary resolutions petitioning the Wisconsin Secretary of Transportation for airport improvement aid, but Eau Claire County must affirm the Airport Commission action as the Owner of the airport.

As noted in the petition resolution, improvements petitioned for as listed will be funded individually or collectively as funds are available, with specific project costs to be approved as work is authorized by the Airport.

Fiscal Impact: This is not a commitment to receive a grant so there is no fiscal impact to this resolution.

Respectfully Submitted,



Charity Zich
Airport Director

1 Enrolled No.

2 RESOLUTION

3 File No. 20-21/082

4 RATIFYING AND AFFIRMING THE CHIPPEWA VALLEY REGIONAL AIRPORT
5 COMMISSION PETITION FOR AIRPORT IMPROVEMENT AID DATED OCTOBER 16,
6 2020

7
8 WHEREAS, the Chippewa Valley Regional Airport Commission on October 16, 2020
9 approved a resolution petitioning the Secretary of Transportation for Government Airport
10 Improvement Aid; and

11
12 WHEREAS, the projects being petitioned are necessary to meet the existing and future
13 needs of the airport; and

14
15 WHEREAS, the Chippewa Valley Regional Airport Commission resolution is attached;
16 and

17
18 WHEREAS, the owner of the airport, Eau Claire County through the county board of
19 supervisors is required to ratify and affirm the Petition for Airport Improvement Aid.

20
21
22 NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of
23 Supervisors that it does hereby ratify and affirm the Chippewa Valley Regional Airport
24 Commission Petition for Airport Improvement Aid dated October 16, 2020.

25
26 ADOPTED:

27
28
29 _____
30 Chippewa Valley Regional Airport Commission Chair

31
32 Dated this _____ day of _____, 2020.

33
34
35 CZ

Reviewed by Finance Dept.
for Fiscal Impact

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

FACT SHEET
TO FILE NO. 20-21/077

Background

The Highway Maintenance Supervisor (1.0 FTE) position in the Highway Department was placed on the Bridge Plan as part of the response to the Covid-19 crisis. It has been determined that this position is necessary to manage day to day operations of the department and provide appropriate supervision to field staff. This will allow high-level staff in the Department more time to manage programs and projects with a goal of increased efficiency and reduced long term costs.

Request

Remove the Highway Maintenance Supervisor (1.0 FTE) position from the Bridge Plan and replace it with a Heavy Equipment Operator (1.0 FTE)

Fiscal Impact

There is no fiscal impact.



Respectfully submitted,

Jon Johnson

Highway Commissioner

2 - AUTHORIZING THE REPLACEMENT OF ONE HIGHWAY MAINTENANCE
3 SUPERVISOR WITH ONE HEAVY EQUIPMENT OPERATOR IN THE COUNTY'S
4 BRIDGE PLAN

5
6 WHEREAS, the Eau Claire County Board of Supervisors passed resolution 20-21/017 on
7 May 5, 2020 which authorized a Bridge Plan related to the Covid-19 Pandemic; and

8
9 WHEREAS, within that Bridge Plan the position of one (1.00 FTE) Highway Maintenance
10 Supervisor was indicated to remain vacant until supported by changes in the fiscal/volume
11 conditions; and

12
13 WHEREAS, the Highway Commissioner and County Administrator have determined the
14 need to fill the Highway Maintenance Supervisor as soon as possible to leverage day-to-day
15 operations of the Highway Department and allow high-level staff in the Department more time to
16 manage programs and projects; and

17
18 WHEREAS, The Highway Department recognizes the challenges to fiscal position of the
19 County caused by Covid-19 and wishes limit the impact of removing a position from the Bridge
20 Plan; and

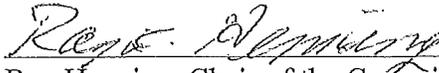
21
22 WHEREAS, the Highway Department's budget reflected this position in the approved
23 2020 budget and the funds have been maintained in the budget to support the replacement of the
24 positions; and

25 WHEREAS, at its regularly scheduled meeting on October 1, 2020 the Highway Committee
26 approved a request from the Highway Department to remove one (1.0 FTE) Highway Maintenance
27 Supervisor position from the Bridge Plan and add one (1.0 FTE) Heavy Equipment Operator to
28 the Bridge Plan outlined in Table 1: Fiscal Impact – Positions, provided to the Board of Supervisors
29 with the May 5, 2020 board packet,

30 NOW, THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors
31 approve the removal of one (1.00 FTE) Highway Maintenance Supervisor from the Bridge Plan
32 and the addition of one (1.00 FTE) Heavy Equipment Operator to the Bridge Plan.
33

34 **ADOPTED:**
35 **Reviewed by Finance Dept.**
36 **for Fiscal Impact**
37 -----

38
39 **APPROVED BY**
40 **CORPORATION COUNSEL**
AS TO FORM

I hereby certify the that the foregoing correctly
represents the action taken by the undersigned
committee on October 1, 2020 by a vote of
5 for and 0 against

Ray Henning, Chair of the Committee on Highway



Eau Claire
C O U N T Y

COMMITTEE ON HUMAN RESOURCES

To the Honorable Eau Claire County Board of Supervisors

RE: File No. 20-21/063

The Committee on Human Resources met on October 9, 2020 to discuss File No. 20-21/063: Resolution – Authorizing the filling of the “Operations Administrator” position in the Department of Human Services

After review and discussion, the Committee on Administration was not in support of File No. 20-21/063 by a vote of 2 for (Supervisors Gatlin and Schneider) and 2 against (Supervisors Beckfield and Pagonis).

I hereby certify that the foregoing correctly represents the position and action taken by the undersigned committee on October 9, 2020 by a vote of 2 for, 2 against.

Mark Beckfield, Chairperson
Committee on Human Resources

TO THE HONORABLE EAU CLAIRE COUNTY BOARD OF SUPERVISORS

Committee on Finance & Budget

File No. 20-21/063

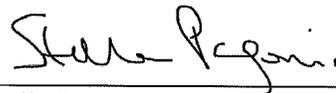
ANALYSIS

The Committee on Finance & Budget has reviewed the proposed resolution 20-21/063 “Authorizing the Filling of the Operations Administrator Position in the Department of Human Services.”

RECOMMENDATION

After review and discussion, the Committee on Finance & Budget does not support proposed resolution 20-21/063, by a voice vote of 1 for (Supervisor Dunning) and 3 against (Supervisors Leary, Pagonis, Wilkie).

I hereby certify that the foregoing correctly represents the action taken by the undersigned committee on October 12, 2020 by a vote of 1 for, 3 against.



Stella Pagonis, Chair
Committee on Finance & Budget

AW

FACT SHEET 20-21.063

This resolution is requesting the County Board remove the Operations Administrator position in the Department of Human Services Manager from the list of positions that are being held open as a result of the Bridge Plan that was created in response to the Covid-19 pandemic.

This position has already been approved and placed in the budget for the Department of Human Services for the year 2020.

The position is budgeted for seven months of 2020 at \$65,473. If the position is filled to start on September 1st, 2020, the anticipated cost for the rest of the year would be \$37,412, including benefits.

Filling the position has been deemed necessary by County Administration and County Finance to provide the administration, and management of programmatic and fiscal operations, across the Department, including validation of processes, practices, and reporting.

2
3
4 AUTHORIZING THE FILLING OF THE “OPERATIONS ADMINISTRATOR” POSITION IN
5 THE DEPARTMENT OF HUMAN SERVICES

6
7 WHEREAS, the Department of Human Services has been under scrutiny for years due to
8 budget pressures; and,

9
10 WHEREAS, lack of adequate funding combined with a reporting error of approximately
11 \$1,200,000 in the 2019 end of year reconciliation has increased concern and resulted in
12 perception of disarray; and,

13
14 WHEREAS, a recently completed audit by Clifton, Larson and Allen, indicates a
15 recording error deemed immaterial; and

16
17 WHEREAS, the Department of Human Services experienced a theft by a prior employee
18 and recognized some gaps in internal control processes which have been addressed, in
19 conjunction with County Finance; and,

20
21 WHEREAS, the 2020 budget adopted the addition of an Operations Administrator,
22 whose primary function is to guide and interconnect between programmatic areas and the
23 finances of the department: and,

24
25 WHEREAS, the Department of Human Services, County Administration, and County
26 Finance assess the need for increased administration, management and supervision within the
27 Department of Human Services; and,

28
29 WHEREAS, currently there is a resolution circulating that calls for the expenditure of up
30 to \$100,000 for a forensic audit of the finances of the Department of Human Services; and,

31
32 WHEREAS, a forensic audit is typically an examination of a company’s financial records
33 to derive evidence which could be used in a court of law or legal proceeding when there exists
34 evidence of fraud; and,

35
36 WHEREAS, the request for the forensic audit has failed to state any action on the part of
37 the Department of Human Services that would justify the expenditure of \$100,000 of the
38 county’s funds for a forensic audit; and,

39
40 WHEREAS, the Human Services Board is the governing committee of the Department of
41 Human Services and believes that it is prudent to move forward with action that offers a pathway
42 that ensures the structure supports the best practices and operations in place; and ,

43
44 WHEREAS, The Eau Claire County Board of Supervisors previously approved the
45 creation of the FTE position of “Operations Administrator” for the Department of Human
46 Services and has funded this position in the 2020 budget. Among other things, this position was
47 created to continue development of needed systems and processes within the department, but,
48 this position is currently being held open as the result of the County Board approved “Bridge
49 Plan” that was created in response to the COVID-19 pandemic.

1
2 WHEREAS, by authorizing the position of Operations Administrator to be removed
3 from the list of positions that are being held open by the Bridge Plan the County Board would be
4 taking action to provide resources necessary to continue to enhance the financial systems that
5 support the departmental operations without the expenditure of additional funds.
6

7
8 NOW THEREFORE BE RESOLVED, The Eau Claire County Board of Supervisors
9 authorizes removing the position of Operations Administrator from the list of positions that are
10 currently being held open in response to the Bridge Plan that was created by Resolution No. 20-
11 21.017, and authorizes the Department of Human Services to begin the process of recruitment
12 to fill this position as soon as possible.
13

14
15 I hereby certify that the foregoing
16 correctly represents the action of the
17 Human Services Board on
18 August 17, 2020, by a vote of 10 for, and 0
19 against.
20

21
22 _____
23 Colleen Bates, Chair
Human Services Board

FACT SHEET

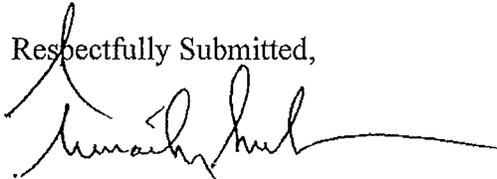
TO FILE NO. 20-21/064

This resolution disallows the claim filed on August 10, 2020 with the Eau Claire County Clerk in which Attorney Steven b. Goff on behalf of Donald Miller claims that on November 17, 2019 Mr. Miller was injured due to the operations of and Eau Claire County snowplow truck. the claim states that on November 27, 2019. Attorney Goff further states that Donald Miller, an employee of Kjelstad Plumbing while driving on County Road F was injured when an Eau Claire County snowplow operating on the overpass of Interstate 94 threw snow onto his windshield casing it to crash inward. Sandi Lindquist, Liability Claim Representative from WMMIC, the County's liability carrier, states it has been determined that Eau Claire County has no adverse liability for this claim as the County as involved in snowplow operations when the incident occurred and immunity applies.

The county's liability insurance carrier WMMIC recommended that the claim be disallowed.

Fiscal Impact:

Respectfully Submitted,



Timothy J. Sullivan

TJS/yk

2
3 DISALLOWING THE CLAIM OF DONALD MILLER IN THE AMOUNT OF \$250,000
4 FILED BY HIS ATTORNEY STEVEN B. GOFF SERVED ON THE EAU CLAIRE COUNTY
5 CLERK ON AUGUST 10, 2020; DIRECTING THE COUNTY CLERK TO NOTIFY THE
6 CLAIMANT OF SAID DISALLOWANCE

7
8 WHEREAS, on August 10, 2020 Attorney Steve B. Goff filed a Notice of Claim in the
9 amount of \$250,000 on behalf of Donald Miller with the Eau Claire County Clerk; and,

10
11 WHEREAS the claim states that on November 27, 2019 Donald Miller, an employee of
12 Kjelstad Plumbing while driving on County Road F was injured when an Eau Claire County
13 snowplow operating on the overpass of Interstate 94 threw snow onto his windshield causing it
14 to crash inward; and,

15
16 WHEREAS the county’s insurance carrier, WMMIC after a review of the information
17 and an investigation of the facts has recommended that the County disallow this claim as the
18 County was involved in snowplow operations when the incident occurred and immunity applies.

19
20 NOW THEREFORE BE IT RESOLVED. that the Eau Claire County Board of
21 Supervisors hereby formally disallow the claim of Donald Miller filed by Attorney Steven B.
22 Goff, of Bye, Goff and Rhode, Ltd. against the County of Eau Claire.

23
24 BE IT FURTHER RESOLVED that the county clerk is hereby directed to notify Donald
25 Miller and Attorney Steven B. Goff of the disallowance.

26
27
28 ADOPTED:

29
30
31
32 I hereby certify that the foregoing
33 correctly represents the action of the
34 Committee on Finance and Budget on
35 October 8, 2020, by a vote of 5 for,
36 and 0 against.

37
38
39 _____
40 Stella Pagonis, Chair
41 Committee on Finance and Budget

42
43
APPROVED BY
CORPORATION COUNSEL
AS TO FORM

Reviewed by Finance Dept.
for Fiscal Impact

FACT SHEET

FILE NO. 20-21/083

Approving a 2020 Budget Transfer in the Capital Projects Fund

This resolution amends the 2020 Eau Claire County budget by transferring \$124,279 from capital projects identified with excess funding to newly identified projects that are of a high priority to complete.

Resolution 20-21/083 will reallocate \$124,279 of capital projects funding to two new urgent jail projects as outlined below.

During 2020 the Finance Department has been tracking the actual capital expenditures in the Capital Projects Fund in relationship to the budget and approved funding, as well as funding received in 2020 for capital projects yet to be completed in 2020. The Finance Department has determined that there are excess capital funds related to budgeted projects that have been completed that could be assigned to new projects identified in 2020 that have been identified as a high priority to be completed. The new projects are noted below, along with the identified funds available to transfer to facilitate completion of these projects in 2020.

New Capital Project	Project Cost	Description/Reason	Funding Transfer from 2020 Project
Replace (2) jail dryers	\$24,254	The current jail dryers have reached the end of their useful life and are requiring multiple repairs and have become unreliable.	Excess Funding from Computer Lab Expansion - \$19,196 Excess Funding from Fleet Replacement - \$1,493 Excess Funding from Food Chopper - \$992 Excess Funding from IS Infrastructure Projects - \$2,573
Replace (15) SCBA (self-contained breathing apparatus units and batteries	\$100,025	These units are required for the jail operations as a component of fire suppression and inmate evacuation in the event of a fire in the jail. The current SCBA units are no longer in compliance with code and can't be certified.	Excess Funding from IS Infrastructure Projects - \$100,025

Fiscal Impact: No additional cost, as the source of the funding is based on the availability of excess funds.

Respectfully Submitted

Norb Kirk
Finance Director

2
3 AUTHORIZING A 2020 BUDGET TRANSFER OF CAPITAL PROJECTS FUND
4

5 WHEREAS, Based on tracking of the actual expenditure of capital funds, and the
6 tracking of funds received for capital project yet to be completed in 2020 the Finance
7 Department has determined that there are excess capital funds available from budgeted projects
8 that have been completed; and,
9

10 WHEREAS, The Sheriff's Department has identified two capital projects for the jail
11 which are of high priority: the replacement of (2) jail dryers which are at the end of their useful
12 life and require frequent repairs for a projected cost of \$24,254, and the replacement of 15 self-
13 contained breathing apparatus units and batteries, which are no longer in compliance and unable
14 to be certified, at a projected cost of \$100,025; and,
15

16 WHEREAS, The funds for these two projects will come from the following completed
17 capital projects where there are excess funds in the following amounts: computer lab expansion -
18 \$19,196, fleet replacement - \$1,493, food chopper - \$992, IS infrastructure projects - \$102,598.
19

20 NOW THEREFORE BE IT RESOLVED, That the Eau Claire County Board of
21 Supervisors authorizes the transfer of capital project funds in the 2020 annual budget, in the
22 amount of \$124,279 from the excess of the aforementioned completed capital project funds, to
23 pay for the capital projects in the jail including 2 new jail dryers, and 15 self-contained
24 breathing apparatus units and batteries.
25

26 I hereby certify that the foregoing
27 correctly represents the action of the
28 Committee on Finance and Budget on
29 October ____, 2020, by a vote of ____ for,
30 and ____ against.
31

32 _____
33 Stella Pagonis, Chair
34 Committee on Finance and Budget
35
36
37

**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

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