



## AGENDA

Eau Claire County Board of Supervisors  
Wednesday, April 7, 2021 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. Verbal comments are called in the order received. 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>

Via Webex Online (registration required):

Link:

<https://eauclairecounty.webex.com/eauclairecounty/onstage/g.php?MTID=eccc0518788abf9ff453e2d704dff2899>

Password: J62Fg9bK2p3

Dial in Number: 1-415-655-0001

Access Code: 145 983 9497

*\*Mute personal devices upon entry*

- (1) Indicates 1<sup>st</sup> Reading
- (2) Indicates 2<sup>nd</sup> Reading

1. Call to Order
2. Honoring of the Flag and Moment of Reflection by: Supervisor Colleen Bates
3. Call of the Roll
4. Approval of the Journal of Proceedings from March 16, 2021 *Pages 1-2*
5. **PUBLIC COMMENT (30-minute session - 3 minutes per speaker)**
6. **REPORTS TO THE COUNTY BOARD UNDER 2.04.320**

### **Oral Reports**

- Highway Building Update by Matt Theisen, Facilities Director
- 6<sup>th</sup> Courtroom Update by Matt Theisen, Facilities Director
- Federal Stimulus Funding Update by Kathryn Schauf, Administrator
- Broadband Committee Update by Supervisor Mowry
- Communicable Disease Taskforce Update by Chair Smiar

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

- Proclamation proclaiming the week of April 26 – April 30, 2021 as “Work Zone Awareness Week” in Eau Claire County *Page 3*
- Proclamation celebrating Hmong History and condemning violence against Asian Pacific Islander Desi American (APIDA) Community *Page 4*
- Proclamation proclaiming April 2021 as National County Government Month in Eau Claire County *Page 5*
- Rezoning request from owner and applicant, Mark K & Barbara A Goings for the Town of Lincoln *Page 6*

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

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.**

- 20-21/075 (2) Ordinance – Creating section 4.30.140 of the Eau Claire County Code; Child Support Agency Fees *Pages 7-9*
- 20-21/129 (1) Resolution – Authorizing legislation in matters referred to be carried over to the next legislative session (*The Committee on Administration will be meeting on April 7, prior to the County Board meeting to act on this legislation*) *Pages 10-11*

**Committee on Parks and Forest**

**File No.**

- 20-21/120 (1) Resolution – Granting utility easements to Eau Claire Energy Cooperative in section 5, T26N, R6W, in the Town of Bridge Creek and in the Town of Ludington *Pages 12-20*

**Committee on Judiciary and Law Enforcement**

**File No.**

- 20-21/127 (1) Resolution – Requesting the State of Wisconsin strengthen its Hate Crime Statute. Wis. Stat. §939.645, to provide enhanced security to members of Wisconsin’s Marginalized Communities *Pages 21-22*

11. **APPOINTMENTS**

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-6945, (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.

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

**Tuesday, March 16, 2021**

The County Board of Supervisors of the County of Eau Claire convened remotely via Webex Events on Tuesday, March 16, 2021, 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 James Dunning.

Roll Call: 26 present: Supervisors Gary G. Gibson, Sandra McKinney, Joe Knight, Stella Pagonis, Dane Zook, Kevin Stelljes, Donald D. Mowry, Nancy Coffey, Ray L. Henning, Colleen A. Bates, Connie Russell, Judy Gatlin, Nick Smiar, Chris Hambuch-Boyle, Martha Nieman, James A. Dunning, Gerald L. Wilkie, Nathan Anderson, Katherine Schneider, Robin J. Leary, Heather DeLuka, Melissa Janssen, Tami Schraufnagel, Zoe Roberts, Kimberly A. Cronk, Missy Christopherson

3 absent: Supervisors Carl Anton, Steve Chilson, Mark Beckfield

\*Supervisor Chilson arrived later in the meeting

\*\*After the meeting Supervisor Anton indicated he was present

**JOURNAL OF PROCEEDINGS ( March 2, 2021 )**

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

**PUBLIC COMMENT**

A written comment was read by the county clerk, from Susan Wolfgram, regarding the EDSJI survey.

**REPORTS TO THE COUNTY BOARD UNDER 2.04.320**

The following oral reports were presented:

-Pre-sale reports for the 2021B and 2021C Bond Issues by Sean Lentz, Ehlers

-Information on Landfill by Tim Sullivan, Corporation Counsel

\*Supervisor Chilson arrived at this time.

-EDSJI Survey Update by Eric Killen, Luke Fedie, and Supervisor Katherine Schneider, EDSJI Taskforce

-Cash and 2020 Fund Balance Update by Norb Kirk, Director of Finance

-County Administrator Update by Kathryn Schauf, Administrator

The following written reports were presented:

-2020 Department Annual Report

-2020 Community Agency Reports

Reports from Finance Department

-2021 Contingency Fund Report

-February Vouchers over \$10,000

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

The county clerk read a proclamation proclaiming April 12-16, 2021 as Severe Weather Awareness Week.

On a motion by Supervisor DeLuka, seconded by Supervisor Schraufnagel, the proclamation was adopted via voice vote.

**FIRST READING OF ORDINANCES BY COMMITTEES**

**Committee on Administration**

**Ordinance 20-21/075 CREATING SECTION 4.30.140 OF THE EAU CLAIRE COUNTY CODE; CHILD SUPPORT AGENCY FEES**

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 20-21/123** AUTHORIZING THE PURCHASE OF APPROXIMATELY 6.87 ACRES OF LAND LOCATED IN THE TOWN OF WASHINGTON ALONG US HWY 53 AND OTTER CREEK RD FROM MARLYS STERRY AND CHRISTOPHER HORLACHER FOR THE SUM OF \$220,000; AUTHORIZING THE COUNTY CLERK TO EXECUTE ALL NECESSARY DOCUMENTS ON BEHALF OF EAU CLAIRE COUNTY

On a motion by Supervisor Leary, seconded by Supervisor Henning, the resolution was adopted via voice vote.

**Committee on Finance and Budget**

**Resolution 20-21/121** RESOLUTION AWARDDING THE SALE OF \$24,350,000 GENERAL OBLIGATION HIGHWAY FACILITY BONDS, SERIES 2021B

Motion made by Supervisor Henning, seconded by Supervisor Bates, for adoption.

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

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

0 noes

2 absent: Supervisors Anton, Beckfield

**Resolution 20-21/122** RESOLUTION AWARDDING THE SALE OF \$7,405,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2021C

Motion made by Supervisor Leary, seconded by Supervisor Wilkie, for adoption.

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

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

0 noes

2 absent: Supervisors Anton, Beckfield

**Resolution 20-21/118** DISALLOWING THE CLAIM OF A+ STORAGE SOLUTIONS FILED ON FEBRUARY 8, 2021 BY OWNER MARCIA BOWMAN AGAINST EAU CLAIRE COUNTY; DIRECTING THE COUNTY CLERK TO NOTIFY THE CLAIMANT OF SAID DISALLOWANCE

On a motion by Supervisor Schraufnagel, seconded by Supervisor Pagonis, the resolution was adopted via voice vote.

**Resolution 20-21/124** FINANCIAL POLICY: PROCUREMENT CARD

On a motion by Supervisor Wilkie, seconded by Supervisor Gatlin, the resolution was adopted via voice vote.

The board adjourned at 9:10 p.m.

\*\*After the meeting the county clerk was informed Supervisor Carl Anton was present at the meeting, could hear, but could not respond.

Respectfully submitted,



Sue McDonald  
County Clerk

1 PROCLAMATION

2  
3 PROCLAIMING THE WEEK OF APRIL 26 THROUGH APRIL 30, 2021 AS “WORK ZONE  
4 AWARENESS WEEK” IN EAU CLAIRE COUNTY

5  
6 WHEREAS, the Wisconsin County Highway Association is asking all seventy-two  
7 counties in the state to unite and kick off “Work Zone Safety Awareness Week” with a resolution  
8 and campaign to raise awareness for its workers, the traveling public, public safety workers, and  
9 those of various highway contractors performing work for the counties; and

10  
11 WHEREAS, construction and maintenance activities on our streets and highways require  
12 that work zones be established; and

13  
14 WHEREAS, in Wisconsin there is an average of 2,677\* work zone crashes each year and  
15 there have been over 13,000 crashes resulting in 5,200 injuries and 50 deaths over the past five  
16 years; and

17  
18 WHEREAS, in 2019, Wisconsin suffered from over 2,400 crashes in road construction  
19 and maintenance zones resulting in 899 injuries and 18 deaths; and

20  
21 WHEREAS, between 2014 and 2019, there were 85 deaths recorded as a result of crashes  
22 in Wisconsin work zones including three Wisconsin County Highway workers who were killed  
23 in work zones in 2015; and

24  
25 WHEREAS, through their enforcement activities and other participation, the Eau Claire  
26 County Sheriff’s Office, Wisconsin State Patrol, and Eau Claire County Highway Department  
27 are committed to working together in 2021 to make Work Zone Awareness Week a success;

28  
29 WHEREAS, the Federal Highway Administration has designated April 8 through April  
30 12, 2019 as National Work Zone Awareness Week.

31  
32 NOW, THEREFORE, I, Nick Smiar, chair of the Eau Claire County Board of  
33 Supervisors, do hereby proclaim April 26 through April 30, 2021 be designated as Work Zone  
34 Awareness Week in Eau Claire County.

35  
36 PRESENTED THIS \_\_\_\_\_ DAY OF APRIL, 2021

37  
38  
39  
40  
41 \_\_\_\_\_  
42 Nick Smiar, County Board Chair

1 PROCLAMATION

2  
3 CELEBRATING HMONG HISTORY AND CONDEMNING VIOLENCE AGAINST THE  
4 ASIAN PACIFIC ISLANDER DESI AMERICAN (APIDA) COMMUNITY.

5  
6 WHEREAS, April is Hmong History Month, a time to reflect on the sacrifices the  
7 Hmong people selflessly made for the United States during the Vietnam War, and an avenue to  
8 celebrate the robust culture they bring to the United States and the State of Wisconsin, and Eau  
9 Claire County; and,

10  
11 WHEREAS, 23 million Asian Americans and Pacific Islanders account for  
12 approximately Seven (7) percent of the total population in the United States; and

13  
14 WHEREAS, Asian Americans have for far too long been the target of xenophobic  
15 policies, labor exploitation, hate crimes, and systemic racism in the United States; and

16  
17 WHEREAS, the use of anti-Asian rhetoric, has intensified by 150 percent in major U.S.  
18 cities during this past year, resulting in Asian Americans being harassed, assaulted, and  
19 scapegoated for the COVID-19 pandemic; and

20  
21 WHEREAS, the World Health Organization (WHO) and the Centers for Disease Control  
22 and Prevention (CDC) recognize that naming COVID-19 by its geographic location or linking it  
23 to a specific ethnicity perpetuates stigma; and

24  
25 WHEREAS, no one should live in fear in our communities across the United States and  
26 in the State of Wisconsin.

27  
28 IT IS HEREBY PROCLAIMED by the Eau Claire County Board of Supervisors that the  
29 month of April 2021 is hereby proclaimed to be “Hmong History Month” in celebration of the  
30 robust culture Hmong people bring to Eau Claire County, the State of Wisconsin, and the United  
31 States; and,

32  
33 BE IT FURTHER PROCLAIMED the Eau Claire County Board of Supervisors  
34 condemns violence of all forms against the Asian Pacific Islander Desi American community;  
35 and,

36  
37 BE IT FURTHER PROCLAIMED that Eau Claire County Board of Supervisors  
38 encourages everyone to condemn anti-Asian bias and to read, learn, and seek opportunities to  
39 experience cultures other than their own, review their practices that may create barriers or  
40 contribute to systemic racism, and in these ways and others, seek to become a more welcoming,  
41 inclusive community.

42  
43 Presented this 7<sup>th</sup> day of April, 2021

44  
45 \_\_\_\_\_  
46 Nick Smiar, County Board Chair

1 PROCLAMATION

2 Proclaiming April 2021 as National County Government Month in Eau Claire County

3 WHEREAS, the nation’s 3,069 counties, parishes and boroughs serving more than 300 million  
4 Americans provide essential services to create healthy, safe and vibrant communities; and

5 WHEREAS, counties provide public health services, administer justice, keep communities safe,  
6 foster economic opportunities and much more; and

7 WHEREAS, Eau Claire County and all counties take pride in our responsibility to protect and  
8 enhance the health, wellbeing and safety of our residents in efficient and cost-effective ways; and

9 WHEREAS, under the leadership of National Association of Counties President Gary Moore, NACo  
10 is demonstrating how “Counties Matter,” especially in supporting residents and businesses during the  
11 coronavirus pandemic; and

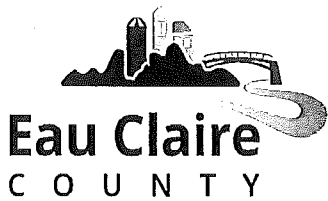
12 WHEREAS, each year since 1991 the National Association of Counties has encouraged counties  
13 across the country to elevate awareness of county responsibilities, programs and services; and

14 WHEREAS, Eau Claire County was incorporated in 1856 and the mission is to “provide quality,  
15 innovative, and cost-effective services that safeguard and enhance the well-being of residents and  
16 resources.” Eau Claire County government services touch those who live in the county, visitors, and  
17 others in the Chippewa Valley

18 NOW THEREFORE, I Nick Smiar, Eau Claire County Board of Supervisors Chairperson, do hereby  
19 proclaim April 2021 as National Government Month.

20 Presented this 7<sup>th</sup> day of April 2021

21  
22  
23 \_\_\_\_\_  
Nick Smiar, County Board Chair



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

Building Inspection  
839-2944  
Emergency Management  
839-4736  
Geographical Information Systems  
839-4730  
Land Conservation  
839-6226  
Land Records  
839-4742  
Land Use Management  
839-4743  
Planning  
839-5055  
Recycling  
839-2756

March 18, 2021

RECEIVED

MAR 18 2021

COUNTY CLERK

MAR 19 2021

Admin Section

## 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:** Mark K & Barbara A Goings

**Applicant:** Owner

**File Number:** 20-21/126

**Legal Description:** Part of the Southeast ¼ of the Northwest ¼ Ex Lot 1 of CSM V 3 Page 95 (#567), also deed restriction as rec in 1218/444, Section 24, Township 26 North, Range 7 West, Town of Lincoln, Eau Claire County, Wisconsin

**Site Address:** E 17450 County Road V, Augusta, WI 54722

**Existing Zoning District:** A-3 Agricultural District

**Purposed Zoning District:** A-P Agricultural Preservation

**Acres to be Rezoned:** 34.68 +/-

**Date Received:** 3/15/2021

Regards,

Samuel Simmons

Administrative Specialist III, Planning and Development

C: Samantha K (Administration)



March 4, 2021

**FACT SHEET 20-21.075, Creating Section 4.30.140**

This ordinance creates Section 4.30.140 of the Eau Claire County Code; Child Support Agency Fees. This allows the Child Support Agency (CSA) to charge fees allowable by the Federal Office of Child Support Enforcement, for non-IVD (NIVD) services provided by the CSA.

The CSA provides certain unfunded mandated services in NIVD cases where there is not an application for CSA services and/or where there is no public assistance being received by the parties in the case, but where the CSA is mandated to put the case record into the statewide KIDS database.

The proposed fees will potentially encourage parties to apply for IVD services. The movement of more NIVD cases to the IVD caseload is beneficial to the CSA beyond the cost of payment for services because NIVD cases are statistically better paying cases and this would have a positive effect on agency performance goals. Furthermore, the increase in the IVD caseload size would provide the CSA with a larger percentage of federal incentive funds thereby reducing the program reliance on county levy.

**Fiscal Impact:** Fee revenue in the estimated amount of \$1,000.00 per fiscal year will result from the adoption and implementation of this ordinance.

Richard A. Eaton  
Asst. Corporation Counsel  
RAE

4 CREATING SECTION 4.30.140 OF THE EAU CLAIRE COUNTY CODE; CHILD  
5 SUPPORT AGENCY FEES

6 WHEREAS, pursuant to Wis. Stat. § 59.53, Eau Claire County administers the Wisconsin  
7 child support program at a local level consistent with the terms and provisions of a contract with  
8 the Wisconsin Department of Children and Families.

9  
10 WHEREAS, pursuant to Wis. Stat. § 59.53 and consistent with the term and provisions of  
11 said contract, the Eau Claire County Child Support Agency (hereafter "CSA") provides federally  
12 funded child support enforcement services under 42 U.S. Code Part D, commonly referred to as  
13 the IVD program (pronounced 4-D), and IVD cases are worked by CSA staff to establish  
14 paternity, child support obligations and enforcement as a result of a referral to CSA by the  
15 Department of Human Services because the parties to the case are receiving state or federal aid  
16 assistance or because the customer applied directly for CSA services. The CSA receives  
17 reimbursement from the state for providing IVD services; and

18  
19 WHEREAS, pursuant to Wis. Stat. § 59.53 and consistent with the term and provisions of  
20 said contract, the CSA also provides certain unfunded mandated services to non-IVD cases  
21 where there is not an application for CSA services and/or where there is no public assistance  
22 being received by the parties in the case, but where the CSA is mandated to put the case record  
23 into the statewide KIDS database; and

24  
25 WHEREAS, although private attorneys typically represent the parties in NIVD cases, the  
26 cases are entered into the KIDS system by the CSA for tracking financial billing and payments,  
27 but the CSA receives no Federal reimbursement for work conducted on these types of cases; and

28  
29 WHEREAS, pursuant to Federal Office of Child Support Enforcement (OCSE) guidance,  
30 counties may elect to charge a fee for NIVD services and selective IVD services, specifically,  
31 providing payment histories and your undersigned committee does believe it is in the best  
32 interest of Eau Claire County to adopt the fee schedule as indicated below.

33  
34 **The County Board of Supervisors of the County of Eau Claire does ordain as**  
35 **follows:**

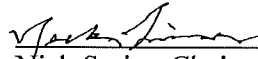
36  
37 SECTION 1. That Section 4.30.140 Child Support Agency Fees is created to read:

38  
39 4.30.140 Child Support Agency Fees

- 40 A. The Child Support Agency shall charge the following fees for the below-described  
41 services for non-IVD cases:  
42  
43 a) Reconciliation of account records with certification of arrears in NIVD cases: \$25.00  
44 for each year certified.  
45 b) Printed payment history for non-IVD cases: \$25.00 for each request.  
46 c) Certified copy of payment history in NIVD cases: \$25.00 for each year certified.  
47 d) Creating and sending income withholding order in non-IVD cases: \$25.00 for each  
48 order sent.  
49 e) Crediting an account for direct payments in non-IVD cases: \$25.00 for each request.  
50 B. These fees shall be effective on April 1, 2021.

52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67

I certify that the foregoing correctly represents the action taken by the Committee on Administration on March 09, 2021 by a vote of 4 for, 0 against.



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

RE/yk

**APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM**

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

**FACT SHEET  
TO FILE NO. 20-21/129**

Section 2.04.160 E. of the county code requires that all matters referred to a committee and not reported to the board by the end of a county board session year are to be placed on file unless the board orders them to be carried over. Ordinance File 20-21/073, creating 8.30 Communicable Disease and a forfeiture of violation: a task force has been created to review and recommend amendments to this resolution. File No. 20-21/126 is a rezoning application with Planning & Development that will be coming to the board at a future meeting. File No. 20-21/128 is being considered by Parks & Forest in the month of April and will come to the County Board, if approved, following that meeting.

Resolution files that will be referred or introduced for first reading at the first meeting in April are automatically carried over to the 2021-2022 legislative session.

Respectfully submitted by,

Samantha Kraegenbrink

1 Enrolled No.

RESOLUTION

File No. 20-21/129

2

3 -AUTHORIZING LEGISLATION IN MATTERS REFERRED TO BE CARRIED OVER TO  
4 THE NEXT LEGISLATIVE SESSION

5 WHEREAS, Section 2.04.160 E. of the code provides that all matters referred to committee and  
6 not act on by the end of the session year shall be placed on file unless ordered by the board.

7 NOW THEREFORE BE IT RESOLVED; by the Eau Claire County Board of Supervisors that  
8 the following matters previously referred or introduced by carried over to the 2020-2021  
9 legislation session:

10 20-21/073

11 20-21/126

12 20-21/128

13 ADOPTED:

14

15

16

17

18

19

20

21

22

23

24 SJK

I hereby certify that the foregoing  
correctly represents the action taken  
by the Committee on Administration  
on April \_\_\_\_, 2021 by vote of  
\_\_\_\_ for, and \_\_\_\_ against.

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

**APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM**

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



**FACT SHEET**

**TO FILE NO. # 20-21/120**

Eau Claire Energy Cooperative is requesting two easements to place utility lines underground. One easement in the Town of Bridge Creek along ND Court and one easement in the town of Ludington along ND Lane. In order to replace the overhead utility lines with underground utility lines Eau Claire Energy Cooperative requires and easement.

This would be highly beneficial to the Cooperative and its Members. Additionally, the removal of overhead utility lines allows natural vegetation to return to the property.

**FISCAL IMPACT:** Eau Claire Energy has offered to pay twenty-five dollars (\$25.00) per easement. This has a fifty dollar (\$50.00) positive fiscal impact.

Respectfully submitted,

Josh Pedersen  
Parks and Forest Director

1 Enrolled No.

RESOLUTION

File No. 20-21/120

2  
3 GRANTING UTILITY EASEMENTS TO EAU CLAIRE ENERGY COOPERATIVE IN  
4 SECTION 5, T26N, R6W, IN THE TOWN OF BRIDGE CREEK AND IN THE TOWN OF  
5 LUDINGTON

6  
7 WHEREAS, Eau Claire County owns county forest land known as Lake Eau Claire County Park; and

8  
9 WHEREAS, Eau Claire County lands are administered by the Parks and Forest Department; and

0  
1 WHEREAS, Eau Claire Energy Cooperative is requesting easements to the Lake Eau Claire County  
2 Park area to remove overhead utility lines and to install new utility lines underground; and

3  
4 WHEREAS, Eau Claire Energy Cooperative would replace existing overhead lines with underground  
5 lines northeasterly from the easterly side of ND Court to ND Loop in the town of Bridge Creek; and

6  
7 WHEREAS, the areas affected by the Bridge Creek easement are described and set forth in the  
8 proposed easement and attached as Exhibit "A" and "B;" and

9  
0 ~~WHEREAS, Eau Claire Energy Cooperative would replace existing overhead lines with underground~~  
1 ~~lines north northeasterly from ND Lane along the west right-of-way in the Town of Ludington; and~~

2  
3 WHEREAS, the areas affected by the Ludington easement are described and set forth in the proposed  
4 easement and attached as Exhibit "C" and "D;" and

5  
6 WHEREAS, Eau Claire Energy Cooperative offers to purchase the utility easement described for the  
7 sum of twenty-five dollars (\$25.00) per easement; and

8  
9 WHEREAS, the utility easement allows right of use and access for service.

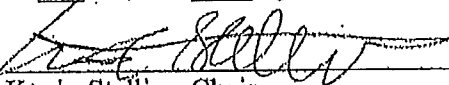
0  
1 NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors grant  
2 easements to Eau Claire Energy Cooperative for the purpose of removing overhead lines and  
3 installing underground utility lines in the Towns of Bridge Creek and Ludington for the sum of  
4 twenty-five dollars (\$25.00) per easement; and

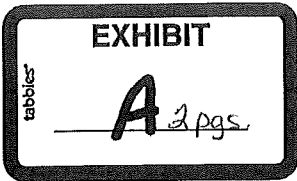
5  
6 BE IT FURTHER RESOLVED that the County Clerk is authorized to sign all documents necessary  
7 to transfer the aforementioned easement to the Eau Claire Energy Cooperative.

8  
9  
0  
1  
2 **APPROVED BY**  
3 **CORPORATION COUNSEL**  
4 **AS TO FORM**

5  
6  
7 Reviewed by Finance Dept.  
8  
9 for Fiscal Impact

0 CRE/ljl

I hereby certify that the foregoing  
correctly represents the action of the  
Committee on Parks and Forest on  
March 8, 2021 by a vote  
of 5 for, and 0 against.  
  
Kevin Stelljes, Chair  
Committee on Parks and Forest



# UTILITY EASEMENT AGREEMENT

## EAU CLAIRE COUNTY

(hereinafter called the "Grantor"), and any lienholder executing this easement, for a valuable consideration, does hereby grant, warrant and convey unto EAU CLAIRE ENERGY COOPERATIVE, 8214 US Highway 12, FALL CREEK, WISCONSIN, 54742, a cooperative organized under Chapter 185 Wisconsin Statutes, hereinafter called the "Cooperative",

its successors and assigns, with full right to lease, sublet, and license its rights hereunder, the perpetual right, privilege and easement to enter upon the rights of way described hereinafter, and to construct, operate, repair, maintain, relocate, reconstruct, and replace over and under the surface thereof, lines for the transmission and distribution of electric energy, petroleum products, and communications signals.

Said easement shall consist of two distinct rights-of-way, the service easement and the distribution easement. The service easement may cross any of Grantor's lands, described below, for the purpose of bringing electrical service from distribution lines to the service entrance of any electrical service on the premises. The distribution easement shall be for lines which are now, or in the future become, part of the system for serving Cooperative members in addition to Grantor. Both easements are further described herein.

**SUBDIVISIONS:** If Grantor's land is subdivided and utility easements are shown on the subdivision map, this easement includes all such "Utility Easements." If not included in said "Utility Easements," this easement includes a strip of land fifteen feet wide wherever a boundary of such lot abuts a public right-of-way and a strip six feet wide along each other boundary of each such lot.

**COOPERATIVE'S FACILITIES:** "Lines" includes cable, poles, anchors and guy wires, conduits, transformers and all accessories and appurtenances which the Cooperative determines to be necessary and appropriate therefor, whether above or below the ground and shall remain the property of the Cooperative which shall have the right to inspect, rebuild, remove, repair, improve and make changes, alterations, substitutions and additions in and to its facilities as it may from time to time deem advisable. The Cooperative may place signs on the easement for the purpose of monumenting the easement area.

**ACCESS:** This easement also grants the Cooperative the right of access to any described easement area through, over, and across other adjacent lands of Grantor, provided that said access shall be by a route which, in Grantee's judgement, will cause the least practical damage and further provided that the Cooperative will repair, restore, or reasonably compensate Grantor for any damage resulting from such use of adjacent lands.

**SERVICE EASEMENT:** Wherever the service easement contains overhead lines, it shall be 30 feet<sup>1</sup> wide. Wherever the service easement contains underground lines, it shall be 15 feet<sup>1</sup> wide. The center line of the service easement, which may be relocated from time to time, shall be the electrical service line running from the distribution easement to the service entrance on the premises served.

**DISTRIBUTION EASEMENT:** Wherever the distribution easement lies adjacent to a public highway, it shall be a strip of land 15 feet<sup>1</sup> wide if the line is single-phase and 20 feet<sup>1</sup> wide if the line is now or is later upgraded to three-phase, even if the highway is changed or relocated. In other areas, whenever the distribution easement contains overhead lines, it shall be 30 feet<sup>1</sup> wide if the line is single-phase and 40 feet<sup>1</sup> wide if the line is now or is later upgraded to three-phase. Wherever the distribution easement contains underground lines, it shall be 20 feet<sup>1</sup> wide. The center line of the distribution easement shall be the center most conductor of the line unless the easement is described otherwise on the reverse hereof or an attachment hereto.

This easement also includes any location used by the Cooperative at any time to place one or more anchors on Grantors' land outside the easement strip to support the Cooperative's facilities constructed within the defined easement strip, and the area necessary for service of said anchor which is defined as a circle with a radius of 10 feet centered on any such anchor facilities and a strip twenty feet wide between that anchor and the foregoing easement, the center line of which shall be a line on the ground directly beneath the guy line attached to said anchor.

**OVERHEAD LINE SAFETY:** If any of said facilities are constructed above the ground, the Cooperative may, by chemical, mechanical or other means, cut, trim and control the growth of vegetation within the easement and may cut down or trim from time to time all dead, weak, leaning or dangerous trees or limbs on lands adjacent to the right-of-way, which could strike the wires in falling, as it deems necessary or appropriate.

**UNDERGROUND SAFETY:** If any of said facilities are constructed in or under the ground, the Cooperative may excavate the soil within the easement described herein, and remove trees, rocks and other obstructions, as necessary,

Return to:

Eau Claire Energy Cooperative  
8214 US Highway 12  
P.O. Box 368  
Fall Creek, WI 54742

Parcel No: 002108408000

W.O. Number: 21004

<sup>1</sup>Unless changed in this footnote:

Service Easement \_\_\_\_\_ Overhead \_\_\_\_\_ Underground \_\_\_\_\_ Easement Width \_\_\_\_\_  
Distribution Easement \_\_\_\_\_ Overhead \_\_\_\_\_ Underground \_\_\_\_\_ Easement Width \_\_\_\_\_



for the construction, maintenance, repair, replacement, safety or operation of said line or lines. No owner or occupant of the land may dig or excavate within the easement, or permit others to do so, except as permitted by the Cooperative.

**GRANTOR'S USE:** The land within the easement may be used for any purpose not inconsistent with the rights granted, provided such use does not interfere with or endanger the construction, operation and maintenance of the Cooperative's facilities. However, the easement shall at all times be kept clear of buildings, structures, obstructions or any condition which violates the National Electrical Safety Code, the Wisconsin Electrical Code, or the safety regulations of the Cooperative. Once lines have been constructed or installed, the surface elevation over or under said lines may not be altered by more than six inches unless permitted in writing by the Cooperative.

**BINDING AGREEMENT:** This conveyance is binding on and inures to the benefit of the heirs, representatives, assigns, successors, and grantees of the Grantor. The Cooperative reserves the right to license, permit, or otherwise agree to the use of the easement by any person or entity for the transmission of energy or of communication signals of any kind. The Cooperative reserves the right to charge for such a license, permit, or agreement.

Additional space for legal description or special provisions:

Section 05, Township 26 North, Range 06 West

[Inapplicable unless filled in] Easement located on the N S E W (circle one) \_\_\_\_\_ feet of:

SW-NW EX LAKE EAU CLAIRE & EX 1ST ASR PLAT OF LAKE EAU CLAIRE NORTH, EX COM AT SW COR OF SD 40 TN NLY 165' TO POB TN NLY 426' TN ELY 59' M/L TO WLY R/W LN OF CTH OO TN SLY 221' M/L TO INTER OF WLY R/W LN OF CTH ND TN SWLY 224' M/L TN N45\*W M/L 20' M/L TO POB & CONT 0.53 AC M/L, EX COM AT SW COR OF SD 40 TN NLY 90' M/L TO WLY R/W LN OF CTH ND & POB TN NLY 75' M/L TO PT 165' NLY OF SD SW COR OF SD 40 TN S45\*E M/L 20' M/L TO WLY R/W OF CTH ND TN SWLY ALG R/W 63' TO POB ENTERED IN CFL BEG 1986 PER 637/706, WITHDREW .54 AC BEG 2008 PER DOC 974608, 26.96 AC IN CFL, LYING IN THE SW-NW, SECTION 4, TOWNSHIP 26 NORTH, RANGE 6 WEST, TOWN OF BRIDGE CREEK, EAU CLAIRE COUNTY, WISCONSIN

If checked here, additional sheet is attached for legal description or other information.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Grantor:

Signature \_\_\_\_\_

Printed name EAU CLAIRE COUNTY

Signature \_\_\_\_\_

Printed name \_\_\_\_\_

Grantor:

Signature \_\_\_\_\_

Printed name \_\_\_\_\_

Signature \_\_\_\_\_

Printed name \_\_\_\_\_

**ACKNOWLEDGMENT**

State of Wisconsin )  
 ) ss  
 \_\_\_\_\_ County)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, the above named EAU CLAIRE COUNTY and \_\_\_\_\_, to me known to be the person[s] who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, State of Wisconsin

My Commission Expires: \_\_\_\_\_

**ACKNOWLEDGMENT**

State of Wisconsin )  
 ) ss  
 \_\_\_\_\_ County)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, the above named \_\_\_\_\_ and \_\_\_\_\_, to me known to be the person[s] who executed the foregoing instrument and acknowledged the same.

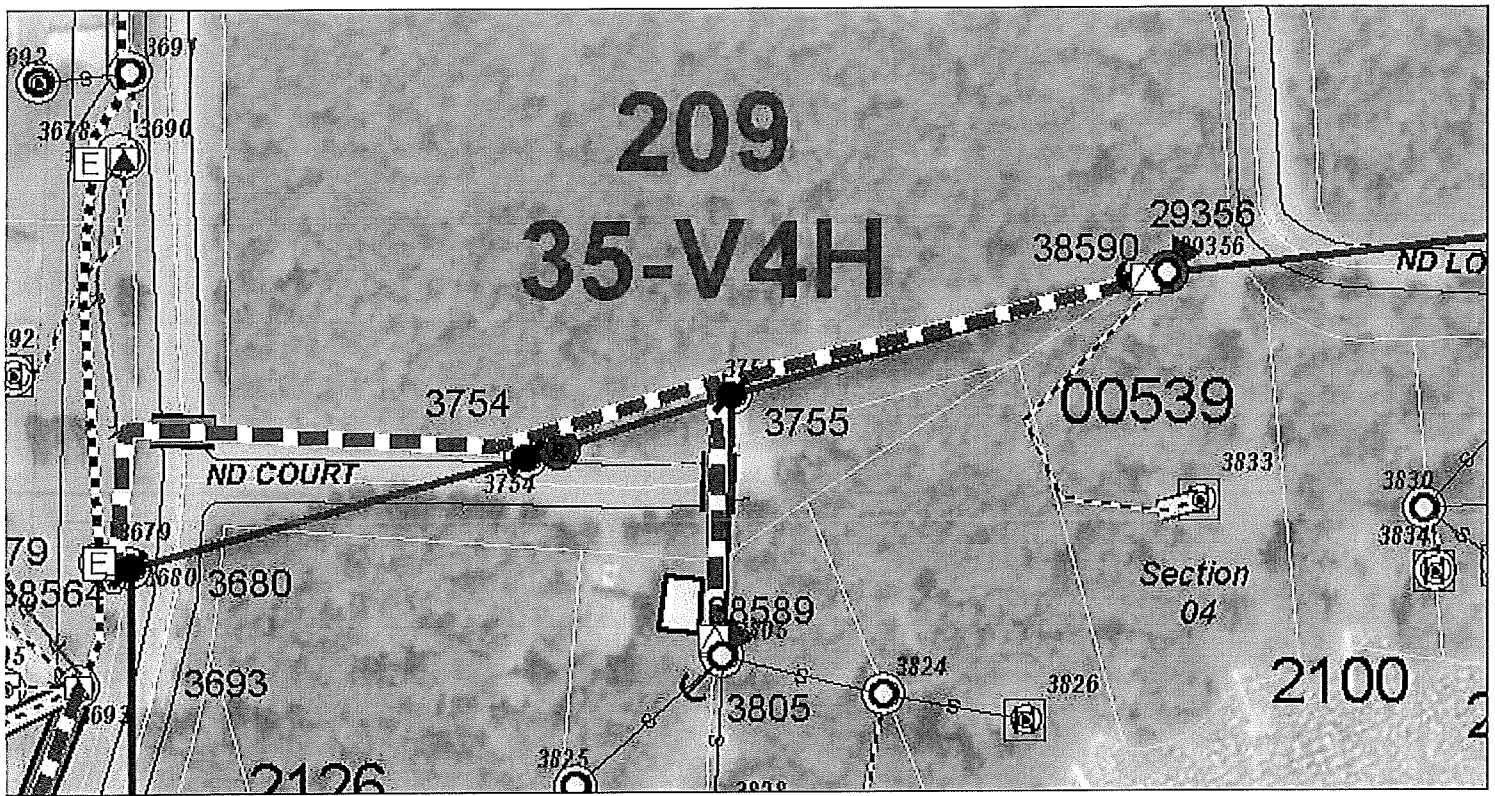
\_\_\_\_\_  
Notary Public, State of Wisconsin

My Commission Expires: \_\_\_\_\_

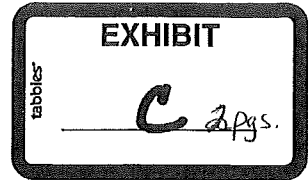
Drafted by: Nathan Karnes, an employee of Eau Claire Energy Cooperative

Rev. 03/2016

EXHIBIT  
tabbles  
B lpg.  
Bridge Creek



# UTILITY EASEMENT AGREEMENT



**EAU CLAIRE COUNTY**

(hereinafter called the "Grantor"), and any lienholder executing this easement, for a valuable consideration, does hereby grant, warrant and convey unto EAU CLAIRE ENERGY COOPERATIVE, 8214 US Highway 12, FALL CREEK, WISCONSIN, 54742, a cooperative organized under Chapter 185 Wisconsin Statutes, hereinafter called the "Cooperative",

its successors and assigns, with full right to lease, sublet, and license its rights hereunder, the perpetual right, privilege and easement to enter upon the rights of way described hereinafter, and to construct, operate, repair, maintain, relocate, reconstruct, and replace over and under the surface thereof, lines for the transmission and distribution of electric energy, petroleum products, and communications signals.

Said easement shall consist of two distinct rights-of-way, the service easement and the distribution easement. The service easement may cross any of Grantor's lands, described below, for the purpose of bringing electrical service from distribution lines to the service entrance of any electrical service on the premises. The distribution easement shall be for lines which are now, or in the future become, part of the system for serving Cooperative members in addition to Grantor. Both easements are further described herein.

**SUBDIVISIONS:** If Grantor's land is subdivided and utility easements are shown on the subdivision map, this easement includes all such "Utility Easements." If not included in said "Utility Easements," this easement includes a strip of land fifteen feet wide wherever a boundary of such lot abuts a public right-of-way and a strip six feet wide along each other boundary of each such lot.

**COOPERATIVE'S FACILITIES:** "Lines" includes cable, poles, anchors and guy wires, conduits, transformers and all accessories and appurtenances which the Cooperative determines to be necessary and appropriate therefor, whether above or below the ground and shall remain the property of the Cooperative which shall have the right to inspect, rebuild, remove, repair, improve and make changes, alterations, substitutions and additions in and to its facilities as it may from time to time deem advisable. The Cooperative may place signs on the easement for the purpose of monumenting the easement area.

**ACCESS:** This easement also grants the Cooperative the right of access to any described easement area through, over, and across other adjacent lands of Grantor, provided that said access shall be by a route which, in Grantee's judgement, will cause the least practical damage and further provided that the Cooperative will repair, restore, or reasonably compensate Grantor for any damage resulting from such use of adjacent lands.

**SERVICE EASEMENT:** Wherever the service easement contains overhead lines, it shall be 30 feet<sup>1</sup> wide. Wherever the service easement contains underground lines, it shall be 15 feet<sup>1</sup> wide. The center line of the service easement, which may be relocated from time to time, shall be the electrical service line running from the distribution easement to the service entrance on the premises served.

**DISTRIBUTION EASEMENT:** Wherever the distribution easement lies adjacent to a public highway, it shall be a strip of land 15 feet<sup>1</sup> wide if the line is single-phase and 20 feet<sup>1</sup> wide if the line is now or is later upgraded to three-phase, even if the highway is changed or relocated. In other areas, whenever the distribution easement contains overhead lines, it shall be 30 feet<sup>1</sup> wide if the line is single-phase and 40 feet<sup>1</sup> wide if the line is now or is later upgraded to three-phase. Wherever the distribution easement contains underground lines, it shall be 20 feet<sup>1</sup> wide. The center line of the distribution easement shall be the center most conductor of the line unless the easement is described otherwise on the reverse hereof or an attachment hereto.

This easement also includes any location used by the Cooperative at any time to place one or more anchors on Grantors' land outside the easement strip to support the Cooperative's facilities constructed within the defined easement strip, and the area necessary for service of said anchor which is defined as a circle with a radius of 10 feet centered on any such anchor facilities and a strip twenty feet wide between that anchor and the foregoing easement, the center line of which shall be a line on the ground directly beneath the guy line attached to said anchor.

**OVERHEAD LINE SAFETY:** If any of said facilities are constructed above the ground, the Cooperative may, by chemical, mechanical or other means, cut, trim and control the growth of vegetation within the easement and may cut down or trim from time to time all dead, weak, leaning or dangerous trees or limbs on lands adjacent to the right-of-way, which could strike the wires in falling, as it deems necessary or appropriate.

**UNDERGROUND SAFETY:** If any of said facilities are constructed in or under the ground, the Cooperative may excavate the soil within the easement described herein, and remove trees, rocks and other obstructions, as necessary,

Return to:

Eau Claire Energy Cooperative  
8214 US Highway 12  
P.O. Box 368  
Fall Creek, WI 54742

Parcel No: 014111204000 &  
014111401000

W.O. Number: 21004

<sup>1</sup>Unless changed in this footnote:

Service Easement \_\_\_\_\_ Overhead \_\_\_\_\_ Underground \_\_\_\_\_ Easement Width \_\_\_\_\_  
Distribution Easement \_\_\_\_\_ Overhead \_\_\_\_\_ Underground \_\_\_\_\_ Easement Width \_\_\_\_\_

for the construction, maintenance, repair, replacement, safety or operation of said line or lines. No owner or occupant of the land may dig or excavate within the easement, or permit others to do so, except as permitted by the Cooperative.

**GRANTOR'S USE:** The land within the easement may be used for any purpose not inconsistent with the rights granted, provided such use does not interfere with or endanger the construction, operation and maintenance of the Cooperative's facilities. However, the easement shall at all times be kept clear of buildings, structures, obstructions or any condition which violates the National Electrical Safety Code, the Wisconsin Electrical Code, or the safety regulations of the Cooperative. Once lines have been constructed or installed, the surface elevation over or under said lines may not be altered by more than six inches unless permitted in writing by the Cooperative.

**BINDING AGREEMENT:** This conveyance is binding on and inures to the benefit of the heirs, representatives, assigns, successors, and grantees of the Grantor. The Cooperative reserves the right to license, permit, or otherwise agree to the use of the easement by any person or entity for the transmission of energy or of communication signals of any kind. The Cooperative reserves the right to charge for such a license, permit, or agreement.

Additional space for legal description or special provisions:

Section 05, Township 26 North, Range 06 West

[Inapplicable unless filled in] Easement located on the N S E W (circle one) \_\_\_\_\_ feet of:

SW-NE CFL SINCE 1934, LYING IN THE SW-NE, SECTION 5, TOWNSHIP 26 NORTH, RANGE 6 WEST, TOWN OF LUDINGTON, EAU CLAIRE COUNTY

AND

NW-SE EX LAKE EAU CLAIRE & EX 1ST ASSESSOR'S PLAT OF LAKE EAU CLAIRE NORTH (SD DESC PCL LIES N & W OF CTH OO) ENTERED IN CFL BEG 1986 PER 637/706, AMENDED BEG 1988 PER 695/233 TO 12 AC, LYING IN THE NW-SE, SECTION 5, TOWNSHIP 26 NORTH, RANGE 6 WEST, TOWN OF LUDINGTON, EAU CLAIRE COUNTY, WISCONSIN

If checked here, additional sheet is attached for legal description or other information.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**Grantor:**

Signature \_\_\_\_\_

Printed name EAU CLAIRE COUNTY

Signature \_\_\_\_\_

Printed name \_\_\_\_\_

**Grantor:**

Signature \_\_\_\_\_

Printed name \_\_\_\_\_

Signature \_\_\_\_\_

Printed name \_\_\_\_\_

**ACKNOWLEDGMENT**

State of Wisconsin )  
                                  ) ss  
                                  County)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, the above named EAU CLAIRE COUNTY and \_\_\_\_\_, to me known to be the person[s] who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

My Commission Expires: \_\_\_\_\_

**ACKNOWLEDGMENT**

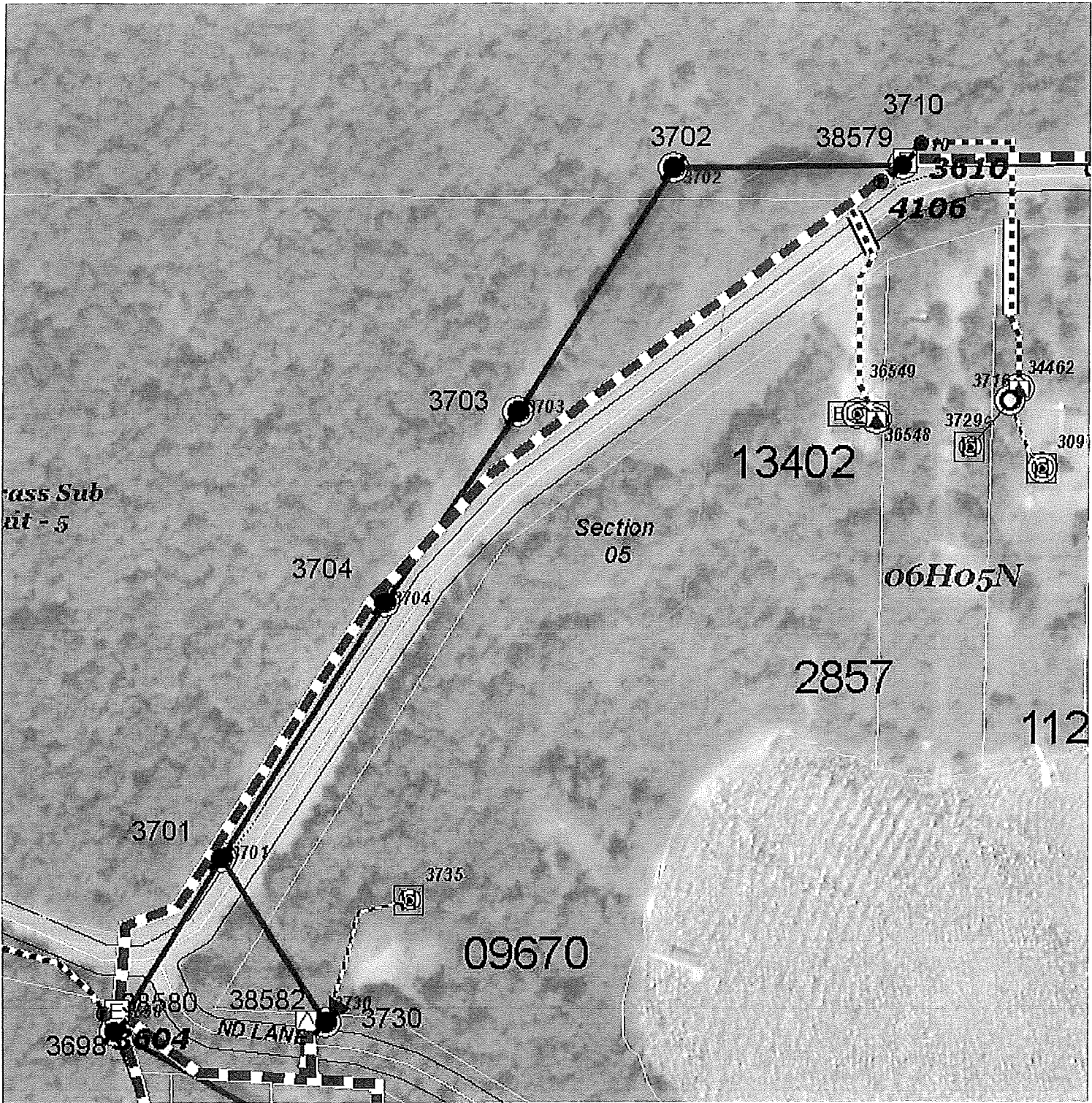
State of Wisconsin )  
                                  ) ss  
                                  County)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, the above named \_\_\_\_\_ and \_\_\_\_\_, to me known to be the person[s] who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

My Commission Expires: \_\_\_\_\_

Drafted by: Nathan Karnes, an employee of Eau Claire Energy Cooperative Rev. 03/2016



FACT SHEET

TO FILE NO. 20-21/127

**Subject:** Hate Crime Statute Modification and Strengthening

Hate crime incident rates have been rising for the past four plus years. These crimes affect people from all marginalized communities by degrading their sense of self-worth, forcing segregation, and by forcing people to live in fear based on the color of their skin, where they live, or who they love. Strengthening hate crime laws should be seen as a step toward embracing diversity and placing value on the lives of all people for the contributions they make to our society. It is important to acknowledge that people shouldn't have to fear for the lives of their families or themselves.

This resolution strengthens Wisconsin's existing Hate Crimes statute by clarifying language, forbidding the gay/transgender panic defense, adding training requirements for law enforcement, expanding the list of protected people, and by requiring data collection and public availability.

**Fiscal Impact:** None.

Sincerely,



Zoe Roberts.  
Eau Claire County Board Supervisor - District 27

Resolution/20-21/127

2  
3 -REQUESTING THE STATE OF WISCONSIN STRENGTHEN ITS HATE CRIME  
4 STATUTE, WIS. STAT. § 939.645, TO PROVIDE ENHANCED SECURITY TO  
5 MEMBERS OF WISCONSIN’S MARGINALIZED COMMUNITIES-

6  
7 WHEREAS, the people of the State of Wisconsin are as diverse as anywhere in the  
8 United States, be they indigenous, Asian, Pacific Islander, Latin X, Black, LGBTQ, or any  
9 combination thereof, or other; and

10  
11 WHEREAS, on a national, state, and local basis, the number of hate crimes committed  
12 against marginalized communities is increasing at exponential rates; and

13  
14 WHEREAS, people from all walks of life deserve to be treated with dignity and respect;  
15 and

16  
17 WHEREAS, people from all communities contribute to making Wisconsin a healthy and  
18 thriving environment for families and businesses; and

19  
20 WHEREAS, hate crimes pose an immediate threat to the sanctity and security of every  
21 citizen and present a security risk to both the State of Wisconsin and the United States; and

22  
23 WHEREAS, Wisconsin’s current hate crime statute is by and large used by prosecutors  
24 as a bargaining or negotiation tool; and

25  
26 WHEREAS, Wis. Stat. § 939.645, the current “hate crimes” statute, needs an update to  
27 strengthen it and provide enhanced security to members of Wisconsin’s marginalized  
28 communities.

29  
30 NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of  
31 Supervisors requests that the legislature and the governor of the state of Wisconsin enact  
32 legislation to modify Wis. Stat. § 939.645, as set forth below, by making the following changes:

33  
34 939.645 (1) If a person does ~~all~~ any of the following, the penalties for the underlying  
35 crime are increased as provided in sub. (2):

36  
37 939.645 (1) (b) Intentionally selects the person against whom the crime under par. (a) is  
38 committed or selects the property that is damaged or otherwise affected by the crime under  
39 par. (a) in whole or in part because of the actor’s belief, values, or perception regarding the race,  
40 religion, color, disability, sexual orientation, national origin or ancestry, gender, gender identity,  
41 gender expression, age, or veteran’s status of that person or the owner or occupant of that  
42 property, whether or not the actor’s belief, values, or perception was correct.

43  
44 939.645 (1) (c) The use of gay/transgender panic defenses is forbidden.

45  
46 939.645 (4) This section does not apply to any crime if proof of race, religion, color,  
47 disability, sexual orientation, national origin or ancestry, gender, gender identity, gender  
48 expression, age, or veteran’s status or proof of any person’s perception or belief regarding  
49 another’s race, religion, color, disability, sexual orientation, national origin or ancestry, gender,

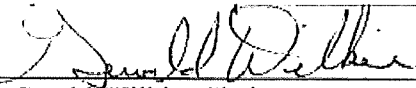
1 gender identity, gender expression, age, or veteran's status is required for a conviction for that  
2 crime.

3  
4 939.645 (5) This section mandates that hate crime data be collected, retained, and made  
5 publicly available based on demographic statistics by the Attorney General of the State of  
6 Wisconsin and the Wisconsin Department of Justice.

7  
8 939.645 (6) this section requires sworn law enforcement officers to receive specialized  
9 hate crime training and continuing education on a biennial basis.

10  
11 BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors directs  
12 the county clerk to forward a copy of this resolution to the Office of the Governor of the State of  
13 Wisconsin, the Office of the Attorney General for the State of Wisconsin, members of the  
14 Wisconsin Assembly and Senate, the county clerk for every county in the state of Wisconsin, as  
15 well as to the Wisconsin Counties Association.

16  
17 I hereby certify that the foregoing  
18 correctly represents the action of the  
19 Committee on Judiciary and Law  
20 on March 24, 2021 by a vote  
21 of 5 for, and 0 against.

22  
23   
24 \_\_\_\_\_  
25 Gerald Wilkie, Chair  
26 Committee on Judiciary and Law  
27

28 TSJ/ljl

**APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM**

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