



AGENDA

Eau Claire County Board of Supervisors
Tuesday, May 17, 2022, at 7 pm
Eau Claire County Government Center
721 Oxford Ave • Eau Claire, WI 54703
County Board Room 1277

Department Meet & Greet will be located in 1301 and 1302 beginning at 6:15 p.m.

Register in Probate – Clerk of Juvenile Court: Susan Warner
Extension: Catherine Emmanuelle
Planning & Development: Rod Eslinger

After County Board legislative session, County Board Supervisors will begin the Strategic Planning work session

For those wishing to make public *written* comment must fill out your information on the following link and click “Submit” **at least 60 minutes prior** to the start of the meeting. Link: <https://bit.ly/3CEnwe2>

- (1) Indicates 1st Reading
- (2) Indicates 2nd Reading
1. Call to Order
2. Honoring of the Flag and Moment of Reflection by: Supervisor Kimberly Cronk
3. Call of the Roll
4. Approval of the Journal of Proceedings from May 3, 2022 *Page 1*
5. Adoption on the Rules of Order

<https://www.co.eau-claire.wi.us/home/showpublisheddocument/7496/637838157520330000>

All county board members are requested to review Chapter 2.04. Any potential amendments to the rules of the board should be made in writing and provided to Corporation Counsel to be placed in the proper format. In addition, amendments may also be made from the board floor during the meeting.

Offered Amendments

File No.

- | | |
|---------------|--|
| 22-23/016 (1) | Ordinance: To amend section 2.04.010 B. of the Code: Rule 1 – Meetings: To amend section 2.04.130 C. of the Code: Rule 13 – Diligent Committee Service <i>Page 2</i> |
| 22-23/017 (1) | Ordinance: To amend section 2.04.101 B. of the Code: Rule 1 – Meetings <i>Page 4</i> |
| 22-23/019 (1) | Ordinance: To amend section 2.04.030 D. of the Eau Claire County Code: Rule 3 – Opening of Meeting <i>Page 6</i> |
| 22-23/020 (1) | Ordinance: To amend section 2.04.050 C. of the Code: Rule 5 – Speaking at the meeting <i>Page 8</i> |

- 22-23/021 (1) Ordinance: To create section 2.04.050 D. of the Code: Rule 5 – Speaking at meetings *Page 10*
- 22-23/022 (1) Ordinance: To create section 2.04.050 E. of the Code: Rule 5 – Speaking at meetings *Page 12*

6. PUBLIC COMMENTS

7. REPORTS TO THE COUNTY BOARD UNDER 2.04.320

Oral Reports

- 2022-2023 Scholarship Winners: Clerk Sue McDonald *Page 14*

Written Reports

- Reports from the Finance Department
 - 2022 Contingency Fund *Page 20*
 - April Vouchers over \$10,000

8. PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

- Proclamation proclaiming Sunday, June 19, 2022, as “Juneteenth Day” in Eau Claire County *Page 21*

9. FIRST READING OF ORDINANCES BY COMMITTEES

10. FIRST READING OF ORDINANCES AND RESOLUTIONS BY MEMBERS

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

Committee on Administration

File No.

- 22-23/006 (1) Resolution: Requesting resolutions to be considered at the 2022 WCA Annual Business Meeting *Page 22*

Committee on Human Resources

File No.

- 22-23/026 (1) Resolution: Create 3.0 FTE Highway Heavy Equipment Operators *Page 26*
- 22-23/027 (1) Resolution: Abolish 3.0 FTE Highway Lead Worker – Field, create 3.0 FTE Highway Foreman *Page 28*

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters, remote access, or other auxiliary aids. Contact the clerk of the committee or Administration for assistance (715-839-5106). For additional information on ADA requests, 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.

Committee on Parks and Forest

File No.

- 22-23/003 (1) Resolution: Granting utility easements to Eau Claire Energy Cooperative in Section 4, T26N, R6W, in the town of Bridge Creek **Page 30**
- 22-23/015 (1) Resolution: Granting a utility easement to Dairyland Power Cooperative in the Town of Fairchild and Town of Bridge Creek **Page 32**

Committee on Planning & Development

File No.

- 22-23/023 (1) Resolution: Supporting Eau Claire County partnering with the Drive Clean Rural USA Project to receive US Department of Energy Project funded support including educational information, fleet analysis assistance, and access to alternative fuel vehicles for fleet demonstrations in our rural county region **Page 39**
- 22-23/004 (2) Ordinance: Amending the 1982 official zoning district boundary map for the Town of Clear Creek **Page 42**
- 22-23/005 (2) Ordinance: Amending the 1982 official zoning district boundary map for the Town of Clear Creek **Page 63**

Committee on Finance & Budget

File No.

- 22-23/012 (1) Resolution: Awarding bid for spring 2022 tax deed sale of tax deed property; directing Corporation Counsel to prepare a quit claim deed on the described property; directing the County Clerk to execute said quit claim deed on behalf of Eau Claire County (*being acted on by the Finance & Budget Committee on 5/16/2022*) **Page 83**
- 22-23/013 (1) Resolution: 2021 carryforward requests to 2022 Budget (*being acted on by the Finance & Budget Committee on 5/16/2022*)

12. APPOINTMENTS

- Local Emergency Planning Committee
Jack Running
Jason Knecht
Jim Hager
Matthew Jaggar
- Land Conservation Commission
Ricky Strauch
Glory Adams
- County Housing Authority
Jennifer Ebert
- Chippewa Valley Regional Airport Commission

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Barry Wells

- Aging & Disability Resource Board
Jean Doty
- Board of Land Use Appeals
Gary Gibson
- West Central Regional Planning Commission
John Frank

13. ANNOUNCEMENTS

After County Board legislative session, County Board Supervisors will begin the Strategic Planning work session

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters, remote access, or other auxiliary aids. Contact the clerk of the committee or Administration for assistance (715-839-5106). For additional information on ADA requests, 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, May 3, 2022

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, May 3, 2022, 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 by Supervisor Judy Gatlin.

Roll Call: 27 present: Supervisors Todd Meyer, Amanda Babb, Joe Knight, Stella Pagonis, Larry Hoekstra, Dane Zook, Cory W. Sisk, Allen Myren, Nancy Coffey, Nathan Otto, Brett Geboy, Connie Russell, Judy Gatlin, Nick Smiar, David Hirsch, Thomas Vue, James A. Dunning, Gerald "Jerry" Wilkie, John Folstad, Katherine Schneider, Robin J. Leary, Heather DeLuka, Jodi Lepsch, Tami Schraufnagel, Kyle Johnson, Kimberly Cronk, Missy Christopherson
2 absent: Steve Chilson, Mark Beckfield

JOURNAL OF PROCEEDINGS April 19, 2022

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

PUBLIC COMMENT

No one wished to speak.

REPORTS TO THE COUNTY BOARD UNDER 2.04.320

The following Oral Reports were presented:

-Rezoning Process by Rod Eslinger, Director of Planning & Development

PRESENTATIONS OF PETITIONS, CLAIMS AND COMMUNICATIONS

-Rezone request from owner, Dennis Welke; and applicant, Garrett Halama for the Town of Clear Creek

-Rezone request from owners, David and Elinore Welke; and applicant, Garrett Halama for the Town of Clear Creek

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

Committee on Planning & Development

Ordinance 22-23/011 AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF PLEASANT VALLEY

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

Ordinance 22-23/002 AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF PLEASANT VALLEY

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

Ordinance 22-23/001 AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF PLEASANT VALLEY

On a motion by Supervisor Coffey and seconded by Supervisor Leary, the ordinance was enacted via voice vote.

The Board adjourned at 7:45 p.m.

Respectfully submitted,



Sue McDonald
County Clerk

FACT SHEET

TO FILE NO. 22-23/016

This ordinance relates to Sections 2.04.010 B. and 2.04.130 C. of the code. Remote attendance at county board meetings during the pandemic allowed the county board to continue functioning in a safe, effective, and efficient manner. Since in-person attendance at board and committee meetings again becomes possible, this ordinance allows the county to continue the advantages of remote attendance for members in limited situations. These situations include remote attendance due to illness and/or disability by permission of the chair. These changes allow those who have extenuating circumstances to serve on the board and committees and align, with the county's commitment to diversity, inclusion, and equity.

Two sections of the code are being amended. Specifically, Section 2.04.010 Rule 1--Meetings, subsection B. is amended to allow the chair to approve exceptions to in-person attendance, and Section 2.04.130 Rule 13--Diligent Committee Service, subsection C. is amended to allow committee chairs to permit individual members to attend remotely.

Both amendments also address the possibility of remote attendance in the future in response to another worldwide pandemic or crisis.

Fiscal Impact: \$0.00

Respectfully Submitted,

Supervisor Katherine Schneider
District 22

ljl

2
3 TO AMEND SECTION 2.04.010 B. OF CODE: RULE 1—MEETINGS: TO AMEND
4 SECTION 2.04.130 C. OF CODE: RULE 13--DILIGENT COMMITTEE SERVICE

5
6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:
7

8 SECTION 1. That Subsection B. of Section 2.04.010 of the code be amended to read:
9

10 B. All meetings shall be held in the county board of supervisors' chambers at the
11 courthouse unless otherwise ordered by the board. All members of the board shall attend
12 meetings in person. The chair has the authority to approve remote attendance by electronic
13 means for individual members for specific meetings, and remote attendance by electronic means
14 for longer defined periods of time for members with a known disability or illness that prevents in
15 person attendance at the meeting, ~~or as the result of an approved accommodation under the~~
16 ~~Americans with Disabilities Act.~~ Supervisors may also attend meetings remotely as a result of an
17 approved accommodation under the Americans with Disabilities Act. Notwithstanding the
18 above, the chair of the county board in response to ~~the COVID-19 worldwide pandemic, and~~
19 ~~through April 22, a worldwide pandemic or crisis, and for a finite and specific time period,~~ shall
20 have the authority to authorize meetings to be held remotely either at another location or by
21 electronic means that include appearance of members by videoconference or teleconference.
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23 SECTION 2. That Subsection C. of Section 2.04.130 of the code be amended to read:
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25 C. The chair of the committee may approve remote attendance by electronic means
26 for individual members for specific meetings, and remote attendance by electronic means for
27 longer defined periods of time for members with a known disability or illness that prevents in
28 person attendance at the meeting, ~~or as the result of an approved accommodation under the~~
29 ~~Americans with Disabilities Act.~~ Supervisors may attend committee meetings remotely as a
30 result of an approved accommodation under the Americans with Disabilities Act.
31 Notwithstanding the above, the chair of the committee in response to a worldwide pandemic or
32 crisis, and for a finite and specific time period, shall have the authority to authorize meetings to
33 be held remotely either at a location or by electronic means that include appearance of members
34 by videoconference or teleconference.

35 ENACTED:
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Committee on Administration

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44 Dated this ____ day of May, 2022.

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46 SM/ljl/yk

Reviewed by Finance Dept.
for Fiscal Impact

**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

FACT SHEET

TO FILE NO. 22-23/017

This amendment proposes that if a board member finds him or herself unable to attend a meeting in person, that alternate attendance is both acceptable and accessible. This should also apply to committee meetings. This amendment requires that information for remote appearance be included in every agenda as part of the open meetings requirements.

Additionally, an individual with a disability is most acutely aware of his or her own ability to attend meetings in person, both from a risk perspective as well as from an accessibility perspective. A supervisor with a disability should be able to attend meetings remotely for extended periods of time.

Fiscal Impact: \$0.00

Respectfully submitted,

Supervisor Stella Pagonis
District 4

2
3 TO AMEND SECTION 2.04.010 B. OF CODE: RULE 1--MEETINGS

4
5 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

6
7 SECTION 1. That Subsection B. of Section 2.04.010 of the code be amended to read:

8
9 2.04.010 B Rule 1: Meetings.

10 B. All meetings of the Eau Claire County Board of Supervisors shall be held in the
11 county board of supervisors' chambers at the courthouse unless otherwise ordered by the board.
12 All members of the board shall attend board meetings and committee meetings in person, if
13 possible. Any board member may attend a board meeting or committee meeting by electronic
14 means, as deemed necessary by the individual board member. Each meeting notice shall contain
15 access information for a board member, staff, or a member of the public to attend the meeting
16 remotely. The chair has the authority to approve remote attendance by electronic means for
17 individual members for specific meetings, and remote attendance by electronic means for longer
18 defined periods of time for members with a known disability or illness that prevents in person
19 attendance at the meeting, or as the result of an approved accommodation under the Americans
20 with Disabilities Act. Board members with a disability or illness that prevents or inhibits in-
21 person attendance at the meeting may attend remotely for extended periods by electronic means.
22 Supervisors may also attend meetings remotely as a result of an approved accommodation under
23 the Americans with Disabilities Act. Notwithstanding the above, the chair of the county board in
24 response to the COVID-19 worldwide pandemic, and through April 22, 2022, shall have the
25 authority to authorize meetings to be held remotely either at another location or by electronic
26 means that include appearance of members by videoconference or teleconference.

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29 ENACTED:

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40 Committee on Administration

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42 Dated this _____ day of May, 2022.

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

**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

FACT SHEET

TO FILE NO. 22-23/019

File No. 21-22/024 Amended Section 2.04.010 C. of the Code by requiring the budget hearing to be held before the annual meeting, at the October meeting, so the public can appear and make comment on the budget prior to its consideration by the board in November. However, the change was not reflected in the code section dealing with the annual meeting. This amendment, File No. 22-23/019, removes the provision from 2.04.030 D. requiring the public hearing on the annual budget to be held at the annual meeting.

This ordinance also amends Section 2.04.030 D. of the Code, also known as Rule 3 of the Board - Order of Business for the Annual Meeting. The annual meeting is also known as the annual budget meeting. This ordinance amends the agenda of the annual budget meeting to require a presentation of the departmental budgets by the chairs of the governing committees, and the chair of the committee on finance and budget. These presentations will provide an explanation of the departmental budgets to all board members prior to engaging in deliberation of the budget.

Fiscal Impact: \$0.00

Respectfully Submitted,

Supervisor Gerald Wilkie
District 19

2
3 TO AMEND SECTION 2.04.030 D. OF THE EAU CLAIRE COUNTY CODE: RULE 3- -
4 OPENING OF MEETING

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

7
8 SECTION 1. That Subsection D. of Section 2.04.030 of the code be amended to read:

9
10 D. Order of Business for the Annual Meeting. The order of business shall be as
11 follows for the annual meeting:

- 12 1. Call to order;
- 13 2. Honoring of the flag and moment of reflection;
- 14 3. Call of the roll;
- 15 4. Approval of the journal of proceedings;
- 16 5. ~~Public hearing on the annual budget;~~
- 17 ~~6.~~ 5. Presentation of petitions, claims and communications;
- 18 7. 6. Presentation of a summary of departmental budgets by the chairs of the
- 19 governing committees and the chair of the finance and budget committee.
- 20 7. Budget deliberations;
- 21 8. Reports to the county board under 2.04.320;
- 22 9. First reading of ordinances by committees;
- 23 10. First reading of ordinances and resolutions by members;
- 24 11. Reports of standing committees, committees, commissions and boards
- 25 under 2.04.160 and second reading of ordinances. The committee chair(s) responsible for
- 26 reporting shall give an oral report and fact sheet by staff explaining the reasons for the committee
- 27 action;
- 28 12. Reports of select committees and second reading;
- 29 13. Appointments.

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31 ENACTED:

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43 Committee on Administration

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45 Dated this _____ day of May, 2022.

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Reviewed by Finance Dept.
for Fiscal Impact

**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

FACT SHEET

TO FILE NO. 22-23/020

This amendment to Section 2.04.050 Rule 5—Speaking at the meetings removes the Mister and Madame reference regarding how to address the County Board Chair.

Fiscal Impact: \$0.00

Respectfully Submitted,

Sharon McIlquham
Corporation Counsel

Enrolled No.

ORDINANCE

File No. 22-23/020

TO AMEND SECTION 2.04.050 C. OF THE CODE: RULE 5—SPEAKING AT THE MEETING

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

SECTION 1. That Subsection C. of Section 2.04.050 of the code be amended to read:

C. Method of Address. At all times the chair shall be addressed as "~~Mister~~ ~~Chairman~~" or "~~Madame Chair~~ Chair _____ and fellow members as "Supervisor _____".

ENACTED:

Committee on Administration

Dated this _____ day of May, 2022.

SM/ljl/yk

Reviewed by Finance Dept.
for Fiscal Impact

**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

FACT SHEET

TO FILE NO. 22-23/021

This amendment is based on a premise and requirement that the County Board should follow all applicable local, state, and federal laws, ordinances, and regulations.

Fiscal Impact: \$0.00

Respectfully submitted,

Supervisor Dane Zook
District 6

1 Enrolled No.

ORDINANCE

File No. 22-23/021

2
3 TO CREATE SECTION 2.04.050 D. OF THE CODE: RULE 5—SPEAKING AT MEETINGS

4
5 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

6
7 SECTION 1. That Subsection D. of Section 2.04.050 of the code be created to read:

8
9 D. We govern by the rule of law, so we must adhere to any and all applicable
10 resolutions, ordinances, rules, statutes, codes and laws of the legal governing authority of the
11 jurisdiction such as local, town, county, state and federal laws.

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13 ENACTED:

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24 Committee on Administration

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26 Dated this _____ day of May, 2022.

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29 SM/ljl/yk
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Reviewed by Finance Dept.
for Fiscal Impact

**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

FACT SHEET

TO FILE NO. 22-23/022

This amendment is based on a policy and procedure in place for the Board of Review to provide guidance to the County Board as to what consideration information presented to the County Board should be given.

Fiscal Impact: \$0.00

Respectfully submitted,

Supervisor Dane Zook
District 6

1 Enrolled No.

ORDINANCE

File No. 22-23/022

2
3 TO CREATE SECTION 2.04.050 E. OF THE CODE: RULE 5—SPEAKING AT MEETINGS

4
5 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

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7 SECTION 1. That Subsection E. of Section 2.04.050 of the code be created to read:

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9 E. In presenting subject matter, information must be factual in nature and easily
10 verified or proven. All other input is considered opinion and will be viewed as lesser in value for
11 rendering decisions.

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14 ENACTED:

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26 Committee on Administration

27 Dated this _____ day of May, 2022.

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**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

Reviewed by Finance Dept.
for Fiscal Impact

2022-2023

EAU CLAIRE COUNTY SCHOLARSHIP WINNERS

Six students will be awarded \$600 scholarships for the upcoming 2022-2023 school year.

Congratulations to the following:



VERONICA WESTOM

PARENT: Amy Westom – Clerk of Courts

Hi my name is Veronica Westom, I am a senior at Eau Claire North. My plan for next year is to go to Saint Cloud State University to major in Mechanical Engineering as well as be on the women's dive team. After school I would really like to find a job at a firm or start my career in Engineers without Borders or another organization. Thank you so much to those who have donated or raised funding for these scholarships. I am very thankful to be a recipient of this scholarship award.



ALYSSA DERKS

PARENT: Dan Derks – Highway Dept.

Hello!

My name is Alyssa Derks. I am continuing my education at Northeastern Iowa Community College, where I will be studying agribusiness.



GREG SOKUP

PARENT: Michael Sokup - DHS

I am a senior at Regis High School. I am planning to attend UW La-Crosse this fall to major in Exercise and Sports Science, with a minor in psychology or business. I would like to pursue a career as a personal trainer, and to possibly start my own business someday.



BRADY MCCARTHY

PARENT: Cindy Drury - DHS

Hi, my name is Brady McCarthy and I attend Glenwood City High School out of Glenwood City, Wisconsin. This is my hometown and where I've lived for the past 18 years. It's a beautiful place with many great people. My parents also grew up in Glenwood City. My mom and dad shaped me into the man I am today and I can't thank them enough. They have shown me the great outdoors. I love deer and turkey hunting but also other forms of hunting too. Anytime that I can be in the woods is a great day. My passion for the outdoors originated from my parents and is ever so strong these days. This is exactly why I will be attending the University of Wisconsin Stevens Point next fall for a degree in forestry management. I want my passion for the outdoors to carry over to my job and my future. I want to give a big thank you to Eau Claire County for the scholarship, for it will help pay for the shaping of my future.



MACKENSY KOLPIEN

PARENT: Curtis Kolpien – Highway

My name is Mackensy Kolpien and I just finished up my first year at the University of Wisconsin La-Crosse with future plans in the Medical Field.



ARIKA BRAATEN

PARENT: Angie Braaten – DA's office

My name is Arika Braaten, in high school I was a member of the dance team and golf team. I was also in student council, key club, and link crew. In the fall I will be attending the University of Wisconsin-Eau Claire to pursue a degree in nursing! Thank you!

TO: Honorable Eau Claire County Board of Supervisors
FROM: Finance Department
DATE: May 12, 2022
SUBJECT: 2022 Contingency Fund

Pursuant to Section 4.04 of the County Code of General Ordinances, the following is the status of the 2022 Contingency Fund as of May 12, 2022:

January 1, 2022	2022 Contingency Fund / Budget Allocation	\$300,000
Balance Available		<u><u>\$300,000</u></u>

PROCLAMATION

PROCLAIMING SATURDAY, JUNE 19, 2022, AS “JUNETEENTH DAY” IN EAU CLAIRE COUNTY

WHEREAS, Juneteenth is the oldest known celebration commemorating the Emancipation Proclamation, the document which ended slavery in the United States; and

WHEREAS, June 19, 1865 is recorded in history as the date when word of the Emancipation brought freedom to the last remaining slaves in the country; and

WHEREAS, this occasion in the United States has grown into a global celebration which encourages self-development and appreciation for all races and cultures; and

WHEREAS, many area organizations and community members have organized a celebration to heighten awareness of this observance and to provide an opportunity for all people in the community to get together and share in an atmosphere of respect and inclusion.

NOW, THEREFORE, THE EAU CLAIRE COUNTY BOARD OF SUPERVISORS hereby proclaim Saturday, June 19, 2021, as Juneteenth Day in the County of Eau Claire and encourages all residents to join in recognizing this day of unity, freedom, and opportunity and to honor the diversity of all racial and ethnic groups in our community.

Dated this 16th day of May 2022

Nick Smiar, Eau Claire County Board
Chairperson

FACT SHEET

TO FILE NO. 22-23/006

This resolution refers to resolutions adopted by the county board beginning with the June 2021 meeting, which took positions on proposed state legislation or issues under consideration by the state legislature or which the board recommended for consideration by the state legislature. If the recommendations in county board resolutions were acted on by the state legislature they have not been included. If adopted a copy of this resolution and the resolutions referred to will be forwarded to the Wisconsin Counties Association for review by the appropriate steering committee and consideration at the 2022 WCA Annual Business Meeting.

Respectfully submitted,



Sharon McIlquham
Corporation Counsel

yk

REQUESTING THE STATE OF WISCONSIN DECRIMINALIZE RECREATIONAL CANNABIS

WHEREAS, Wisconsin is one of 17 states that saw an increase in marijuana possession arrests from 2010 to 2018 despite an attitudinal shift towards decriminalization, legalization, and possession of marijuana; and

WHEREAS, the Wisconsin ACLU found that Black Wisconsinites were more than 4 times more likely to be arrested for marijuana possession despite comparable usage rates; and

WHEREAS, Wisconsin ranks 14th in the country for the largest racial disparities in marijuana possession arrests; and

WHEREAS, Wisconsin's marijuana laws are not aligned with neighboring states and countries. Canada, Illinois, and Michigan have legalized recreational usage for parties over 21 years of age and Minnesota has a medical marijuana program and may soon approve recreational usage; and

WHEREAS, Wisconsin voters answered the question to legalization clearly with only 15% indicating marijuana should remain illegal across the state; and

WHEREAS, a Marquette Law School poll indicated that 60% of Wisconsinites believe marijuana should be legalized; and

WHEREAS, according to the Marijuana Policy Project an estimated 663,367 arrests were made in 2018, 92% of which were for possession alone; and

WHEREAS, in 2018, Wisconsin arrested nearly 15,000 adults for marijuana possession; and

WHEREAS, one person in the United States is arrested for marijuana possession every 48 seconds, and

WHEREAS, simple logic reveals that people from marginalized communities are being singled out under this prohibition; and

WHEREAS, removing the prohibition against marijuana will benefit the people of Wisconsin across all socio-economic backgrounds by providing a cash crop for farmers, increasing the amount of money within the State budget available to use on issues like drug treatment and education; and

WHEREAS, it is estimated that legalization of marijuana would annually generate more than \$165 million dollars in revenue for the state; and

WHEREAS, between the lost revenue from marijuana sales and the cost associated with maintaining this prohibition it is estimated to cost taxpayers \$41.8 billion annually; and

WHEREAS, marijuana usage has increased approximately 4000% since the current prohibition went into effect in 1937; and

WHEREAS, policing efforts should be focused on more illicit drug use and more serious crimes; and

WHEREAS, achieving equity across all groups of people within the criminal justice system is a goal worthy of our best efforts; and

WHEREAS, the City of Eau Claire has already passed an ordinance change amending the fine for marijuana possession to \$1; and

WHEREAS, there is little evidence to suggest that marijuana decriminalization or legalization leads to a substantial increase in usage; and

WHEREAS, legalizing and providing oversight of marijuana sales is in the interest of public health and safety.

NOW THEREFORE BE IT RESOLVED, that the Eau Claire County Board of Supervisors requests that the Wisconsin State Legislature and the Governor of Wisconsin, decriminalize or legalize recreational marijuana usage for adults over the age of 21 years of age. This legislation will be retroactive; and the Eau Claire County Board of Supervisors supports district attorney offices state-wide to educate on and initiate the expungement process for people with marijuana conviction records.

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

Adopted: June 15, 2021

Sue McDonald
County Clerk

1 Enrolled No.

2 RESOLUTION

3 File No. 22-23/006

4 REQUESTING RESOLUTIONS TO BE CONSIDERED AT THE 2022 WCA ANNUAL
5 BUSINESS MEETING

6 WHEREAS, each year counties can submit resolutions to be considered at the annual WCA
7 Convention; and

8
9 WHEREAS, the deadline for submitting resolutions to be considered at the 2022 WCA
10 Annual Business Meeting is June 20, 2022; and

11
12 WHEREAS, the following adopted resolutions, beginning with the July 2021 meeting are
13 appropriate to be forwarded for consideration at the 2022 WCA Annual Business Meeting.

14
15 NOW, THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors
16 recommends that the following resolutions and any resolutions adopted at the June meeting, be
17 sent to WCA for consideration at the 2022 WCA Annual Business Meeting.

- 18
19 1. Resolution File No. 21-22/009 – REQUESTING THE STATE OF WISCONSIN
20 DECRIMINALIZE RECREATIONAL CANNABIS (June 15, 2021, Agenda pp. 60-62)

21
22 BE IT FURTHER RESOLVED that the county clerk, before June, 2022, send certified
23 copies of this resolution and the above-named resolutions with a cover letter to Mark D. O’Connell,
24 WCA Executive Director, requesting that the above resolutions be considered at the 2022 WCA
25 Annual Business Meeting.

26
27 ADOPTED

28
29 _____
30 _____
31 _____
32 _____
33 _____
34 _____

35
36 Committee on Administration

37
38
39 Dated this _____ day of May 2022

40
41
42
43
44 SM/yk

45
46
47
48 Reviewed by Finance Dept.
49 for Fiscal Impact
50

**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

FACT SHEET

TO FILE NO. 22-23/026

This resolution creates three additional Highway Heavy Equipment Operator positions in the Highway Department based on the workforce assessment that was completed by the Highway Department and the review that was completed by the Human Resources Department. The Highway Equipment Operator position is responsible for performing construction and maintenance activities for our maintenance and improvement programs. Abolishing the Field Lead position creates the need for these three Heavy Equipment Operators.

Fiscal Impact: \$258,000 Annually covered by General Transportation Aids, Vehicle Registration Fees

Respectfully Submitted,

Jon Johnson

Jon Johnson
Highway Commissioner

4 -CREATE 3.0 (FTE) HIGHWAY HEAVY EQUIPMENT OPERATORS

5
6 WHEREAS, the Highway Department evaluates position vacancies as part of long range
7 and strategic plans as well as organizational structure; and

8
9 WHEREAS, the Highway Department assessed job descriptions and the structure
10 surrounding the departments current workforce; and

11
12 WHEREAS, the request for three additional Highway Heavy Equipment Operators to the
13 Highway Departments organizational structure was submitted to Human Resources for review;
14 and

15
16 WHEREAS, the review of the three additional positions recommends that the pay grade
17 for this position remain at "J"; and

18
19 WHEREAS, creating the three additional Highway Heavy Equipment Operator positions
20 will allow the Highway & Human Resources Departments to recruit for positions that better suit
21 the Highway Department organizational structure; and

22
23 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of
24 Supervisors hereby approves the Creation of 3.0 (FTE) additional Highway Heavy Equipment
25 Operator positions.

26
27
28
29 I certify that the foregoing correctly represents the
30 action taken by the undersigned committee on May
31 13, 2022 by a vote of ___ for, ___ against.

32
33
34 _____
35 Judy Gatlin, Chair
36 Human Resources

37
38 I certify that the foregoing correctly represents the
39 action taken by the undersigned committee on May
40 12, 2022 by a vote of 5 for, 0 against.

41 _____
42 *Steve Chilson*
43 Steve Chilson, Chair
44 Highway

45
46
47
Reviewed by Finance Dept.
for Fiscal Impact

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

FACT SHEET

TO FILE NO. 22-23/027

This resolution abolishes the Highway Lead Worker-Field position in the Highway Department and replaces it with a "Highway Foreman" position based on the job description assessment that was completed by the Highway Department and the review that was completed by the Human Resources Department. The Highway Foreman position provides project specific oversight and management of the Highway Department construction and maintenance programs as well as supervising the highway field staff.

Fiscal Impact: \$8,050.00 Annually covered by General Transportation Aids, and Vehicle Registration Fees.

Respectfully Submitted,

Jon Johnson

Jon Johnson
Highway Commissioner

1 Enrolled No.

RESOLUTION

File No.

2
3
4 -ABOLISH 3.0 (FTE) HIGHWAY LEAD WORKER - FIELD, CREATE 3.0 (FTE) HIGHWAY
5 FOREMAN

6
7 WHEREAS, the Highway Department evaluates position vacancies as part of long range
8 and strategic plans as well as organizational structure; and

9
10 WHEREAS, the Highway Department assessed job descriptions and the structure
11 surrounding the departments current workforce; and

12
13 WHEREAS, the Highway Foreman organizational structure change from the Highway
14 Department was submitted to Human Resources for review; and

15
16 WHEREAS, the review of the position recommends that the pay grade for this position
17 be raised from "K" to "L" and the title be changed to match the position duties; and

18
19 WHEREAS, abolishing the Highway Lead Worker - Field position and creating the
20 Highway Foreman position will allow the Highway & Human Resources Departments to recruit
21 for the position that better suits the Highway Department organizational structure ; and

22
23 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of
24 Supervisors hereby approves the Abolish of 3.0 (FTE) Highway Lead Worker - Field position,
25 and Creation of 3.0 (FTE) Highway Foreman position.

26
27
28
29 I certify that the foregoing correctly represents the
30 action taken by the undersigned committee on May
31 13, 2022 by a vote of ___ for, ___ against.

32
33
34 _____
35 Judy Gatlin, Chair
36 Human Resources

37
38 I certify that the foregoing correctly represents the
39 action taken by the undersigned committee on May
40 12, 2022 by a vote of 5 for, 0 against.

41 _____
42 Steve Chilson, Chair
43 Highway

44
45
46
47 Reviewed by Finance Dept.
for Fiscal Impact

**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

FACT SHEET

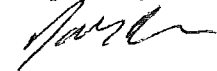
TO FILE NO. 22-23/003

Eau Claire Energy Cooperative is requesting an easement in the Town of Bridge Creek. The easement is to replace overhead utility lines with underground lines and covers four different parcels. The easement allows for Eau Claire Energy Cooperative to have the right to use and access to the properties for service.

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.

FICAL IMPACT: Eau Claire Energy Cooperative has offered to pay twenty-five dollars (\$25.00) for the easement. This is a twenty-five (\$25.00) positive fiscal impact.

Respectfully submitted,



Josh Pedersen
Parks and Forest

1 Enrolled No.

RESOLUTION

File No. 22-23/003

2
3
4 GRANTING UTILITY EASEMENTS TO EAU CLAIRE ENERGY COOPERATIVE IN
5 SECTION 4, T26N, R6W, IN THE TOWN OF BRIDGE CREEK
6

7 WHEREAS, Eau Claire County owns county forest land known as Lake Eau Claire
8 County Park; and
9

10 WHEREAS, Eau Claire County lands are administered by the Parks and Forest
11 Department; and
12

13 WHEREAS, Eau Claire Energy Cooperative is requesting easements to the Lake Eau
14 Claire County Park area to remove overhead utility lines and to install new utility lines
15 underground; and
16

17 WHEREAS, the areas affected by the Bridge Creek easement cover four parcels and
18 are described and set forth in the proposed easement and attached as Exhibit "A;" and
19

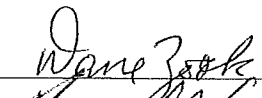
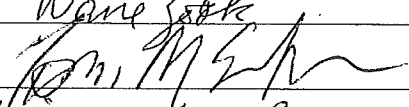
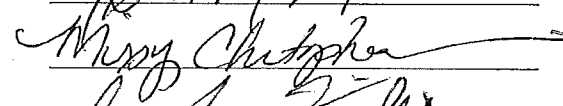
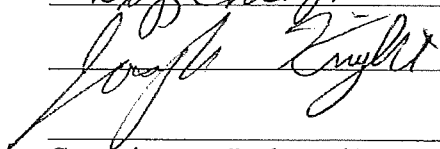
20 WHEREAS, Eau Claire Energy Cooperative offers to purchase the utility easement
21 described for the sum of twenty-five dollars (\$25.00); and
22

23 WHEREAS, the utility easement allows right of use and access for service.
24

25 NOW, THEREFORE BE IT RESOLVED by the Eau Claire County Board of
26 Supervisors that the Eau Claire County Board of Supervisors grant easements to Eau Claire
27 Energy Cooperative for the purpose of removing overhead lines and installing underground
28 utility lines in the Towns of Bridge Creek for the sum of twenty-five dollars (\$25.00).
29

30 BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors that
31 the County Clerk is authorized to sign all documents necessary to transfer the
32 aforementioned easement to the Eau Claire Energy Cooperative.
33

34 ADOPTED

35
36 
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43
44 Committee on Parks and Forest
45

46 Dated this 9 day of May 2022.

47
48 CRE

Reviewed by Finance Dept.
for Fiscal Impact

APPROVED BY
CORPORATION COUNSEL
AS TO FORM

FACT SHEET

TO FILE NO. 22-23/015

This resolution grants a utility easement to Dairyland Power Cooperative to install and maintain electrical distribution and communication lines in the Town of Fairchild and Town of Bridge Creek.

Fiscal Impact: \$5,000 to be deposited into the non-lapsing forest land acquisition account.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Josh Pedersen", with a long horizontal flourish extending to the right.

Josh Pedersen
Parks and Forest

2
3 GRANTING A UTILITY EASEMENT TO DAIRYLAND POWER COOPERATIVE IN THE
4 TOWN OF FAIRCHILD AND TOWN OF BRIDGE CREEK

5
6 WHEREAS, Eau Claire County owns county forest land with such lands administered by
7 the Parks and Forest Department; and

8
9 WHEREAS, Dairyland Power Cooperative currently operates an existing electrical
10 transmission line in the Town of Fairchild and Town of Bridge Creek under easements recorded
11 in 1949 and 1950; and

12
13 WHEREAS, Dairyland Power Cooperative has requested to update such easements to
14 provide for the reconstruction of the existing electrical transmission line and to clearly define the
15 legal description of such easement areas; and

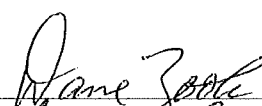
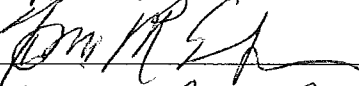
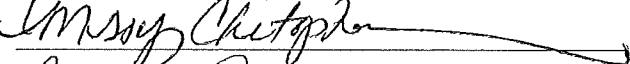
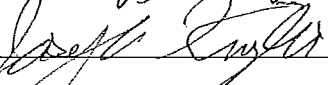
16
17 WHEREAS, the areas affected by the proposed utility easement are described and set forth
18 in Exhibit "A"; and

19
20 WHEREAS, Dairyland Power Cooperative has offered five thousand dollars (\$5,000) to
21 purchase the utility easement; and

22
23 WHEREAS, accepting the offer to update the utility easement is in Eau Claire County's
24 best interests.

25
26 NOW, THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors
27 grants an easement set forth in Exhibit "A" to Dairyland Power Cooperative for the sum of five
28 thousand dollars (\$5,000); and

29
30 BE IT FURTHER RESOLVED that the County Clerk is authorized to sign all documents
31 necessary to transfer the aforementioned easement to the Dairyland Power Cooperative.

32
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50 _____
Committee on Parks and Forest *May 9, 2022*

**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

JCB/ljl/yk **Reviewed by Finance Dept.
for Fiscal Impact**

RE-04RBD

7/00

Section: 6, 9, 11, 3 T 25 N R 5 W
 Section: 34, 27, 26, 22, 23, 24 T 26 N R 5 W
 Line: N-380 Formerly: N-380
 Parcel Number: 8 Formerly: 84, 89, 90, 100, 104

EASEMENT PAYMENT AGREEMENT

THIS AGREEMENT IS MADE by and between Eau Claire County, a quasi municipal corporation, hereinafter called the Grantor(s), and Dairyland Power Cooperative, of La Crosse, Wisconsin, hereinafter called the Grantee.

WHEREAS, The Grantee desires to reconstruct the existing facilities of the Electrical Transmission Line which was originally constructed and operated under the auspices of those certain easement instruments entitled "Right of Way for Rural Electric Line" dated February 10, 1950 and recorded March 1, 1950, as Document Number 255487, in Volume 198 on Page 240; dated March 3, 1950 and recorded March 16, 1950, as Document Number 255705, in Volume 202 of Deeds on Page 61; dated December 30, 1949 and recorded June 19, 1953, as Document Number 273312, in Volume 202 of Deeds on Page 271; and, dated May 2, 1950 and recorded May 19, 1950, as Document Number 256719, in Volume 202 of Deeds on Page 73; all in the Office of the Register of Deeds; and, under that certain report of commissioners and award of damages dated September 26, 1950 and filed with the Clerk of Court, all in County of Eau Claire County, Wisconsin.

WHEREAS, said instrument recited herein above provides for the repair, maintenance, relocation, and replacement of said transmission facilities;

WHEREAS, said instrument recited herein above grants unto Grantee the right to place and construct said electrical transmission line facilities along a corridor which is therein undefined and by legal description encumbers lands in excess of the right of way strip necessary to accommodate said electrical transmission line facilities; and

WHEREAS, Grantor and Grantee have determined that it is desirable to execute a replacement easement instrument entitled "RIGHT OF WAY EASEMENT FOR RURAL ELECTRIC LINE", bearing even date herewith, and which specifically sets forth the easement rights granted under the original easement instrument as referenced herein above, and further, to provide a legal description defining the location of the right of way strip of said electrical transmission line as replaced and reconstructed.

NOW THEREFORE, In consideration of the premises, it is hereby mutually agreed by and between the parties as follows:

1. The Grantor(s) agree(s) to accept \$5,000 as full payment for and in consideration of the rights and easements herein stated;
2. The above consideration will be made payable solely to Eau Claire County;
3. The Grantee will maintain an existing 69kV Electrical Transmission Line and systems.
4. The Grantee will install associated structures and assemblies.

All of the above subject to the reservation in the Grantor(s) of right of recovery for damage to crops, fences and improvements as a result of construction and maintenance of said lines.

IN WITNESS WHEREOF, We hereunto set our hands and seals this _____ day of _____, 20____.

DAIRYLAND POWER COOPERATIVE

Eau Claire County

By: _____

Its: _____

By: _____

Its: _____

DRAFTED BY: Kurt D. Childs, Dairyland Power Cooperative, P.O. Box 817,
La Crosse, WI 54602-0817 / Tel. #: 608/788-4000

RE-32RBD
7/00

RIGHT OF WAY EASEMENT FOR RURAL ELECTRIC LINE

Know All Men By These Presents: That Eau Claire County, a quasi municipal corporation, Grantor(s), claiming title by Tax Deed dated October 17, 1950 and recorded June 4, 1954, as Document Number 278524; by Tax Deed dated June 14, 1927 and recorded October 30, 1935, as Document Number 189678; by Warranty Deed dated September 22, 1952 and recorded October 29, 1952, as Document Number 269926; by Tax Deed dated March 6, 1933 and recorded March 7, 1933, as Document Number 180974; by Tax Deed dated October 1, 1940 and recorded October 31, 1946, as Document Number 236068; by Tax Deed dated February 1, 1933 and recorded October 19, 1937, as Document Number 196553, in Volume 115 on Page 383; by Tax Deed dated February 1, 1932 and recorded October 14, 1937, as Document Number 196497, in Volume 115 on Page 382; by Warranty Deed dated March 27, 1997 and recorded April 4, 1997, as Document Number 715071, in Volume 1020 on Page 837; by Tax Deed dated June 10, 1930 and recorded June 8, 1934, as Document Number 184612, in Volume 115 on Page 343; by Warranty Deed dated December 21, 1976, as Document Number 436886, in Volume 449 on Page 491; by Tax Deed dated October 18, 1955 and recorded October 1, 1959, as Document Number 308517, in Volume 146 on Page 430; by Tax Deed dated December 3, 1935 and recorded July 21, 1941, as Document Number 209959, in Volume 115 on Page 421; and, by Tax Deed dated June 8, 1926 and recorded May 25, 1933, as Document Number 181440, in Volume 115 on Page 284, all in the Office of the Register of Deeds, Eau Claire County, Wisconsin, in consideration of the sum of Five Thousand Dollars (\$5,000.00) and other valuable considerations, the receipt of which is hereby acknowledged, do(es) hereby grant, warrant, and convey unto

Return to:
DAIRYLAND POWER COOPERATIVE
P.O. Box 817
La Crosse, Wisconsin 54602-0817
ATTN: RE/RW & Related Services Dept.

010-1013-10-000; 010-1020-03-000;
010-1020-02-000; 010-1019-02-000;
010-1024-07-000; 010-1006-07-000;
002-1069-02-000; 002-1055-04-000;
002-1054-05-000; 002-1054-02-000;
002-1045-07-000; 002-1052-07-000;
002-1047-03-000; 002-1049-02-000;
002-1049-03-000

Parcel Identification Number

Line: N-380 Formerly: N-380
Parcel: 8 Formerly: 84, 89, 90, 100, 104

DAIRYLAND POWER COOPERATIVE

a Wisconsin non-stock cooperative association, its successors, licensees, lessees, tenants, subsidiaries or assigns, hereinafter called Grantee, the exclusive perpetual right and easement to enter upon the property of the Grantors as described in the instrument(s) recited above, to survey, construct, reconstruct, replace, operate, maintain, renew and remove in, upon, over and across the hereinafter described right of way strip, electric transmission, electric distribution, and communication line system(s), or any combination thereof, overhead and underground and all devices appurtenant thereto, including, without limitation by specification, structures, crossarms, transformers, splice boxes, conduits, and other such appliances, accessories, footings, and supporting devices as Grantee deems necessary for the purpose of exercising the rights and easement herein granted. The right, permission, and authority to apportion the rights herein to third parties is also granted to the Grantee, together with the right to cut down and remove all trees and bushes, or apply chemicals for purposes of controlling brush, now or hereafter, growing upon the right of way strip, including, with the prior written consent of the Grantor, the removal of tall or leaning trees adjacent to or near said right of way strip which may endanger the facilities authorized hereunder or impede the access to said right of way strip, with said written consent not being unreasonably withheld, and the right of uninterrupted access, ingress, and egress to and from the right of way strip over existing roadway(s) and trails on the adjacent property of the Grantor which will cause the least possible interference with existing land use.

EXHIBIT A

Actual damage to crops, fences, improvements and soil of the Grantor(s), its successors, heirs, assigns, or tenants, caused by employees, agents, or contractors of the Grantee, shall be promptly paid by the Grantee.

Grantor(s) expressly reserve(s) the use of the right of way strip, for such purposes which are not inconsistent with the rights herein granted (i.e. forest management purposes). No structure(s) will be erected, or inflammable material placed or accumulated, or trees planted on said right of way strip by Grantor(s), who further covenant(s) and agree(s) that the elevation of the existing ground surface within the right of way strip will not be altered by Grantor more than one (1) foot without the written consent of Grantee, and that no fences, gates, signs, posters, or other attachments shall be placed on or attached to the supporting structures.

Said right of way is a strip of land 80 feet in width, lying within or partly within the SE $\frac{1}{4}$ -SE $\frac{1}{4}$, Section 6; N $\frac{1}{2}$ -NW $\frac{1}{4}$, NE $\frac{1}{4}$ -NE $\frac{1}{4}$, Section 9, NW $\frac{1}{4}$ -NW $\frac{1}{4}$, Section 11; and, the NE $\frac{1}{4}$ -SE $\frac{1}{4}$, Section 3, in T25N, R5W, Town of Fairchild; and, partly with in the NE $\frac{1}{4}$ -NE $\frac{1}{4}$, Section 34, NE $\frac{1}{4}$ -SE $\frac{1}{4}$, SE $\frac{1}{4}$ -NE $\frac{1}{4}$, NE $\frac{1}{4}$ -NE $\frac{1}{4}$, Section 27; SE $\frac{1}{4}$ -SE $\frac{1}{4}$, Section 22, SW $\frac{1}{4}$ -SW $\frac{1}{4}$, Section 23, NW $\frac{1}{4}$ -NW $\frac{1}{4}$, Section 26; and, the S $\frac{1}{2}$ -SW $\frac{1}{4}$, Section 24, in T26N, R5W, Town of Bridge Creek, all in the County of Eau Claire, State of Wisconsin, and being specifically described as lying 40 feet on each side of the following described centerline:

Commencing at the S $\frac{1}{4}$ corner of Section 6, T25N, R5W, thence East, a distance of approximately 1,324 feet to the SW corner of the SE $\frac{1}{4}$ -SE $\frac{1}{4}$ of said Section 6; thence North, a distance of approximately 109 feet to a point on the West line of said SW $\frac{1}{4}$ -SW $\frac{1}{4}$, and the **point of beginning** of this centerline description; thence S87°25'33"E, a distance of approximately 33 feet, and there terminating. **Excepting** lands not owned by Grantor. The boundaries of said easement are to contiguously extend as necessary to intersect with existing, adjacent property lines and the total easement width shall not exceed 80 feet.

and;

Beginning at a point on the West line of Section 9, T25N, R5W, said point being approximately 40 feet South of the NW corner of said Section 9; thence S89°11'11"E, a distance of approximately 379 feet; thence S89°33'45"E, a distance of approximately 2,256 feet to a point on the East line of the NE $\frac{1}{4}$ -NW $\frac{1}{4}$ of said Section 9, and there terminating. **Excepting** lands not owned by Grantor. The boundaries of said easement are to contiguously extend as necessary to intersect with existing, adjacent property lines and the total easement width shall not exceed 80 feet.

and;

Beginning at a point on the East line of Section 9, T25N, R5W, said point being approximately 45 feet South of the NE corner of said Section 9; thence N89°33'45"W, a distance of approximately 1317 feet to a point on the West line of NE $\frac{1}{4}$ -NE $\frac{1}{4}$ of said Section 9, and there terminating. **Excepting** lands not owned by Grantor. The boundaries of said easement are to contiguously extend as necessary to intersect with existing, adjacent property lines and the total easement width shall not exceed 80 feet.

and;

Beginning at a point on the West line of Section 11, T25N, R5W, said point being approximately 39 feet South of the NW corner of said Section 11; thence S89°31'42"E, a distance of approximately 108 feet, and there terminating. **Excepting** lands not owned by Grantor. The boundaries of said easement are to contiguously extend as necessary to intersect with existing, adjacent property lines and the total easement width shall not exceed 80 feet.

and;

Beginning at a point on the North line of the SE $\frac{1}{4}$ of Section 3, T25N, R5W, said point being 36 feet West of the E $\frac{1}{4}$ corner of said Section 3; thence S01°07'12"W, a distance of approximately 1317 feet to a point on the South line of the NE $\frac{1}{4}$ -SE $\frac{1}{4}$ of said Section 3, and there terminating. **Excepting** lands not owned by Grantor. The boundaries of said easement are to contiguously extend as necessary to intersect with existing, adjacent property lines and the total easement width shall not exceed 80 feet.

and;

Beginning at a point on the North line of Section 34, T26N, R5W, said point being 30 feet West of the NE corner of said Section 34; thence S00°36'27"W, a distance of approximately 1317 feet to a point on the South line of NE¼-NE¼ of said Section 34, and there terminating. **Excepting** lands not owned by Grantor. The boundaries of said easement are to contiguously extend as necessary to intersect with existing, adjacent property lines and the total easement width shall not exceed 80 feet.

and;

Commencing at the E¼ corner of Section 27, T26N, R5W, thence South, a distance of approximately 1319 feet to the SE corner of the NE¼-SE¼ of said Section 27; thence West, a distance of approximately 33 feet to a point on the South line of said NE¼-SE¼, and the **point of beginning** of this centerline description; thence N00°36'27"E, a distance of approximately 2830 feet; thence N00°32'08"W, a distance of approximately 1134 feet; thence S89°37'38"E, a distance of approximately 1388 feet to a point on the East line of the SW¼-SW¼ of Section 23, T26N, R5W, and there terminating. **Excepting** lands not owned by Grantor. The boundaries of said easement are to contiguously extend as necessary to intersect with existing, adjacent property lines and the total easement width shall not exceed 80 feet.

and;

Beginning at a point on the West line of Section 24, T26N, R5W, said point being 42 feet North of the SW corner of said Section 24; thence S89°37'38"E, a distance of approximately 2632 feet to a point on the East line of the SE¼-SW¼ of said Section 24, and there terminating. **Excepting** lands not owned by Grantor. The boundaries of said easement are to contiguously extend as necessary to intersect with existing, adjacent property lines and the total easement width shall not exceed 80 feet.

All bearings referenced to Wisconsin State Plane Coordinate System Central Zone NAD'83(91) 4802, distances are US Feet (bearings and distances are Grid values).

This easement is also given to provide for the reconstruction of the electrical transmission line originally constructed and operated under the auspices of those certain easement instruments dated February 10, 1950 and recorded March 1, 1950, as Document Number 255487, in Volume 198 on Page 240; dated March 3, 1950 and recorded March 16, 1950, as Document Number 255705, in Volume 202 of Deeds on Page 61; dated December 30, 1949 and recorded June 19, 1953, as Document Number 273312, in Volume 202 of Deeds on Page 271; and, dated May 2, 1950 and recorded May 19, 1950, as Document Number 256719, in Volume 202 of Deeds on Page 73; all in the Office of the Register of Deeds; and, under that certain report of commissioners and award of damages dated September 26, 1950 and filed with the Clerk of Court, all in County of Eau Claire County, Wisconsin, and further, to provide a legal description defining the location of said existing transmission line at its reconstructed location.

TO HAVE AND TO HOLD said easement, together with all and singular the rights and privileges appertaining thereto unto said Grantee, its successors and assigns forever. This conveyance shall be binding on the heirs, representatives, and assigns of the Grantors and Grantee.

The warranties contained herein are made subject only to the following delinquent taxes, mortgages, liens or encumbrances: None.

And the undersigned owner(s) and holder(s) of NA as to said property above described, for the consideration above stated, do(es) hereby join in and consent to said easement free and clear of said encumbrance(s), by their/its signature(s) below or by separate instrument.

FACT SHEET

TO FILE NO. 22-23/023

This resolution is to support participating in the Drive Clean Rural USA project. Drive Clean Rural USA is a pilot program in 8 states funded by the Department of Energy with the goal of engaging government leaders, business owners, fleet managers, and farmers to remove barriers and accelerate access to clean fuel solutions that deliver financial savings, clean air, and economic opportunity to rural communities. Participating in this pilot project is free and will provide resources necessary to identifying cost effective solutions to reduce greenhouse gas emissions from the Eau Claire County fleet. This program will also provide educational opportunities including alternative fuel vehicle demonstrations for county employees and other businesses and organizations in the community looking for clean fuel solutions.

Fiscal Impact: None

Respectfully Submitted,

Regan Watts, Recycling & Sustainability Coordinator

Jon Johnson, Highway Commissioner

Rod Eslinger, Director – Planning and Development

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RESOLUTION SUPPORTING EAU CLAIRE COUNTY PARTNERING WITH THE DRIVE CLEAN RURAL USA PROJECT TO RECEIVE US DEPARTMENT OF ENERGY PROJECT FUNDED SUPPORT INCLUDING EDUCATIONAL INFORMATION, FLEET ANALYSIS ASSISTANCE, AND ACCESS TO ALTERNATIVE FUEL VEHICLES FOR FLEET DEMONSTRATIONS IN OUR RURAL COUNTY REGION.

WHEREAS, Eau Claire County has cause for concern regarding the negative impacts of climate change on greater society and within local community insofar as climate change increases the risk of flooding, extreme weather, public infrastructure damage, and economic loss; and

WHEREAS, addressing and mitigating the major contributing factors such as the burning of fossil fuels, is imperative to slow climate change and protect the public welfare; and

WHEREAS, in 2018, 24% of greenhouse gas emissions from county operations were from the vehicle fleet; and

WHEREAS, in 2017, 43% of Eau Claire County community greenhouse gas emissions were from transportation and mobile services; and

WHEREAS, the Eau Claire County Board of Supervisors adopted the resolution 19-20/003 on April 16, 2019, establishing goals of 100% renewable energy and carbon neutrality by the year 2050; and

WHEREAS, the State of Wisconsin has a goal of 100% carbon-free electricity by 2050, and local government are important actors to help implement the State’s goal and Clean Energy Plan; and

WHEREAS, partnering with the Drive Clean Rural USA engages with government leaders, business owners, fleet managers, and farmers to remove barriers and accelerate access to clean fuel solutions that deliver financial savings, clean air, and economic opportunity to rural communities; and

WHEREAS, by partnering with the Drive Clean Rural USA project, Eau Claire County is committed to participating in the following activities:

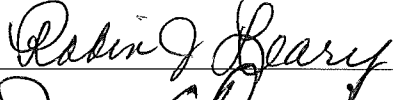
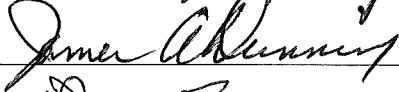
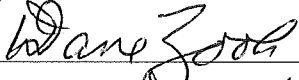

- **Attend Fleet Educational Event:** Participate in a free fleet educational event hosted by Drive Clean Rural USA, assist with outreach invites to regional peer fleets, and help identify a location for the event.
- **Receive Fleet Alt. Fuel Analysis:** Provide organizational fleet data to the project team in order to receive a free fleet alternative fuel feasibility analysis.
- **Short-Term Alt. Fuel Vehicle Demos:** Work with project team partners to perform short-term demos of relevant alternative fuel vehicles in organization fleet operations.

- 1 • **Connections to Peer Fleets:** Assist the project team by making introductions and
2 connections to regional peer fleet leaders that may be interested in participating in the
3 project and learning more about alternative fuel vehicle solutions.
- 4 • **Share Results:** The project team may share our selection as a partner in this project,
5 results of our fleet analysis, and our experiences as a project partner. This information will be
6 included in communication with the media, in social media posts, and/or in a Replication
7 Playbook produced and disseminated nationally to highlight successes and lessons learned; and
8

9 WHEREAS, there is no cost to participating in the Drive Clean Rural USA project.

10
11 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of
12 Supervisors support Eau Claire County participating in the Drive Clean Rural USA project to
13 learn more about how clean fuel solutions can deliver financial savings, clean air, and economic
14 opportunity to rural communities.

15 ADOPTED:

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27 Committee on Planning and Development

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30 Dated this 10 day of May, 2022

31 SM/yk
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**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

FACT SHEET
File No. 22-23/004

RE: Rezone 5.67 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) to divide the existing homestead and sell the remaining land to remain in agricultural production

Legal Description and Location: Part of the NW ¼ SW ¼, in Section 17, Township 25 North, Range 8 West, Town of Clear Creek, Eau Claire County, Wisconsin. (complete legal description attached).

Size of area to be rezoned: 5.67 acres +/-

ADJACENT ZONING & LAND USES:

LOCATION	ZONING	LAND USE
Subject	A-P	Agricultural; Farmstead
North	A-P	Agricultural; Farmstead
East	A-P	Agricultural
South	A-P	Agricultural
West	A-P	Agricultural; Woodlands

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

Eau Claire County Rural Lands (RL) Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*

Staff Conclusions and Recommendation: Staff finds that the proposed rezoning request substantially conforms with the Eau Claire County Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-2 zoning district is consistent within the mapped future land use designation.

Town Board Action: The Clear Creek Town Board considered the rezoning petition on Monday, April 11, 2022, and recommended approval of the rezoning (3-0 vote).

Committee Action: The Eau Claire County Committee on Planning & Development held a public hearing on May 10, 2022 regarding the proposed rezoning. On a vote of 5 in favor and 0 against, the Committee recommends approval of the rezoning to the County Board. The committee considered the applicant's testimony as well as the Town Board's and staff's recommendations in their deliberations. No residents spoke against the proposal and no correspondence was received in opposition to the proposal.

Fiscal Impact: None

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



Matt Michels, AICP
Senior Planner

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3 -AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
4 TOWN OF CLEAR CREEK-

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

7
8 **SECTION 1.** That the 1982 Official Zoning District Boundary Map for the Town of Clear Creek, described
9 as follows:

10
11 A parcel of land located in the Northwest Quarter of the Southwest Quarter,
12 Section 17, Township 25 North, Range 8 West, Town of Clear Creek, Eau
13 Claire County, Wisconsin.

14 Commencing at the West Quarter corner of said Section 17;

15 Thence S00°04'07"E, 436.00 feet to the point of beginning;

16 Thence N86°01'19"E, 202.36 feet;

17 Thence N39°57'27"E, 209.51 feet;

18 Thence N12°11'35"E, 176.73 feet;

19 Thence N00°28'07"E, 88.94 feet;

20 Thence N89°57'09"E, 410.00 feet;

21 Thence S00°41'47"E, 274.46 feet;

22 Thence N88°18'55"W, 118.11 feet;

23 Thence S62°26'50"W, 405.35 feet;

24 Thence S46°11'37"W, 58.94 feet;

25 Thence S20°37'05"W, 93.67 feet

26 Thence S09°21'59"W, 170.68 feet;

27 Thence S63°41'35"W, 172.37 feet;

28 Thence S70°01'44"W, 55.41 feet;

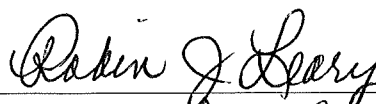
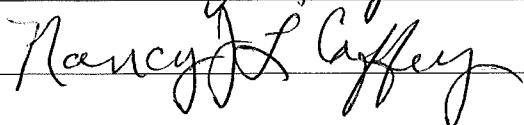
29 Thence N00°04'07"W, 414.00 feet to the point of beginning;

30
31 Said described parcel of land containing 5.67 acres +/-, of land and is subject to
32 the easements and restrictions of record to be reclassified from the
33 A-P Agricultural Preservation District to the A-2 Agriculture-Residential
34 District.

35
36 **SECTION 2.** Where a certified survey map is required and may alter the above described
37 property description, the official zoning district map for the town shall be automatically
38 amended to reflect the property description of the certified survey map.

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40 ENACTED:

I hereby certify that the foregoing correctly represents the
action taken by the undersigned Committee on, May 10,
2022, by a vote of 5 for, 0 against.

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MM

James Ahlman

Dane Zook

Planning and Development Committee

hk

Dated this 10 day of May, 2022.

**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

**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

April 19, 2022

Notice of Application Received

The Eau Claire County Department of Planning and Development has received the following application for a rezoning on 5/10/2022:

Owner: Dennis Welke

Applicant: Garrett Halama

File Number: 22-23/004

Legal Description: A parcel of land located in the Northwest Quarter of the Southwest Quarter, Section 17, Township 25 North, Range 8 West, Town of Clear Creek, Eau Claire County, Wisconsin.

Site Address: : S 12613 S Martin Drive, Strum, WI 54770

Existing Zoning District: A-P Agricultural Preservation

Proposed Zoning District: A-2 Agriculture-Residential

Acres to be Rezoned: 5.67 +/- acres

Date Received: 4/19/2022

To view the application materials, click on link below.

[Planning and Development | Eau Claire County \(eau-claire.wi.us\)](http://eau-claire.wi.us)



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

Application Accepted:	04/19/2022
Accepted By:	Matt Michels
Receipt Number:	
Town Hearing Date:	4/11/22
Scheduled Hearing Date:	05/10/2022
Application No:	RZN-0006-22
Application Status:	Applied

Rezoning Petition

RECEIVED

Owner/Applicant Name(s):

Owner: DENNIS WELKE

Applicant: Dennis Welke, S 12613 S Martin Dr, Strum, WI 54770

Telephone: (715) 797-0442

E-Mail: garrett@highpointlandcompany.com

APR 19 2022

COUNTY CLERK

Site Address(es):

S 12613 S MARTIN DR

Property Description:

Sec 17 Twn 25 Rge 08
Town of Clear Creek

Zoning District(s):

AP - Agricultural Preservation Distr

Lot Area(s) - Acres:

40.00
40.00

Overlay District(s):

Shoreland

PIN

1800622508173200001

Legal (partial)

NW-SW SEE TOD DESIGNATION IN DOC 1203034

006104552000

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

Agent: Garrett Halama, 40245 Olson St., Osseo, WI 54758

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



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

RECEIVED

APR 19 2022

COUNTY CLERK

REZONING APPLICATION

Office Use Only

Application Accepted:	4/19/22
Accepted By:	mm
Application Number:	
Town Hearing Date:	4/11/22
Scheduled Hearing Date:	5/10/22

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

Existing Zoning District: <u>AP</u>	Proposed Zoning District(s): <u>A2</u>
Acres to be rezoned: <u>5.0 +/-</u>	

Property Owner Name: <u>Dennis Welke</u>	Phone# <u>715-210-5527</u>
Mailing Address: <u>512613 S Martin Dr. Strum, WI 54770</u>	
Email Address: <u>N/A</u>	

Agent Name: <u>Garrett Halama</u>	Phone# <u>715-797-0442</u>
Mailing Address: <u>40245 Olson St. Osseo, WI 54758</u>	
Email Address: <u>Garrett@HighPointLandCompany.com</u>	

SITE INFORMATION

Site Address: <u>512613 S Martin Dr. Strum, WI 54770</u>
Property Description: <u>NW 1/4 SW 1/4 Sec. 17, T25, N, R 8, W, Town of Clear Creek</u>
Zoning District: <u>AP</u> Code Section(s):
Overlay District: <input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining

Computer #(s): or PIN #(s):	<u>180062-250817-370-001</u>
-----------------------------------	------------------------------

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

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Confirmed with the Town their submittal deadline and process.
<input checked="" type="checkbox"/> Provide legal description of property to be rezoned	<input checked="" type="checkbox"/> Provide \$600.00 application fee (non-refundable), (\$525.00 application processing fee and \$75.00 mapping surcharge fee). Send application to landuse@co.eau-claire.wi.us or to the address above.

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

Owner/Agent Signature: Dennis Welke Date 4/15/2022

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

REZONING APPLICATION CHECKLIST

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

Required Application Items:

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

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

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

Describe the reason(s) for your rezoning request:

I'm selling my farmland and want to keep my homestead and 5 acres and change the zoning from A1 to A2 for my homestead. This request is to preserve the remaining 35 acres of cropland for the next buyer of my farm.

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

A2 rezone would allow me to keep my homestead that I have used on for 20 years and allows me to sell my farmland to the next buyer that wants to farm or rent out the tillable acres. This conforms with the township's value of preserving crop acres and Eau Claire Counties.

Rezoning petitions to change the zoning of a parcel from the A-P Agricultural Preservation District to any other District must be based upon findings that consider the following factors:

- 1) The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses;
- 2) The rezoning is consistent with any applicable comprehensive plans;
- 3) The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan; and
- 4) The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

If you are petitioning to rezone land from an A-P District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

The A2 rezone for my homestead is consistent with the above because 35 acres would still be tillable land and my homestead lot 5 acres would have no tillable acres with it out of that 40 acre parcel. Zoning would remain the same on all the tillable acres, and meets the core values of township and county.

Dennis Welke

A parcel of land located in the Northwest Quarter of the Southwest Quarter, Section 17, Township 25 North, Range 8 West, Town of Clear Creek, Eau Claire County, Wisconsin.

Commencing at the West Quarter corner of said Section 17;

Thence $S00^{\circ}04'07''E$, 436.00 feet to the point of beginning;

Thence $N86^{\circ}01'19''E$, 202.36 feet;

Thence $N39^{\circ}57'27''E$, 209.51 feet;

Thence $N12^{\circ}11'35''E$, 176.73 feet;

Thence $N00^{\circ}28'07''E$, 88.94 feet;

Thence $N89^{\circ}57'09''E$, 410.00 feet;

Thence $S00^{\circ}41'47''E$, 274.46 feet;

Thence $N88^{\circ}18'55''W$, 118.11 feet

Thence $S62^{\circ}26'50''W$, 405.35 feet;

Thence $S46^{\circ}11'37''W$, 58.94 feet;

Thence $S20^{\circ}37'05''W$, 93.67 feet;

Thence $S09^{\circ}21'59''W$, 170.68 feet;

Thence $S63^{\circ}41'35''W$, 172.37 feet;

Thence $S70^{\circ}01'44''W$, 55.41 feet;

Thence $N00^{\circ}04'07''W$, 414.00 feet to the point of beginning;

Parcel contains 247,016 square feet or 5.67 acres of land.



**HIGH
POINT**

LAND COMPANY

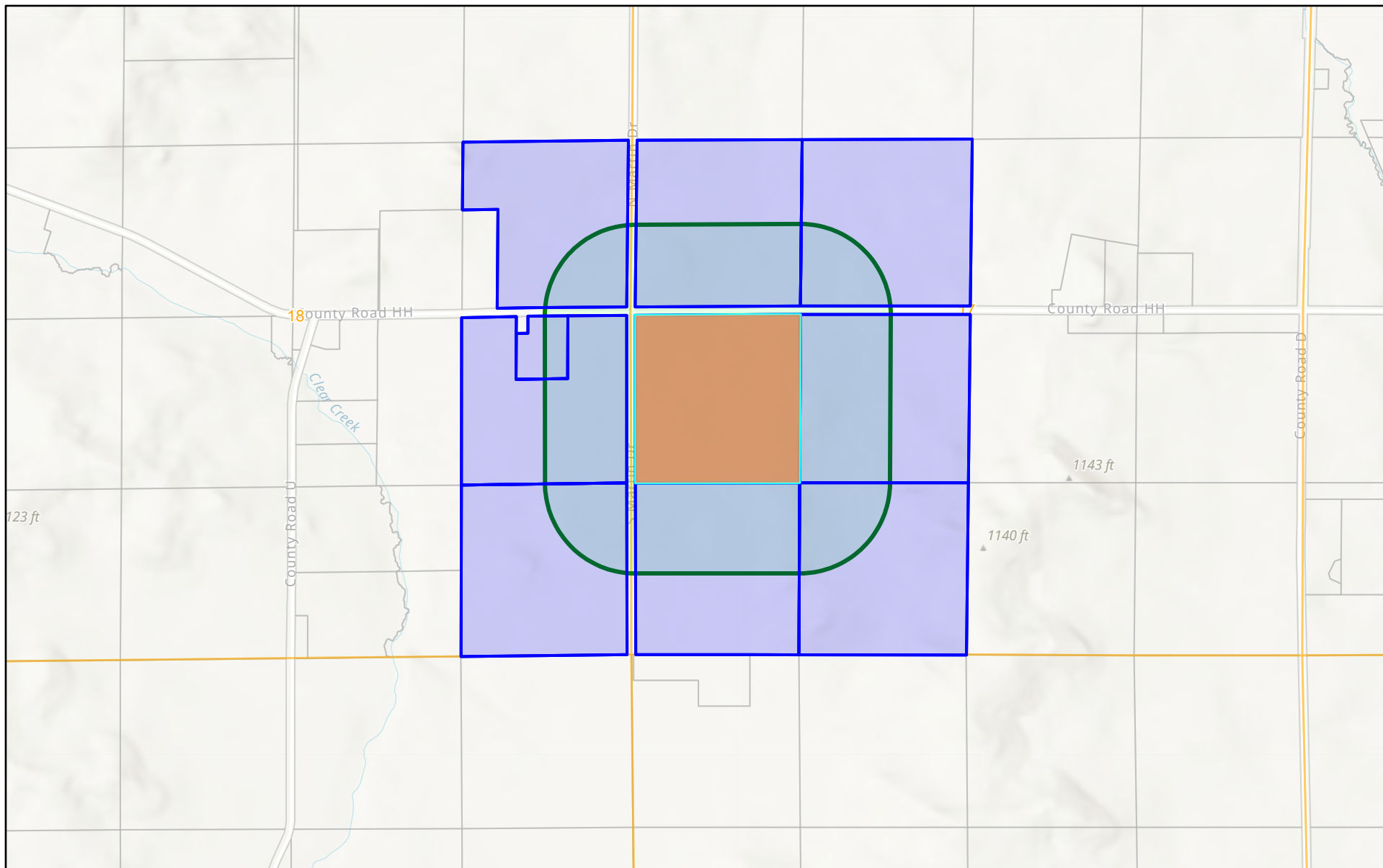
HighPointLandCompany.com

1.8+/- Acres
Eau Claire County, WI
Clear Creek Twp






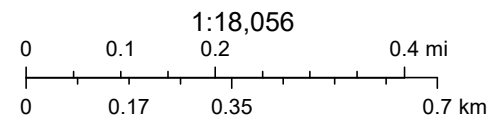
High Point Land Company
159 N Shore Drive Fountain City, WI

Public Notification



4/19/2022, 3:09:22 PM

-  County Boundary
-  Tax Parcel
-  Section



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA,

FirstName LastName	Address	City State Zip
DAVID WELKE	S 12814 COUNTY ROAD D	STRUM WI 54770-9409
MARK NODLAND	986 LAKEVIEW DR	EAU CLAIRE WI 54701-8383
MICHAEL PEDERSON	10644 24TH AVE	EAU CLAIRE WI 54703-5088
LANCE A & KATIE E WIER	S 12205 COUNTY ROAD K	OSSEO WI 54758-7728
BRIAN E & ERICA M HINK	E 7235 COUNTY ROAD HH	STRUM WI 54770-9459

REZONE NUMBER: RZN-0006-22 **COMPUTER NUMBER:** 006104502000

PUBLIC HEARING DATE: May 10, 2022

STAFF CONTACT: Matt Michels, Senior Planner

OWNER: Dennis Welke, S12613 S. Martin Dr., Strum, WI 54770

AGENT: Garrett Halama, 40245 Olson St., Osseo, WI 54758

REQUEST: Rezone 5.67 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) to divide the existing homestead and sell the remaining land to remain in agricultural production

LOCATION: S12613 S. Martin Dr.

LEGAL DESCRIPTION: Part of the NW ¼ SW ¼, in Section 17, Township 25 North, Range 8 West, Town of Clear Creek, Eau Claire County, Wisconsin. (complete legal description attached).

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

BACKGROUND

SITE CHARACTERISTICS:

- The majority of the parent parcel is currently used for agriculture.
- The property to be divided is developed with a single-family residence and several outbuildings.

EXISTING ZONING DISTRICT:

A-P Agricultural Preservation District. The A-P Agricultural Preservation District is established to:

- Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*
- Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;*
- Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;*
- Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and*

H. Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County's permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.

REQUESTED ZONING DISTRICT:

A-2 Agriculture-Residential District. The A-2 Agriculture-Residential District is established to:

- A. Provide an area for limited residential and hobby farm development in a rural atmosphere;
- B. Preserve the county's natural resources and open space; The standards set out in this chapter shall apply in this district

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-P	Agricultural; Farmstead
North	A-P	Agricultural; Farmstead
East	A-P	Agricultural
South	A-P	Agricultural
West	A-P	Agricultural; Woodlands

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Clear Creek Future Land Use Map includes the property in the Rural Preservation (RP) planning area. Following are descriptions of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies.

Eau Claire County:

- Rural Lands Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- Applicable Policies:
 1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*
 2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*
 3. *For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:*
 - a. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere*

with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.

Town of Clear Creek:

- Rural Preservation Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat. This designation includes farmland, scattered open lands, woodlots, agricultural-related uses, and limited single-family residential development (see Maps B, C, and D). Some limited low-density development is anticipated in the RP areas. These developments shall be located in order to minimize the fragmentation of productive agricultural land and to minimize any disruption to existing farm operations. Requests to change the future land use designation of parcels shall be considered using the criteria listed in the Land Use Policies. The RP represents areas that are vital to the region's agricultural & forestry economy and are key ingredients of the rural character and image of the Town of Clear Creek.*

The application has been found to be generally consistent with the intent, description, and the applicable policies of the Eau Claire County Rural Lands Future Land Use designation and Town of Clear Creek Rural Preservation Future Land Use designation.

FARMLAND PRESERVATION PLAN:

The parent parcel is included in the Farmland Preservation Plan Map, which potentially enables the property owner to claim Farmland Preservation tax credits. Although the proposed A-2 District requested for the existing homestead is not a certified farmland preservation district, the remainder of the parent parcel will remain A-P and will remain eligible for Farmland Preservation tax credits.

Comprehensive Plan Summary

The proposed A-2 zoning district is consistent with the intent and description and the applicable policies of the Eau Claire County Comprehensive Plan Rural Lands Planning Area.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also be made that the rezone is consistent with the County's Comprehensive Plan.

A-P Rezoning Standards

In addition, there are four standards for approving a rezoning of land from the A-P Agricultural Preservation zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards:

Standard 1 - *The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses.*

- **Soil Types** – There are four (4) different soil types on the property to be divided, three of which are considered prime agriculture soils. However, the land to be divided is developed and there will be no adverse impacts to agricultural land.

Soil Type	Description	Capability Class
EIB	Eleva sandy loam, 2-6% slopes	3
BIC2	Billett sandy loam, 6-12% slopes, eroded	3
BIB	Billett sandy loam, 1-6% slopes	3
Ve	Vesper loam	6

- **Historical Productivity** – The majority of the property is currently cropped for agricultural uses.
- **Site Location** – The property is located southeast of the intersection of Co Rd. HH and S. Martin Dr.
- **Adjacent Land Uses** – Uses in the area include a mixture of farmlands, woodlands, single-family residences, and vacant open areas.

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

The proposed rezoning substantially conforms to the future land use intent, purpose, and policies for the Eau Claire County Comprehensive Plan, including policies related to limiting residential density in rural areas of the County and limiting conversion of productive farmland.

Standard 3 - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan.* The proposed rezoning would not remove land from cultivation, which is consistent with the Farmland Preservation Plan.

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

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

Town Board Action: The Clear Creek Town Board considered the rezoning petition on Monday, April 11, 2022, and recommended approval (3-0 vote).

The rezoning petition has been evaluated for consistency with the purpose of the A-2 District and the uses allowed in the district. The request is generally consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the intent and purpose of the Eau Claire County Future Land Use plan.
- Existing uses in the area include agricultural fields, farmsteads, scattered single-family residences, and scattered woodlands.
- Zoning in the area is predominantly A-P, with some A-2 and A-3 zoning in vicinity of the subject property.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County Comprehensive Plan future land use designation
- Eau Claire County Comprehensive Plan goals, objectives, and policies
- Eau Claire County Farmland Preservation Plan
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in the A-2 District

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence has been received, to date.

FINDINGS

Findings in Favor:

1. The request is generally consistent with the goals, objectives, and policies of the Eau Claire County Comprehensive Plan, as required by Section 19.01.020.B of the Eau Claire County Code; and Wisconsin Statutes §66.1001(1)(am) and §66.1001(3)(j), including the intent, description, and policies of the Rural Lands Future Land Use classification in Section 3.3 of the Eau Claire County Comprehensive Plan and Map 9 (Future Land Use) of the Eau Claire County
2. The applicant indicates that the cropped land will be sold and will remain in agricultural production.
3. No additional non-farm development is proposed with this rezoning.
4. The property has required road frontage on Martin Dr.

DENNIS WELKE REZONE AERIAL MAP

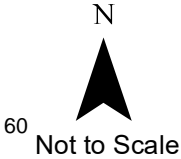


Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.





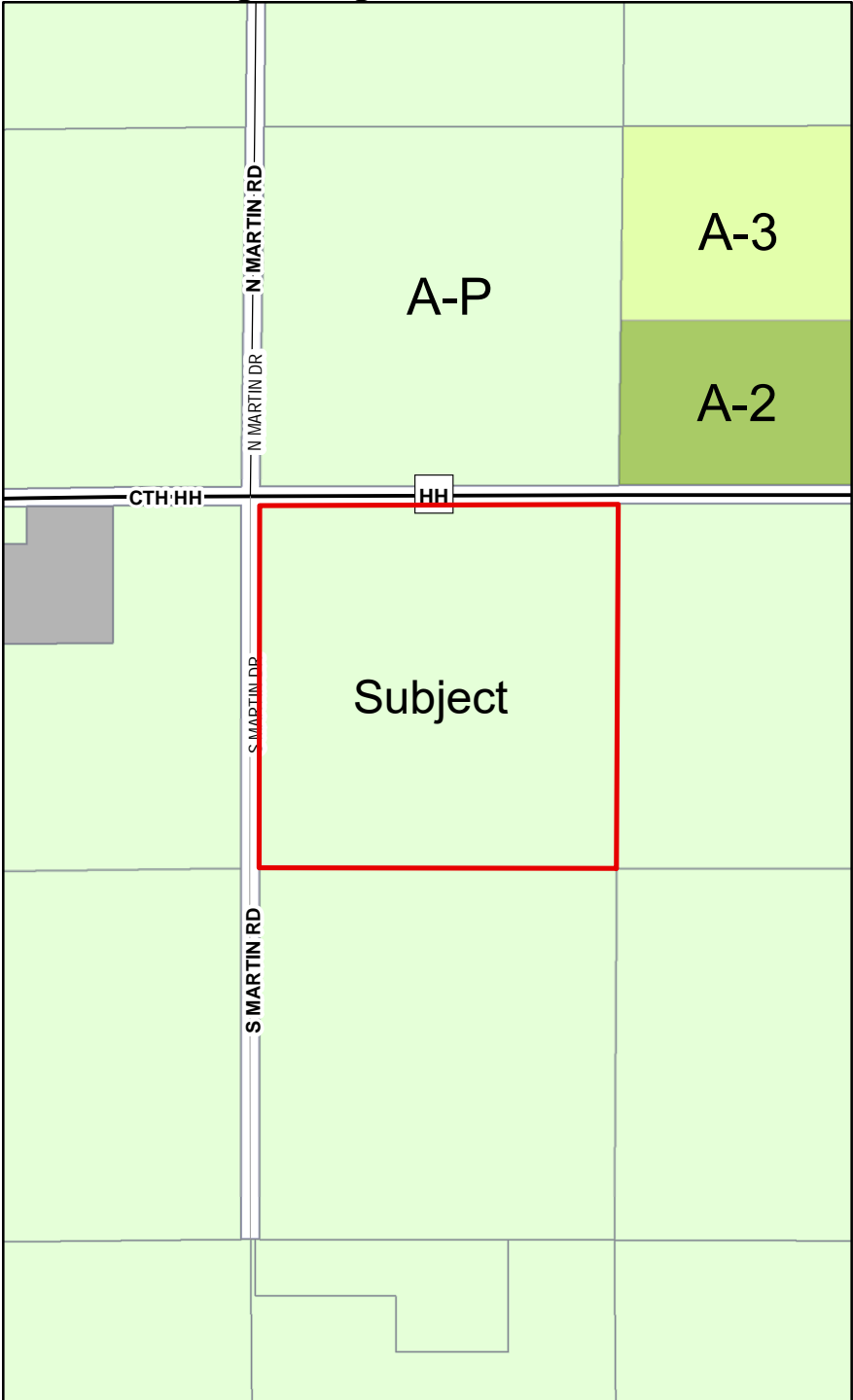
Dennis Welke Rezoning: RZN-0006-22

Existing Zoning

1 inch = 666.666667 feet

Future Land Use

1 inch = 667 feet



- Legend**
- A1 - Exclusive Agricultural District
 - A2 - Agriculture-Residential District
 - A3 - Agricultural District
 - AP - Agricultural Preservation
 - AR - Floating Agricultural-Residential District
 - C1 - Neighborhood Business District
 - C2 - General Business District
 - C3 - Highway Business District
 - F1 - Exclusive Forestry District
 - F2 - Forestry District
 - I1 - Nonsewered Industrial District
 - I2 - Sewered Industrial District
 - R1L - Single-Family Residential District, Large Lot
 - R1M - Single-Family Residential District
 - R2 - Two-Family Residential District
 - R3 - Multiple-Family Residential District
 - RH - Rural Homes District

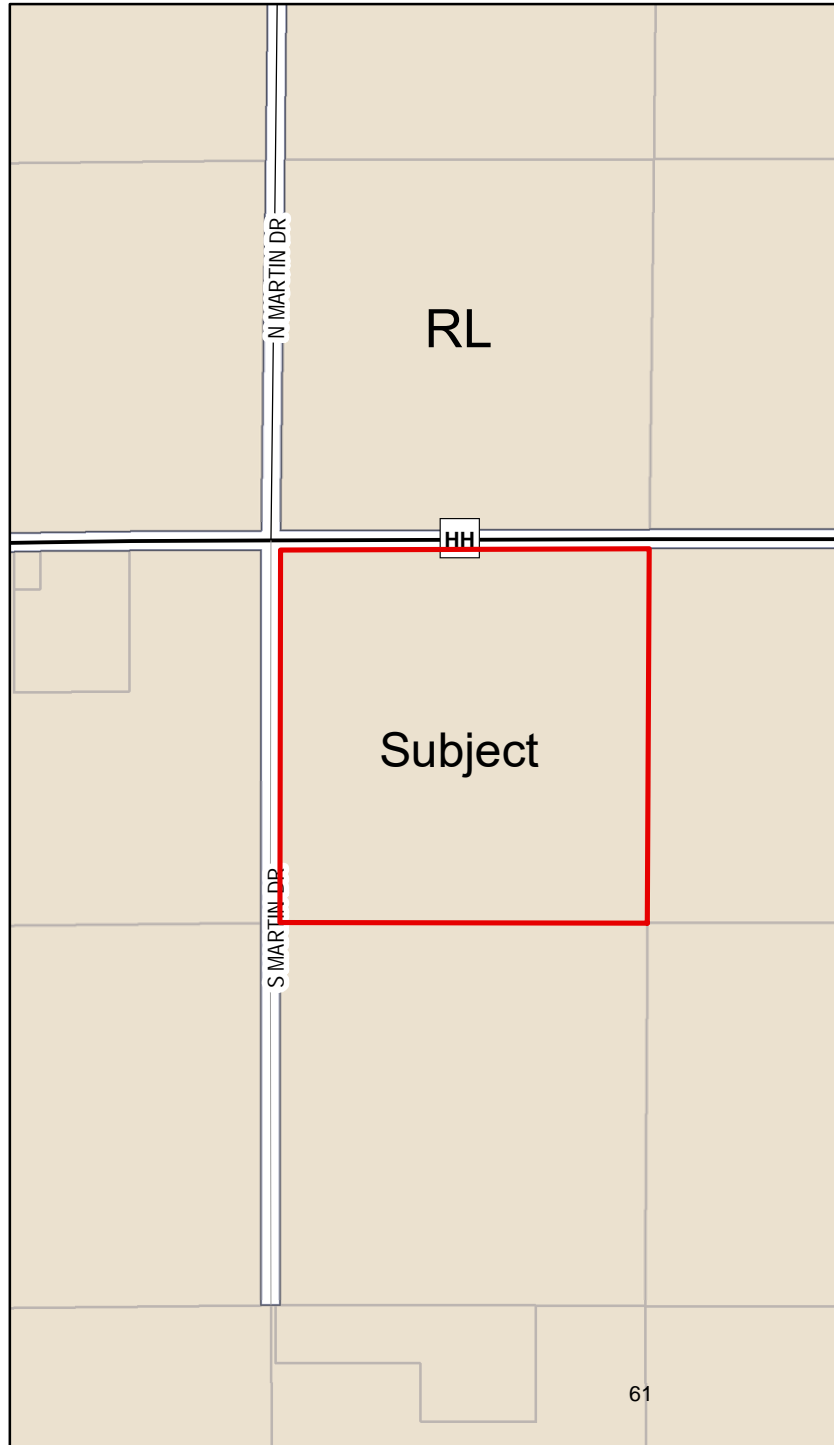
- Commercial Industrial
- County Forest
- Natural Resource Protection
- Park and Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential - Mobile Home
- Rural Transition
- Urban Mixed Use



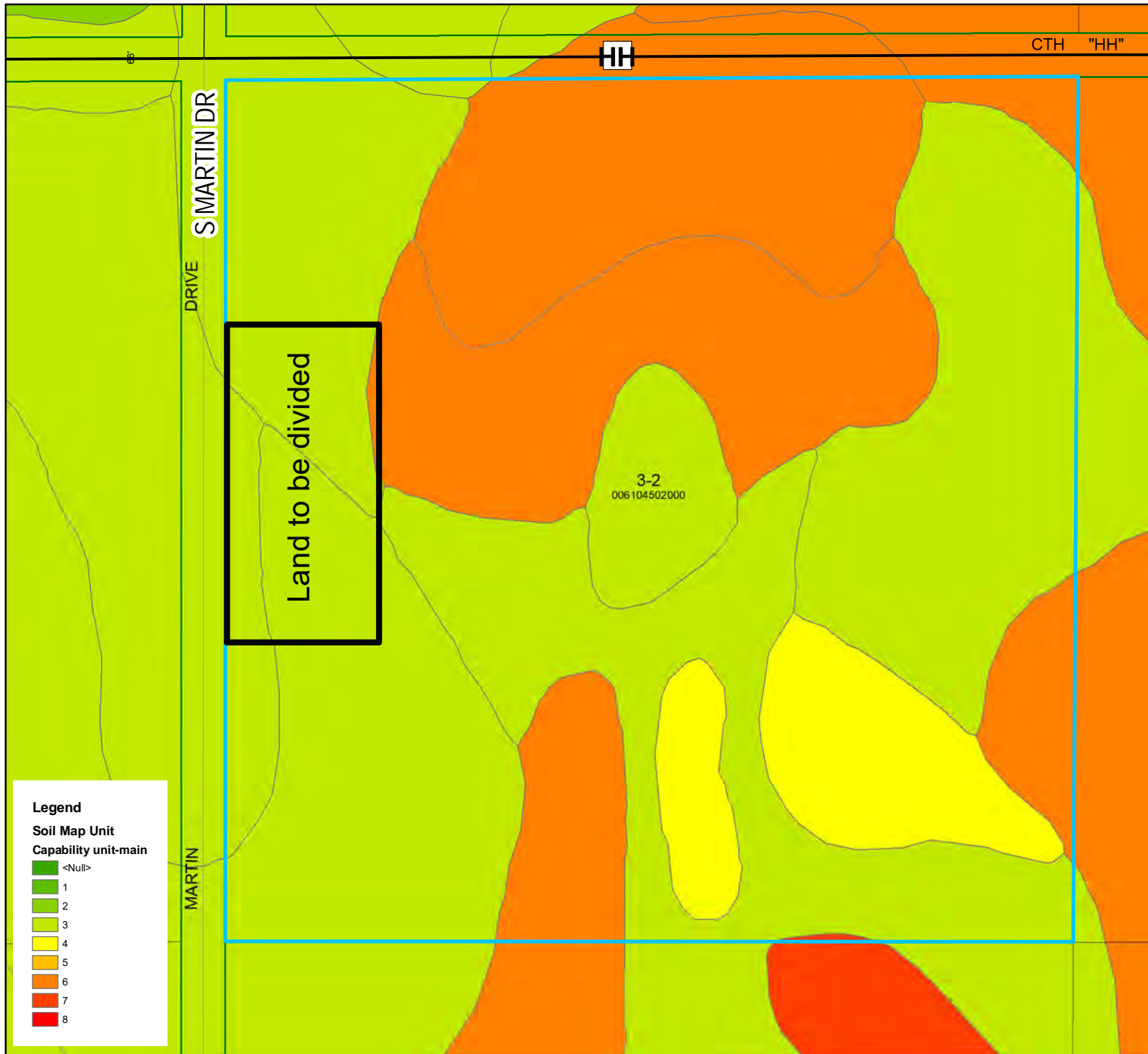
Parcel Mapping Notes:
 The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

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Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.



DENNIS WELKE SOILS MAP



Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

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Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.



FACT SHEET
File No. 22-23/005

RE: Rezone 5.70 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) to divide the existing homestead and sell the remaining land to remain in agricultural production

Legal Description and Location: Part of the SE ¼ SE ¼, in Section 17, Township 25 North, Range 8 West, Town of Clear Creek, Eau Claire County, Wisconsin. (complete legal description attached).

Size of area to be rezoned: 5.70 acres +/-

ADJACENT ZONING & LAND USES:

LOCATION	ZONING	LAND USE
Subject	A-P	Agricultural; Farmstead
North	A-P	Agricultural
East	A-3 & A-P	Single-family residence; Woodlands
South	A-P	Farmstead; Agricultural
West	A-P	Agricultural; Woodlands

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

Eau Claire County Rural Lands (RL) Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*

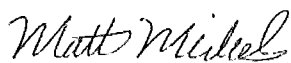
Staff Conclusions and Recommendation: Staff finds that the proposed rezoning request substantially conforms with the Eau Claire County Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-2 zoning district is consistent within the mapped future land use designation.

Town Board Action: The Clear Creek Town Board considered the rezoning petition on Monday, April 11, 2022, and recommended approval of the rezoning (3-0 vote).

Committee Action: The Eau Claire County Committee on Planning & Development held a public hearing on May 10, 2022 regarding the proposed rezoning. On a vote of 5 in favor and 0 against, the Committee recommends approval of the rezoning to the County Board. The committee considered the applicant’s testimony as well as the Town Board’s and staff’s recommendations in their deliberations. No residents spoke against the proposal and no correspondence was received in opposition to the proposal.

Fiscal Impact: None

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



Matt Michels, AICP
Senior Planner

1 **Enrolled No.**

ORDINANCE

File No. 22-23/005

2
3 -AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
4 TOWN OF CLEAR CREEK-

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

7
8 **SECTION 1.** That the 1982 Official Zoning District Boundary Map for the Town of Clear Creek, described as follows:

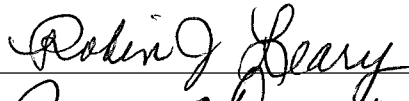

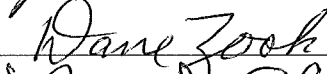
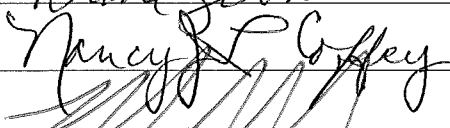
9
10 A parcel of land located in the Southeast Quarter of the Southeast Quarter, Section 17,
11 Township 25 North, Range 8 West, Town of Clear Creek, Eau Claire County.
12 Commencing at the Southeast corner of said Section 17;
13 Thence N00°15'33"E, 577.76 feet to the point of beginning;
14 Thence N89°53'04"W, 677.65 feet;
15 Thence N00°15'53"E, 366.72 feet;
16 Thence S89°53'04"E, 677.65 feet;
17 Thence S00°15'53"W, 366.72 feet to the point of beginning;

18
19 Said described parcel of land containing 5.70 acres +/-, of land and is subject to the
20 easements and restrictions of record to be reclassified from the A-P
21 Agricultural Preservation District to the A-2 Agriculture-Residential District.

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

26
27
28 ENACTED:

I hereby certify that the foregoing correctly represents the action
taken by the undersigned Committee on, May 10, 2022 by a vote
of 5 for, 0 against.

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42 _____
43 Planning and Development Committee

44
45
46
47
48 hk

49
50
51 Dated this 10 day of May, 2022

**APPROVED BY
CORPORATION COUNSEL
AS TO FORM**

**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

April 19, 2022

Notice of Application Received

The Eau Claire County Department of Planning and Development has received the following application for a rezoning on 5/10/2022:

Owner: David & Elinore Welke

Applicant: Garrett Halama

File Number: 22-23/005

Legal Description: A parcel of land located in the Southeast Quarter of the Southeast Quarter, Section 17, Township 25 North, Range 8 West, Town of Clear Creek, Eau Claire County, Wisconsin.

Site Address: S 12814 County Road D, Strum, WI 54770

Existing Zoning District: A-P Agricultural Preservation

Proposed Zoning District: A-2 Agriculture-Residential

Acres to be Rezoned: 5.70 +/- acres

Date Received: 4/19/2022

To view the application materials, click on link below.

[Planning and Development | Eau Claire County \(eau-claire.wi.us\)](http://eau-claire.wi.us)



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

Application Accepted:	04/19/2022
Accepted By:	Matt Michels
Receipt Number:	
Town Hearing Date:	4/11/22
Scheduled Hearing Date:	05/10/2022
Application No:	RZN-0007-22
Application Status:	Applied

Rezoning Petition

RECEIVED

Owner/Applicant Name(s):

Owner: ELINORE WELKE

Applicant: David & Elinore Welke, S 12814 Co. Rd. D, Strum, WI 54770

Telephone: (715) 797-0442

EMail: garrett@highpointland.com

APR 19 2022

COUNTY CLERK

Site Address(es):

S 12814 COUNTY ROAD D

Property Description:

Sec 17 Twn 25 Rge 08
 Town of Clear Creek

Zoning District(s):

AP - Agricultural Preservation Distr

Lot Area(s) - Acres:

40.00
 40.00

Overlay District(s):

PIN

1800622508174400001

Legal (partial)

SE-SE

006164509000

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

Agent: Garrett Halama, 40245 Olson St., Osseo, WI 54758

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



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

RECEIVED

APR 19 2022

COUNTY CLERK

REZONING APPLICATION

Office Use Only

Application Accepted:	4/19/22
Accepted By:	mm
Application Number:	
Town Hearing Date:	4/11/22
Scheduled Hearing Date:	5/10/22

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

Existing Zoning District: AP Proposed Zoning District(s): A2
 Acres to be rezoned: 8.68 +/-

Property Owner Name: David J Elipore Welke Phone# 715-878-4448
 Mailing Address: 512814 County Rd. D Strum, WI 54770
 Email Address: N/A

Agent Name: Garrett Halama Phone# 715-797-0442
 Mailing Address: 40245 Olson St Osseo, WI 54758
 Email Address: Garrett@HighPointLand.com

SITE INFORMATION

Site Address: 512814 County Rd. D Strum, WI 54770
 Property Description: SE 1/4 SE 1/4 Sec. 17, T. 25 N, R. 8W W, Town of Clear Creek
 Zoning District: AP Code Section(s): ?
 Overlay District:
 Shoreland Floodplain Airport Wellhead Protection Non-Metallic Mining
 Computer #(s): 18006-2-250817440-001
 or PIN #(s):

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

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Confirmed with the Town their submittal deadline and process.
<input checked="" type="checkbox"/> Provide legal description of property to be rezoned	<input checked="" type="checkbox"/> Provide \$600.00 application fee (non-refundable), (\$525.00 application processing fee and \$75.00 mapping surcharge fee). Send application to landuse@co.eau-claire.wi.us or to the address above.

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

Owner/Agent Signature: David Welke Date 4-15-2022

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

REZONING APPLICATION CHECKLIST

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

Required Application Items:

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

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

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

Describe the reason(s) for your rezoning request:

6. Selling all ag land - Farming Tillable acres - Going to keep approximate 8.6 Acres The Home and other out buildings are on and not any Tillable acres. Change from A1P to A2 To preserve cropland

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

The rezoning is keep 8.6 acres the home and out buildings and will not change any tillable acreage. Everything other than changing from A1P to A2 zoning will be the same and will preserve all crop land I liked in this house son past 48 yrs had this approval by township

Rezoning petitions to change the zoning of a parcel from the A-P Agricultural Preservation District to any other District must be based upon findings that consider the following factors:

- 1) The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses;
- 2) The rezoning is consistent with any applicable comprehensive plans;
- 3) The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan; and
- 4) The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

If you are petitioning to rezone land from an A-P District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

The A2 Zoning for my homestead should be ok that it does not take out any tillable acreage everything will stay the same

David A. Welke

A parcel of land located in the Southeast Quarter of the Southeast Quarter, Section 17, Township 25 North, Range 8 West, Town of Clear Creek, Eau Claire County, Wisconsin.

Commencing at the Southeast corner of said Section 17;

Thence $N00^{\circ}15'33''E$, 577.76 feet to the point of beginning;

Thence $N89^{\circ}53'04''W$, 677.65 feet;

Thence $N00^{\circ}15'53''E$, 366.72 feet;

Thence $S89^{\circ}53'04''E$, 677.65 feet;

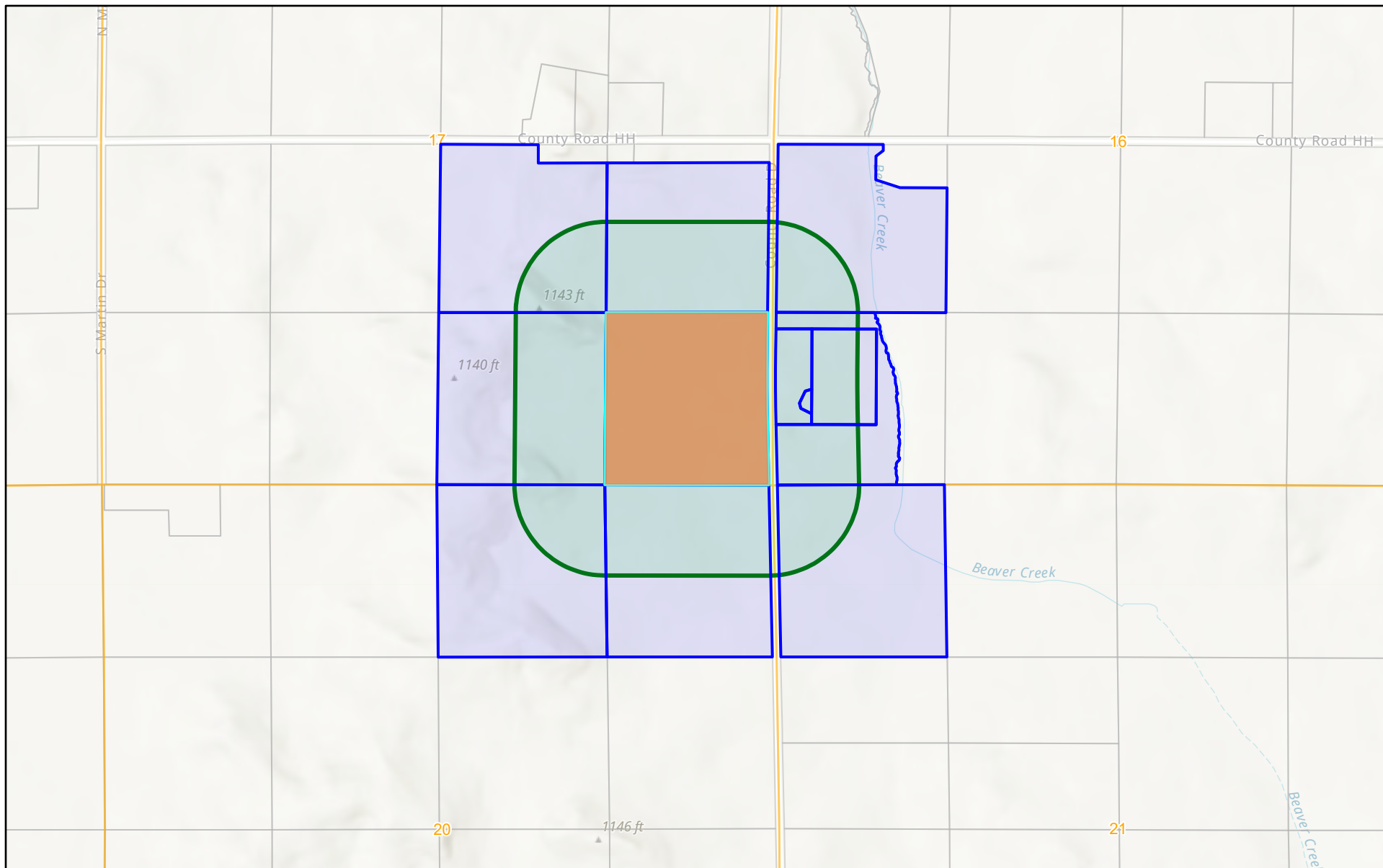
Thence $S00^{\circ}15'53''W$, 366.72 feet to the point of beginning;

Parcel contains 248,505 square feet or 5.70 acres of land.




Aerial Map

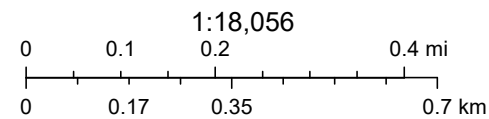


Public Notification



4/19/2022, 2:58:11 PM

-  County Boundary
-  Tax Parcel
-  Section



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA,

Eau Claire County, WI

FirstName LastName	Address	City State Zip
CAMERON T DALEY	415 5TH AVE S	STRUM WI 54770-7850
BEAVER CREEK BEGINNINGS LLC	S 13045 COUNTY ROAD D	STRUM WI 54770-9410
EDWIN DUNHAM	E 8198 COUNTY ROAD HH	STRUM WI 54770-9456
LUCAS WIEDRICH	S 12825 COUNTY ROAD D	STRUM WI 54770-9410
DERRICK WESTPHAL	S13050 COUNTY ROAD D	STRUM WI 54770-9409
RONALD C & JULIE A WESTPHAL	S13406 COUNTY ROAD D	STRUM WI 54770-9409

REZONE NUMBER: RZN-0007-22 **COMPUTER NUMBER:** 006104509000

PUBLIC HEARING DATE: May 10, 2022

STAFF CONTACT: Matt Michels, Senior Planner

OWNER: David & Elinore Welke, S12814 County Rd. D, Strum, WI 54770

AGENT: Garrett Halama, 40245 Olson St., Osseo, WI 54758

REQUEST: Rezone 5.70 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) to divide the existing homestead and sell the remaining land to remain in agricultural production

LOCATION: S12814 County Rd. D

LEGAL DESCRIPTION: Part of the SE ¼ SE ¼, in Section 17, Township 25 North, Range 8 West, Town of Clear Creek, Eau Claire County, Wisconsin. (complete legal description attached).

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

BACKGROUND

SITE CHARACTERISTICS:

- The majority of the parent parcel is currently used for agriculture.
- The property to be divided is developed with a single-family residence and two outbuildings.

EXISTING ZONING DISTRICT:

A-P Agricultural Preservation District. The A-P Agricultural Preservation District is established to:

- Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*
- Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;*
- Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;*
- Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and*

H. Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County's permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.

REQUESTED ZONING DISTRICT:

A-2 Agriculture-Residential District. The A-2 Agriculture-Residential District is established to:

- A. Provide an area for limited residential and hobby farm development in a rural atmosphere;
- B. Preserve the county's natural resources and open space; The standards set out in this chapter shall apply in this district

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-P	Agricultural; Farmstead
North	A-P	Agricultural
East	A-3 & A-P	Single-family residence; Woodlands
South	A-P	Farmstead; Agricultural
West	A-P	Agricultural; Woodlands

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Clear Creek Future Land Use Map includes the property in the Rural Preservation (RP) planning area. Following are descriptions of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies.

Eau Claire County:

- **Rural Lands Intent and Description:** *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- **Applicable Policies:**
 1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*
 2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*
 3. *For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:*
 - a. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere*

with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.

Town of Clear Creek:

- Rural Preservation Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat. This designation includes farmland, scattered open lands, woodlots, agricultural-related uses, and limited single-family residential development (see Maps B, C, and D). Some limited low-density development is anticipated in the RP areas. These developments shall be located in order to minimize the fragmentation of productive agricultural land and to minimize any disruption to existing farm operations. Requests to change the future land use designation of parcels shall be considered using the criteria listed in the Land Use Policies. The RP represents areas that are vital to the region's agricultural & forestry economy and are key ingredients of the rural character and image of the Town of Clear Creek.*

The application has been found to be generally consistent with the intent, description, and the applicable policies of the Eau Claire County Rural Lands Future Land Use designation and Town of Clear Creek Rural Preservation Future Land Use designation.

FARMLAND PRESERVATION PLAN:

The parent parcel is included in the Farmland Preservation Plan Map, which potentially enables the property owner to claim Farmland Preservation tax credits. Although the proposed A-2 District requested for the existing homestead is not a certified farmland preservation district, the remainder of the parent parcel will remain A-P and will remain eligible for Farmland Preservation tax credits.

Comprehensive Plan Summary

The proposed A-2 zoning district is consistent with the intent and description and the applicable policies of the Eau Claire County Comprehensive Plan Rural Lands Planning Area.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also be made that the rezone is consistent with the County's Comprehensive Plan.

A-P Rezoning Standards

In addition, there are four standards for approving a rezoning of land from the A-P Agricultural Preservation zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards:

Standard 1 - *The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses.*

- **Soil Types** – There are three (3) different soil types on the property to be divided, one of which are considered prime agriculture soils. However, the land to be divided is developed and there will be no adverse impacts to agricultural land.

Soil Type	Description	Capability Class
La	Lows loam	6
EIB	Eleva sandy loam, 2-6% slopes	3
PdC2	Plainbo loamy sand, 6-12% slopes, eroded	6

- **Historical Productivity** – The majority of the property is currently cropped for agricultural uses.
- **Site Location** – The property is located on the west side of County Road D.
- **Adjacent Land Uses** – Uses in the area include a mixture of farmlands, woodlands, single-family residences, and vacant open areas.

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

The proposed rezoning substantially conforms to the future land use intent, purpose, and policies for the Eau Claire County Comprehensive Plan, including policies related to limiting residential density in rural areas of the County and limiting conversion of productive farmland.

Standard 3 - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan.* The proposed rezoning would not remove land from cultivation, which is consistent with the Farmland Preservation Plan.

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

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

Town Board Action: The Clear Creek Town Board considered the rezoning petition on Monday, April 11, 2022, and recommended approval (3-0 vote).

The rezoning petition has been evaluated for consistency with the purpose of the A-2 District and the uses allowed in the district. The request is generally consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the intent and purpose of the Eau Claire County Future Land Use plan.
- Existing uses in the area include agricultural fields, farmsteads, scattered single-family residences, and scattered woodlands.
- Zoning in the area is predominantly A-P, with some A-3 zoning in vicinity of the subject property.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County Comprehensive Plan future land use designation
- Eau Claire County Comprehensive Plan goals, objectives, and policies
- Eau Claire County Farmland Preservation Plan
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in the A-2 District

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence has been received, to date.

FINDINGS

Findings in Favor:

1. The request is generally consistent with the goals, objectives, and policies of the Eau Claire County Comprehensive Plan, as required by Section 19.01.020.B of the Eau Claire County Code; and Wisconsin Statutes §66.1001(1)(am) and §66.1001(3)(j), including the intent, description, and policies of the Rural Lands Future Land Use classification in Section 3.3 of the Eau Claire County Comprehensive Plan and Map 9 (Future Land Use) of the Eau Claire County
2. The applicant indicates that the cropped land will be sold and will remain in agricultural production.
3. No additional non-farm development is proposed with this rezoning.
4. The property has required road frontage on County Road D.

DAVID WELKE REZONE AERIAL-WETLANDS MAP



Parcel Mapping Notes:

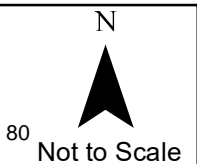
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.



This map was produced on April 22, 2022 by the Eau Claire County Department of Planning and Development and is for reference purposes only.





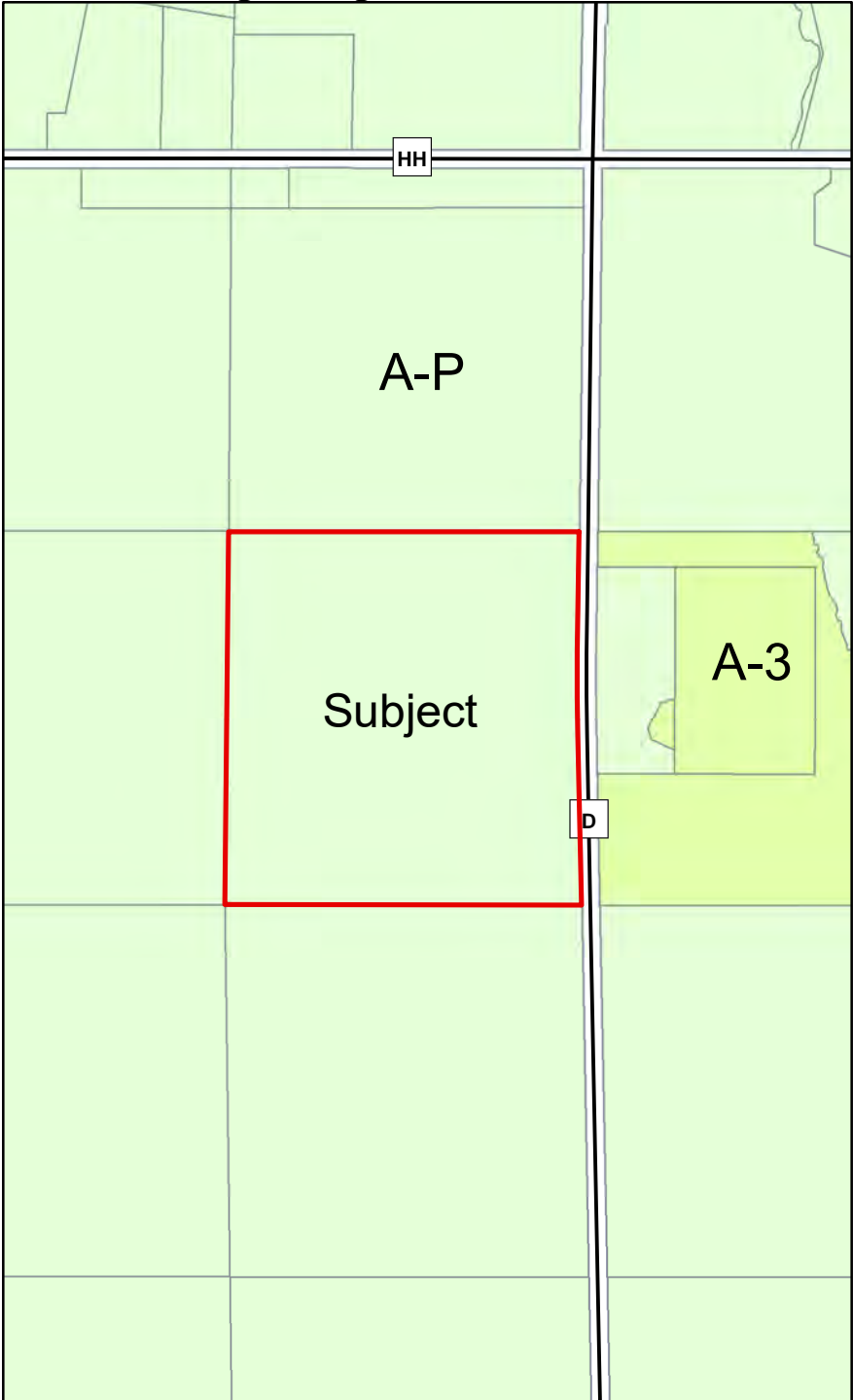
David Welke Rezoning: RZN-0007-22

Existing Zoning

1 inch = 666.666667 feet

Future Land Use

1 inch = 667 feet



- Legend**
- A1 - Exclusive Agricultural District
 - A2 - Agriculture-Residential District
 - A3 - Agricultural District
 - AP - Agricultural Preservation
 - AR - Floating Agricultural-Residential District
 - C1 - Neighborhood Business District
 - C2 - General Business District
 - C3 - Highway Business District
 - F1 - Exclusive Forestry District
 - F2 - Forestry District
 - I1 - Nonsewered Industrial District
 - I2 - Sewered Industrial District
 - R1L - Single-Family Residential District, Large Lot
 - R1M - Single-Family Residential District
 - R2 - Two-Family Residential District
 - R3 - Multiple-Family Residential District
 - RH - Rural Homes District

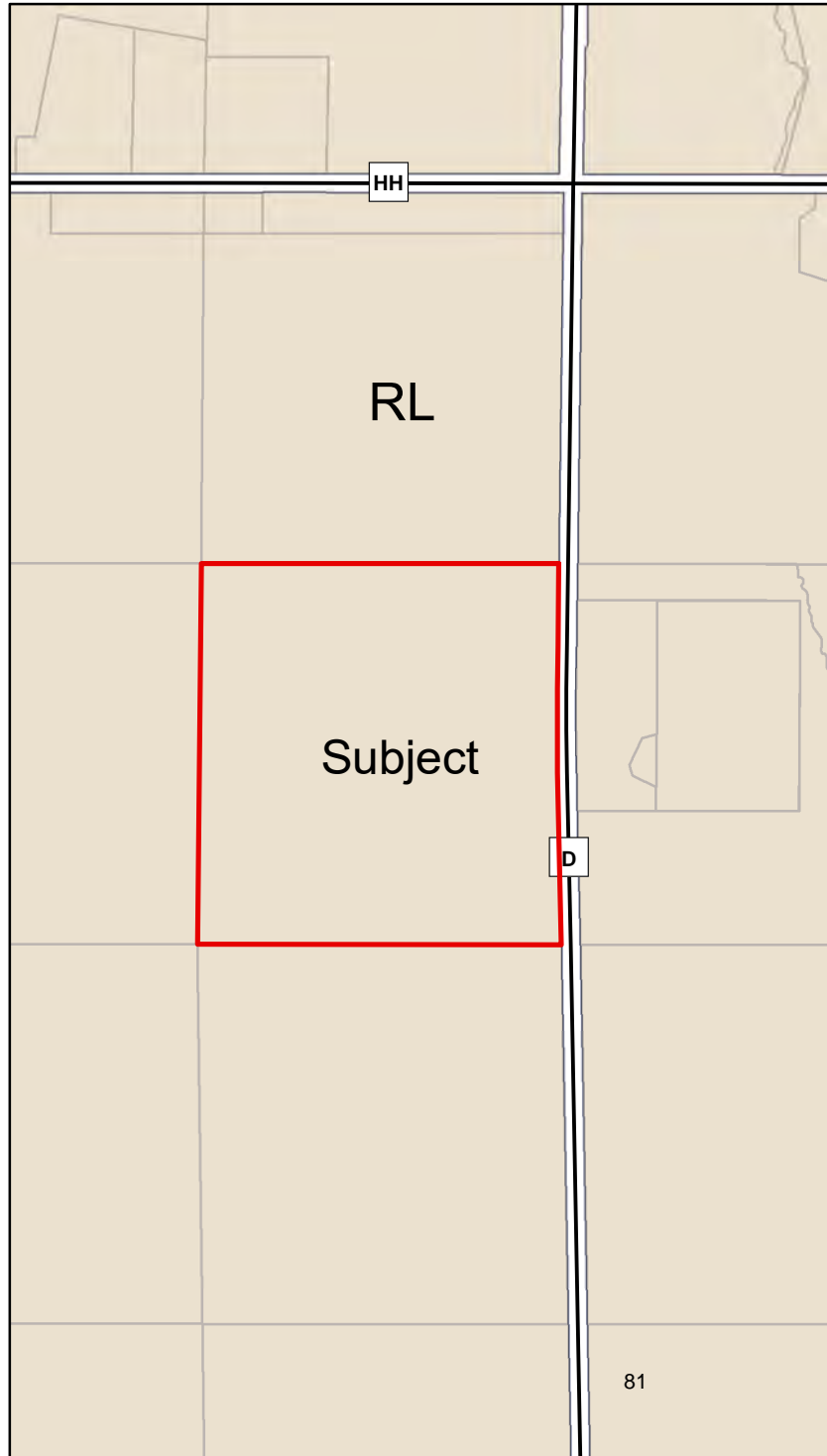
- Commercial Industrial
- County Forest
- Natural Resource Protection
- Park and Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential - Mobile Home
- Rural Transition
- Urban Mixed Use



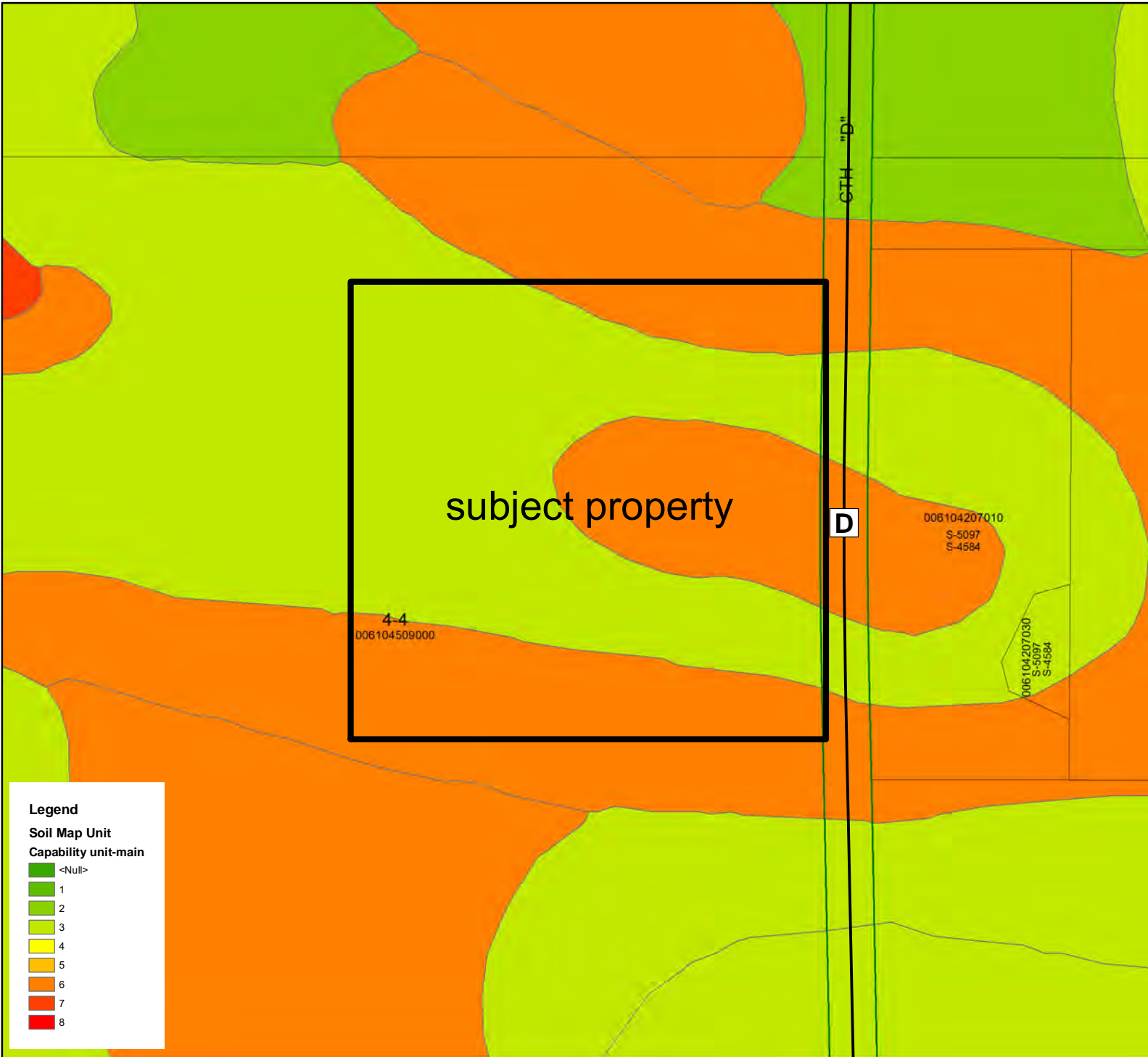
Parcel Mapping Notes:
 The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

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DAVID WELKE SOILS MAP

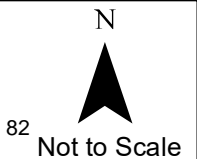


Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

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2022 Spring Tax Deed Sale

Profit/Loss Fact Sheet

Resolution 22-23/012

Sale	Resolution #	Parcel Number	Buyer	General Taxes	Special Taxes	Interest & Penalty	County Expenses	Total Expense Amount	Awarded Bid	Profit/Loss
SPRING SALE	22-23/012	006-1036-07-000	Paul H. Rauter	\$1,485.37	\$100.00	\$659.49	\$295.76	\$2540.62	\$2,500.00	(\$40.62)
									\$2,500.00	(\$40.62)

*The total profit amount covers all taxes, interest, penalties and County expenses resulting in a loss of \$40.62.

EAU CLAIRE COUNTY * TAX DEED SALE MAP *

SALE PARCEL #SP2022-1

COMPUTER #006-1036-07-000

MINIMUM BID \$2,500.00

LOT SIZE

APPROX. 0.18 acres

Computer #006-1036-07-000, Town of Clear Creek

**Building is sold AS IS. The structure has been abandoned and unsafe for human habitation or occupancy. The purchaser will need to address all violations to code and have the property re-inspected by the Eau Claire City-County Health Department prior to occupation or have the structure razed.*



4 AWARDING BID FOR THE SPRING 2022 TAX DEED SALE OF TAX DEED PROPERTY; DIRECTING
5 CORPORATION COUNSEL TO PREPARE A QUIT CLAIM DEED ON THE DESCRIBED PROPERTY;
6 DIRECTING THE COUNTY CLERK TO EXECUTE SAID QUIT CLAIM DEED ON BEHALF OF EAU
7 CLAIRE COUNTY

8 WHEREAS, in accordance with Chapter 4.20 of the Eau Claire County Code, bids were solicited for the
9 sale of tax deed property; and

10 WHEREAS, on April 27, 2022, a bid was reviewed on said described parcel.

11 NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors awards the bid
12 for the sale of tax deed property to the highest bidder as follows:

13
14
15
16
17 SALE PARCEL #SP2022-1
18 Computer #006-1036-07-000 S12750 US Highway 53 Town of Clear Creek
19 PIN # 18006-2-250814-420-0005

<u>PURCHASER</u>	<u>MINIMUM BID</u>	<u>BID AMOUNT</u>
Paul H. and Linda L. Rauter	\$2,500.00	\$2,500.00
Husband and Wife, as Survivorship Marital Property		

20
21
22
23
24
25 That part of the Northwest Quarter of the Southeast Quarter of Section 14, Township 25 North, Range 8
26 West, described as follows: Commencing at a point of intersection of West line of highway running North
27 and South, and the North line of the highway running East and West in the Northwest Quarter of the
28 Southeast Quarter of Section 14, Township 25 North, Range 8 West, running thence Westerly along the
29 North line of said highway 130 feet; thence North 60 ½ feet; thence East on a line parallel with North line
30 of said highway 130 feet to the West line of highway running North and South, thence South to the point
31 of beginning. Town of Clear Creek, Eau Claire County, Wisconsin.

32
33
34 BE IT FURTHER RESOLVED that the Corporation Counsel is hereby directed to prepare a quit claim deed
35 for the described parcel and that the County Clerk is hereby directed to execute said quit claim deed on
36 behalf of Eau Claire County.

37
38 ADOPTED: _____
39 _____
40 _____
41 _____
42 _____
43 _____
44 _____
45 _____
46 _____
47 _____
48 _____
49 _____
50 _____
Committee on Finance & Budget

Dated: _____