

# **JOURNAL OF PROCEEDINGS**

OF THE

**EAU CLAIRE COUNTY  
BOARD OF SUPERVISORS**

FOR THE  
**155th ANNUAL SESSION**

COMMENCING ON APRIL, 2011  
AND ENDING ON APRIL, 2012

Prepared under the direction of  
**JANET K. LOOMIS**  
County Clerk

**Volume 155**

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pursuant to Ordinance 81-82/443



County Of Eau Claire  
OFFICE OF COUNTY CLERK

Courthouse  
721 Oxford Avenue  
Eau Claire, Wisconsin 54703  
Phone (715) 839-4803



Janet K. Loomis  
County Clerk

STATE OF WISCONSIN )  
  ) ss.  
COUNTY OF EAU CLAIRE )

CERTIFICATE RELATIVE TO  
COMPARISON AND OF PUBLICATION

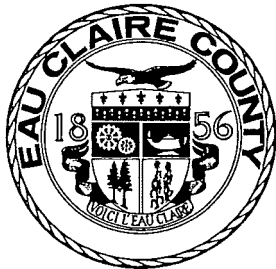
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JOURNAL OF PROCEEDINGS  
VOLUME 155

I, Janet K. Loomis, County Clerk and Clerk of the County Board of Supervisors of the County of Eau Claire, DO HEREBY CERTIFY:

That the following is a true and correct copy of the Official Journal of Proceedings of the Eau Claire County Board of Supervisors for the 155th Session commencing on the 19<sup>th</sup> day of April, 2011 and ending on the 16<sup>th</sup> of April, 2012 and held at the Courthouse in the City of Eau Claire; and

That I have personally compared the following printed and enrolled ordinances, resolutions and reports duly enacted and adopted by the County Board of Supervisors in that session with the original documents filed in my office, and that they appear to be correctly printed; and

That said proceedings and all duly enacted ordinances were published as directed and required by Section 1.22.045 of the Code of General Ordinances.



IN TESTIMONY WHEREOF, I  
have hereunto set my hand and official  
SEAL, at the Courthouse, in the City  
of Eau Claire, this 8<sup>th</sup> of May, 2012.

*Janet K Loomis*  
Janet K. Loomis, County Clerk

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# MEMBERS OF THE COUNTY BOARD

APRIL 2011 - APRIL 2012

**GREGG MOORE**  
CHAIRPERSON

**COLLEEN A. BATES**  
FIRST VICE CHAIRPERSON

**KATHLEEN M. CLARK**  
SECOND VICE CHAIRPERSON

GIBSON, Gary G.	E16934 Scenic Drive, Fall Creek	1
FANTLE, Will	901 Platt Street, Eau Claire	2
LUDWIGSON, Howard	5537 Bayview Drive, Eau Claire	3
PAGONIS, Stella	1019 10th Street W, Altoona	4
HAHN, Roger H. (Deceased 6/21/2011)	612 Buckman Street, Augusta	5
LEE B ADAMS (Appointed 8/16/2011)	507 S. Stone St, Augusta	
ZIEMANN, Richard	543 South State Street, Fall Creek	6
CHILSON, Steve	E4855 County Road HH, Eleva	7
WILLETT, Bruce	3204 Blakeley Avenue, Eau Claire	8
STEINHAUER, Gordon C.	W4945 Langdell Road, Eau Claire	9
FLATEN, Chris	3690 Garfield Road, Eau Claire	10
HENNING, Ray L.	1603 Spooner Avenue, Altoona	11
BATES, Colleen A.	405 Skyline Drive, Eau Claire	12
CLARK, Kathleen M.	2014 Linda Lane, Eau Claire	13
SCHLIEVE, Jean D.	2115 Sherman Creek Road, Eau Claire	14
SMIAR, Nicholas P.	320 Broadway Street, Eau Claire	15
MIKELSON, Joel L.	701 Menomonie Street, Eau Claire	16
MOORE, Gregg	428 East Tyler Avenue, Eau Claire	17
DUNNING, James A.	164 Wold Court, Eau Claire	18
PRINCE, John	1229 Cummings Avenue, Eau Claire	19
KRAUSE, Ardyth	3633 Oak Tree Lane, Eau Claire	20
WILKIE, Gerald L.	3114 Coltman Lane, Eau Claire	21
MILLER, Sue	209 Washington Street, Eau Claire	22
LEARY, Robin J.	2104 Providence Court, Eau Claire	23
MANYDEEDS, John F.	2807 Wellington Drive West, Eau Claire	24
CHRISTENSEN, Gloria	2037 Welsh Drive, Eau Claire	25
SCHRAUFNAGEL, Tami M.	529 Hobart Street, Eau Claire	26
LOKKEN, SR., Paul A.	1167 East Madison Street, Eau Claire	27
DEROSIER, John B.	1316 Altoona Avenue, Eau Claire	28
LAVELLE, Patrick L.	1925 Laurel Avenue, Eau Claire	29

**SECTION 1**

**OFFICIAL PROCEEDINGS**

(Ldr.-Tele. May 6, 2011)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**

April 19, 2011

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, April 19, 2011, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Invocation was given by Supervisor Gordon C. Steinhauer.

Roll Call: 27 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Stella Pagonis, Roger H. Hahn, Richard Ziemann, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Jean D. Schlieve, Joel L. Mikelson, Gregg Moore, James A. Dunning, John Prince, Ardyth Krause, Gerald L. Wilkie, Sue Miller, John F. Manydeeds, Gloria Christensen, Tami Schraufnagel, Paul A. Lokken, Sr., John B. DeRosier, Patrick L. LaVelle

2 absent: Supervisors Nicholas P. Smiar, Robin J. Leary

**JOURNAL OF PROCEEDINGS (April 6, 2011)**

Following an editorial correction on Resolution 10-11/137 stating Amendment No. 2 was offered by Supervisor Richard Ziemann (not Supervisor Steinhauer), on a motion by Supervisor Manydeeds, seconded by Supervisor Schlieve, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

Aaron O'Donahue spoke regarding sectarian religious observance.

Tom V. Olson spoke regarding "mother's home taken".

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

An annual oral and written report was presented by County Administrator Tom McCarty.

An update on the courthouse building project was presented by Supervisor James Dunning, Building Committee Chair.

The following written reports were presented to the Board:

- 2011 Contingency Fund Report

- Alternate Care System Monthly Reports for January and February 2011

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

A copy of correspondence received from Annie Laurie Gaylor, co-president of the Freedom From Religion Foundation in Madison, Wisconsin, was presented to the Board.

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES**

**UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the items under suspension.

**Resolution 11-12/010** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF MARCH 2011

The resolution was adopted.

**Ordinance 11-12/013** TO AMEND SECTION 3.35.050 A. 1. AND 2. OF THE COUNTY CODE: GROUP HEALTH INSURANCE; TO AMEND SECTION 3.35.070 B. OF THE CODE: RETIREMENT

The ordinance was enacted.

**FIRST READING OF ORDINANCES AND RESOLUTIONS**

**Ordinance 11-12/002** TO AMEND SECTION 3.30.050 OF THE CODE: NONEXEMPT EMPLOYEES

Action on said ordinance was postponed until the next meeting of the County Board.

**Ordinance 11-12/003** TO AMEND SECTION 3.01.010 Y. OF THE CODE: SEASONAL EMPLOYMENT

Action on said ordinance was postponed until the next meeting of the County Board.

**Ordinance 11-12/004** TO AMEND SECTION 3.60.040 OF THE CODE: PERFORMANCE EVALUATION

Action on said ordinance was postponed until the next meeting of the County Board.

**Ordinance 11-12/016** TO AMEND SECTION 2.04.030 C. 2., D. 2. AND E. 3. OF THE CODE: RULE 3-- OPENING OF MEETING

Action on said ordinance was postponed until the next meeting of the County Board.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Administration**

**Resolution 11-12/006** AWARDED THE BIDS FOR TWO DEER FENCE PROJECTS FOR THE COUNTY LAND CONSERVATION DEPARTMENT TO STRAIGHT LINE FENCE LLC FOR \$28,621

On a motion by Supervisor Willett, seconded by Supervisor Hahn, the resolution was adopted.

**Resolution 11-12/007** AWARDED REPLACEMENT OF THE UPS (UNINTERRUPTED POWER SUPPLY) LOCATED AT 721 OXFORD AVENUE TO HUDSON ELECTRIC INC. FOR \$67,047

On a motion by Supervisor Willett, seconded by Supervisor DeRosier, the resolution was adopted.

**Resolution 11-12/011** GRANTING AN EASEMENT TO AT&T-WISCONSIN TO BURY A CELLULAR TELEPHONE CABLE ALONG THE PERIMETER OF THE HIGHWAY SHOP PROPERTY LOCATED ON SPOONER AVENUE IN THE CITY OF ALTOONA

On a motion by Supervisor Lokken, seconded by Supervisor LaVelle, the resolution was adopted.

**Resolution 11-12/014** CONFIRMING THE APPOINTMENTS BY CHAIR GREGG MOORE OF LAURI MALNORY TO THE AGING AND DISABILITY RESOURCE CENTER BOARD; DAVID DUAX AND DAVID

FREDRICKSON TO THE CHIPPEWA VALLEY REGIONAL AIRPORT COMMISSION; RICK KAYSER, PAUL MAULUCCI, LORRAINE HENNING AND DIANNE ROBERTSON TO THE HUMAN SERVICES BOARD; DUANE MERRITT, MICHAEL BLODGETT AND KATHLEEN GROTE TO THE GROUNDWATER ADVISORY COMMITTEE; DAVID SALTER, DONALD HENNING, CHAD HOYORD, JOHN BALTES, DARRELL CHRISTY, LYLE KOERNER, BRYON BENSON AND FRANK NEIBAUER TO THE LOCAL EMERGENCY PLANNING COMMITTEE; PAM MCINNIS, KAREN WRIGHT AND JUDI ANIBAS TO THE EMS COUNCIL AND RICHARD SPINDLER TO THE POSITION EVALUATION BOARD

Motion by Supervisor Miller, seconded by Supervisor Henning for adoption.

On a motion by Supervisor Ludwigson, seconded by Supervisor Manydeeds, Amendment No. 1 was adopted as follows:

On Page 1, Line 12, after "COUNCIL", Delete "AND RICHARD SPINDLER TO THE POSITION EVALUATION BOARD".

On Page 2, Delete Line 6, POSITION EVALUATION BOARD TERM EXPIRES

On Page 2, Delete Line 7, Richard Spindler to succeed Tom Walther April 2014

Thereafter, the resolution, as amended once, was adopted.

**Committee on Parks and Forest**

**Resolution 11-12/008** AUTHORIZING THE SALE OF COUNTY LAND TO THE CITY OF ALTOONA; AUTHORIZING THE SALE PROCEEDS TO BE USED FOR LAKE ALTOONA PARK IMPROVEMENTS

Motion by Supervisor Lokken, seconded by Supervisor Schraufnagel for adoption.

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

27 ayes; 0 noes; 2 absent

**Resolution 11-12/012** AUTHORIZING THE SALE OF TIMBER FROM THE EAU CLAIRE COUNTY FOREST IN THE TOWN OF BRIDGE CREEK IN T26N, R5W, SECTIONS 10, 11, 14, 21, 29, 31 AND 32 AND T26N, R6W, SECTIONS 1, 8, 9 AND 11; TOWN OF FAIRCHILD IN T25N, R5W, SECTIONS 23 AND 25 AND THE TOWN OF WILSON IN T27N, R5W, SECTIONS 13 AND 35

On a motion by Supervisor DeRosier, seconded by Supervisor Schraufnagel, the resolution was adopted.

**Highway Committee**

**Report 11-12/001** BRIDGE AID REQUEST: TOWN OF PLEASANT VALLEY

On a motion by Supervisor Lokken, seconded by Supervisor LaVelle, the report was adopted.

**Resolution 11-12/005** AUTHORIZING THE PURCHASE OF ONE BRUSH CHIPPER (DEMO VERMEER BC 1500) FOR THE EAU CLAIRE COUNTY HIGHWAY DEPARTMENT TO VERMEER WISCONSIN INC. OF WEST BEND, WISCONSIN FOR \$29,499

On a motion by Supervisor Lokken, seconded by Supervisor Schlieve, the resolution was adopted.

**REPORTS OF SELECT COMMITTEES AND SECOND READING**

**Building Committee**

**Resolution 11-12/015** APPROVAL OF THE ALTERNATE BIDS FOR GEO PIERS AND ELECTRICAL WORK FOR THE EAU CLAIRE COUNTY GOVERNMENT CENTER CONSTRUCTION PROJECT

On a motion by Supervisor Ludwigson, seconded by Supervisor Manydeeds, the resolution was adopted.

**REPORTS OF COMMISSIONS AND BOARDS UNDER RULE 16**

**Eau Claire County Industrial Development Agency**

**Resolution 11-12/017** AMENDING THE CHIPPEWA VALLEY INNOVATION CENTER LOAN FUND AGREEMENT

On a motion by Supervisor Schlieve, seconded by Supervisor Bates, the resolution was adopted.

On a motion by Supervisor Manydeeds, seconded by Supervisor DeRosier, the Board adjourned at 8:20 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele. May 20, 2011)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**

May 3, 2011

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, 2011, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Invocation was given by Supervisor Gary G. Gibson.

Roll Call: 26 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Roger H. Hahn, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Kathleen Clark, Jean D. Schlieve, Nicholas P. Smiar, Joel L. Mikelson, Gregg Moore, James A. Dunning, John Prince, Ardyth Krause, Gerald L. Wilkie, Sue Miller, Robin J. Leary, John F. Manydeeds, Gloria Christensen, Tami Schraufnagel, Paul A. Lokken, Sr., John B. DeRosier, Patrick L. LaVelle

3 absent: Supervisors Stella Pagonis, Richard Ziemann, Colleen A. Bates

\*Supervisor Pagonis arrived later in the meeting.

**JOURNAL OF PROCEEDINGS (April 19, 2011)**

On a motion by Supervisor Gibson, seconded by Supervisor Henning, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

\*Supervisor Pagonis arrived at this time.

The following people spoke regarding the invocation at County Board meetings:

Helaine Minkus, Katie Jamison, Rita M. Gross, Aaron O'Donahue

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

The Eau Claire County Scholarship Committee awarded 12 scholarships.

Oral annual reports regarding past accomplishments and future challenges were presented by Purchasing and Central Services Director Frank Draxler and Co-Department Heads of UW-Extension Mahlon Peterson and Julie Keown-Bomar.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Administration**

**Ordinance 11-12/016** TO AMEND SECTION 2.04.030 C. 2., D. 2. AND E. 3. OF THE CODE: RULE 3--  
OPENING OF MEETING

Motion by Supervisor Miller, seconded by Supervisor Christensen for enactment.

On a motion by Supervisor Schraufnagel, seconded by Supervisor DeRosier, Amendment No. 1 was defeated as follows:

On Page 1, Lines 15, 20 and 26, Insert before "Eau Claire" "reflection on" and Strike "Statement".

9 ayes: Supervisors Pagonis, Willett, Clark, Moore, Dunning, Miller, Christensen, Schraufnagel, DeRosier

18 noes: Supervisors Gibson, Fantle, Ludwigson, Hahn, Chilson, Steinhauer, Flaten, Henning, Schlieve, Smiar, Mikelson, Prince, Krause, Wilkie, Leary, Manydeeds, Lokken, LaVelle

2 absent: Supervisors Ziemann, Bates

On a motion by Supervisor Smiar, seconded by Supervisor Clark, Amendment No. 2 was adopted as follows:

On Page 1, Lines 15, 20 and 26, Strike "Eau Claire County Mission Statement" and Insert "moment of reflection".

Supervisor Krause made a motion to add to Amendment No. 2 that each supervisor be required to do a "moment of reflection". There was no second.

On a roll call vote requested by Supervisor LaVelle, the ordinance, as amended once, was enacted as follows:

23 ayes: Supervisors Gibson, Fantle, Ludwigson, Hahn, Willett, Flaten, Henning, Clark, Smiar, Mikelson, Moore, Dunning, Prince, Krause, Wilkie, Miller, Leary, Manydeeds, Christensen, Schraufnagel, Lokken, DeRosier, LaVelle

4 noes: Supervisors Pagonis, Chilson, Steinhauer, Schlieve

2 absent: Supervisors Ziemann, Bates

**Resolution 11-12/021** CONFIRMING THE APPOINTMENTS BY CHAIR GREGG MOORE OF JIM VOLBRECHT TO THE LAND CONSERVATION COMMISSION AND TOM WALTHER TO THE POSITION  
EVALUATION BOARD

On a motion by Supervisor Ludwigson, seconded by Supervisor Leary, the resolution was adopted.

**Committee on Human Resources**

**Ordinance 11-12/002** TO AMEND SECTION 3.30.050 OF THE CODE: NONEXEMPT EMPLOYEES

On a motion by Supervisor Clark, seconded by Supervisor DeRosier, the ordinance was enacted.

**Ordinance 11-12/003** TO AMEND SECTION 3.01.010 Y. OF THE CODE: SEASONAL EMPLOYMENT

On a motion by Supervisor Willett, seconded by Supervisor Christensen, the ordinance was enacted.

**Ordinance 11-12/004** TO AMEND SECTION 3.60.040 OF THE CODE: PERFORMANCE EVALUATION

On a motion by Supervisor Flaten, seconded by Supervisor Hahn, the ordinance was enacted.

**Committee on Parks and Forest**

**Resolution 11-12/018** AUTHORIZING THE \$2 PER RACER FEE FOR THE WISCONSIN OFF ROAD SERIES  
(WORS) RACE EVENT AT LOWES CREEK COUNTY PARK TO BE USED FOR IMPROVED TRAIL  
SIGNAGE

On a motion by Supervisor Lokken, seconded by Supervisor Schraufnagel, the resolution was defeated.



**REPORTS OF SELECT COMMITTEES AND SECOND READING**

**Building Committee**

**Resolution 11-12/020** AWARDING THE PURCHASE OF THE FOOD AND LAUNDRY EQUIPMENT OF THE EAU CLAIRE COUNTY JAIL AND COURTHOUSE REMODEL PHASE II TO BENEDICT REFRIGERATION SERVICE INC. FOR \$664,229

On a motion by Supervisor Henning, seconded by Supervisor Manydeeds, the resolution was adopted.

On a motion by Supervisor Manydeeds, seconded by Supervisor DeRosier, the Board adjourned at 9:46 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele. June 24, 2011)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**

May 17, 2011

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, May 17, 2011, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

The moment of reflection was presented by Supervisor Colleen A. Bates.

Roll Call: 25 present: Supervisors Gary G. Gibson, Howard Ludwigson, Stella Pagonis, Roger H. Hahn, Richard Ziemann, Steve Chilson, Bruce Willett, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Jean D. Schlieve, Joel L. Mikelson, Gregg Moore, James A. Dunning, John Prince, Ardyth Krause, Gerald L. Wilkie, Sue Miller, John F. Manydeeds, Gloria Christensen, Tami Schraufnagel, Paul A. Lokken, Sr., John B. DeRosier, Patrick L. LaVelle

4 absent: Supervisors Will Fantle, Gordon C. Steinhauer, Nicholas P. Smiar, Robin J. Leary

\*Supervisor Fantle arrived later in the meeting.

**JOURNAL OF PROCEEDINGS (May 3, 2011)**

On a motion by Supervisor Manydeeds, seconded by Supervisor Schlieve, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

The following persons spoke regarding Resolution 11-12/030 concerning concealed carry legislation.

Rose Jepson, Nancy Coffey, Hubert Hoffman and Tom Fuller.

Travis Buhler spoke regarding Ordinance 11-12/031 concerning a zoning change on the future land use map of the county comprehensive plan.

\*Supervisor Fantle arrived during public comment.

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

Oral annual reports regarding past accomplishments and future challenges were presented by John Staszczuk, Director of Parks and Forest, and Clif Sorenson, Veterans Service Officer.

An oral report was presented by Planning and Development Director Mel Erickson regarding an update on the county recycling program.

Supervisor James Dunning, Building Committee Chair, presented an update on the courthouse building project.

An oral report was presented by County Administrator Tom McCarty regarding updates on the county budget and Criminal Justice Collaborating Council (CJCC) initiatives.

The following written reports were presented to the Board:

- First Quarter Overtime/Compensatory Time Report
- 2011 Contingency Fund Report

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

A copy of a letter from Governor Scott Walker was presented to the Board.

The Board acknowledged Kay Hestekin, Supervisor for the Eau Claire County Housing Authority, for receiving the 2011 Charles A. Thompson Award for distinguished service from the North Central Regional Council of National Association of Housing and Redevelopment Officials.

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES  
UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the items under suspension.

**Resolution 11-12/025** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF APRIL 2011

The resolution was adopted.

**Ordinance 11-12/031** AMENDING THE FUTURE LAND USE MAP OF THE EAU CLAIRE COUNTY COMPREHENSIVE PLAN

The ordinance was placed on file.

**FIRST READING OF ORDINANCES AND RESOLUTIONS**

There were no objections to taking up Ordinance 11-12/027 under suspension of the rules.

**Ordinance 11-12/027** TO AMEND SECTION 10.81.030 C. OF THE CODE: RESTRICTED PARKING AREAS; TO CREATE SECTION 10.81.030 H. OF THE CODE: RESTRICTED PARKING AREAS

The ordinance was enacted.

**Resolution 11-12/030** LOADED GUNS IN PUBLIC LEGISLATION; OPPOSING CONCEALED CARRY LEGISLATION OR REQUIRING ANY SUCH LEGISLATION TO SAFEGUARD THE PUBLIC

Supervisor Wilkie requested this resolution be acted on at this time. Supervisor Lokken objected.

A motion was made by Supervisor Wilkie and seconded by Supervisor Dunning to act on this resolution under suspension of the rules. A required two-thirds vote failed as follows:

12 ayes: Supervisors Fantle, Pagonis, Bates, Clark, Moore, Dunning, Krause, Wilkie, Miller, Christensen, Schraufnagel, DeRosier

14 noes: Supervisors Gibson, Ludwigson, Hahn, Ziemann, Chilson, Willett, Flaten, Henning, Schlieve, Mikelson, Prince, Manydeeds, Lokken, LaVelle

3 absent: Supervisors Steinhauer, Smiar, Leary

The resolution was subsequently referred to the Committee on Administration.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Administration**

**Resolution 11-12/028** CONFIRMING THE APPOINTMENTS BY CHAIR GREGG MOORE OF SUPERVISORS ARDYTH KRAUSE AND STELLA PAGONIS TO THE AGING AND DISABILITY RESOURCE CENTER BOARD, SUPERVISOR SUE MILLER TO THE COUNTY HOUSING AUTHORITY AND SUPERVISORS JEAN SCHLIEVE AND NICHOLAS SMAR TO WESTERN DAIRYLAND ECONOMIC OPPORTUNITY COUNCIL

On a motion by Supervisor Ludwigson, seconded by Supervisor Hahn, the resolution was adopted.

**Committee on Human Resources**

**Resolution 11-12/029** AUTHORIZING DELETION OF ONE .375 FTE MEAL SITE WORKER POSITION IN THE AGING AND DISABILITY RESOURCE CENTER

On a motion by Supervisor Willett, seconded by Supervisor Clark, the resolution was adopted.

**Resolution 11-12/019** AUTHORIZING CREATION OF ONE 1.0 FTE DIVERSION PROGRAM COORDINATOR POSITION IN THE DISTRICT ATTORNEY'S OFFICE

On a motion by Supervisor Manydeeds, seconded by Supervisor DeRosier, the resolution was adopted.

**Committee on Administration**

**Resolution 11-12/034** APPROVING A TENTATIVE SUPERVISORY DISTRICT PLAN AND DIRECTING THE DEPARTMENT OF PLANNING AND DEVELOPMENT TO FORWARD THE TENTATIVE PLAN TO EACH MUNICIPAL GOVERNING BODY

On a motion by Supervisor Hahn, seconded by Supervisor Henning, the resolution was adopted.

**Committee on Finance and Budget**

**Resolution 11-12/026** AWARDING A BID FOR THE MAY 2011 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

Motion by Supervisor Ludwigson, seconded by Supervisor Schraufnagel, for adoption.

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

25 ayes: Supervisors Gibson, Ludwigson, Pagonis, Hahn, Ziemann, Chilson, Willett, Flaten, Henning, Bates, Clark, Schlieve, Mikelson, Moore, Dunning, Prince, Krause, Wilkie, Miller, Manydeeds, Christensen, Schraufnagel, Lokken, DeRosier, LaVelle

1 no: Supervisor Fantle

3 absent: Supervisors Steinhauer, Smiar, Leary

On a motion by Supervisor Manydeeds, seconded by Supervisor Christensen, the Board adjourned at 9:00 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele. July 22, 2011)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**

June 21, 2011

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, June 21, 2011, and was called to order by Chair Gregg Moore at 7:00 p.m.

Chair Moore announced the passing of District 5 Supervisor Roger Hahn.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Ardyth Krause.

Roll Call: 28 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Stella Pagonis, Richard Ziemann, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Jean D. Schlieve, Nicholas P. Smiar, Joel L. Mikelson, Gregg Moore, James A. Dunning, John Prince, Ardyth Krause, Gerald L. Wilkie, Sue Miller, Robin J. Leary, John F. Manydeeds, Gloria Christensen, Tami Schraufnagel, Paul A. Lokken, Sr., John B. DeRosier, Patrick L. LaVelle

0 absent

1 vacancy

**JOURNAL OF PROCEEDINGS (May 17, 2011)**

On a motion by Supervisor Gibson, seconded by Supervisor Manydeeds, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

The following persons spoke on Resolution 11-12/030 regarding the concealed carry legislation:

Tom Breneman, Steve Betchkal, Bob Woletz, Hubert Hoffman and Stephen Doerr

Marnie Hersrud spoke on Resolution 11-12/033 regarding the Chippewa Valley Child Advocacy Center.

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

Oral annual reports regarding past accomplishments and future challenges were presented by County Treasurer Larry Lokken and City-County Health Department Director Richard Thoune.

Supervisor James Dunning, Building Committee Chair, presented an update on the courthouse building project.

An oral report was presented by County Administrator Tom McCarty regarding the status of the state biennial budget bill.

The following written reports were presented to the Board:

- 2011 Contingency Fund Report

- Alternate Care System Monthly Reports for March and April 2011

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

A proclamation "Proclaiming July 2011 as Parks and Recreation Month" was read by Chair Moore.

On a motion by Supervisor Manydeeds, seconded by Supervisor Smiar, the proclamation was adopted.

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES**

**UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the items under suspension.

**Resolution 11-12/037** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF MAY 2011

The resolution was adopted.

**Resolution 11-12/045** CONFIRMING THE APPOINTMENT BY CHAIR GREGG MOORE OF SUPERVISOR CHRIS FLATEN TO THE CHIPPEWA VALLEY BUSINESS INNOVATION CENTER

The resolution was adopted.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Administration**

There were no objections to moving Resolution 11-12/030 to be acted on at this time.

**Resolution 11-12/030** LOADED GUNS IN PUBLIC LEGISLATION; OPPOSING CONCEALED CARRY LEGISLATION OR REQUIRING ANY SUCH LEGISLATION TO SAFEGUARD THE PUBLIC

Motion by Supervisor Wilkie, seconded by Supervisor Dunning for adoption.

On a roll call vote requested by Supervisor Wilkie, the resolution was adopted as follows:

17 ayes: Supervisors Fantle, Pagonis, Willett, Henning, Bates, Clark, Smiar, Mikelson, Moore, Dunning, Krause, Wilkie, Miller, Manydeeds, Christensen, Schraufnagel, DeRosier

11 noes: Supervisors Gibson, Ludwigson, Ziemann, Chilson, Steinhauer, Flaten, Schlieve, Prince, Leary, Lokken, LaVelle

1 vacancy

**Resolution 11-12/024** REQUESTING RESOLUTIONS TO BE CONSIDERED AT THE 2011 WCA CONVENTION

On a motion by Supervisor Clark, seconded by Supervisor Leary, the resolution was adopted.

**Resolution 11-12/036** CONFIRMING THE APPOINTMENTS BY CHAIR GREGG MOORE OF DEBI LEVIN-STANKEVICH TO THE AGING AND DISABILITY RESOURCE CENTER BOARD AND MARY KAISER, LARRY LOKKEN, MARION GRILL, PETER STRAND, MATT JANIAC, PAUL CANFIELD, SUPERVISOR GORDON STEINHAEUER AND PAM MCINNIS TO THE LAND INFORMATION COUNCIL

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

**Resolution 11-12/039** AWARDING REROOFING OF THE COURTHOUSE 88 ADDITION AT 721 OXFORD AVENUE, EAU CLAIRE TO TURAUSKI & SONS INC. DBA NORTHWEST ROOFING COMPANY FOR \$100,000; HIGHWAY ALTOONA SHOP AT 2000 SPOONER AVENUE, ALTOONA TO RTS ROOFING INC. FOR \$68,792; HIGHWAY FOSTER SHOP AT S12801 WREN DRIVE, OSSEO TO MAUER ROOFING INC. FOR \$30,100

On a motion by Supervisor Ludwigson, seconded by Supervisor Lokken, the resolution was adopted.

**Resolution 11-12/040** APPROVING SUBMITTAL OF A CERTIFIED SURVEY MAP FOR THE COUNTY GOVERNMENT CENTER PROPERTY TO THE CITY OF EAU CLAIRE FOR REVIEW

On a motion by Supervisor Dunning, seconded by Supervisor DeRosier, the resolution was adopted.

**Resolution 11-12/042** APPROVING AN INTERAGENCY AGREEMENT AND AN APPROPRIATION OF BUDGETED FUNDS FOR THE ACQUISITION AND IMPLEMENTATION OF THE REPLACEMENT IBM iSERIES SERVER SYSTEM

There were no objections to allowing Information Systems Director Dave Hayden to speak.

On a motion by Supervisor Willett, seconded by Supervisor Christensen, the resolution was adopted.

**Resolution 11-12/043** APPROVING THE CHIPPEWA VALLEY INTERNETWORKING CONSORTIUM (CINC) AGREEMENT

On a motion by Supervisor DeRosier, seconded by Supervisor Miller, the resolution was adopted.

**Resolution 11-12/044** AWARDING THE BID FOR THE HUMAN SERVICES COMPUTER INFORMATION SYSTEM TO NETSMART TECHNOLOGIES INC. FOR THE AVATAR APPLICATION AT A COST NOT TO EXCEED \$500,000

On a motion by Supervisor Smiar, seconded by Supervisor Christensen, the resolution was adopted.

#### **Highway Committee**

**Resolution 11-12/038** AUTHORIZING AN AMENDMENT TO THE 2005 SEVEN MILE CREEK LANDFILL EXPANSION FINAL NEGOTIATED AGREEMENT TO INCORPORATE THE "FEASIBILITY MODIFICATION" SUBMITTED TO THE WISCONSIN DNR BY VEOLIA

On a motion by Supervisor Lokken, seconded by Supervisor Henning, the resolution was adopted.

#### **Human Services Board**

**Resolution 11-12/032** APPROVING AN INTERGOVERNMENTAL COOPERATIVE AGREEMENT CREATING THE WOODLAND ENHANCED HEALTH SERVICES COMMISSION, PAYMENT OF \$5,000 FOR THE INITIAL MEMBERSHIP FEE FOR MEMBERSHIP ON THE COMMISSION; DIRECTING THE COUNTY BOARD CHAIR TO APPOINT A SUPERVISOR AS COUNTY REPRESENTATIVE; AUTHORIZING THE COUNTY ADMINISTRATOR TO TAKE ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION

There were no objections to allowing Human Services Director Roy Sargeant to speak.

On a motion by Supervisor Christensen, seconded by Supervisor Krause, the resolution was adopted.

Supervisor Ziemann requested his no vote be recorded.

**Resolution 11-12/033** RECOGNIZING AND SUPPORTING THE CHIPPEWA VALLEY CHILD ADVOCACY CENTER

On a motion by Supervisor Krause, seconded by Supervisor Smiar, the resolution was adopted.

#### **REPORTS OF COMMISSIONS AND BOARDS UNDER RULE 16**

##### **Chippewa Valley Airport Commission**

**Resolution 11-12/022** TO REAPPLY FOR A "CLASS B" INTOXICATING LIQUOR LICENSE FOR USE BY THE RESTAURANT AND LOUNGE, CHIPPEWA VALLEY REGIONAL AIRPORT, UNDER SECTION 125.51(5)(b)2., WISCONSIN STATUTES

On a motion by Supervisor Lokken, seconded by Supervisor Ludwigson, the resolution was adopted.

On a motion by Supervisor Manydeeds, seconded by Supervisor Ludwigson, the Board adjourned at 10:05 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele. August 19, 2011)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**  
July 19, 2011

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, July 19, 2011, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Howard Ludwigson.

Roll Call: 26 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Richard Ziemann, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Jean D. Schlieve, Nicholas P. Smiar, Joel L. Mikelson, Gregg Moore, James A. Dunning, John Prince, Ardyth Krause, Gerald L. Wilkie, Sue Miller, Robin J. Leary, John F. Manydeeds, Gloria Christensen, Paul A. Lokken, Sr., John B. DeRosier, Patrick L. LaVelle

2 absent: Supervisors Stella Pagonis, Tami Schraufnagel

1 vacancy

\*Supervisor Schraufnagel arrived later in the meeting.

**JOURNAL OF PROCEEDINGS (June 21, 2011)**

On a motion by Supervisor Leary, seconded by Supervisor Manydeeds, the Journal of Proceedings was approved.

\*Supervisor Schraufnagel arrived at this time.

**PUBLIC COMMENT**

The following persons spoke regarding the Eau Claire County Exposition Center:

Tammy Jackson, Candice Schreiner, Letecia Papke

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

An oral annual report regarding past accomplishments and future challenges was presented by Highway Commissioner Marcus Evans.

Building Committee Chair, Supervisor James Dunning presented an update on the courthouse building project.

An oral report regarding an update on activities was presented by Jay Tappen, Executive Director of the West Central Wisconsin Regional Planning Commission. Economic Development Fund Manager Char Gurney also spoke.

County Administrator Tom McCarty presented an oral report regarding updates on the following:

- Evidence-Based Decision Making (EBDM) Framework Implementation and Phase 3 Grant Request
- Sustainability Work Group
- State Budget
- Exposition Center Facility

The following written reports were presented to the Board:

- Alternate Care System Monthly Report for May 2011

Semi-annual liaison reports were presented at this time.

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

A copy of correspondence received from Governor Walker was presented to the Board.

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES  
UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the items under suspension.

**Resolution 11-12/050** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 DURING THE MONTH OF JUNE 2011

The resolution was adopted.

**Ordinance 11-12/035** AMENDING TITLE 19 OF THE EAU CLAIRE COUNTY CODE: EAU CLAIRE COUNTY WISCONSIN COMPREHENSIVE PLAN

The ordinance was enacted.

**Ordinance 11-12/023** AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF UNION

The ordinance was enacted.

**FIRST READING OF ORDINANCES AND RESOLUTIONS**

**Ordinance 11-12/046** TO AMEND SECTION 16.33.020 OF THE CODE: RENTAL RATES FOR PRIVATE, OTHER ORGANIZATIONS AND INDIVIDUALS; TO AMEND SECTION 16.33.027 OF THE CODE: MEETING ROOM EQUIPMENT RENTALS; TO AMEND SECTION 16.33.028 OF THE CODE: MISCELLANEOUS EQUIPMENT RENTALS; TO AMEND SECTION 16.33.030 A. OF THE CODE: PAYMENT OF RENT AND DEPOSITS; TO AMEND SECTION 16.33.040 OF THE CODE: SPECIAL CHARGES

The ordinance was referred to UW-Extension Education, Committee on Finance and Budget and Exposition Center Facility Commission.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Administration**

**Resolution 11-12/049** AWARDING THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) PROGRAM FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR HVAC (HEATING, VENTILATING AND AIR CONDITIONING) RETROFIT FOR THE COUNTY COURTHOUSE LOCATED AT 721 OXFORD AVENUE, EAU CLAIRE AND THE AGRICULTURE AND RESOURCE CENTER LOCATED AT 227 FIRST STREET WEST, ALTOONA TO BARTINGALE MECHANICAL FOR \$30,693

On a motion by Supervisor Willett, seconded by Supervisor Henning, the resolution was adopted.

**Resolution 11-12/051** CONFIRMING THE APPOINTMENT BY CHAIR GREGG MOORE OF SUPERVISOR RAY HENNING TO THE LAND CONSERVATION COMMISSION

On a motion by Supervisor Ludwigson, seconded by Supervisor Prince, the resolution was adopted.

**Highway Committee**

**Report 11-12/047** COUNTY BRIDGE AID REQUEST: TOWN OF SEYMOUR

On a motion by Supervisor Ludwigson, seconded by Supervisor Lokken, the report was adopted.

**Committee on Finance and Budget**

**Resolution 11-12/041** AWARDING A BID FOR THE SALE OF TAX DEED PROPERTY AT 318 NORTH DEWEY STREET IN THE CITY OF EAU CLAIRE; DIRECTING CORPORATION COUNSEL TO PREPARE QUIT CLAIM DEED ON THE DESCRIBED PROPERTY; DIRECTING THE COUNTY CLERK TO EXECUTE SAID QUIT CLAIM DEED ON BEHALF OF EAU CLAIRE COUNTY

Motion by Supervisor DeRosier, seconded by Supervisor Schlieve for adoption.

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

26 ayes: Supervisors Gibson, Ludwigson, Ziemann, Chilson, Willett, Steinhauer, Flaten, Henning, Bates, Clark, Schlieve, Smiar, Mikelson, Moore, Dunning, Prince, Krause, Wilkie, Miller, Leary, Manydeeds, Christensen, Schraufnagel, Lokken, DeRosier, LaVelle

1 no: Supervisor Fantle

1 absent: Supervisor Pagonis

1 vacancy

On a motion by Supervisor Ludwigson, seconded by Supervisor Henning, the Board adjourned at 8:55 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele. September 23, 2011)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**

**August 16, 2011**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, August 16, 2011, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor John Prince.

Roll Call: 26 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Stella Pagonis, Richard Ziemann, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Jean D. Schlieve, Nicholas P. Smiar, Joel L. Mikelson, Gregg Moore, James A. Dunning, John Prince, Ardyth Krause, Gerald L. Wilkie, Sue Miller, Robin J. Leary, John F. Manydeeds, Gloria Christensen, Tami Schraufnagel, Paul A. Lokken, Sr., John B. DeRosier, Patrick L. LaVelle

2 absent: Supervisors Colleen A. Bates, Kathleen Clark

1 vacancy

\*Supervisors Bates and Clark arrived following roll call.

**JOURNAL OF PROCEEDINGS (July 19, 2011)**

On a motion by Supervisor Ludwigson, seconded by Supervisor Gibson, the Journal of Proceedings was approved.

**PUBLIC HEARING**

**SUPERVISORY REDISTRICTING PLAN FOR EAU CLAIRE COUNTY**

Chair Moore announced the public hearing was open. No one spoke.

On a motion by Supervisor Henning, seconded by Supervisor Manydeeds, the public hearing was closed.

**PUBLIC COMMENT**

Betsy Boley spoke regarding the union.

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

Oral annual reports regarding past accomplishments and future challenges were presented by County Clerk Janet Loomis and Airport Manager Charity Speich.

Supervisor James Dunning, Building Committee Chair, presented an update on the courthouse building project.

An oral report was presented by County Administrator Tom McCarty regarding updates on the following:

- Budget
- Social Media
- Evidence Based Decision Making (EBDM) Framework Implementation and Phase 3 Grant Award

A proclamation proclaiming September 2011 as "Juror Appreciation Month" was read by Chair Moore.

On a motion by Supervisor Wilkie, seconded by Supervisor Smiar, the proclamation was adopted.

The following written reports were presented to the Board:

- 2011 Contingency Fund
- Alternate Care System Monthly Report for June 2011
- Second Quarter Compensatory Time/Overtime Report
- Jail Report for January-June 2011

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

A copy of a thank you note received from the family of Supervisor Roger Hahn was presented to the Board.

Copies of letters received from the clerks of the Town of Fairchild and Village of Fairchild requesting exemption from the Eau Claire County library system for 2012 were presented to the Board.

The letters were referred to the Committee on Finance and Budget.

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES**

**UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the items under suspension.

**Resolution 11-12/059** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF JULY 2011

The resolution was adopted.

**Ordinance 11-12/048** AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF PLEASANT VALLEY

The ordinance was enacted.

**Ordinance 11-12/065** TO AMEND SECTION 3.35.050 A. OF THE CODE: GROUP HEALTH INSURANCE

The ordinance was enacted.

**FIRST READING OF ORDINANCES AND RESOLUTIONS**

There were no objections to taking up Resolution 11-12/060 under suspension of the rules.

**Resolution 11-12/060** CONFIRMING THE APPOINTMENT BY COUNTY BOARD CHAIR GREGG MOORE OF LEE B. ADAMS TO COUNTY BOARD SUPERVISORY DISTRICT NO. 5

The resolution was adopted.

County Clerk Janet Loomis then administered the oath and Supervisor Adams took his seat.

**Ordinance 11-12/053** TO AMEND SECTION 2.09.010 B. 4. OF THE CODE: BUSINESS HOURS

Action on said ordinance was postponed until the next meeting of the County Board.

**Ordinance 11-12/055** TO AMEND SECTION 3.60.040 OF THE CODE: PERFORMANCE EVALUATION



Action on said ordinance was postponed until the next meeting of the County Board.

**Ordinance 11-12/056** TO AMEND SECTION 2.05.005 D. OF THE CODE: TERMS OF OFFICE AND FILLING VACANCIES; TO AMEND SECTION 2.05.100 B. OF THE CODE: EMERGENCY MEDICAL SERVICES COUNCIL; TO AMEND SECTION 2.05.690 A. OF THE CODE: UW EXTENSION ADVISORY COMMITTEE; TO AMEND SECTION 2.56.005 C. OF THE CODE: DEFINITIONS; TO AMEND SECTION 2.56.010 OF THE CODE: ESTABLISHMENT OF AGENCY; TO REPEAL CHAPTER 2.99 OF THE CODE: MINIMAL EAU CLAIRE COUNTY CONTRACT WAGE; TO AMEND SECTION 4.90.010 A. OF THE CODE: CLAIMS PROCEDURE

Action on said ordinance was postponed until the next meeting of the County Board.

**Ordinance 11-12/057** TO AMEND SECTION 3.45.030 A. OF THE CODE: RESIDENCY

Action on said ordinance was postponed until the next meeting of the County Board.

**Ordinance 11-12/061** TO AMEND SECTION 3.01.010 A. OF THE CODE: DEFINITIONS; TO REPEAL SECTION 3.01.010 P. OF THE CODE: DEFINITIONS; TO AMEND SECTION 3.01.010 T. OF THE CODE: DEFINITIONS; TO AMEND SECTION 3.03.020 A. 3. AND D. 10. OF THE CODE: INTERPRETATION; TO AMEND SECTION 3.15.030 A. AND C. OF THE CODE: POSITION ESTABLISHMENT; TO AMEND SECTION 3.15.070 OF THE CODE: PERMANENT AND PROJECT POSITION TITLES; TO AMEND SECTION 3.25.040 OF THE CODE: EMPLOYEE TRANSACTIONS; TO AMEND SECTION 3.35.010 OF THE CODE: ELIGIBILITY; TO AMEND SECTION 3.35.020 B. AND H. OF THE CODE: PAID VACATIONS; TO AMEND SECTION 3.35.030 A. AND G. OF THE CODE: PAID SICK LEAVE; TO AMEND SECTION 3.35.040 A. OF THE CODE: PAID HOLIDAYS; TO AMEND SECTION 3.35.040 B. 4. OF THE CODE: PAID HOLIDAYS; TO AMEND SECTION 3.35.040 H. AND J. OF THE CODE: PAID HOLIDAYS; TO AMEND SECTION 3.35.050 B. OF THE CODE: GROUP HEALTH INSURANCE; TO AMEND SECTION 3.35.050 F. 1. OF THE CODE: GROUP HEALTH INSURANCE; TO AMEND SECTION 3.35.060 A. OF THE CODE: GROUP LIFE INSURANCE; TO AMEND SECTION 3.35.070 A. OF THE CODE: RETIREMENT; TO AMEND SECTION 3.40.040 C. OF THE CODE: SAFETY AND HEALTH; TO AMEND SECTION 3.45.030 B. OF THE CODE: RESIDENCY; TO AMEND SECTION 3.45.070 OF THE CODE: NONPERMANENT EMERGENCY, INTERIM AND LIGHT DUTY APPOINTMENTS; TO AMEND SECTION 3.45.090 OF THE CODE: PROBATIONARY PERIOD; TO AMEND SECTION 3.60.010 OF THE CODE: PURPOSE; TO AMEND SECTION 3.60.020 OF THE CODE: FREQUENCY OF EVALUATIONS; TO AMEND SECTION 3.70.030 OF THE CODE: GROUNDS FOR DISCIPLINARY ACTION; TO AMEND SECTION 3.70.040 A. OF THE CODE: SEPARATIONS OF PROBATIONARY AND TEMPORARY EMPLOYEES; TO AMEND SECTION 3.70.050 A. 1. OF THE CODE: SEPARATIONS OF PERMANENT AND PROJECT EMPLOYEES; TO AMEND SECTION 3.70.050 B. OF THE CODE: SEPARATIONS OF PERMANENT AND PROJECT EMPLOYEES; TO REPEAL AND RECREATE CHAPTER 3.80 OF THE CODE: EMPLOYEE GRIEVANCE PROCEDURE

Action on said ordinance was postponed until the next meeting of the County Board.

**Ordinance 11-12/064** TO RELETTER SECTION 9.40.100 B. TO C. OF THE CODE: LICENSE--CONDITIONS FOR ISSUANCE; TO CREATE SECTION 9.40.100 B. OF THE CODE: LICENSE--CONDITIONS FOR ISSUANCE; TO AMEND SECTION 9.44.010 A. OF THE CODE; DISORDERLY CONDUCT AND ANNOYING TELEPHONE CALLS PROHIBITED; TO CREATE SECTION 9.46.005 C. OF THE CODE: DEFINITIONS; TO AMEND SECTION 9.46.010 OF THE CODE: POSSESSION OF FIREARMS IN PUBLIC BUILDINGS AND BUSINESS ESTABLISHMENTS PROHIBITED; TO AMEND SECTION 9.46.020 OF THE CODE: SAFE USE AND TRANSPORTATION OF FIREARMS; TO CREATE SECTION 9.46.080 D. OF THE CODE; APPLICATION OF CHAPTER; TO AMEND SECTION 16.30.180 A. OF THE CODE; FIREARMS

Action on said ordinance was postponed until the next meeting of the County Board.

#### **REPORTS OF STANDING COMMITTEES AND SECOND READING**

##### **Committee on Administration**

**Resolution 11-12/052** AWARDING REROOFING THE BEAVER CREEK NATURE CENTER AT S1 COUNTY ROAD K, FALL CREEK, TO BJORKSTRAND METAL ROOFING FOR \$34,321

On a motion by Supervisor Ludwigson, seconded by Supervisor Clark, the resolution was adopted.

**Resolution 11-12/063** CONFIRMING THE APPOINTMENT BY CHAIR GREGG MOORE OF SUPERVISOR JOHN PRINCE TO THE WEST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION

On a motion by Supervisor Manydeeds, seconded by Supervisor Leary, the resolution was adopted.

##### **Committee on Human Resources**

**Resolution 11-12/058** CLOSING THE OXFORD AVENUE EAU CLAIRE COUNTY GOVERNMENT CENTER TO THE PUBLIC ON JANUARY 16, 2012, THE OBSERVANCE OF MARTIN LUTHER KING'S BIRTHDAY; SCHEDULING MANDATORY TRAINING FOR COUNTY EMPLOYEES

On a motion by Supervisor Smiar, seconded by Supervisor Christensen, the resolution was adopted.

**Resolution 11-12/067** APPROVING REIMBURSEMENT OF EMPLOYEE PAID WRS DEDUCTIONS FROM EMPLOYEE PAY CHECKS DATED APRIL 22, MAY 6 AND MAY 20 OVER AND ABOVE ANY AMOUNTS PREVIOUSLY PAID BY EMPLOYEES

Motion by Supervisor Willett, seconded by Supervisor Flaten for adoption.

On a roll call vote requested by Supervisor Leary, the resolution was adopted as follows:

27 ayes: Supervisors Gibson, Fantle, Pagonis, Adams, Chilson, Willett, Steinhauer, Flaten, Henning, Bates, Clark, Schlieve, Smiar, Mikelson, Moore, Dunning, Prince, Krause, Wilkie, Miller, Leary, Manydeeds, Christensen, Schraufnagel, Lokken, DeRosier, LaVelle

2 noes: Supervisors Ludwigson, Ziemann

**Resolution 11-12/068** APPROVING WRS DEDUCTIONS FOR COUNTY CLERK, COUNTY TREASURER, CLERK OF COURT AND REGISTER OF DEEDS AND DISCONTINUING WRS DEDUCTIONS FOR SHERIFF'S DEPARTMENT CAPTAINS AND LIEUTENANTS

On a motion by Supervisor DeRoiser, seconded by Supervisor Manydeeds, the resolution was adopted.

**Committee on Finance and Budget**

**Ordinance 11-12/046** TO AMEND SECTION 16.33.020 OF THE CODE: RENTAL RATES FOR PRIVATE, OTHER ORGANIZATIONS AND INDIVIDUALS; TO AMEND SECTION 16.33.027 OF THE CODE: MEETING ROOM EQUIPMENT RENTALS; TO AMEND SECTION 16.33.028 OF THE CODE: MISCELLANEOUS EQUIPMENT RENTALS; TO AMEND SECTION 16.33.030 A. OF THE CODE: PAYMENT OF RENT AND DEPOSITS; TO AMEND SECTION 16.33.040 OF THE CODE: SPECIAL CHARGES

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

On a motion by Supervisor Gibson, seconded by Supervisor Henning, Amendment No. 1 was adopted as follows:

On Page 1, Line 28, Insert "Wireless microphones/event (refundable deposit) .....\$100.00"

Thereafter, the ordinance, as amended once, was enacted.

On a motion by Supervisor Gibson, seconded by Supervisor Schlieve, the Board adjourned at 8:55 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele. October 7, 2011)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**  
September 20, 2011

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, September 20, 2011, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Gerald L. Wilke.

Roll Call: 29 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Stella Pagonis, Lee B. Adams, Richard Ziemann, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Jean D. Schlieve, Nicholas P. Smiar, Joel L. Mikelson, Gregg Moore, James A. Dunning, John Prince, Ardyth Krause, Gerald L. Wilkie, Sue Miller, Robin J. Leary, John F. Manydeeds, Gloria Christensen, Tami Schraufnagel, Paul A. Lokken, Sr., John B. DeRosier, Patrick L. LaVelle

**JOURNAL OF PROCEEDINGS (August 16, 2011)**

On a motion by Supervisor Ludwigson, seconded by Supervisor Manydeeds, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

Jackie Christner spoke regarding specialty courts and jail diversion.

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

An oral annual report regarding past accomplishments and future challenges was presented by Finance Director Scott Rasmussen.

An update on the courthouse building project was presented by Supervisor James Dunning, Building Committee Chair.

An oral report updating the status of the 2012 county budget was presented by Supervisor Stella Pagonis, Finance and Budget Committee Chair.

The following written reports were presented to the Board:

- 2011 Contingency Fund Report
- Alternate Care System Monthly Report for July 2011

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

A copy of a memo regarding the 2011 Wisconsin Counties Association resolutions to be presented at the WCA business meeting on September 26, 2011 was presented to the Board.

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES  
UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the item under suspension.

**Resolution 11-12/078** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF AUGUST 2011

There were no objections to allowing Finance Director Scott Rasmussen to address a question.

The resolution was adopted.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Administration**

**Ordinance 11-12/056** TO AMEND SECTION 2.05.005 D. OF THE CODE: TERMS OF OFFICE AND FILLING VACANCIES; TO AMEND SECTION 2.05.100 B. OF THE CODE: EMERGENCY MEDICAL SERVICES COUNCIL; TO AMEND SECTION 2.05.690 A. OF THE CODE: UW EXTENSION ADVISORY COMMITTEE; TO AMEND SECTION 2.56.005 C. OF THE CODE: DEFINITIONS; TO AMEND SECTION 2.56.010 OF THE CODE: ESTABLISHMENT OF AGENCY; TO REPEAL CHAPTER 2.99 OF THE CODE: MINIMAL EAU CLAIRE COUNTY CONTRACT WAGE; TO AMEND SECTION 4.90.010 A. OF THE CODE: CLAIMS PROCEDURE

On a motion by Supervisor Henning, seconded by Supervisor DeRosier, the ordinance was enacted.

**Ordinance 11-12/064** TO RELETTER SECTION 9.40.100 B. TO C. OF THE CODE: LICENSE--CONDITIONS FOR ISSUANCE; TO CREATE SECTION 9.40.100 B. OF THE CODE: LICENSE--CONDITIONS FOR ISSUANCE; TO AMEND SECTION 9.44.010 A. OF THE CODE; DISORDERLY CONDUCT AND ANNOYING TELEPHONE CALLS PROHIBITED; TO CREATE SECTION 9.46.005 C. OF THE CODE: DEFINITIONS; TO AMEND SECTION 9.46.010 OF THE CODE: POSSESSION OF FIREARMS IN PUBLIC BUILDINGS AND BUSINESS ESTABLISHMENTS PROHIBITED; TO AMEND SECTION 9.46.020 OF THE CODE: SAFE USE AND TRANSPORTATION OF FIREARMS; TO CREATE SECTION 9.46.080 D. OF THE CODE; APPLICATION OF CHAPTER; TO AMEND SECTION 16.30.180 A. OF THE CODE; FIREARMS

On a motion by Supervisor Christensen, seconded by Supervisor Wilkie, the ordinance was enacted.

**Resolution 11-12/072** CONFIRMING THE APPOINTMENT BY CHAIR GREGG MOORE OF SUPERVISOR LEE ADAMS TO THE FRIENDS OF BEAVER CREEK RESERVE COMMISSION

On a motion by Supervisor Wilkie, seconded by Supervisor Ludwigson, the resolution was adopted.

**Resolution 11-12/076** AWARDING THE BID FOR CONSERVATION PROJECT FOR THE LAND CONSERVATION DIVISION TO JAENKE CONCRETE & EXCAVATION (CHARLES FREMSTAD BARNYARD RUNOFF) FOR \$101,483.85

On a motion by Supervisor Wilkie, seconded by Supervisor Leary, the resolution was adopted.

**Resolution 11-12/077** ENDORSING THE AMERICAN BAR ASSOCIATION RESOLUTION PROMOTING CIVIL PUBLIC DISCOURSE

On a motion by Supervisor Manydeeds, seconded by Supervisor Leary, the resolution was adopted.

**Resolution 11-12/079** APPROVING A FINAL SUPERVISORY DISTRICT PLAN; DIRECTING THE DEPARTMENT OF PLANNING AND DEVELOPMENT TO FORWARD THE FINAL PLAN TO EACH MUNICIPAL GOVERNING BODY AND DIRECTING THE COUNTY BOARD CHAIR TO FILE THE PLAN WITH THE SECRETARY OF STATE

On a motion by Supervisor Manydeeds, seconded by Supervisor Willett, the resolution was adopted.

**Committee on Human Resources**

**Ordinance 11-12/055** TO AMEND SECTION 3.60.040 OF THE CODE: PERFORMANCE EVALUATION

On a motion by Supervisor Miller, seconded by Supervisor Clark, the ordinance was enacted.

**Ordinance 11-12/057** TO AMEND SECTION 3.45.030 A. OF THE CODE: RESIDENCY

On a motion by Supervisor Ludwigson, seconded by Supervisor Dunning, the ordinance was enacted.

**Ordinance 11-12/061** TO AMEND SECTION 3.01.010 A. OF THE CODE: DEFINITIONS; TO REPEAL SECTION 3.01.010 P. OF THE CODE: DEFINITIONS; TO AMEND SECTION 3.01.010 T. OF THE CODE: DEFINITIONS; TO AMEND SECTION 3.03.020 A. 3. AND D. 10. OF THE CODE: INTERPRETATION; TO AMEND SECTION 3.15.030 A. AND C. OF THE CODE: POSITION ESTABLISHMENT; TO AMEND SECTION 3.15.070 OF THE CODE: PERMANENT AND PROJECT POSITION TITLES; TO AMEND SECTION 3.25.040 OF THE CODE: EMPLOYEE TRANSACTIONS; TO AMEND SECTION 3.35.010 OF THE CODE: ELIGIBILITY; TO AMEND SECTION 3.35.020 B. AND H. OF THE CODE: PAID VACATIONS; TO AMEND SECTION 3.35.030 A. AND G. OF THE CODE: PAID SICK LEAVE; TO AMEND SECTION 3.35.040 A. OF THE CODE: PAID HOLIDAYS; TO AMEND SECTION 3.35.040 B. 4. OF THE CODE: PAID HOLIDAYS; TO AMEND SECTION 3.35.040 H. AND J. OF THE CODE: PAID HOLIDAYS; TO AMEND SECTION 3.35.050 B. OF THE CODE: GROUP HEALTH INSURANCE; TO AMEND SECTION 3.35.050 F. 1. OF THE CODE: GROUP HEALTH INSURANCE; TO AMEND SECTION 3.35.060 A. OF THE CODE: GROUP LIFE INSURANCE; TO AMEND SECTION 3.35.070 A. OF THE CODE: RETIREMENT; TO AMEND SECTION 3.40.040 C. OF THE CODE: SAFETY AND HEALTH; TO AMEND SECTION 3.45.030 B. OF THE CODE: RESIDENCY; TO AMEND SECTION 3.45.070 OF THE CODE: NONPERMANENT EMERGENCY, INTERIM AND LIGHT DUTY APPOINTMENTS; TO AMEND SECTION 3.45.090 OF THE CODE: PROBATIONARY PERIOD; TO AMEND SECTION 3.60.010 OF THE CODE: PURPOSE; TO AMEND SECTION 3.60.020 OF THE CODE: FREQUENCY OF EVALUATIONS; TO AMEND SECTION 3.70.030 OF THE CODE: GROUNDS FOR DISCIPLINARY ACTION; TO AMEND SECTION 3.70.040 A. OF THE CODE: SEPARATIONS OF PROBATIONARY AND TEMPORARY EMPLOYEES; TO AMEND SECTION 3.70.050 A. 1. OF THE CODE: SEPARATIONS OF PERMANENT AND PROJECT EMPLOYEES; TO AMEND SECTION 3.70.050 B. OF THE CODE: SEPARATIONS OF PERMANENT AND PROJECT EMPLOYEES; TO REPEAL AND RECREATE CHAPTER 3.80 OF THE CODE: EMPLOYEE GRIEVANCE PROCEDURE

On a motion by Supervisor Miller, seconded by Supervisor Flaten, the ordinance was enacted.

**Committee on Judiciary and Law Enforcement**

**Ordinance 11-12/053** TO AMEND SECTION 2.09.010 B. 4. OF THE CODE: BUSINESS HOURS

On a motion by Supervisor Manydeeds, seconded by Supervisor Ludwigson, the ordinance was enacted.

**Committee on Planning & Development**

**Report 11-12/062** REZONING REQUEST: TOWN OF PLEASANT VALLEY

On a motion by Supervisor Steinhauer, seconded by Supervisor Dunning, the report recommending said rezoning request be placed on file was adopted.

**Highway Committee**

**Report 11-12/073** BRIDGE AID REQUEST: TOWN OF WASHINGTON

On a motion by Supervisor Henning, seconded by Supervisor Lokken, the report was adopted.

**Resolution 11-12/075** AUTHORIZING THE PURCHASE OF ONE TRUCK SCALE (AVERY WEIGHTRONIX) FOR THE EAU CLAIRE COUNTY HIGHWAY DEPARTMENT TO BSI SCALES INC. OF NEW BERLIN, WISCONSIN FOR \$52,215

On a motion by Supervisor Willett, seconded by Supervisor Lokken, the resolution was adopted.

**Committee on Finance and Budget**

**Resolution 11-12/074** AWARDING BIDS FOR THE SEPTEMBER 2011 SALE OF TAX DEED PROPERTIES; DIRECTING CORPORATION COUNSEL TO PREPARE QUIT CLAIM DEEDS ON THE DESCRIBED PROPERTY; DIRECTING THE COUNTY CLERK TO EXECUTE SAID QUIT CLAIM DEEDS ON BEHALF OF EAU CLAIRE COUNTY

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

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

29 ayes; 0 noes

**Resolution 11-12/082** RESOLUTION APPROVING STATE OF WISCONSIN GRANT FOR AUTOMATIC VEHICLE LOCATION-GLOBAL POSITIONING SYSTEM (AVL-GPS) EQUIPMENT FOR HIGHWAY DEPARTMENT WINTER ROADWAY MAINTENANCE TRUCKS

On a motion by Supervisor Henning, seconded by Supervisor Dunning, the resolution was adopted.

Supervisor Wilkie requested his no vote be recorded.

On a motion by Supervisor Manydeeds, seconded by Supervisor Henning, the Board adjourned at 8:45 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele. October 21, 2011)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**

**October 4, 2011**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, October 4, 2011, and was called to order by Vice Chair Colleen A. Bates at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Gary G. Gibson.

Roll Call: 27 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Stella Pagonis, Lee B. Adams, Richard Ziemann, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Jean D. Schlieve, Nicholas P. Smiar, Joel L. Mikelson, James A. Dunning, John Prince, Ardyth Krause, Gerald L. Wilkie, Sue Miller, Robin J. Leary, John F. Manydeeds, Gloria Christensen, Tami Schraufnagel, Paul A. Lokken, Sr., Patrick L. LaVelle  
2 absent: Supervisors Gregg Moore, John B. DeRosier

**JOURNAL OF PROCEEDINGS (September 20, 2011)**

On a motion by Supervisor Manydeeds, seconded by Supervisor Willett, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

No one wished to speak.

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

Oral annual reports regarding past accomplishments and future challenges were presented by Register of Deeds Mary Kaiser and Sheriff Ron Cramer.

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES  
UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the item under suspension.

**Ordinance 11-12/081** AMENDING THE 1981 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF SEYMOUR

The ordinance was enacted.

**FIRST READING OF ORDINANCES AND RESOLUTIONS**

**Ordinance 11-12/054** TO AMEND SECTION 12.01.005 A. OF THE CODE: DEFINITIONS; TO CREATE SECTION 12.02.060 OF THE CODE: AIRCRAFT BROKERAGE; TO AMEND SECTION 12.04.020 OF THE CODE: REQUIRED AIRCRAFT; TO AMEND SECTION 12.06.010 D. AND E. OF THE CODE: AIRPORT FACILITIES; TO AMEND SECTION 12.09.020 OF THE CODE: REQUIRED AIRCRAFT; TO AMEND SECTION 12.11.060 B. OF THE CODE: LEASE REQUESTS

Action on said ordinance was postponed until the next meeting of the County Board.

**Ordinance 11-12/066** TO AMEND SECTION 18.02.020 A. 81. OF THE CODE: DEFINITIONS; TO RENUMBER SECTION 18.02.020 A. 35. THROUGH 80. AS 36. THROUGH 81. OF THE CODE: DEFINITIONS; TO CREATE SECTION 18.02.020 35. OF THE CODE: DEFINITIONS; TO RENUMBER SECTION 18.02.020 81. THROUGH 180. AS 83. THROUGH 182. OF THE CODE: DEFINITIONS; TO CREATE SECTION 18.02.010 A. 82. OF THE CODE: DEFINITIONS; TO REPEAL AND RECREATE CHAPTER 18.23: HOME OCCUPATIONS; TO AMEND SECTION 18.26.015 D. OF THE CODE: PERMITTED SIGNS; TO AMEND SECTION 18.50.080 A. OF THE CODE: PREEXISTING TELECOMMUNICATIONS TOWERS AND FACILITIES; TO AMEND SECTION 18.78.060 A. OF THE CODE: FINAL PLAT SUBMITTAL; TO AMEND SECTION 18.78.080 B. OF THE CODE: RECORDING THE FINAL PLAT; TO AMEND SECTION 18.82.060 B. OF THE CODE: LOT STANDARDS; TO REPEAL AND RECREATE SECTION 18.82.060 L. OF THE CODE: LOT STANDARDS; TO CREATE SECTION 18.82.060 M. OF THE CODE

Action on said ordinance was postponed until the next meeting of the County Board.

**Ordinance 11-12/080** TO AMEND SECTION 8.12.030 OF THE CODE: REGULATIONS, RULES AND LAWS ADOPTED BY REFERENCE; TO AMEND SECTION 8.12.130 OF THE CODE: PRIVIES--CONSTRUCTION, MAINTENANCE AND LOCATION; TO REPEAL SECTION 8.12.205 B. OF THE CODE: SOIL ABSORPTION SYSTEM--LOCATION SPECIFICATIONS; TO AMEND SECTION 8.12.210 OF THE CODE: DISPOSAL SITE--SEWAGE DEPOSIT--RESTRICTIONS; TO AMEND SECTION 8.12.220 A. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.220 A. 1. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.220 A. 3. e. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.220 A. 4. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.260 C. 1. OF THE CODE: FEE SCHEDULE

Action on said ordinance was postponed until the next meeting of the County Board.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Judiciary and Law**

**Resolution 11-12/071** DIRECTING THAT THE JAIL STAFFING REVIEW BE DONE INDEPENDENTLY OF THE REST OF THE SHERIFF'S DEPARTMENT BUDGET REVIEW

Motion by Supervisor Ludwigson, seconded by Supervisor Henning for adoption.

On a motion by Supervisor Ziemann, seconded by Supervisor Ludwigson, the resolution was referred to the Committee on Finance and Budget.

**Committee on Planning and Development**

**Resolution 11-12/070** BORROWING \$88,080 FROM THE EAU CLAIRE COUNTY GENERAL FUND UNDESIGNATED FUND BALANCE TO COVER A SHORTFALL IN GRANT FUNDING FOR THE EAU CLAIRE COUNTY RECYCLING PROGRAM IN 2011 CONTINGENT ON ALL MUNICIPALITIES IN EAU CLAIRE COUNTY EXCEPT THE CITY OF EAU CLAIRE INCREASING SPECIAL CHARGES IN 2012 TO REPAY THE \$88,080

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

On a required two-thirds majority vote, the resolution was adopted as follows:

27 ayes; 0 noes; 2 absent

**Highway Committee**

**Report 11-12/083** BRIDGE AID REQUEST: TOWN OF CLEAR CREEK

On a motion by Supervisor Lokken, seconded by Supervisor LaVelle, the report was adopted.

On a motion by Supervisor Manydeeds, seconded by Supervisor Schlieve, the Board adjourned at 8:12 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele. November 4, 2011)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**

**October 18, 2011**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, October 18, 2011, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Jean D. Schlieve.

Roll Call: 24 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Stella Pagonis, Lee B. Adams, Richard Ziemann, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Jean D. Schlieve, Joel L. Mikelson, Gregg Moore, John Prince, Ardyth Krause, Sue Miller, Robin J. Leary, John F. Manydeeds, Paul A. Lokken, Sr., John B. DeRosier, Patrick L. LaVelle  
5 absent: Supervisors Nick Smiar, James A. Dunning, Gerald L. Wilkie, Gloria Christensen, Tami Schraufnagel

**JOURNAL OF PROCEEDINGS (October 4, 2011)**

On a motion by Supervisor Manydeeds, seconded by Supervisor Schlieve, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

Tammy Jackson spoke regarding the Expo Center and 4-H. William Bean spoke regarding frac mining.

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

The Honorable Jon Theisen, newly appointed Eau Claire County Circuit Court Judge of Branch IV, introduced himself.

Oral annual reports regarding past accomplishments and future challenges were presented by Human Resources Director Heather Baker and District Attorney Rich White.

Supervisor John Manydeeds, Building Committee Vice Chair, presented an oral report regarding an update on the courthouse building project.

Supervisor Stella Pagonis, Finance and Budget Committee Chair, presented an oral report regarding the status of the 2012 county budget.

An oral report was presented by County Administrator Tom McCarty regarding updates on the following:

- county budget
- workplace rules
- Eau Claire County Innovative Programs

The following written reports were presented to the Board:

- 2011 Contingency Fund Report
- Alternate Care System Monthly Report for the Month of August

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES  
UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the item under suspension.

**Resolution 11-12/087** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF SEPTEMBER 2011

The resolution was adopted.

**FIRST READING OF ORDINANCES AND RESOLUTIONS**

**Ordinance 11-12/009** TO AMEND SECTION 8.04.040 OF THE CODE: DEPARTMENT OF NATURAL RESOURCES RULES ADOPTED

Action on said ordinance was postponed until the next meeting of the County Board.

**Ordinance 11-12/069** TO AMEND SECTION 4.30.120 OF THE CODE: PLANNING AND DEVELOPMENT PUBLICATIONS, PHOTOCOPIES, DIGITAL DATA ON CD-ROM AND PAPER COPIES FROM PLOTTER; TO CREATE SECTION 4.30.120 A. 2. OF THE CODE: PLANNING AND DEVELOPMENT PUBLICATIONS, PHOTOCOPIES, DIGITAL DATA ON CD-ROM AND PAPER COPIES FROM PLOTTER; TO CREATE SECTION 4.30.120 B. 3. OF THE CODE: PLANNING AND DEVELOPMENT PUBLICATIONS, PHOTOCOPIES, DIGITAL DATA ON CD-ROM AND PAPER COPIES FROM PLOTTER; TO AMEND SECTION 4.30.150 A. OF THE CODE: SHERIFF'S FEES-SERVICE OF PROCESS/WARRANT SERVICE; TO AMEND SECTION 4.35.090 OF THE CODE: PERMIT VARIANCE, REZONING, SPECIAL EXCEPTION, SIGN AND LAND USE FEES; TO CREATE SECTION 4.35.090 L. AND M. OF THE CODE: PERMIT, VARIANCE, REZONING, SPECIAL EXCEPTION, SIGN AND LAND USE FEES; TO AMEND SECTION 4.35.095 OF THE CODE: AIRPORT ZONING FEES; TO AMEND SECTION 4.35.100 OF THE CODE: TELECOMMUNICATIONS FACILITY FEES; TO AMEND SECTION 4.35.110 OF THE CODE: SUBDIVISION CONTROL CODE REVIEW FEES; TO AMEND SECTION 4.35.130 OF THE CODE: CONDOMINIUM INSTRUMENT REVIEW FEE; TO AMEND SECTION 4.35.160 OF THE CODE: STORM WATER MANAGEMENT AND EROSION CONTROL FEES; TO AMEND SECTION 8.04.050 A. 1. OF THE CODE: INCINERATOR SPECIFICATIONS--LICENSE REQUIRED; TO AMEND SECTION 8.12.260 C. 1. OF THE CODE: FEE SCHEDULE; TO AMEND SECTION 8.14.040 B. 1. THROUGH 6. OF THE CODE: TATTOOING, BODY PIERCING--PERMIT REQUIRED; TO AMEND SECTION 15.01.060 OF THE CODE: PERMIT FEES; TO CREATE SECTION 15.01.060 A. 14. AND 15. OF THE CODE: PERMIT FEES; TO CREATE SECTION 15.01.060 B. 2. AND 3. OF THE CODE: PERMIT FEES; TO AMEND SECTION 16.30.040 OF THE CODE: FEES AND CHARGES; TO REPEAL AND RECREATE SECTION 18.95.010 A. OF THE



CODE: APPLICATION AND ANNUAL EXTENSION FEE; TO AMEND SECTION 18.95.030 B. OF THE CODE: PUBLIC NOTICE AND HEARING FEES

Action on said ordinance was postponed until the next meeting of the County Board.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Administration**

**Resolution 11-12/084** AWARDING REPLACEMENT OF TWO AIR HANDLER UNITS LOCATED AT 721 OXFORD AVENUE TO BARTINGALE MECHANICAL INC. FOR \$98,357

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

**Committee on Human Resources**

**Resolution 11-12/085** AUTHORIZING NEW AND MODIFIED POSITION REQUESTS FOR 2012

Motion by Supervisor Flaten, seconded by Supervisor Miller for adoption.

On a motion by Supervisor Clark, seconded by Supervisor Ludwigson, the resolution was referred to the Committee on Finance and Budget.

**Report 11-12/086** REPORT OF THE COMMITTEE ON HUMAN RESOURCES REGARDING COUNTY BOARD SUPERVISOR COMPENSATION AND PER DIEM PAYMENTS

On a motion by Supervisor Clark, seconded by Supervisor Prince, the report was adopted.

**Committee on Planning and Development**

**Ordinance 11-12/066** TO AMEND SECTION 18.02.020 A. 81. OF THE CODE: DEFINITIONS; TO RENUMBER SECTION 18.02.020 A. 35. THROUGH 80. AS 36. THROUGH 81. OF THE CODE: DEFINITIONS; TO CREATE SECTION 18.02.020 35. OF THE CODE: DEFINITIONS; TO RENUMBER SECTION 18.02.020 81. THROUGH 180. AS 83. THROUGH 182. OF THE CODE: DEFINITIONS; TO CREATE SECTION 18.02.020 A. 82. OF THE CODE: DEFINITIONS; TO REPEAL AND RECREATE CHAPTER 18.23: HOME OCCUPATIONS; TO AMEND SECTION 18.26.015 D. OF THE CODE: PERMITTED SIGNS; TO AMEND SECTION 18.50.080 A. OF THE CODE: PREEXISTING TELECOMMUNICATIONS TOWERS AND FACILITIES; TO AMEND SECTION 18.78.060 A. OF THE CODE: FINAL PLAT SUBMITTAL; TO AMEND SECTION 18.78.080 B. OF THE CODE: RECORDING THE FINAL PLAT; TO AMEND SECTION 18.82.060 B. OF THE CODE: LOT STANDARDS; TO REPEAL AND RECREATE SECTION 18.82.060 L. OF THE CODE: LOT STANDARDS; TO CREATE SECTION 18.82.060 M. OF THE CODE: CONTIGUOUS BUILDABLE AREA

On a motion by Supervisor Gibson, seconded by Supervisor DeRosier, the ordinance was enacted.

**Committee on Finance and Budget**

**Report 11-12/090** VILLAGE OF FAIRCHILD AND TOWN OF FAIRCHILD REQUESTING EXEMPTION FROM EAU CLAIRE COUNTY LIBRARY SYSTEM FOR 2012

On a motion by Supervisor Gibson, seconded by Supervisor Ziemann, the report was adopted.

**REPORTS OF COMMISSIONS AND BOARDS UNDER RULE 16**

**Chippewa Valley Regional Airport Commission**

**Ordinance 11-12/054** TO AMEND SECTION 12.01.005 A. OF THE CODE: DEFINITIONS; TO CREATE SECTION 12.02.060 OF THE CODE: AIRCRAFT BROKERAGE; TO AMEND SECTION 12.04.020 OF THE CODE: REQUIRED AIRCRAFT; TO AMEND SECTION 12.06.010 D. AND E. OF THE CODE: AIRPORT FACILITIES; TO AMEND SECTION 12.09.020 OF THE CODE: REQUIRED AIRCRAFT; TO AMEND SECTION 12.11.060 B. OF THE CODE: LEASE REQUESTS

On a motion by Supervisor Manydeeds, seconded by Supervisor LaVelle, the ordinance was enacted.

**City-County Board of Health**

**Ordinance 11-12/080** TO AMEND SECTION 8.12.030 OF THE CODE: REGULATIONS, RULES AND LAWS ADOPTED BY REFERENCE; TO AMEND SECTION 8.12.130 OF THE CODE: PRIVIES--CONSTRUCTION, MAINTENANCE AND LOCATION; TO REPEAL SECTION 8.12.205 B. OF THE CODE: SOIL ABSORPTION SYSTEM--LOCATION SPECIFICATIONS; TO AMEND SECTION 8.12.210 OF THE CODE: DISPOSAL SITE--SEWAGE DEPOSIT--RESTRICTIONS; TO AMEND SECTION 8.12.220 A. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.220 A. 1. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.220 A. 3. e. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.220 A. 4. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.260 C. 1. OF THE CODE: FEE SCHEDULE

Motion by Supervisor Prince, seconded by Supervisor DeRosier for enactment.

On a motion by Supervisor Gibson, seconded by Supervisor Ludwigson, the ordinance was tabled until the next meeting of the County Board.

On a motion by Supervisor Manydeeds, seconded by Supervisor Henning, the Board adjourned at 8:18 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele. November 18, 2011)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**

**November 1, 2011**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, November 1, 2011, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Christopher Flaten.

Roll Call: 24 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Lee B. Adams, Richard Ziemann, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Kathleen Clark, Jean D. Schlieve, Gregg Moore, James A. Dunning, John Prince, Gerald L. Wilkie, Sue Miller, Robin J. Leary, John F. Manydeeds, Gloria Christensen, Tami Schraufnagel, Paul A. Lokken, Sr., John B. DeRosier, Patrick L. LaVelle  
5 absent: Supervisors Stella Pagonis, Colleen A. Bates, Nicholas P. Smiar, Joel L. Mikelson, Ardyth Krause

\*Supervisor Pagonis arrived following roll call. Supervisor Bates arrived later in the meeting.

**JOURNAL OF PROCEEDINGS (October 18, 2011)**

On a motion by Supervisor Manydeeds, seconded by Supervisor Gibson, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

Sue Bornick spoke regarding Community Foundation Week.

Eau Claire County Emergency Management Coordinator Tom Hurley introduced himself.

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

A DVD presentation regarding the 2011 Wisconsin Counties Association Annual Report was presented to the Board.

\*Supervisor Bates arrived at this time.

The third quarter written report on overtime/compensatory time/number of employees was presented to the Board.

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

Chair Moore read a proclamation proclaiming November 12-18, 2011 as "Community Foundation Week, Celebrate Philanthropy in the Chippewa Valley."

On a motion by Supervisor Wilkie, seconded by Supervisor Leary, the proclamation was adopted.

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES  
UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the item under suspension.

**Ordinance 11-12/089** AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF DRAMMEN

The ordinance was enacted.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Parks and Forest**

**Resolution 11-12/091** AUTHORIZING THE WAIVING OF WINTER ENTRANCE FEES AT TOWER RIDGE RECREATION AREA ON MONDAYS FROM 4:00 P.M. TO CLOSE DURING THE MONTHS OF JANUARY AND FEBRUARY 2012

On a motion by Supervisor Lokken, seconded by Supervisor Henning, the resolution was adopted.

**Committee on Finance and Budget**

**Ordinance 11-12/069** TO AMEND SECTION 4.30.120 OF THE CODE: PLANNING AND DEVELOPMENT PUBLICATIONS, PHOTOCOPIES, DIGITAL DATA ON CD-ROM AND PAPER COPIES FROM PLOTTER; TO CREATE SECTION 4.30.120 A. 2. OF THE CODE: PLANNING AND DEVELOPMENT PUBLICATIONS, PHOTOCOPIES, DIGITAL DATA ON CD-ROM AND PAPER COPIES FROM PLOTTER; TO CREATE SECTION 4.30.120 B. 3. OF THE CODE: PLANNING AND DEVELOPMENT PUBLICATIONS, PHOTOCOPIES, DIGITAL DATA ON CD-ROM AND PAPER COPIES FROM PLOTTER; TO AMEND SECTION 4.30.150 A. OF THE CODE: SHERIFF'S FEES-SERVICE OF PROCESS/WARRANT SERVICE; TO AMEND SECTION 4.35.090 OF THE CODE: PERMIT VARIANCE, REZONING, SPECIAL EXCEPTION, SIGN AND LAND USE FEES; TO CREATE SECTION 4.35.090 L. AND M. OF THE CODE: PERMIT, VARIANCE, REZONING, SPECIAL EXCEPTION, SIGN AND LAND USE FEES; TO AMEND SECTION 4.35.095 OF THE CODE: AIRPORT ZONING FEES; TO AMEND SECTION 4.35.100 OF THE CODE: TELECOMMUNICATIONS FACILITY FEES; TO AMEND SECTION 4.35.110 OF THE CODE: SUBDIVISION CONTROL CODE REVIEW FEES; TO AMEND SECTION 4.35.130 OF THE CODE: CONDOMINIUM INSTRUMENT REVIEW FEE; TO AMEND SECTION 4.35.160 OF THE CODE: STORM WATER MANAGEMENT AND EROSION CONTROL FEES; TO AMEND SECTION 8.04.050 A. 1. OF THE CODE: INCINERATOR SPECIFICATIONS--LICENSE REQUIRED; TO AMEND SECTION 8.12.260 C. 1. OF THE CODE: FEE SCHEDULE; TO AMEND SECTION 8.14.040 B. 1. THROUGH 6. OF THE CODE: TATTOOING, BODY PIERCING--PERMIT REQUIRED; TO AMEND SECTION 15.01.060 OF THE CODE: PERMIT FEES; TO CREATE SECTION 15.01.060 A. 14. AND 15. OF THE CODE: PERMIT FEES; TO CREATE SECTION 15.01.060 B. 2. AND 3. OF THE CODE: PERMIT FEES; TO AMEND SECTION 16.30.040 OF THE CODE: FEES AND CHARGES; TO REPEAL AND RECREATE SECTION 18.95.010 A. OF THE

CODE: APPLICATION AND ANNUAL EXTENSION FEE; TO AMEND SECTION 18.95.030 B. OF THE CODE: PUBLIC NOTICE AND HEARING FEES

On a motion by Supervisor Dunning, seconded by Supervisor DeRosier, the ordinance was enacted.

**REPORTS OF SELECT COMMITTEES AND SECOND READING**

**City-County Board of Health**

**Ordinance 11-12/009** TO AMEND SECTION 8.04.040 OF THE CODE: DEPARTMENT OF NATURAL RESOURCES RULES ADOPTED

On a motion by Supervisor Christensen, seconded by Supervisor Prince, the ordinance was enacted.

On a motion by Supervisor Ludwigson, seconded by Supervisor Dunning, Ordinance 11-12/080 was removed from the table.

**Ordinance 11-12/080** TO AMEND SECTION 8.12.030 OF THE CODE: REGULATIONS, RULES AND LAWS ADOPTED BY REFERENCE; TO AMEND SECTION 8.12.130 OF THE CODE: PRIVIES--CONSTRUCTION, MAINTENANCE AND LOCATION; TO REPEAL SECTION 8.12.205 B. OF THE CODE: SOIL ABSORPTION SYSTEM--LOCATION SPECIFICATIONS; TO AMEND SECTION 8.12.210 OF THE CODE: DISPOSAL SITE--SEWAGE DEPOSIT--RESTRICTIONS; TO AMEND SECTION 8.12.220 A. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.220 A. 1. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.220 A. 3. e. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.220 A. 4. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.260 C. 1. OF THE CODE: FEE SCHEDULE

The ordinance was enacted.

On a motion by Supervisor Lokken, seconded by Supervisor Manydeeds, the Board adjourned at 7:52 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele. December 9, 2011)

## OFFICIAL PROCEEDINGS OF THE COUNTY BOARD OF SUPERVISORS

November 15, 2011

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, November 15, 2011, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Sue Miller.

Roll Call: 27 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Stella Pagonis, Lee B. Adams, Richard Ziemann, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Jean D. Schlieve, Nicholas P. Smiar, Gregg Moore, James A. Dunning, John Prince, Ardyth Krause, Gerald L. Wilkie, Sue Miller, Robin J. Leary, John F. Manydeeds, Gloria Christensen, Tami Schraufnagel, John B. DeRosier, Patrick L. LaVelle

2 absent: Supervisors Joel L. Mikelson, Paul A. Lokken, Sr.

### JOURNAL OF PROCEEDINGS (November 1, 2011)

On a motion by Supervisor Manydeeds, seconded by Supervisor Leary, the Journal of Proceedings was approved.

### PUBLIC HEARING ON THE ANNUAL BUDGET

Chair Moore declared the Public Hearing on the proposed 2012 County Budget open.

The following individuals addressed the County Board:

- Judge Lisa Stark - representing Drug Court
- Chris Hilson - representing Drug Court
- Julie Kissner - representing Drug Court
- Mary Arts - representing Drug Court
- Mike Cohen - representing Drug Court
- Mary Van Roy - representing Mental Health Court
- Jacob Gilbertson - representing Mental Health Court
- Tim Wavrunek - representing Restorative Justice
- Deacon Richard Sage - representing Sojourner House
- Kelly Christianson - representing Interfaith Hospitality
- Brook Berg - representing Family Resource Center
- Mary Pica Anderson - representing L.E. Phillips Senior Center
- Bill Bean - representing himself regarding sand mining
- Susan McLeod - representing Chippewa Valley Museum
- Edah Melgaard - representing Bolton Refuge House
- Liz Anderson - representing Senior Citizens Employment

Chair Moore requested three times for anyone else wishing to speak.

On a motion by Supervisor Smiar, seconded by Supervisor Flaten, the public hearing was declared closed.

### PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

Supervisor Leary announced that UW-Extension received the "Friend and Advocate Award".

Corporation Counsel Keith Zehms presented an oral and written report regarding Committee of the Whole procedures.

### RESOLUTION INTO THE COMMITTEE OF THE WHOLE FOR BUDGET DELIBERATIONS

On a motion by Supervisor Henning, seconded by Supervisor Manydeeds, the County Board resolved into the Committee of the Whole for the purpose of considering the 2012 Proposed Budget and all resolutions and ordinances pertaining thereto.

Chair Moore stepped down and First Vice Chair Bates assumed the Chair.

First Vice Chair Bates stepped down and Chair Moore resumed the Chair after the Committee of the Whole rose.

First Vice Chair Bates stepped down and Chair Moore resumed the Chair.

Motion by Supervisor Bates, seconded by Supervisor Manydeeds, the Committee of the Whole, having had under consideration the Proposed 2012 Eau Claire County Budget and come to no conclusion thereon, asks leave to sit again at 1:00 p.m. on November 16, 2011.

The motion was adopted.

The Board adjourned at 10:50 p.m.

### November 16, 2011

The County Board of Supervisors of the County of Eau Claire convened the recessed meeting at the Courthouse in the City of Eau Claire on Wednesday, November 16, 2011 and was called to order by Chair Gregg Moore at 1:00 p.m.

Roll Call: 23 present: Supervisors Howard Ludwigson, Lee B. Adams, Richard Ziemann, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Jean D. Schlieve, Nicholas P. Smiar, Gregg Moore, James A. Dunning, John Prince, Ardyth Krause, Gerald L. Wilkie, Robin J. Leary, John F. Manydeeds, Gloria Christensen, Tami Schraufnagel, John B. DeRosier, Patrick L. LaVelle, Paul A. Lokken, Sr.  
6 absent: Supervisors Gary G. Gibson, Will Fantle, Stella Pagonis, Steve Chilson, Joel L. Mikelson, Sue Miller

\*Supervisors Pagonis and Miller arrived after roll call, Supervisor Fantle arrived at 1:22 p.m., Supervisor Chilson arrived at 1:24 p.m., Supervisor Gibson arrived after 4:00 p.m.

**RESOLUTION INTO THE COMMITTEE OF THE WHOLE  
FOR BUDGET DELIBERATIONS**

On a motion by Supervisor Manydeeds, seconded by Supervisor Clark, the County Board resolved into the Committee of the Whole for the purpose of considering the 2012 Proposed Budget and all resolutions and ordinances pertaining thereto.

Chair Moore stepped down and First Vice Chair Bates assumed the Chair.

First Vice Chair Bates stepped down and Chair Moore resumed the Chair after the Committee of the Whole rose.

Supervisor Bates reported that the Committee of the Whole has had under consideration the proposed 2012 Eau Claire County Budget and has directed the Committee to report the same as follows.

There were no objections to taking up the agenda items and acting on the budget report and resolution.

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

The following written reports were presented to the Board:

- 2011 Contingency Fund Report

- Alternate Care System Monthly Report for September 2011

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES  
UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the items under suspension.

**Report 11-12/101** REPORT OF THE COMMITTEE OF THE WHOLE FORMALLY RATIFYING LEGISLATION ADOPTED WITHIN THE COMMITTEE OF THE WHOLE

There was no legislation adopted within the Committee of the Whole; therefore, no report was given.

**Resolution 11-12/097** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF OCTOBER 2012

The resolution was adopted.

**FIRST READING OF ORDINANCES AND RESOLUTIONS**

**Ordinance 11-12/094** TO AMEND SECTION 3.01.001 OF THE CODE: PURPOSE; TO AMEND SECTION 3.01.005 OF THE CODE: SCOPE AND COLLECTIVE BARGAINING OBLIGATIONS; TO REPEAL AND RECREATE SECTION 3.01.010 OF THE CODE: DEFINITIONS; TO AMEND SECTION 3.03.020 A. 1., B., C., D. 1. AND 10. AND E. 1., 2., AND 3. OF THE CODE: RESPONSIBILITY AND AUTHORITY; TO AMEND SECTION 3.05.030 B. 2. OF THE CODE: INSPECTION AND CONFIDENTIALITY OF RECORDS; TO REPEAL SECTION 3.10.005 OF THE CODE: SEXUAL HARASSMENT; TO AMEND SECTION 3.10.030 OF THE CODE: AFFIRMATIVE ACTION PLAN ADOPTED BY REFERENCE; TO AMEND SECTION 3.15.030 OF THE CODE: POSITION ESTABLISHMENT; TO AMEND SECTION 3.15.070 A. OF THE CODE: REGULAR AND PROJECT POSITION TITLES; TO REPEAL SECTION 3.15.050 OF THE CODE: PROCEDURE FOR REVIEWING, ADDING OR CHANGING POSITIONS; TO REPEAL SECTION 3.15.060 OF THE CODE: REORGANIZATION OR MERGER OF COUNTY DEPARTMENTS; TO REPEAL CHAPTER 3.25 OF THE CODE: NONREPRESENTED SALARY PLAN; TO REPEAL CHAPTER 3.30 OF THE CODE: OVERTIME AND COMPENSATORY TIME; TO REPEAL CHAPTER 3.35 OF THE CODE: EMPLOYEE BENEFITS; TO REPEAL CHAPTER 3.40 OF THE CODE: CONDITIONS OF EMPLOYMENT; TO REPEAL CHAPTER 3.45 OF THE CODE:EMPLOYMENT/HIRING; TO REPEAL SECTION 3.50.080 OF THE CODE: OUTSIDE EMPLOYMENT; TO REPEAL SECTION 3.50.100 OF THE CODE: SOLICITATIONS AND SALES; TO REPEAL CHAPTER 3.55 OF THE CODE: TRAINING--DEVELOPMENT--NEW EMPLOYEE ORIENTATION; TO REPEAL CHAPTER 3.60 OF THE CODE: PERFORMANCE EVALUATION; TO REPEAL CHAPTER 3.65 OF THE CODE: LEAVES OF ABSENCE; TO REPEAL CHAPTER 3.70 OF THE CODE: DISCIPLINE AND TERMINATION OF EMPLOYMENT; TO REPEAL CHAPTER 3.75 OF THE CODE: RETURN OF COUNTY PROPERTY; TO REPEAL CHAPTER 3.80 OF THE CODE: NONREPRESENTED EMPLOYEE GRIEVANCE PROCEDURE

Action on said ordinance was postponed until the next meeting of the County Board.

**Resolution 11-12/095** APPROVING THE EAU CLAIRE COUNTY HUMAN RESOURCES EMPLOYEE POLICY MANUAL; AUTHORIZING THE HUMAN RESOURCES COMMITTEE TO APPROVE ANY FUTURE CHANGES TO THE EMPLOYEE POLICY MANUAL

Action on said ordinance was postponed until the next meeting of the County Board.

There were no objections to taking up Ordinance 11-12/104 to be acted on at this time.

**Ordinance 11-12/104** AN ORDINANCE TO IMPOSE A MORATORIUM ON THE EXPANSION AND CREATION OF NEW NONMETALLIC MINING OPERATIONS WITHIN THE UNINCORPORATED AREAS OF EAU CLAIRE COUNTY PENDING STUDY OF POSSIBLE LEGISLATIVE ACTION

On a motion by Supervisor Steinhauer, seconded by Supervisor Fantle, Amendment No. 1 was presented as follows:  
On Page 1, Line 22, after "further prohibits the", Insert "processing of applications for new nonmetallic mine reclamation permits or new conditional use permits for nonmetallic mines; the issuance of new nonmetallic mine reclamation permits or new conditional use permits for nonmetallic mines".

On Page 1, Line 27, Strike "April 30, 2012" and Insert "May 31, 2012".

On Page 1, Line 28, after "highway department", Insert "the groundwater advisory committee".

On a roll call vote requested by Supervisor Ludwigson, Amendment No. 1 was adopted as follows:

22 ayes: Supervisors Gibson, Fantle, Pagonis, Adams, Chilson, Willett, Bates, Clark, Schlieve, Moore, Dunning, Prince, Krause, Wilkie, Miller, Leary, Manydeeds, Christensen, Schraufnagel, Lokken, DeRosier, LaVelle

4 noes: Supervisors Ludwigson, Ziemann, Steinhauer, Henning

3 absent: Supervisors Flaten, Smiar, Mikelson

Thereafter, on a roll call vote requested by Supervisor Henning, the ordinance, as amended once, was enacted as follows:

24 ayes: Supervisors Gibson, Fantle, Pagonis, Adams, Chilson, Willett, Steinhauer, Henning, Bates, Clark, Schlieve, Moore, Dunning, Prince, Krause, Wilkie, Miller, Leary, Manydeeds, Christensen, Schraufnagel, Lokken, DeRosier, LaVelle

2 noes: Supervisors Ludwigson, Ziemann

3 absent: Supervisors Flaten, Smiar, Mikelson

## **REPORTS OF STANDING COMMITTEES AND SECOND READING**

### **Committee on Administration**

**Resolution 11-12/092** ACCEPTING THE JOINT COMMISSION ON SHARED SERVICES RECOMMENDATIONS FOR PRIORITY PARTNERSHIP OPPORTUNITIES FOR 2012-2014

On a motion by Supervisor Wilkie, seconded by Supervisor DeRosier, the resolution was adopted.

**Resolution 11-12/105** SUPPORTING EAU CLAIRE COMMUNITY HAPPINESS INITIATIVE AND ENCOURAGING CITIZENS TO PARTICIPATE IN THE ONLINE HAPPINESS SURVEY

On a motion by Supervisor Manydeeds, seconded by Supervisor Bates, the resolution was adopted.

Supervisor Ziemann requested his no vote be recorded.

### **Committee on Parks and Forest**

**Resolution 11-12/098** AUTHORIZING THE SALE OF TIMBER FROM THE EAU CLAIRE COUNTY FOREST IN THE TOWN OF BRIDGE CREEK IN TOWNSHIP 26 NORTH, RANGE 5 WEST, SECTIONS 6, 7, 16, 19, 30 AND TOWNSHIP 26 NORTH, RANGE 6 WEST, SECTIONS 13, 14; TOWN OF FAIRCHILD IN TOWNSHIP 25 NORTH, RANGE 5 WEST, SECTIONS 11, 12, 13, 24; TOWN OF LINCOLN IN TOWNSHIP 27 NORTH, RANGE 8 WEST, SECTION 23; TOWN OF LUDINGTON IN TOWNSHIP 26 NORTH, RANGE 6 WEST, SECTION 5, TOWN OF WASHINGTON IN TOWNSHIP 27 NORTH, RANGE 8 WEST, SECTION 20; TOWN OF WILSON IN TOWNSHIP 27 NORTH, RANGE 5 WEST, SECTIONS 21, 28, 31 AND TOWNSHIP 27 NORTH, RANGE 6 WEST, SECTIONS 24, 36

On a motion by Supervisor Ludwigson, seconded by Supervisor Willett, the resolution was adopted.

### **REPORT OF THE COMMITTEE OF THE WHOLE**

Directive by Supervisor Bates, seconded by Supervisor Schlieve for the Committee of the Whole to report.

Supervisor Bates, seconded by Supervisor Manydeeds that the Committee of the Whole has had under consideration the proposed 2012 Eau Claire County budget and is directed to report the same as follows.

**Report 11-12/099** REPORT OF THE COMMITTEE OF THE WHOLE ON THE ALTERATION OF THE PROPOSED 2012 COUNTY BUDGET

On a motion by Supervisor Ludwigson, seconded by Supervisor Wilkie, the report was adopted.

**Resolution 11-12/100** REPORT OF THE COMMITTEE OF THE WHOLE ESTABLISHING THE 2011 TAX LEVY FOR EAU CLAIRE COUNTY AT \$24,493,206; AUTHORIZING THE APPROPRIATIONS FOR THE CITY-COUNTY HEALTH DEPARTMENT OF \$1,042,422 TO BE LEVIED ON ALL PARTS OF THE COUNTY EXCEPT FOR THE CITY OF EAU CLAIRE; ESTABLISHING THE STATE TAX FOR FORESTRY PURPOSES AT \$1,141,669 AND OTHER SPECIAL STATE CHARGES AT \$154; AUTHORIZING THE APPROPRIATION FOR THE STATE TRUST FUND LOANS OF \$73,530 TO BE LEVIED ON ALL PARTS OF THE COUNTY; AUTHORIZING A COUNTY TAX FOR COUNTY AID TO BRIDGES AT \$50,000 TO BE CHARGED AGAINST ALL NONEXEMPT PARTS OF THE COUNTY; AUTHORIZING A COUNTY SPECIAL CHARGE FOR COUNTYWIDE LIBRARY SERVICES AMOUNTING TO \$826,940 BASED ON CIRCULATION OF LIBRARY MATERIALS TO NONEXEMPT TOWNS, CITIES AND VILLAGES AS INDICATED HEREIN

Motion by Supervisor Henning, seconded by Supervisor Wilkie for adoption.

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

25 ayes: Supervisors Gibson, Ludwigson, Pagonis, Ziemann, Adams, Chilson, Willett, Steinhauer, Henning, Bates, Clark, Schlieve, Moore, Dunning, Prince, Krause, Wilkie, Miller, Leary, Manydeeds, Christensen, Schraufnagel, Lokken, DeRosier, LaVelle

1 no: Supervisor Fantle

3 absent: Supervisors Flaten, Smiar, Mikelson

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

**Resolution 11-12/071** DIRECTING THAT THE JAIL STAFFING REVIEW BE DONE INDEPENDENTLY OF THE REST OF THE SHERIFF'S DEPARTMENT BUDGET REVIEW

Motion by Supervisor Dunning, seconded by Supervisor Schlieve for adoption.

On a motion by Supervisor Ludwigson, seconded by Supervisor Miller, the resolution was placed on file.

**Substitute Amendment to Resolution 11-12/085** AUTHORIZING NEW AND MODIFIED POSITION REQUESTS FOR 2012

Motion by Supervisor Wilkie, seconded by Supervisor Miller for adoption.

On a motion by Supervisor Manydeeds, seconded by Supervisor Wilkie, Amendment No. 1 to SA 11-12/085 was adopted as follows:

On Page 1, Line 32, Insert "ADRC: New positions for 1.5 FTE care transition coach positions, effective January 1, 2012. Increased cost of \$114,765 paid by grant."

On Page 1, Line 45, Strike "23" and Insert "25", Strike "19.91" and Insert "21.41" and Strike "21" and Insert "23".

On Page 1, Line 46, Strike "19.5" and Insert "21.0".

Thereafter, SA 11-12/085, as amended once, was adopted.

**Resolution 11-12/102** AUTHORIZING A TRANSFER OF \$1,636,930 FROM THE DEPARTMENT OF HUMAN SERVICES UNRESERVED FUND BALANCE TO THE GENERAL FUND UNDESIGNATED FUND BALANCE

On a motion by Supervisor Leary, seconded by Supervisor Christensen, the resolution was adopted.

**Resolution 11-12/106** RESOLUTION PROVIDING FOR THE SALE OF \$4,000,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2011A

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

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

25 ayes: Supervisors Gibson, Ludwigson, Pagonis, Adams, Ziemann, Chilson, Willett, Steinhauer, Henning, Bates, Clark, Schlieve, Moore, Dunning, Prince, Krause, Wilkie, Miller, Leary, Manydeeds, Christensen, Schraufnagel, Lokken, DeRosier, LaVelle

0 noes

4 absent: Supervisors Fantle, Flaten, Smiar, Mikelson

**Resolution 11-12/107** RESOLUTION PROVIDING FOR THE SALE OF \$18,000,000 GENERAL OBLIGATION BUILDING BONDS, SERIES 2011B

Motion by Supervisor Ludwigson, seconded by Supervisor Dunning for adoption.

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

24 ayes: Supervisors Gibson, Ludwigson, Pagonis, Adams, Ziemann, Chilson, Willett, Steinhauer, Henning, Bates, Clark, Schlieve, Moore, Dunning, Prince, Krause, Wilkie, Miller, Leary, Manydeeds, Christensen, Lokken, DeRosier, LaVelle

1 no: Supervisor Schraufnagel

4 absent: Supervisors Fantle, Flaten, Smiar, Mikelson

On a motion by Supervisor Manydeeds, seconded by Supervisor Henning, the Board adjourned at 5:40 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

# MINUTES OF THE COMMITTEE OF THE WHOLE

**November 15, 2011**

First Vice Chair Bates continued with the Committee of the Whole proceedings. County Administrator J. Thomas McCarty, Finance Director Scott Rasmussen and Chair, Finance and Budget Committee, Supervisor Pagonis presented an overview of the Proposed 2012 County Budget. The Committee moved to the budget book for consideration of the department budgets. Motion by Supervisor Ludwigson, seconded by Supervisor Clark to decrease \$88,697 allocated for an adult AODA position from Human Services and increase Drug Court budget by \$88,697. Vice Chair Bates stepped down. Second Vice Chair Kathleen Clark assumed the chair. Second Vice Chair Kathleen Clark stepped down. Vice Chair Bates assumed the chair. Supervisor Smiar called the question. After six seconds, the motion was defeated. Motion by Supervisor Wilkie, seconded by Supervisor Smiar to direct the department head of Human Services to find funding of \$88,697 for an AODA case manager within the Human Services Department budget. On a motion by Supervisor Ludwigson, seconded by Supervisor Clark, the motion was tabled. Motion by Supervisor Clark, seconded by Supervisor Henning that the Committee rise. The motion was adopted.

**November 16, 2011**

Vice Chair Bates resumed reviewing department budgets starting with Information Systems Department. Supervisors Fantle and Chilson arrived at this time. Vice Chair Bates stepped down. Second Vice Chair Clark assumed the chair. Second Vice Chair Clark stepped down. Vice Chair Bates assumed the chair. Vice Chair Bates stepped down. Second Vice Chair Clark assumed the chair. Second Vice Chair Clark stepped down. Vice Chair Bates assumed the chair. Motion by Supervisor Prince, seconded by Supervisor Krause to support the 4-H portion of the budget with the direction that further discussion be held with other counties regarding personnel. Motioners withdrew their motion. Motion by Supervisor Dunning, seconded by Supervisor Ludwigson to remove from the table the previous motion regarding directing the department head of Human Services to find funding of \$88,697 for the AODA case manager position within the Human Services budget. On a motion by Supervisor Manydeeds, seconded by Supervisor Henning, Amendment No. 1 was adopted as follows:

The contracted position will be funded as follows:

- a) \$30,000 reduction in contracted services for 2012 (all target groups).
- b) \$30,840 reduction in treatment courts services for treatment already budgeted (SAMHSA dollars are available for new treatment methods in 2012). See page 206 of the county budget book.

Total \$60,840

Thereafter, the original motion, as amended once, was adopted. On a motion by Supervisor Miller, seconded by Supervisor Dunning, the Committee recessed for 10 minutes. Motion by Supervisor Pagonis, seconded by Supervisor Clark to adopt the following budget adjustments with revenue adjustment coming from grants:

<u>Department</u>	<u>Description</u>	<u>Budget Page</u>	<u>Expenditure Adjustment</u>	<u>Revenue Adjustment</u>
ADRC (1.5 FTE)	Care Transitions Prog.	43	\$131,815	\$131,815
ADRC	Vets Transportation & Comm Living Initiative Grant	43	292,812	292,812
Human Services	SAMSHA Grant	210	399,700	399,700
Human Services	Income Maint. Consortia	221	88,450	(67,550) 156,000
Human Services	Youth Aids Reduction	220	(89,650)	(89,650)

The motion was adopted. Motion by Supervisor Dunning, seconded by Supervisor Henning to increase revenue by \$51,000 due to issuing zoning permits with \$39,500 increased revenue to go to the contingency fund plus \$11,500 to Planning and Development Department budget to cover the increase to the building inspector position by 7.5 hours to full time, all related to nonmetallic mining costs. Supervisor Willett called the question with six seconds. The motion was adopted. Supervisor Wilkie abstained from voting or discussing any part of the budget regarding the Bolton Refuge House. Motion by Supervisor Willett, seconded by Supervisor Adams to reduce the number of staff proposed in the sheriff's jail staffing from 16 FTE's to 12.5 FTE's. On a division of the house requested by Supervisor Willett, the motion was defeated with 5 ayes and 22 noes.



Motion by Supervisor Miller, seconded by Supervisor Schlieve to increase the office assistant position in the sheriff's department from half time to full time beginning July 1, 2012 at a cost of \$10,750 with funds coming from a decrease of \$10,750 from food service expenses.

On a division of the house requested by Supervisor Miller, the motion was defeated with 10 ayes, 16 noes.

Motion by Supervisor Manydeeds, seconded by Supervisor Willett that the Committee rise and report at 4:10 p.m.  
The motion was adopted.

Respectfully submitted,

A handwritten signature in cursive script that reads "Janet K. Loomis".

Janet K. Loomis  
County Clerk

(Ldr.-Tele. December 23, 2011)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**

**December 6, 2011**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, December 6, 2011, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Kathleen Clark.

Roll Call: 28 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Stella Pagonis, Lee B. Adams, Richard Ziemann, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Nicholas P. Smiar, Joel L. Mikelson, Gregg Moore, James A. Dunning, John Prince, Ardyth Krause, Gerald L. Wilkie, Sue Miller, Robin J. Leary, John F. Manydeeds, Gloria Christensen, Tami Schraufnagel, Paul A. Lokken, Sr., John B. DeRosier, Patrick L. LaVelle  
1 absent: Supervisor Jean D. Schlieve

**JOURNAL OF PROCEEDINGS (November 15, 16, 2011)**

On a motion by Supervisor Manydeeds, seconded by Supervisor Henning, the Journal of Proceedings and minutes of the Committee of the Whole were approved.

**PUBLIC COMMENT**

No one wished to speak.

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

The following conservation awards were presented by Kelly Jacobs, Land Conservation Supervisor:

- Water Quality Leadership - Marlo Orth, Fred Poss and Rod Zika
- Conservation Farmers - Dan and Pamela Boettcher and Matt and Rebekah Fendry
- Special Recognition - Roger "Jody" Hahn (Peggy Hahn accepted award.)
- Land Judging - Richard Erickson (Cornell High School)

Supervisor James Dunning, Building Committee Chair, presented an update on the courthouse building project.

Brian Dell, Investment Advisor, Public Financial Management, gave a presentation regarding the sale of promissory notes and general obligation building bonds.

There were no objections to move No. 11 on the agenda and act on Resolutions 11-12/114 and 11-12/115 at this time.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Finance and Budget**

**Resolution 11-12/114** RESOLUTION AWARDING THE SALE OF \$4,000,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2011A

Motion by Supervisor Ludwigson, seconded by Supervisor Manydeeds for adoption.

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

28 ayes; 0 noes; 1 absent

**Resolution 11-12/115** RESOLUTION AWARDING THE SALE OF \$ 18,000,000 GENERAL OBLIGATION BUILDING BONDS, SERIES 2011B

Motion by Supervisor Manydeeds, seconded by Supervisor Flaten for adoption.

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

24 ayes: Supervisors Gibson, Ludwigson, Pagonis, Ziemann, Adams, Chilson, Willett, Steinhauer, Flaten, Henning, Bates, Clark, Moore, Dunning, Prince, Krause, Wilkie, Miller, Leary, Manydeeds, Christensen, Lokken, DeRosier, LaVelle

4 noes: Supervisors Fantle, Smiar, Mikelson, Schraufnagel

1 absent: Supervisor Schlieve

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES  
UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the item under suspension.

**Ordinance 11-12/093** AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF BRIDGE CREEK

The ordinance was enacted.

**FIRST READING OF ORDINANCES AND RESOLUTIONS**

**Ordinance 11-12/109** TO AMEND SECTION 16.30.040 C. OF THE CODE: FEES AND CHARGES

The ordinance was referred to the Committee on Finance and Budget.

**Ordinance 11-12/110** TO AMEND SECTION 16.30.040 B. OF THE CODE: FEES AND CHARGES

The ordinance was referred to the Committee on Finance and Budget.

**Ordinance 11-12/113** TO AMEND SECTION 18.95.010 A. 1. g. AND h. AND B. OF THE CODE: APPLICATION AND ANNUAL EXTENSION FEE

Action on said ordinance was postponed until the next meeting of the County Board.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Human Resources**

**Ordinance 11-12/094** TO AMEND SECTION 3.01.001 OF THE CODE: PURPOSE; TO AMEND SECTION 3.01.005 OF THE CODE: SCOPE AND COLLECTIVE BARGAINING OBLIGATIONS; TO REPEAL AND

RECREATE SECTION 3.01.010 OF THE CODE: DEFINITIONS; TO AMEND SECTION 3.03.020 A. 1., B., C., D. 1. AND 10. AND E. 1., 2., AND 3. OF THE CODE: RESPONSIBILITY AND AUTHORITY; TO AMEND SECTION 3.05.030 B. 2. OF THE CODE: INSPECTION AND CONFIDENTIALITY OF RECORDS; TO REPEAL SECTION 3.10.005 OF THE CODE: SEXUAL HARASSMENT; TO AMEND SECTION 3.10.030 OF THE CODE: AFFIRMATIVE ACTION PLAN ADOPTED BY REFERENCE; TO AMEND SECTION 3.15.030 OF THE CODE: POSITION ESTABLISHMENT; TO AMEND SECTION 3.15.070 A. OF THE CODE: REGULAR AND PROJECT POSITION TITLES; TO REPEAL SECTION 3.15.050 OF THE CODE: PROCEDURE FOR REVIEWING, ADDING OR CHANGING POSITIONS; TO REPEAL SECTION 3.15.060 OF THE CODE: REORGANIZATION OR MERGER OF COUNTY DEPARTMENTS; TO REPEAL CHAPTER 3.25 OF THE CODE: NONREPRESENTED SALARY PLAN; TO REPEAL CHAPTER 3.30 OF THE CODE: OVERTIME AND COMPENSATORY TIME; TO REPEAL CHAPTER 3.35 OF THE CODE: EMPLOYEE BENEFITS; TO REPEAL CHAPTER 3.40 OF THE CODE: CONDITIONS OF EMPLOYMENT; TO REPEAL CHAPTER 3.45 OF THE CODE:EMPLOYMENT/HIRING; TO REPEAL SECTION 3.50.080 OF THE CODE: OUTSIDE EMPLOYMENT; TO REPEAL SECTION 3.50.100 OF THE CODE: SOLICITATIONS AND SALES, TO REPEAL CHAPTER 3.55 OF THE CODE: TRAINING--DEVELOPMENT--NEW EMPLOYEE ORIENTATION; TO REPEAL CHAPTER 3.60 OF THE CODE: PERFORMANCE EVALUATION; TO REPEAL CHAPTER 3.65 OF THE CODE: LEAVES OF ABSENCE; TO REPEAL CHAPTER 3.70 OF THE CODE: DISCIPLINE AND TERMINATION OF EMPLOYMENT; TO REPEAL CHAPTER 3.75 OF THE CODE: RETURN OF COUNTY PROPERTY; TO REPEAL CHAPTER 3.80 OF THE CODE: NONREPRESENTED EMPLOYEE GRIEVANCE PROCEDURE

Motion by Supervisor Flaten, seconded by Supervisor Miller for enactment.

On a motion by Supervisor Christensen, seconded by Supervisor Ludwigson, Amendment No. 1 was adopted as follows:

On Page 2, Line 43, after "Manual", Insert "except any changes resulting in a fiscal impact will go to the county board for approval."

Thereafter, the ordinance, as amended once, was enacted.

**Resolution 11-12/095** APPROVING THE EAU CLAIRE COUNTY HUMAN RESOURCES EMPLOYEE POLICY MANUAL; AUTHORIZING THE HUMAN RESOURCES COMMITTEE TO APPROVE ANY FUTURE CHANGES TO THE EMPLOYEE POLICY MANUAL

Motion by Supervisor Ludwigson, seconded by Supervisor DeRosier for adoption.

There were no objections to allowing Human Resources Director Heather Baker and Mindy Dale of Weld, Riley, Prens and Ricci SC to answer questions.

On a motion by Supervisor Ludwigson, seconded by Supervisor Adams, Amendment No. 1 was adopted as follows:

On Page 1, Line 34, after "Policy Manual", insert "except any changes resulting in a fiscal impact will go to the county board for approval."

Supervisor Miller called the question with six seconders.

On a roll call vote requested by Supervisor Prince, the resolution, as amended once, was adopted as follows:

22 ayes: Supervisors Fantle, Ludwigson, Adams, Willett, Steinhauer, Flaten, Henning, Bates, Clark, Smiar, Mikelson, Moore, Dunning, Krause, Wilkie, Miller, Leary, Manydeeds, Christensen, Schraufnagel, DeRosier, LaVelle

6 noes: Supervisors Gibson, Pagonis, Ziemann, Chilson, Prince, Lokken

1 absent: Supervisor Schlieve

**Resolution 11-12/111** ADOPTING THE 2011 AFFIRMATIVE ACTION PLAN ANALYSIS UPDATE, DIRECTING THAT THE ORIGINALS OF SAID 2011 AFFIRMATIVE ACTION PLAN ANALYSIS UPDATE SHALL BE PLACED IN THE COUNTY CLERK'S OFFICE FOR PUBLIC INSPECTION

On a motion by Supervisor Dunning, seconded by Supervisor Willett, the resolution was adopted.

**REPORTS OF COMMISSIONS AND BOARDS UNDER RULE 16**

**Human Services Board**

**Resolution 11-12/108** AUTHORIZING CONTRACTS TO FORM AND JOIN AN INCOME MAINTENANCE ADMINISTRATION CONSORTIUM

On a motion by Supervisor Bates, seconded by Supervisor Christensen, the resolution was adopted.

There were no objections to allowing Director of Human Services Roy Sargeant to speak.

On a motion by Supervisor Manydeeds, seconded by Supervisor DeRosier, the Board adjourned at 10:00 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele. January 20, 2012)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**

**December 20, 2011**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, December 20, 2011, and was called to order by Chair Gregg Moore at 7:08 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Nicholas P. Smiar.

Roll Call: 27 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Stella Pagonis, Lee B. Adams, Richard Ziemann, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Kathleen Clark, Jean D. Schlieve, Nicholas P. Smiar, Joel L. Mikelson, Gregg Moore, James A. Dunning, John Prince, Ardyth Krause, Gerald L. Wilkie, Sue Miller, Robin J. Leary, John F. Manydeeds, Tami Schraufnagel, Paul A. Lokken, Sr., John B. DeRosier, Patrick L. LaVelle

2 absent: Supervisors Colleen A. Bates, Gloria Christensen

**JOURNAL OF PROCEEDINGS (December 6, 2011)**

On a motion by Supervisor Manydeeds, seconded by Supervisor Gibson, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

No one wished to speak.

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

An oral report was presented by Planning and Development Director Mel Erickson regarding the status of the sand mining moratorium and analysis.

An oral report was presented by County Administrator Tom McCarty regarding updates on the following:

- county budget
- narrow band radio infrastructure project
- county board/committee correspondence via U.S. mail and technology

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

A memorandum was presented to the Board regarding semi-annual liaison reports.

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES  
UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the item under suspension.

**Resolution 11-12/119** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF NOVEMBER 2011

The resolution was adopted.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Administration**

**Resolution 11-12/116** CONFIRMING THE APPOINTMENTS BY CHAIR GREGG MOORE OF JOHN PADDOCK TO THE CITY-COUNTY BOARD OF HEALTH, RANDALL STUTZMAN TO THE BOARD OF LAND USE APPEALS AND TRAVIS LUDVIGSON TO THE VETERANS SERVICE COMMISSION

On a motion by Supervisor Leary, seconded by Supervisor Lokken, the resolution was adopted.

**Highway Committee**

**Report 11-12/112** COUNTY BRIDGE AID REQUEST: VILLAGE OF FAIRCHILD

On a motion by Supervisor Gibson, seconded by Supervisor Henning, the report was adopted.

**Committee on Parks and Forest**

**Resolution 11-12/096** AMENDING THE 2006-2020 EAU CLAIRE COUNTY FOREST COMPREHENSIVE LAND USE PLAN

On a motion by Supervisor Lokken, seconded by Supervisor Schraufnagel, the resolution was adopted.

**Ordinance 11-12/109** TO AMEND SECTION 16.30.040 C. OF THE CODE: FEES AND CHARGES

On a motion by Supervisor Lokken, seconded by Supervisor Willett, the ordinance was enacted.

**Ordinance 11-12/110** TO AMEND SECTION 16.30.040 B. OF THE CODE: FEES AND CHARGES

On a motion by Supervisor Lokken, seconded by Supervisor Willett, the ordinance was enacted.

**Resolution 11-12/118** ADOPTING THE 2012 ANNUAL WORK PLAN FOR THE PARKS AND FOREST DEPARTMENT TO COMPLY WITH THE COUNTY FOREST ADMINISTRATION GRANT PROGRAM

On a motion by Supervisor Lokken, seconded by Supervisor Schraufnagel, the resolution was adopted.

**Committee on Planning and Development**

**Ordinance 11-12/113** TO AMEND SECTION 18.95.010 A. 1. g. AND h. AND B. OF THE CODE: APPLICATION AND ANNUAL EXTENSION FEE

On a motion by Supervisor Steinhauer, seconded by Supervisor DeRosier, the ordinance was enacted.

**REPORTS OF COMMISSIONS AND BOARDS UNDER RULE 16**

**Aging and Disability Resource Center Board**

**Resolution 11-12/101** TRANSFERRING ADMINISTRATION OF THE ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT GRANT FROM THE DEPARTMENT OF HUMAN SERVICES TO THE AGING AND DISABILITY RESOURCE CENTER

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

On a motion by Supervisor Miller, seconded by Supervisor Krause, action on said resolution was postponed until the February 7, 2012 meeting of the County Board.

**Land Conservation Commission**

**Resolution 11-12/117** REQUESTING THAT THE GOVERNOR AND ALL ELECTED REPRESENTATIVES IN THE WISCONSIN STATE LEGISLATURE REJECT FURTHER CUTS TO COUNTY LAND CONSERVATION STAFFING GRANTS

On a motion by Supervisor DeRosier, seconded by Supervisor Schraufnagel, the resolution was adopted.

On a motion by Supervisor Manydeeds, seconded by Supervisor Clark, the Board adjourned at 8:07 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele. February 24, 2012)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**

**January 17, 2012**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, January 17, 2012, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor John Prince.

Roll Call: 25 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Stella Pagonis, Lee B. Adams, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Jean D. Schlieve, Nicholas P. Smiar, Joel L. Mikelson, Gregg Moore, James A. Dunning, John Prince, Ardyth Krause, Gerald L. Wilkie, Sue Miller, Robin J. Leary, John F. Manydeeds, Gloria Christensen, Tami Schraufnagel, John B. DeRosier

4 absent: Supervisors Richard Ziemann, Steve Chilson, Paul A. Lokken, Sr., Patrick L. LaVelle

\*Supervisor Chilson arrived later in the meeting.

**JOURNAL OF PROCEEDINGS (December 20, 2011)**

On a motion by Supervisor Manydeeds, seconded by Supervisor Adams, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

The following persons spoke regarding sand mining: Bill Bean, Jeremy Gragert, Jane Schley

Dan Zignego spoke regarding the ordinance on conditional use permits.

\*Supervisor Chilson arrived during public comment.

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

Supervisor James Dunning, Building Committee Chair, presented an update on the courthouse building project.

Planning and Development Department Director Mel Erickson gave an oral and written presentation on the status of the sand mining moratorium and analysis.

The following written reports were presented to the Board:

- Alternate Care System Monthly Report for October 2011

- 2012 Contingency Fund Report

- Jail Population Report

Semiannual liaison reports were presented at this time.

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

A copy of correspondence from Governor Walker was presented to the Board.

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES**

**UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the item under suspension.

**Resolution 11-12/121** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF DECEMBER 2011

The resolution was adopted.

**FIRST READING OF ORDINANCES AND RESOLUTIONS**

**Ordinance 11-12/103** TO CREATE SECTION 18.04.030 I. OF THE CODE: CONDITIONAL USES; TO CREATE SECTION 18.04.035 G. OF THE CODE: STRUCTURES ALLOWED UNDER CONDITIONAL USE PERMITS

When asked by Chair Moore whether there were any objections to taking up Ordinance 11-12/103 under suspension of the rules, Supervisor Krause voiced an objection.

A motion was made by Supervisor Steinhauer and seconded by Supervisor Ludwigson to suspend the rules and act on this ordinance. Due to the fact the vote of 17 ayes and 9 noes was not the two-thirds majority required, the ordinance was not taken up under suspension.

Action on said ordinance was postponed until the next meeting of the County Board.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Administration**

**Resolution 11-12/120** ESTABLISHING A LIBRARY PLANNING COMMITTEE FOR EAU CLAIRE COUNTY

On a motion by Supervisor Willett, seconded by Supervisor Leary, the resolution was adopted.

On a motion by Supervisor Manydeeds, seconded by Supervisor Henning, the Board adjourned at 8:07 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele.March 9, 2012)

## OFFICIAL PROCEEDINGS OF THE COUNTY BOARD OF SUPERVISORS

February 21, 2012

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, February 21, 2012, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Ardyth Krause.

Roll Call: 27 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Stella Pagonis, Lee B. Adams, Richard Ziemann, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Nicholas P. Smiar, Joel L. Mikelson, Gregg Moore, James A. Dunning, Ardyth Krause, Gerald L. Wilkie, Sue Miller, Robin J. Leary, John F. Manydeeds, Gloria Christensen, Tami Schraufnagel, Paul A. Lokken, Sr., John B. DeRosier, Patrick L. LaVelle

2 absent: Supervisors Jean D. Schlieve, John Prince

### JOURNAL OF PROCEEDINGS (January 17, 2012)

On a motion by Supervisor Leary, seconded by Supervisor Manydeeds, the Journal of Proceedings was approved.

### PUBLIC COMMENT

Dennis Begalke spoke regarding the new jail.

Dan Zignego spoke regarding the ordinance on conditional use permits for concrete crushing and ready mix operations.

The following persons spoke regarding the sand mining moratorium ordinance:

Mary Kenosian, Donna Raleigh, Whitney Coleman, Bill Bean, Bonnie Golden, Carl Anton, James Boulter, Karen Mumford

### REPORTS TO THE COUNTY BOARD UNDER RULE 32

Supervisor James Dunning, Building Committee Chair, presented an update on the courthouse building project.

Planning and Development Department Director Mel Erickson presented a report regarding the status of the sand mining moratorium and analysis.

County Administrator Tom McCarty presented an update on the following:

- Eau Claire Area Economic Development Corporation

- Clear Vision Eau Claire

- Wisconsin Counties Association Legislative Exchange

An oral annual report regarding past accomplishments and future challenges was presented by Corporation Counsel Keith Zehms.

The following written reports were presented to the Board:

- Alternate Care System Monthly Report for November 2011

- 2012 Contingency Fund Report

- Fourth Quarter Overtime/Compensatory Time Report

Semi-annual liaison reports were presented at this time.

### PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

A thank you letter from Senior Citizens Employment and Training Inc. was presented to the Board.

A copy of the 2013 Eau Claire County budget guidelines was presented to the Board.

Copies of correspondence received regarding silica sand mining were presented to the Board.

### PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES

#### UNDER SUSPENSION OF THE RULES

There were no objections to suspend the rules to consider the items under suspension.

**Resolution 11-12/125** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF JANUARY 2012

The resolution was adopted.

**Ordinance 11-12/122** AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF CLEAR CREEK

The ordinance was enacted.

### FIRST READING OF ORDINANCES AND RESOLUTIONS

**Amendment to Ordinance 11-12/104** AN ORDINANCE TO IMPOSE A MORATORIUM ON THE EXPANSION AND CREATION OF NEW NONMETALLIC MINING OPERATIONS WITHIN THE UNINCORPORATED AREAS OF EAU CLAIRE COUNTY PENDING STUDY OF POSSIBLE LEGISLATIVE ACTION

Action on said ordinance was postponed until the next meeting of the County Board.

### REPORTS OF STANDING COMMITTEES AND SECOND READING

#### Committee on Administration

**Resolution 11-12/131** APPROVING A REVISED INTERGOVERNMENTAL AGREEMENT FOR GOVERNANCE OF THE JOINT COMMISSION ON SHARED SERVICES INITIATIVES

On a motion by Supervisor Willett, seconded by Supervisor Manydeeds, the resolution was adopted.

**Committee on Planning and Development**

**Ordinance 11-12/103** TO CREATE SECTION 18.04.030 I. OF THE CODE: CONDITIONAL USES; TO CREATE SECTION 18.04.035 G. OF THE CODE: STRUCTURES ALLOWED UNDER CONDITIONAL USE PERMITS

On a motion by Supervisor Dunning, seconded by Supervisor Leary, the ordinance was enacted.

**Committee on Human Resources**

**Resolution 11-12/123** AMENDING THE EAU CLAIRE COUNTY HUMAN RESOURCES EMPLOYEE POLICY MANUAL

On a motion by Supervisor Henning, seconded by Supervisor Flaten, the resolution was adopted.

**Resolution 11-12/132** AUTHORIZING DELETION OF .72 FTE EXPOSITION CENTER DIRECTOR POSITION AND CREATION OF A .72 FTE (1,500 HOURS) CUSTODIAN POSITION IN THE UW-EXTENSION OFFICE

On a motion by Supervisor Leary, seconded by Supervisor Christensen, the resolution was adopted.

**Resolution 11-12/133** AUTHORIZING A NEW .75 FTE CARE TRANSITION COACH POSITION IN THE AGING AND DISABILITY RESOURCE CENTER (ADRC)

On a motion by Supervisor Miller, seconded by Supervisor Clark, the resolution was adopted.

**Resolution 11-12/134** AMENDING THE EAU CLAIRE COUNTY HUMAN RESOURCES EMPLOYEE POLICY MANUAL

On a motion by Supervisor Clark, seconded by Supervisor DeRosier, the resolution was adopted.

**REPORTS OF SELECT COMMITTEES AND SECOND READING**

**Building Committee**

**Resolution 11-12/135** AWARDING THE CONSTRUCTION/REMODEL OF THE EAU CLAIRE COUNTY HEALTH DEPARTMENT PHASE III TO THE FOLLOWING: STEEL ERECTION TO INDUSTRIAL CONSTRUCTION SPECIALISTS \$489; STEEL MATERIAL TO NICK'S WELDING \$7,000; BUILDING WORKS TO MARKET & JOHNSON \$157,503; ALUMINUM SYSTEMS TO ESSER GLASS \$1,738; ACCOUSTICAL CEILINGS TO AUSTAD & SONS \$11,500; FLOORING TO SWANSON COMMERCIAL FLOORING \$52,800; PAINTING TO OMNI GLASS & PAINT \$13,800; FIRE PROTECTION TO VIKING AUTOMATIC SPRINKLER \$9,900; HVAC TO NORTH AMERICAN MECHANICAL INC. \$87,000; ELECTRICAL TO HUDSON ELECTRIC \$116,439

On a motion by Supervisor LaVelle, seconded by Supervisor Manydeeds, the resolution was adopted.

**Resolution 11-12/136** AWARDING THE ELEVATOR CONVERSION OF THE EAU CLAIRE COUNTY GOVERNMENT CENTER REMODEL PROJECT (PHASE II) TO BRAUN, THYSSENKRUPP ELEVATOR FOR \$63,400; FLOORING TO SWANSON COMMERCIAL FLOORING FOR \$750; ELECTRICAL TO HUDSON ELECTRIC FOR \$8,545

On a motion by Supervisor Ludwigson, seconded by Supervisor Manydeeds, the resolution was adopted.

**REPORTS OF COMMISSIONS AND BOARDS UNDER RULE 16**

**Aging and Disability Resource Center Board**

**Resolution 11-12/101** TRANSFERRING ADMINISTRATION OF THE ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT GRANT FROM THE DEPARTMENT OF HUMAN SERVICES TO THE AGING AND DISABILITY RESOURCE CENTER

Motion by Supervisor Miller, seconded by Supervisor Krause for adoption.

Motion by Supervisor Willett, seconded by Supervisor Lokken to table this resolution.

On a division of the house with 11 ayes and 16 noes, the motion to table was defeated.

Thereafter, the resolution was adopted.

**County Housing Authority**

**Resolution 11-12/126** TO AUTHORIZE THE SUBMISSION OF AN APPLICATION TO THE STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION, DIVISION OF HOUSING AND INTERGOVERNMENTAL RELATIONS, FOR PARTICIPATION IN THE 2011 SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

On a motion by Supervisor Leary, seconded by Supervisor Clark, the resolution was adopted.

**Resolution 11-12/127** TO REVISE EAU CLAIRE COUNTY'S CITIZEN PARTICIPATION PLAN

On a motion by Supervisor Miller, seconded by Supervisor Henning, the resolution was adopted.

On a motion by Supervisor Gibson, seconded by Supervisor Adams, the Board adjourned at 9:50 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk



(Ldr.-Tele. March 23, 2012)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**

**March 6, 2012**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, March 6, 2012, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Gerald L. Wilkie.

Roll Call: 24 present: Supervisors Gary G. Gibson, Howard Ludwigson, Stella Pagonis, Lee B. Adams, Richard Ziemann, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Joel L. Mikelson, Gregg Moore, James A. Dunning, Ardyth Krause, Gerald L. Wilkie, Sue Miller, Robin J. Leary, John F. Manydeeds, Tami Schraufnagel, Paul A. Lokken, Sr., John B. DeRosier, Patrick L. LaVelle

5 absent: Supervisors Will Fantle, Jean D. Schlieve, Nick Smiar, John Prince, Gloria Christensen

\*Supervisors Fantle and Christensen arrived later in the meeting.

**JOURNAL OF PROCEEDINGS (February 21, 2012)**

On a motion by Supervisor Manydeeds, seconded by Supervisor Henning, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

The following persons spoke regarding the sand mining ordinance:

Christine Yellowthunder, Carol Peuse, Vaughn Nagahashi, Kim Stencel, Alan Hoeting, Joseph Schrock, Jeremy Gragert, John Mickelson, Bill Bean, Rick Radcliffe, Bob Rasmus, Michael Knetter, Jim Smith, Karen Mumford

Steven Judd introduced himself as the AFSCME union president.

\*Supervisors Fantle and Christensen arrived at this time.

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

Clerk of Courts Kristina Aschenbrenner presented an oral annual report regarding past accomplishments and future challenges.

Planning and Development Department Director Mel Erickson presented an update on the status of the sand mining moratorium and analysis.

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

A memo from County Clerk Janet Loomis and cover page of a petition regarding the sand mining ordinance was presented to the Board.

A copy of correspondence from attorney Mark A. Radcliffe regarding the sand mining legislation was presented to the Board.

A copy of correspondence from Eau Claire City-County Board of Health President John Paddock regarding promulgation of rules to govern exposure to respirable crystalline silica was presented to the Board.

**FIRST READING OF ORDINANCES AND RESOLUTIONS**

**Ordinance 11-12/129 TO CREATE SECTION 18.55.200 OF THE CODE: GROUNDWATER PROTECTION OVERLAY DISTRICT**

Action on said ordinance was postponed until the next meeting of the County Board.

**Ordinance 11-12/130 TO AMEND SECTION 3.20.001 A. OF THE CODE: ELECTED OFFICERS AND OFFICIALS COMPENSATION; TO REPEAL AND RECREATE SECTION 3.20.005 B. THROUGH E. OF THE CODE: SALARIES OF ELECTED OFFICERS; TO REPEAL AND RECREATE SECTION 3.20.010 OF THE CODE: BENEFITS OF ELECTED OFFICIALS**

The ordinance was referred to the Committee on Finance and Budget.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Planning and Development**

**Amendment to Ordinance 11-12/104 AN ORDINANCE TO IMPOSE A MORATORIUM ON THE EXPANSION AND CREATION OF NEW NONMETALLIC MINING OPERATIONS WITHIN THE UNINCORPORATED AREAS OF EAU CLAIRE COUNTY PENDING STUDY OF POSSIBLE LEGISLATIVE ACTION**

1. On Page 2, Line 10, Insert "SECTION 7. Exception. An applicant who has submitted an application for a mining reclamation permit and/or conditional use permit for nonmetallic mining in the township of Bridge Creek on or before the effective date of the moratorium that is determined to be in complete conformity with all zoning requirements in effect as of the date of the application shall not be affected by the terms of the moratorium other than the prohibition against expansion of its nonmetallic mining operations as set forth in Section 2."

2. On Page 2, Line 17, Insert "SECTION 8. This ordinance shall not be codified."

Motion by Supervisor Bates, seconded by Supervisor Lokken for enactment.

On a motion by Supervisor Ludwigson, seconded by Supervisor Henning, an amendment to Amendment No. 1 was presented as follows:

On Page 1, Lines 11 and 12, Strike "in the Township of Bridge Creek".

On a roll call vote requested by Supervisor Willett, this amendment to Amendment No. 1 was defeated as follows:

10 ayes: Supervisors Ludwigson, Pagonis, Ziemann, Steinhauer, Henning, Clark, Moore, Leary, Schraufnagel, Lokken

16 noes: Supervisors Gibson, Fantle, Adams, Chilson, Willett, Flaten, Bates, Mikelson, Dunning, Krause, Wilkie, Miller, Manydeeds, Christensen, DeRosier, LaVelle

3 absent: Supervisors Schlieve, Smiar, Prince

Supervisor Lokken called the question.

Chair Moore denied the request to allow all supervisors the opportunity to speak on the issue.

On a roll call vote requested by Supervisor Leary, Amendment No. 1 was adopted as follows:

17 ayes: Supervisors Gibson, Ludwigson, Pagonis, Adams, Ziemann, Chilson, Steinhauer, Flaten, Henning, Bates, Clark, Moore, Wilkie, Manydeeds, Christensen, Lokken, LaVelle

9 noes: Supervisors Fantle, Willett, Mikelson, Dunning, Krause, Miller, Leary, Schraufnagel, DeRosier

3 absent: Supervisors Schlieve, Smiar, Prince

**Committee on Parks and Forest**

**Resolution 11-12/139** SUPPORTING EAU CLAIRE COUNTY'S PARTICIPATION IN THE STATE UTILITY TERRAIN VEHICLE (UTV) PILOT PROGRAM AND A PERMANENT PROGRAM IF ONE IS ESTABLISHED BY THE STATE LEGISLATURE

On a motion by Supervisor Lokken, seconded by Supervisor Dunning, the resolution was adopted

On a motion by Supervisor Lokken, seconded by Supervisor Manydeeds, the Board adjourned at 9:50 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele. April 6, 2012)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**

**March 20, 2012**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, March 20, 2012, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Gary G. Gibson

Roll Call: 25 present: Supervisors Gary G. Gibson, Howard Ludwigson, Lee B. Adams, Richard Ziemann, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Jean D. Schlieve, Nicholas P. Smiar, Joel L. Mikelson, Gregg Moore, James A. Dunning, Ardyth Krause, Gerald L. Wilkie, Sue Miller, Robin J. Leary, John F. Manydeeds, Gloria Christensen, Tami Schraufnagel, Paul A. Lokken, Sr., John B. DeRosier, Patrick L. LaVelle

4 absent: Supervisors Will Fantle, Stella Pagonis, Steve Chilson, John Prince

\*Supervisor Pagonis arrived later in the evening.

**JOURNAL OF PROCEEDINGS (March 6, 2012)**

On a motion by Supervisor Manydeeds, seconded by Supervisor Gibson, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

Mark Radcliffe and Christine Martinson spoke regarding High Country Sand LLC.

\*Supervisor Pagonis arrived at this time.

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

Circuit Court Branch III Judge William Gabler presented an oral annual report regarding past accomplishments and future challenges.

Chris Gorzek gave a presentation on the Kickin' Kids Youth Ski Training Program.

Supervisor James Dunning, Building Committee Chair, presented an update on the courthouse building project.

County Administrator Tom McCarty presented updates on the following:

- Gateway Corridor Commission
- NACo Prescription Drug Discount Card Program
- 2011 Budget (preliminary year-end update)

The following written reports were presented to the Board:

- Alternate Care System Monthly Report for December 2011
- 2012 Contingency Fund Report

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

A copy of correspondence received from Ludington Town Chair Randall Horlacher was presented to the Board.

Information on High Country Sand LLC was presented to the Board.

The following proclamations were read by Chair Moore:

- Proclaiming the week of March 26 through April 1, 2012 as "Fair Housing Week"
- Proclaiming the week of April 2-8, 2012 as "National Public Health Week"
- Proclaiming the month of April 2012 as "Be Sure Underage Drinking is Not Happening in Your Home"
- Proclaiming the month of April 2012 as "National County Government Month"

On a motion by Supervisor Ludwigson, seconded by Supervisor Smiar, the proclamations were adopted.

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES  
UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the item under suspension.

**Resolution 11-12/141** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF FEBRUARY 2012

The resolution was adopted.

**FIRST READING OF ORDINANCES AND RESOLUTIONS**

**Ordinance 11-12/140** TO CREATE SECTION 1.16.040 OF THE CODE; TO AMEND SECTION 1.50.020 OF THE CODE; TO CREATE SECTION 8.04.020 F. OF THE CODE; TO AMEND SECTION 8.04.025 B. OF THE CODE; TO CREATE SECTION 8.04.025 C. OF THE CODE; TO CREATE SECTION 8.04.035 OF THE CODE; TO AMEND SECTION 8.12.020 B. OF THE CODE; TO CREATE SECTION 8.12.020 C. OF THE CODE; TO AMEND SECTION 8.12.030 OF THE CODE; TO AMEND SECTION 8.12.070 A. AND B. OF THE CODE; TO AMEND THE TITLE OF 8.12.075 OF THE CODE; TO AMEND SECTION 8.12.075 A. OF THE CODE; TO CREATE SECTION 8.12.075 E. OF THE CODE; TO AMEND SECTION 8.12.080 OF THE CODE: TO CREATE SECTION 9.44.040 C. OF THE CODE

Action on said ordinance was postponed until the next meeting of the County Board.

**Ordinance 11-12/147** TO AMEND SECTION 2.04.030 A. OF THE CODE: RULE 3--OPENING OF MEETING; TO AMEND SECTION 2.04.320 D. OF THE CODE: RULE 32--REPORTS TO THE COUNTY BOARD

Action on said ordinance was postponed until the next meeting of the County Board.

**Amendment to Ordinance 11-12/104**

AN ORDINANCE TO IMPOSE A MORATORIUM ON THE EXPANSION AND CREATION OF NEW NONMETALLIC MINING OPERATIONS WITHIN THE UNINCORPORATED AREAS OF EAU CLAIRE COUNTY PENDING STUDY OF POSSIBLE LEGISLATIVE ACTION

On Page 2, Line 11, after "township", Insert "s".

On Page 2, Line 12, after "Bridge Creek", Insert "and Otter Creek".

Action on said ordinance was postponed until the next meeting of the County Board.

**REPORTS OF STANDING COMMITTEES AND SECOND READING**

**Committee on Administration**

**Resolution 11-12/145** AWARDING THE BEAVER CREEK RESERVE SHOWER HOUSE REMODEL TO RHOM CONSTRUCTION FOR \$94,315; WIERSGALLA CO. INC. FOR \$77,700; L.L. DAHL ELECTRIC FOR \$14,249

On a motion by Supervisor Willett, seconded by Supervisor Manydeeds, the resolution was adopted.

**Committee on Planning and Development**

**Ordinance 11-12/129** TO CREATE SECTION 18.55.200 OF THE CODE: GROUNDWATER PROTECTION OVERLAY DISTRICT

On a motion by Supervisor Leary, seconded by Supervisor Steinhauer, the ordinance was enacted.

**Committee on Finance and Budget**

**Ordinance 11-12/130** TO AMEND SECTION 3.20.001 A. OF THE CODE: ELECTED OFFICERS AND OFFICIALS COMPENSATION; TO REPEAL AND RECREATE SECTION 3.20.005 B. THROUGH E. OF THE CODE: SALARIES OF ELECTED OFFICERS; TO REPEAL AND RECREATE SECTION 3.20.010 OF THE CODE: BENEFITS OF ELECTED OFFICIALS

Motion by Supervisor Clark, seconded by Supervisor Christensen for enactment.

On a motion by Supervisor Pagonis, seconded by Supervisor Krause, Amendment No. 1 was presented as follows:

On Page 1, Line 41, Strike "60,376" and Insert "61,864".

On Page 1, Line 42, Strike "60,376" and Insert "57,376".

On Page 1, Line 43, Strike "60,376" and Insert "57,376".

On Page 1, Line 48, Strike "60,980" and Insert "62,483".

On Page 1, Line 49, Strike "60,980" and Insert "57,950".

On Page 1, Line 50, Strike "60,980" and Insert "57,950".

On Page 2, Line 3, Strike "61,589" and Insert "63,108".

On Page 2, Line 4, Strike "61,589" and Insert "58,529".

On Page 2, Line 5, Strike "61,589" and Insert "58,529".

On Page 2, Line 8, Strike "62,205" and Insert "63,739".

On Page 2, Line 9, Strike "62,205" and Insert "59,114".

On Page 2, Line 10, Strike "62,205" and Insert "59,114".

On a motion by Supervisor Wilkie, seconded by Supervisor LaVelle an amendment to Amendment No. 1 was presented as follows:

On Page 1, Line 41, Strike "61,864" and Insert "57,376".

On Page 1, Line 48, Strike "62,483" and Insert "57,950".

On Page 2, Line 3, Strike "63,108" and Insert "58,529".

On Page 2, Line 8, Strike "63,739" and Insert "59,114".

On a roll call vote requested by Supervisor LaVelle, the amendment to Amendment No. 1 was adopted as follows:

16 ayes: Supervisors Gibson, Ludwigson, Adams, Ziemann, Willett, Steinhauer, Henning, Bates, Schlieve, Smiar, Mikelson, Wilkie, Manydeeds, Schraufnagel, Lokken, LaVelle

10 noes: Supervisors Pagonis, Flaten, Clark, Moore, Dunning, Krause, Miller, Leary, Christensen, DeRosier

3 absent: Supervisors Fantle, Chilson, Prince

Amendment No. 1, as amended, was then adopted.

Thereafter, the ordinance, as amended, was enacted.

Supervisors Clark, Christensen, Flaten, Miller, Leary and Pagonis requested their no votes be recorded.

On a motion by Supervisor Gibson, seconded by Supervisor Manydeeds, the Board adjourned at 9:04 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

(Ldr.-Tele. April 30, 2012)  
**OFFICIAL PROCEEDINGS OF THE  
COUNTY BOARD OF SUPERVISORS**

April 4, 2012

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Wednesday, April 4, 2012, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Howard Ludwigson.

Roll Call: 26 present: Supervisors Gary G. Gibson, Will Fantle, Howard Ludwigson, Stella Pagonis, Lee B. Adams, Richard Ziemann, Steve Chilson, Bruce Willett, Gordon C. Steinhauer, Christopher Flaten, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Jean D. Schlieve, Nicholas P. Smiar, Gregg Moore, James A. Dunning, John Prince, Ardyth Krause, Gerald L. Wilkie, Sue Miller, Robin J. Leary, Gloria Christensen, Tami Schraufnagel, Paul A. Lokken, Sr., John B. DeRosier

3 absent: Supervisors Joel L. Mikelson, John F. Manydeeds, Patrick L. LaVelle

**JOURNAL OF PROCEEDINGS (March 20, 2012)**

On a motion by Supervisor Leary, seconded by Supervisor Christensen, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

The following people spoke regarding the amendment to the sand mining ordinance being considered this evening: Mark Radcliffe, Jason Rouleau, Josh Bell, Jason Kirkham, Arica Schlough, Christine Yellowthunder, Carol Peuse, Kim Stencel, Cheryl Berg, Steven Berg

**REPORTS TO THE COUNTY BOARD UNDER RULE 32**

County Treasurer Larry Lokken presented an oral annual report regarding past accomplishments and future challenges.

Susan McLeod, Chippewa Valley Museum Executive Director, gave a presentation entitled "The Good Life" which was about a study of Eau Claire County cultural life.

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

A copy of correspondence from a City of Eau Claire resident, Julia Kyle, regarding county recreation activities was presented to the Board.

Chair Moore presented certificates of appreciation to the five outgoing county board supervisors, Will Fantle, Howard Ludwigson, Chris Flaten, John Prince and Lee Adams and thanked them for their service. Each of them spoke briefly.

**PRESENTATION OF RESOLUTIONS OR ORDINANCES BY COMMITTEES  
UNDER SUSPENSION OF THE RULES**

There were no objections to suspend the rules to consider the items under suspension.

**Ordinance 11-12/128** AMENDING THE 1983 OFFICIAL WETLAND INVENTORY MAP FOR THE COUNTY  
The ordinance was enacted.

**Ordinance 11-12/143** AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF DRAMMEN

The ordinance was enacted.

**Resolution 11-12/150** AUTHORIZING LEGISLATION IN MATTERS REFERRED TO BE CARRIED OVER TO THE NEXT LEGISLATIVE SESSION

The resolution was adopted.

**FIRST READING OF ORDINANCES AND RESOLUTIONS**

**Ordinance 11-12/146** TO AMEND SECTION 9.40.030 C. OF THE CODE: DEFINITIONS; TO AMEND SECTION 9.40.100 C.2. OF THE CODE: LICENSE--CONDITIONS FOR ISSUANCE; TO AMEND SECTION 9.40.100 C. 3. a., b., c. AND d. OF THE CODE: LICENSE--CONDITIONS FOR ISSUANCE; TO CREATE SECTION 9.40.100 c. 3. c. AND d. OF THE CODE: LICENSE--CONDITIONS FOR ISSUANCE; TO AMEND SECTION 9.40.100 C. 10. OF THE CODE: LICENSE--CONDITIONS FOR ISSUANCE; CODE: LICENSE TO AMEND SECTION 9.40.110 C. 17.: LICENSE--CONTENTS OF APPLICATION

Action on said ordinance was postponed until the next meeting of the County Board.

**Ordinance 11-12/144** TO AMEND SECTION 1.50.020 OF THE CODE: SCHEDULE OF DEPOSITS; TO AMEND SECTION 1.50.030 B. OF THE CODE: ISSUANCE OF CITATIONS; TO REPEAL AND RECREATE SECTION 4.35.160 OF THE CODE: STORM WATER MANAGEMENT AND EROSION CONTROL FEES; TO AMEND SECTION 17.05.010 OF THE CODE: AUTHORITY; TO AMEND SECTION 17.05.060 A. 8., 24., 25., 26., 27., 28., 32., 33., 35., 36., 38., 39., 43., 46., 47., 48., 55. OF THE CODE: DEFINITIONS; TO RENUMBER SECTION 17.05.060 A. 4. AND 5. TO 5. AND 7. OF THE CODE: DEFINITIONS; TO RENUMBER SECTION 17.05.060 A. 6. THROUGH 14. TO 8. THROUGH 16., PARAGRAPHS 15. THROUGH 21. TO 19. THROUGH 25 OF THE CODE: DEFINITIONS; TO AMEND SECTION 17.05.060 A. 22. a. OF THE CODE: DEFINITIONS; TO RENUMBER SECTION 17.05.060 A. 22. TO 26. OF THE CODE: DEFINITIONS; TO RENUMBER SECTION 17.05.060 A. 23. THROUGH 27. TO 28. THROUGH 32., PARAGRAPH 28. TO 32., PARAGRAPHS 28. THROUGH 35. TO 35. THROUGH 42., PARAGRAPHS 36. THROUGH 59. TO 44. THROUGH 67. OF THE CODE: DEFINITIONS; TO CREATE SECTION 17.05.060 A. 4., 6., 17., 18., 33., 34. AND 43. OF THE CODE: DEFINITIONS; TO REPEAL SECTION 17.05.070 C. 1. f. AND 2. AND 3. OF THE CODE: APPLICABILITY EXEMPTIONS; TO AMEND SECTION 17.05.070 OF THE CODE: APPLICABILITY EXEMPTIONS; TO

AMEND SECTION 17.05.070 D. OF THE CODE: APPLICABILITY AND EXEMPTIONS; TO CREATE SECTION 17.05.070 D., F., G., H., I., AND J. OF THE CODE: APPLICABILITY AND EXEMPTIONS; TO AMEND SECTION 17.05.080 A., B., C., D. OF THE CODE: STORM WATER PERMIT PROCESSES, LAND DIVISIONS, AND ZONING; TO REPEAL SECTIONS 17.05.080 E. AND F. OF THE CODE: STORM WATER PERMIT PROCESSES, LAND DIVISIONS; TO AMEND SECTION 17.05.090 A. 3., 4., 6., 7., 8., 10. AND 11. OF THE CODE: STORM WATER PERMIT REQUIREMENTS; TO REPEAL SECTION 17.05.090 B. OF THE CODE: STORM WATER PERMIT REQUIREMENTS; TO RELETTER SECTION 17.05.090 C. TO B., D. TO C., AND E. TO D. OF THE CODE: STORM WATER PERMIT REQUIREMENTS; TO AMEND SECTION 17.05.090 B. 2., 3., AND 5. OF THE CODE: STORM WATER PERMIT REQUIREMENTS; TO AMEND SECTION 17.05.090 C. 1. AND 3., OF THE CODE: STORM WATER PERMIT REQUIREMENTS; TO AMEND SECTION 17.05.090 D. OF THE CODE: STORM WATER PERMIT REQUIREMENTS; TO AMEND SECTION 17.05.100 A. 3. AND 4. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO REPEAL SECTION 17.05.100 B. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO RELETTER SECTION 17.05.100 C. TO B., D. TO C. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO AMEND SECTION 17.05.100 B. 7., 8., 9., 11., 14., AND 17 OF THE CODE: EROSION CONTROL REQUIREMENTS; TO AMEND SECTION 17.05.100 C. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO AMEND SECTION 17.05.100 D. 1. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO AMEND SECTION 17.05.100 D. 2. a. AND b. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO REPEAL AND RECREATE SECTION 17.05.100 D. 2. c. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO CREATE SECTION 17.05.100 C. 3. AND E. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 B. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO REPEAL SECTION 17.05.110 E. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO RELETTER SECTION 17.05.110 C. TO B., D. TO C., F. TO D. AND G. TO E. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 B. 3., 6., 15., 16., 17., 18., AND 19. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 C. 1.c. AND 3. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO REPEAL SECTION 17.05.110 C.4. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO RENUMBER SECTION 17.05.110 5. TO 4., 6. TO 5., AND 7. TO 6. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 C. 5. AND 6. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 D. 9. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 E. 4. c. AND 7., 8., 9., AND 12. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO RENUMBER SECTION 17.05.110 E. 13. TO 16 OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO CREATE SECTION 17.05.110 E. 13., 14., AND 15., AND F. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 17.05.120 OF THE CODE: TECHNICAL STANDARDS AND SPECIFICATIONS; TO AMEND SECTION 17.05.130 OF THE CODE: MAINTENANCE OF STORM WATER BMPs; TO AMEND SECTION 17.05.140 OF THE CODE: ILLICIT DISCHARGES; TO AMEND SECTION 17.05.150 A. AND B. 1. THROUGH 6. OF THE CODE: ENFORCEMENT; TO REPEAL SECTION 17.05.150 B. 7. OF THE CODE: ENFORCEMENT; TO AMEND SECTION 17.05.160 B. OF THE CODE: VALIDITY

Action on said ordinance was postponed until the next meeting of the County Board.

#### **REPORTS OF STANDING COMMITTEES AND SECOND READING**

##### **Committee on Administration**

**Ordinance 11-12/147** TO AMEND SECTION 2.04.030 A. OF THE CODE: RULE 3--OPENING OF MEETING; TO AMEND SECTION 2.04.320 D. OF THE CODE: RULE 32--REPORTS TO THE COUNTY BOARD

On a motion by Supervisor Lokken, seconded by Supervisor Flaten, the ordinance was enacted.

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

##### **Amendment No. 2 to Ordinance 11-12/104**

AN ORDINANCE TO IMPOSE A MORATORIUM ON THE EXPANSION AND CREATION OF NEW NONMETALLIC MINING OPERATIONS WITHIN THE UNINCORPORATED AREAS OF EAU CLAIRE COUNTY PENDING STUDY OF POSSIBLE LEGISLATIVE ACTION

On Page 2, Line 11, after "township", Insert "s".

On Page 2, Line 12, after "Bridge Creek", Insert "and Otter Creek".

Motion by Supervisor Henning, seconded by Supervisor Ludwigson for adoption.

Motion by Supervisor Clark, seconded by Supervisor Ludwigson for the Board to go into closed session to discuss strategies regarding the High Country Sands lawsuit.

On a required roll call vote, the motion to go into closed session was adopted with 26 ayes, 0 noes, 3 absent.

Motion by Supervisor Gibson, seconded by Supervisor Smiar to return to open session.

The motion was adopted.

On a motion by Supervisor Dunning, seconded by Supervisor Smiar, the Board recessed for five minutes.

On a roll call vote requested by Supervisor Leary, Amendment No. 2 to the ordinance was adopted as follows:

17 ayes: Gibson, Ludwigson, Pagonis, Ziemann, Adams, Steinhauer, Flaten, Henning, Bates, Clark, Schlieve, Smiar, Moore, Wilkie, Leary, Christensen, Lokken

9 noes: Supervisors Fantle, Chilson, Willett, Dunning, Prince, Krause, Miller, Schraufnagel, DeRosier  
3 absent: Supervisors Mikelson, Manydeeds, LaVelle

**REPORTS OF COMMISSIONS AND BOARDS UNDER RULE 16**

**City County Board of Health**

**Ordinance 11-12/140** TO CREATE SECTION 1.16.040 OF THE CODE; TO AMEND SECTION 1.50.020 OF THE CODE; TO CREATE SECTION 8.04.020 F. OF THE CODE; TO AMEND SECTION 8.04.025 B. OF THE CODE; TO CREATE SECTION 8.04.025 C. OF THE CODE; TO CREATE SECTION 8.04.035 OF THE CODE; TO AMEND SECTION 8.12.020 B. OF THE CODE; TO CREATE SECTION 8.12.020 C. OF THE CODE; TO AMEND SECTION 8.12.030 OF THE CODE; TO AMEND SECTION 8.12.070 A. AND B. OF THE CODE; TO AMEND THE TITLE OF 8.12.075 OF THE CODE; TO AMEND SECTION 8.12.075 A. OF THE CODE; TO CREATE SECTION 8.12.075 E. OF THE CODE; TO AMEND SECTION 8.12.080 OF THE CODE; TO CREATE SECTION 9.44.040 C. OF THE CODE

On a motion by Supervisor Dunning, seconded by Supervisor Bates, the ordinance was enacted.

On a motion by Supervisor Ludwigson, seconded by Supervisor Adams, the Board adjourned at 10:16 p.m.

Respectfully submitted,

Janet K. Loomis

County Clerk

**SECTION 2**

**ADOPTED RESOLUTIONS**



# INDEX OF ADOPTED RESOLUTIONS

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<b><u>PURCHASES AND TRANSFER OF FUNDS</u></b>		
11-12/006 AWARDING THE BIDS FOR TWO DEER FENCE PROJECTS FOR THE COUNTY LAND CONSERVATION DEPARTMENT TO STRAIGHT LINE FENCE LLC FOR \$28,621 R155-002	1	3
11-12/007 AWARDING REPLACEMENT OF THE UPS (UNINTERRUPTED POWER SUPPLY) LOCATED AT 721 OXFORD AVENUE TO HUDSON ELECTRIC INC. FOR \$67,047 R155-003	1	3
11-12/015 APPROVAL OF THE ALTERNATE BIDS FOR GEO PIERS AND ELECTRICAL WORK FOR THE EAU CLAIRE COUNTY GOVERNMENT CENTER CONSTRUCTION PROJECT R155-008	2	6
11-12/005 AUTHORIZING THE PURCHASE OF ONE BRUSH CHIPPER (DEMO VERMEER BC 1500) FOR THE EAU CLAIRE COUNTY HIGHWAY DEPARTMENT TO VERMEER WISCONSIN INC OF WEST BEND, WISCONSIN FOR \$29,499 R155-010	2	7
11-12/020 AWARDING PURCHASE OF THE FOOD AND LAUNDRY EQUIPMENT OF THE EAU CLAIRE COUNTY JAIL AND COURTHOUSE REMODEL PHASE II TO BENEDICT REFRIGERATION SERVICE INC FOR \$664,229 R155-012	4	8
11-12/039 AWARDING REROOFING OF THE COURTHOUSE 88 ADDITION AT 721 OXFORD AVENUE, EAU CLAIRE TO TURAUSKI & SONS INC. D/B/A NORTHWEST ROOFING COMPANY FOR \$100,000; HIGHWAY ALTOONA SHOP AT 2000 SPOONER AVENUE, ALTOONA TO RTS ROOFING INC. FOR \$68,792; HIGHWAY FOSTER SHOP AT S12801 WREN DRIVE, OSSEO TO MAUER ROOFING INC. FOR \$30,100 R155-023	8	16
11-12/044 AWARDING THE BID FOR THE HUMAN SERVICES COMPUTER INFORMATION SYSTEM TO NETSMART TECHNOLOGIES INC. FOR THE AVATAR APPLICATION AT A COST NOT TO EXCEED \$500,000 R155-027	8	17
11-12/032 APPROVING AN INTERGOVERNMENTAL COOPERATIVE AGREEMENT CREATING THE WOODLAND ENHANCED HEALTH SERVICES COMMISSION, PAYMENT OF \$5,000 FOR THE INITIAL MEMBERSHIP FEE FOR MEMBERSHIP ON THE COMMISSION; DIRECTING THE COUNTY BOARD CHAIR TO APPOINT A SUPERVISOR AS COUNTY REPRESENTATIVE; AUTHORIZING THE COUNTY ADMINISTRATOR TO TAKE ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION R155-029	8	18
11-12/049 AWARDING THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) PROGRAM FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR HVAC (HEATING, VENTILATING AND AIR CONDITIONING) RETROFIT FOR THE		

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COUNTY COURTHOUSE LOCATED AT 721 OXFORD AVENUE, EAU CLAIRE AND THE AGRICULTURE AND RESOURCE CENTER LOCATED AT 227 FIRST STREET WEST, ALTOONA TO BARTINGALE MECHANICAL FOR \$30,693	R155-034	10	23
11-12/052			
AWARDING REROOFING THE BEAVER CREEK NATURE CENTER AT S1 COUNTY ROAD K, FALL CREEK, TO BJORKSTRAND METAL ROOFING FOR \$34,321	R155-038	12	27
11-12/076			
AWARDING THE BID FOR CONSERVATION PROJECT FOR THE LAND CONSERVATION DIVISION TO JAENKE CONCRETE & EXCAVATION (CHARLES FREMSTAD BARNYARD RUNOFF) FOR \$101,483.85	R155-046	14	32
11-12/075			
AUTHORIZING THE PURCHASE OF ONE (1) TRUCK SCALE (AVERY WEIGH-TRONIX) FOR THE EAU CLAIRE COUNTY HIGHWAY DEPARTMENT TO BSI SCALES INC. OF NEW BERLIN, WISCONSIN FOR \$52,215	R155-049	15	33
11-12/070			
BORROWING \$88,080 FROM THE EAU CLAIRE COUNTY GENERAL FUND UNDESIGNATED FUND BALANCE TO COVER A SHORTFALL IN GRANT FUNDING FOR THE EAU CLAIRE COUNTY RECYCLING PROGRAM IN 2011 CONTINGENT ON ALL MUNICIPALITIES IN EAU CLAIRE COUNTY EXCEPT THE CITY OF EAU CLAIRE INCREASING SPECIAL CHARGES IN 2012 TO REPAY THE \$88,080	R155-052	18	35
11-12/084			
AWARDING REPLACEMENT OF TWO AIR HANDLER UNITS LOCATED AT 721 OXFORD AVENUE TO BARTINGALE MECHANICAL INC. FOR \$98,357	R155-054	20	38
11-12/102			
AUTHORIZING A TRANSFER OF \$1,636,930 FROM THE DEPARTMENT OF HUMAN SERVICES UNRESERVED FUND BALANCE TO THE GENERAL FUND UNDESIGNATED FUND BALANCE	R155-061	26	45
11-12/135			
AWARDING THE CONSTRUCTION/REMODEL OF THE EAU CLAIRE COUNTY HEALTH DEPARTMENT PHASE III TO THE FOLLOWING: STEEL ERECTION TO INDUSTRIAL CONSTRUCTION SPECIALISTS \$489; STEEL MATERIAL TO NICK'S WELDING \$7,000; BUILDING WORKS TO MARKET & JOHNSON \$157,503; ALUMINUM SYSTEMS TO ESSER GLASS \$1,738; ACCOUSTICAL CEILINGS TO AUSTAD & SONS \$11,500; FLOORING TO SWANSON COMMERCIAL FLOORING \$52,800; PAINTING TO OMNI GLASS & PAINT \$13,800; FIRE PROTECTION TO VIKING AUTOMATIC SPRINKLER \$9,900; HVAC TO NORTH AMERICAN MECHANICAL INC. \$87,000; ELECTRICAL TO HUDSON ELECTRIC \$116,439	R155-083	35	87
11-12/136			
AWARDING THE ELEVATOR CONVERSION OF THE EAU CLAIRE COUNTY GOVERNMENT CENTER REMODEL PROJECT (PHASE III) TO BRAUN, THYSSENKRUPP ELEVATOR FOR \$63,400, FLOORING TO SWANSON COMMERCIAL FLOORING FOR \$750, ELECTRICAL TO HUDSON ELECTRIC FOR \$8,545	R155-084	35	88

11-12/145	AWARDING THE BEAVER CREEK RESERVE SHOWER HOUSE REMODEL TO RHOM CONSTRUCTION FOR \$94,315, WIERSGALLA CO. INC. FOR \$77,700 AND LL DAHL ELECTRIC FOR \$14,249	R155-090	PAGE # O.P.	IN APP.
			39	92

**COUNTY ACCOUNTS**

11-12/010	AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF MARCH 2011	R155-001	1	1
11-12/025	AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF APRIL 2011	R155-013	5	8
11-12/037	AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF MAY 2011	R155-019	7	12
11-12/050	AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF JUNE 2011	R155-033	9	21
11-12/059	AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF JULY 2011	R155-037	11	24
11-12/078	AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF AUGUST 2011	R155-044	14	29
11-12/087	AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF SEPTEMBER 2011	R155-053	19	36
11-12/097	AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF OCTOBER 2011	R155-056	24	39
11-12/119	AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF NOVEMBER 2011	R155-070	31	75
11-12/121	AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF DECEMBER 2011	R155-075	33	79
11-12/125	AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF JANUARY 2012	R155-077	34	82
11-12/141	AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF FEBRUARY 2012	R155-089	38	91

**ACQUISITION AND SALE OF TAX DELINQUENT LANDS**

11-12/026	AWARDING A BID FOR THE MAY 2011 SALE OF TAX DEED PROPERTY; DIRECTING CORPORATION COUNSEL TO PREPARE QUIT CLAIM DEED ON THE DESCRIBED PROPERTY; DIRECTING THE COUNTY CLERK TO EXECUTE SAID QUIT CLAIM DEED ON BEHALF OF EAU CLAIRE COUNTY	R155-018	6	12
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	<u>O.P.</u>	<u>APP.</u>
11-12/041 AWARDING A BID FOR THE SALE OF TAX DEED PROPERTY AT 318 NORTH DEWEY STREET IN THE CITY OF EAU CLAIRE; 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 R155-036	10	24
11-12/074 AWARDING BIDS FOR THE SEPTEMBER 2011 SALE OF TAX DEED PROPERTIES; DIRECTING CORPORATION COUNSEL TO PREPARE QUIT CLAIM DEEDS ON THE DESCRIBED PROPERTY; DIRECTING THE COUNTY CLERK TO EXECUTE SAID QUIT CLAIM DEEDS ON BEHALF OF EAU CLAIRE COUNTY R155-050	15	34

## **TRANSPORTATION AND PUBLIC WORKS**

### **AIRPORT PROPERTY MANAGEMENT**

11-12/022 TO REAPPLY FOR A "CLASS B" INTOXICATING LIQUOR LICENSE FOR USE BY THE RESTAURANT AND LOUNGE, CHIPPEWA VALLEY REGIONAL AIRPORT, UNDER SECTION 125.51(5)(b) 2., WIS. STATS R155-031	8	20
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## **PUBLIC LANDS AND FOREST**

### **COUNTY LAND USE AND SALES**

11-12/011 GRANTING AN EASEMENT TO AT&T-WISCONSIN TO BURY A CELLULAR TELEPHONE CABLE ALONG THE PERIMETER OF THE HIGHWAY SHOP PROPERTY LOCATED ON SPOONER AVENUE IN THE CITY OF ALTOONA R155-004	1	3
11-12/008 AUTHORIZING THE SALE OF COUNTY LAND TO THE CITY OF ALTOONA; AUTHORIZING THE SALE PROCEEDS TO BE USED FOR LAKE ALTOONA PARK IMPROVEMENTS R155-006	2	5
11-12/012 AUTHORIZING THE SALE OF TIMBER FROM THE EAU CLAIRE COUNTY FOREST IN THE TOWN OF BRIDGE CREEK IN T26N, R5W, SECTIONS 10, 11, 14, 21, 29, 31, 32 AND T26N, R6W, SECTIONS 1, 8, 9, 11; TOWN OF FAIRCHILD IN T25N, R5W, SECTIONS 23, 25 AND THE TOWN OF WILSON IN T27N, R5W, SECTIONS 13, 35 R155-007	2	5
11-12/038 AUTHORIZING AN AMENDMENT TO THE 2005 SEVEN MILE CREEK LANDFILL EXPANSION FINAL NEGOTIATED AGREEMENT TO INCORPORATE THE "FEASIBILITY MODIFICATION" SUBMITTED TO THE WISCONSIN DNR BY VEOLIA R155-028	8	18
11-12/098 AUTHORIZING THE SALE OF TIMBER FROM THE EAU CLAIRE COUNTY FOREST IN THE TOWN OF BRIDGE CREEK IN TOWNSHIP 26 NORTH, RANGE 5 WEST, SECTIONS 6, 7, 16, 19, 30 AND TOWNSHIP 26 NORTH, RANGE 6 WEST, SECTIONS 13, 14; TOWN OF FAIRCHILD IN TOWNSHIP 25 NORTH, RANGE 5 WEST, SECTIONS 11, 12, 13, 24; TOWN OF LINCOLN IN TOWNSHIP 27 NORTH, RANGE 8 WEST, SECTION 23; TOWN OF LUDINGTON IN TOWNSHIP 26 NORTH, RANGE		

6 WEST, SECTION 5; TOWN OF WASHINGTON IN TOWNSHIP 27 NORTH, RANGE 8 WEST, SECTION 20; TOWN OF WILSON IN TOWNSHIP 27 NORTH, RANGE 5 WEST, SECTIONS 21, 28, 31 AND TOWNSHIP 27 NORTH, RANGE 6 WEST, SECTIONS 24, 36	R155-059	PAGE# O.P.	IN APP.
		25	42

**PARKS AND FORESTS**

11-12/091	AUTHORIZING THE WAIVING OF WINTER ENTRANCE FEES AT TOWER RIDGE RECREATION AREA ON MONDAYS FROM 4:00 P.M. TO CLOSE DURING THE MONTHS OF JANUARY AND FEBRUARY 2012	R155-055	21	38
11-12/096	AMENDING THE 2006-2020 EAU CLAIRE COUNTY FOREST COMPREHENSIVE LAND USE PLAN	R155-072	31	77
11-12/118	ADOPTING THE 2012 ANNUAL WORK PLAN FOR THE PARKS AND FOREST DEPARTMENT TO COMPLY WITH THE COUNTY FOREST ADMINISTRATION GRANT PROGRAM	R155-073	31	78
11-12/139	SUPPORTING EAU CLAIRE COUNTY'S PARTICIPATION IN THE STATE UTILITY TERRAIN VEHICLE (UTV) PILOT PROGRAM AND A PERMANENT PROGRAM IF ONE IS ESTABLISHED BY THE STATE LEGISLATURE	R155-088	37	90

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF  
MARCH 2011-

RESOLVED by the Eau Claire County Board of Supervisors that the following accounts are allowed and the County Clerk and County Treasurer are authorized to issue County order checks to the vendors hereinafter and for the amounts set forth thereafter.

<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
WCA Group Health Trust	Health & Dental Ins (April)	\$ 702,502.28
State of Wisconsin Treasurer	Courts fines, fees and surcharges (February)	341,492.37
Venture Architects	Building project	178,280.00
City of Eau Claire Treasurer	Communications Center payment (March)	107,143.00
Health Professionals LTD	Medical services - Jail (Jan, Feb, & Mar)	95,174.67
Eau Claire City County Health Dept	March Payment	86,825.00
Fuel Service DJ's Mart	Fuel - Highway	81,119.16
Board of Comm of Public Lands	Trust Fund loan pmt (2011)	73,530.15
Cargill Inc	Salt - Highway	65,056.03
Market Materials	Building Project (Contractor pmts)	61,613.55
Eau Claire City County Health Dept	Sewage Collection 2010 tax settlement	54,567.00
Veolia Environmental Services	Recycling	44,536.32
Town of Bridge creek Treasurer	Timber Sales	42,733.20
Chippewa County Treasurer	Prisoner Housing (Jan 2011)	40,698.00
Chippewa County Treasurer	Prisoner Housing (Feb 2011)	38,136.00
Eau Claire City Treasurer	Personal Property	32,351.79
Health Professionals LTD	Medical Services Jail (April)	32,254.73
Lutheran Social Services	Community Trans Cntr & AIM Court Coor	30,790.00
AUL Health Benefit Trust	Retiree Health Reimb Acct transfer	28,849.26
Market & Johnson Inc	Law Enforcement Garage	26,293.00
Town of Wilson Treasurer	Timber Sales	24,104.29
Certified Inc	Water Heater replacement (Huber-Jail)	23,997.00
Fuel Service DJ's Mart	Diesel fuel - Highway	23,874.00
Elan Financial	Procurement card purchases	23,102.56
Eau Claire County Treasurer	Tax Deed Real Estate Taxes	22,375.70
Sacred Heart Hospital	Nutrition program (February)	22,346.00
Annuity Investors	Comp & low sick usage pay out 2010 - Sheriff	22,171.06
Venture Architects	Building project	22,158.40
Xcel energy	Courthouse gas & electric	20,772.47
U S Postal Service	Replenish Postage Account	20,000.00
Mega Foods	Nutrition program (Jan & Feb meals)	16,589.46
Xcel Energy	Gas & Electric - Airport	14,991.70

Town of Fairchild	Timber Sales	14,425.38
Minnesota Life Insurance Co	Life Insurance (April)	14,085.28
State of Wisconsin Treasurer	Terminal project (Phase II) - Airport	13,961.11
Fidlar Technologies	Redaction contract - Register of deeds	12,980.00
AUL Health Benefit Trust	Sick leave pay out - Highway	12,813.18
Midelfort Clinic	Workers Comp	12,379.54
County of Dunn Treasurer	Prisoner housing (February 2011)	11,327.00
Weigh Rite Scale Co Inc	Scale for bucket loader - Highway	11,206.00
Frontier Precision Inc	Survey total station - Highway	10,900.00
Try Inc	March Payment	10,801.58
City of Eau Claire Treasurer	Water/Sewer - Courthouse	10,042.80
	Sub total	<u>\$2,555,350.02</u>
Lutheran Social Services	DHS Contracted	128,046.23
Trempealeau County	DHS Contracted	59,400.88
Brotoloc Inc	DHS Contracted	25,800.00
Career Development Center	DHS Contracted	25,629.67
Northwest Passage LTD	DHS Contracted	23,805.00
Clinicare Corp	DHS Contracted	23,660.69
REACH Inc	DHS Contracted	23,456.28
Oconomowoc Development Training	DHS Contracted	21,771.18
Triniteam	DHS Contracted	21,018.00
ANU Family Services Inc	DHS Contracted	20,749.91
Children's Service Society of WI	DHS Contracted	18,799.91
ANU Family Services Inc	DHS Contracted	18,360.80
Northwest Counseling & Guidance	DHS Contracted	17,528.04
OMNE Clinic	DHS Contracted	16,884.73
Western Early Autism Project	DHS Contracted	16,028.78
Lutheran Social Services	DHS Contracted	14,253.24
Heyde Health Care System Inc	DHS Contracted	14,177.48
REACH Inc	DHS Contracted	13,152.24
Western Dairyland Economic Opport	DHS Contracted	12,612.60
Midelfort Clinic	DHS Contracted	11,834.00
United Cerebral Palsy	DHS Contracted	10,932.46
Family Works	DHS Contracted	10,851.50
REM Wisconsin III	DHS Contracted	10,520.38
New Hope Inc	DHS Contracted	10,416.00
New Hope Hallie Inc	DHS Contracted	10,168.00
Prentice House II Group Home	DHS Contracted	10,024.00
United Way of Greater Eau Claire	DHS Contracted	10,000.00



WHEREAS, the easement is described in the attached legal description which is incorporated into and made part of this resolution; and

WHEREAS, AT&T-Wisconsin is requesting that the easement be granted without compensation paid by AT&T-Wisconsin to Eau Claire County, and to grant a "general easement" which will allow AT&T-Wisconsin to license and/or assign the easement to other users "for the purpose of and in order to construct, reconstruct, modify, supplement, maintain, operate and/or remove facilities for the transmission of signals used in the provision of communication, video and/or information services. . ."; and

WHEREAS, AT&T will remove the existing aerial cable that crosses the property above and near the existing highway shop building.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors authorizes granting an easement to AT&T-Wisconsin according to the attached legal description for the purpose of installing an underground communication line and the removal of the existing overhead line.

BE IT FURTHER RESOLVED that the county clerk is authorized to execute the easement and any necessary documents to transfer the easement to AT&T-Wisconsin.

ADOPTED: April 19, 2011

Enrolled No. R 155-005

RESOLUTION

File No. 11-12/014

-CONFIRMING THE APPOINTMENTS BY CHAIR GREGG MOORE OF LAURI MALNORY TO THE AGING AND DISABILITY RESOURCE CENTER BOARD; DAVID DUAX AND DAVID FREDRICKSON TO THE CHIPPEWA VALLEY REGIONAL AIRPORT COMMISSION; RICK KAYSER, PAUL MAULUCCI, LORRAINE HENNING AND DIANNE ROBERTSON TO THE HUMAN SERVICES BOARD; DUANE MERRITT, MICHAEL BLODGETT AND KATHLEEN GROTE TO THE GROUNDWATER ADVISORY COMMITTEE; DAVID SALTER, DONALD HENNING, CHAD HOYORD, JOHN BALTES, DARRELL CHRISTY, LYLE KOERNER, BRYON BENSEN AND FRANK NEIBAUER TO THE LOCAL EMERGENCY PLANNING COMMITTEE; PAM MCINNIS, KAREN WRIGHT AND JUDI ANIBAS TO THE EMS COUNCIL-

RESOLVED by the Eau Claire County Board of Supervisors that the following appointments are hereby confirmed for the term hereinafter indicated:

<u>AGING AND DISABILITY RESOURCE CENTER BOARD</u> Lauri Malnory to succeed Todd Teske	<u>TERM EXPIRES</u> April 2014
<u>CHIPPEWA VALLEY REGIONAL AIRPORT COMMISSION</u> David Duax to succeed himself David Fredrickson to succeed himself	<u>TERM EXPIRES</u> April 2013 April 2013
<u>HUMAN SERVICES BOARD</u> Rick Kayser to succeed Todd Teske Paul Maulucci to succeed Heather Johnson Lorraine Henning to succeed herself Dianne Robertson to succeed herself	<u>TERM EXPIRES</u> April 2014 April 2014 April 2014 April 2014
<u>GROUNDWATER ADVISORY COMMITTEE</u> Duane Merritt to succeed himself Michael Blodgett to succeed Paul LaLiberte Kathleen Grote to succeed herself	<u>TERM EXPIRES</u> April 2014 April 2014 April 2014
<u>LOCAL EMERGENCY PLANNING COMMITTEE</u> David Salter to succeed Gregory Brandt Donald Henning to succeed Carl Duncan Chad Hoyord to succeed himself John Baltes to succeed himself Darrell Christy to succeed himself Lyle Koerner to succeed himself	<u>TERM EXPIRES</u> April 2013 April 2013 April 2013 April 2013 April 2013 April 2013

Bryon Bensen to succeed himself  
Frank Neibauer to succeed himself

April 2013  
April 2013

EMS COUNCIL

Pam McInnis to succeed herself  
Karen Wright to succeed herself  
Judi Anibas to succeed herself

TERM EXPIRES

April 2014  
April 2014  
April 2014

ADOPTED: April 19, 2011

Enrolled No. R155-006

RESOLUTION

File No. 11-12/008

-AUTHORIZING THE SALE OF COUNTY LAND TO THE CITY OF ALTOONA; AUTHORIZING THE SALE PROCEEDS TO BE USED FOR LAKE ALTOONA PARK IMPROVEMENTS-

WHEREAS, the City of Altoona has met with the committee on parks and forest with a proposal to acquire a lot adjacent to Lake Altoona Park land on the south side of Kewin Street (outside but adjacent to the park boundary), in order to install a sewer collection system to service homes on the south shore of Lake Altoona off Kewin Street (see attached request from the City of Altoona; and

WHEREAS, said lot is wooded with the majority of it on a side slope limiting its use; however, the level portion of said lot is a viable location for use as a treatment facility for homes in the area, thereby meeting the needs of residents in the area, lending assistance to the City of Altoona, and having long term positive impact on Lake Altoona; and

WHEREAS, the committee on parks and forest has reviewed the request and has met with City of Altoona officials; and

WHEREAS, in the interest of intergovernmental cooperation, the committee on parks and forest feels that Eau Claire County should sell the county lot (see "parcel of interest" on Attachment B map) described as parcel #201-2188-05-000, Lot 23, Block 2, Max Phillips Addition to the City of Altoona, for a negotiated price of \$1,500 (one thousand five hundred dollars); and

WHEREAS it is the opinion of the committee that the revenue generated from the sale should be used for improvements to Lake Altoona County Park.

NOW, THEREFORE, BE IT RESOLVED that Eau Claire County hereby sells an approximate one-acre parcel described as parcel #201-2188-05-000, Lot 23, Block 2, Max Phillips Addition to the City of Altoona for \$1,500 (one thousand five hundred dollars) to be used for a sewer collection treatment facility.

BE IT FURTHER RESOLVED that the proceeds of the sale be used for improvements to Lake Altoona Park as determined by the committee on parks and forest.

ADOPTED: April 19, 2011

Enrolled No. R155-007

RESOLUTION

File No. 11-12/012

-AUTHORIZING THE SALE OF TIMBER FROM THE EAU CLAIRE COUNTY FOREST IN THE TOWN OF BRIDGE CREEK IN T26N, R5W, SECTIONS 10, 11, 14, 21, 29, 31, 32 AND T26N, R6W, SECTIONS 1, 8, 9, 11; TOWN OF FAIRCHILD IN T25N, R5W, SECTIONS 23, 25 AND THE TOWN OF WILSON IN T27N, R5W, SECTIONS 13, 35-

WHEREAS, the Eau Claire County Forest has some mature timber stumpage and timber needing thinning and clearcutting that should be cut to maximize use of wood fiber resources, enhance timber health, growth, and regeneration, provide revenue to the county and employment opportunities, in accordance with the County Forest Fifteen-Year Plan; and

and WHEREAS, this tree stumpage is scheduled for harvesting in the County Forest Reconnaissance Inventory;

WHEREAS, the committee on parks and forest, upon the advice of the department of natural resources forester and the parks and forest forester and director, concurs that these tracts should be sold on a bid basis with the sales going to the highest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that the following stumpage is offered for sale:

A total of 740 cords of aspen pulp, 1430 cords of mixed hardwood pulp, 1565 cords of oak pulp, 395 cords of jack pine pulp, 1282 cords of red pine pulp, 135 cords of white pine pulp, 80 MBF of oak logs, 30 MBF of red maple/mixed hardwood logs and 12 MBF of white pine logs.

<u>Tract</u>	<u>T</u>	<u>R</u>	<u>Sec</u>	<u>Timber Species</u>	<u>Volume</u>
14-10	27	5	13	Oak Bolts	50
				Oak Pulp	500
				Mx Hardwood Pulp	275
				Aspen Pulp	250
15-10	26	5	21	Oak Sawlogs	30 MBF
				Oak Pulp	800
				Aspen Pulp	260
				Mx Hardwood Pulp	240
				White Pine Pulp	100
				Oak Sawlogs	50 MBF
				White Pine Sawlogs	5 MBF
				Red Maple Sawlogs	6 MBF
16-10	27	5	35	Oak Bolts	65
				Mx Hardwood Pulp	400
				Aspen Pulp	200
				Oak Pulp	150
17-10	26	5	10,11,14	Red Pine Pulp	380
18-10	26	6	11	Red Pine Pulp	132
				Jack Pine Pulp	80
				Aspen Pulp	10
19-10	25	5	23	Red Pine Pulp	300
				Jack Pine Pulp	40
				Aspen Pulp	20
20-10	25	5	25	Mx Hardwood Pulp	500
				White Pine Pulp	35
				Mx Hardwood Sawlogs	24MBF
				White Pine Sawlogs	7 MBF
21-10	26	5	29,31,32	Red Pine Pulp	270
22-10	26	6	1	Red Pine Pulp	200
02-11	26	6	8,9	Jack Pine Pulp	275
				Aspen Pulp	20
				Mx Hardwood Pulp	15

BE IT FURTHER RESOLVED that, pursuant to Section 28.11(6) of the Wisconsin Statutes, these sale tracts shall be advertised for bids by the parks and forest department subject to the minimum valuation established for each tract by the parks and forest department forester in conjunction with the department of natural resources, and each tract shall be awarded by the committee on parks and forest to the highest responsible bidder.

ADOPTED: April 19, 2011

Enrolled No. R155-008

RESOLUTION

File No. 11-12/015

-APPROVAL OF THE ALTERNATE BIDS FOR GEO PIERS AND ELECTRICAL WORK FOR THE EAU CLAIRE COUNTY GOVERNMENT CENTER CONSTRUCTION PROJECT-

WHEREAS, in accordance with Chapter 2.70, bids were solicited for alternates for the construction of the government center; and

WHEREAS, the attachment represents the review and approval of selected alternate bids by the building committee; and



WHEREAS, the building committee has approved the selected alternate bids for the government center construction.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby authorizes approval of the alternate bids for the Eau Claire County Government Center construction for the geo piers at a cost of \$48,475 and the electrical project at a cost of \$51,663.72.

ADOPTED: April 19, 2011

Enrolled No. R155-009

RESOLUTION

File No. 11-12/017

-AMENDING THE CHIPPEWA VALLEY INNOVATION CENTER LOAN FUND AGREEMENT-

WHEREAS, the center performs a valuable service to the community served by the parties by providing an appropriate environment for beginning businesses, including early stage innovation-based businesses, thus assisting in their success; and

WHEREAS, it is essential to provide adequate operating capital to early stage innovation-based businesses that are seeking to bring new products or services to market; and

WHEREAS, an existing loan pool (the "loan pool") is available to incubator tenants of the center to provide guarantees of loans made by lending institutions to the tenants; and

WHEREAS, there currently is an unmet demand for direct loans to early stage innovation-based businesses to support their growth and expansion, and such loans are a vital part of supporting local entrepreneurial growth; and

WHEREAS, it is within the missions of the parties and in their best interests to restructure the loan pool program to provide loans to early stage innovation-based businesses on the terms and conditions set forth in this agreement.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors authorizes amendment of the Chippewa Valley Innovation Center Loan Fund Agreement as described in the attached agreement.

BE IT FURTHER RESOLVED that the county administrator is authorized to execute this agreement on behalf of Eau Claire County.

ADOPTED: April 19, 2011

Enrolled No. R155-010

RESOLUTION

File No. 11-12/005

-AUTHORIZING THE PURCHASE OF ONE BRUSH CHIPPER (DEMO VERMEER BC 1500) FOR THE EAU CLAIRE COUNTY HIGHWAY DEPARTMENT TO VERMEER WISCONSIN INC OF WEST BEND, WISCONSIN FOR \$29,499-

WHEREAS, in accordance with Chapter 2.70, bids were solicited for purchase of one brush chipper; and

WHEREAS, the attachment represents the results of said solicitation; and

WHEREAS, the committee has concurred with the recommendation of the purchasing director to award said bids to Vermeer Wisconsin Inc. of West Bend, Wisconsin for \$29,499.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby authorizes the purchase of one Demo Vermeer BC 1500 brush chipper for the Eau Claire County Highway Department to Vermeer Wisconsin Inc. of West Bend, Wisconsin for \$29,499.

ADOPTED: April 19, 2011

Enrolled No. R155-011

RESOLUTION

File No. 11-12/021

-CONFIRMING THE APPOINTMENTS BY CHAIR GREGG MOORE OF JIM VOLBRECHT TO THE LAND CONSERVATION COMMISSION AND TOM WALTHER TO THE POSITION EVALUATION BOARD-

RESOLVED by the Eau Claire County Board of Supervisors that the following appointments are hereby confirmed for the term hereinafter indicated:

LAND CONSERVATION COMMISSION

Jim Volbrecht to succeed Greg Erickson

TERM EXPIRES

April 2012

POSITION EVALUATION BOARD

Tom Walther to succeed himself

TERM EXPIRES

April 2014

ADOPTED: May 3, 2011

Enrolled No. R155-012

RESOLUTION

File No. 11-12/020

-AWARDING PURCHASE OF THE FOOD AND LAUNDRY EQUIPMENT OF THE EAU CLAIRE COUNTY JAIL AND COURTHOUSE REMODEL PHASE II TO BENEDICT REFRIGERATION SERVICE INC FOR \$664,229-

WHEREAS, in accordance with Chapter 2.70, bids were solicited for food and laundry equipment of the Eau Claire County jail and courthouse remodel Phase II; and

WHEREAS, the attachment represents the results of said solicitation; and

WHEREAS, the building committee has concurred with the recommendation of the purchasing director to award said bids.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby authorizes the bid for food and laundry equipment of the Eau Claire County Government Center construction project to Benedict Refrigeration Service Inc. at a cost of \$664,229.

ADOPTED: May 3, 2011

Enrolled No. R155-013

RESOLUTION

File No. 11-12/025

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF APRIL 2011-

RESOLVED by the Eau Claire County Board of Supervisors that the following accounts are allowed and the County Clerk and County Treasurer are authorized to issue County order checks to the vendors hereinafter and for the amounts set forth thereafter.

<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
WCA Group Health Trust	Health & Dental Ins (May)	\$ 686,082.96
Market & Johnson	Building project	393,380.00
State of Wisconsin Treasurer	Courts fines, fees and surcharges (March)	315,046.72
Market & Johnson	Law Enforce Garage / Building Project	284,589.93
Eau Claire Area Schools	Lottery Settlement	234,052.86
Venture Architects	Building Project	147,895.00
City of Eau Claire Treasurer	Communications Center payment (April)	107,143.00
Eau Claire City County Health Dept	April payment	86,825.00
Chippewa Valley Technical College	Lottery Settlement	84,980.23
Augusta School District	Lottery Settlement	73,023.86
Altoona Public Schools	Lottery Settlement	69,744.79

Fuel Services DJ's Mart	Fuel - Highway	58,903.16
Fall Creek School District	Lottery Settlement	57,884.66
Bartingale Mechanical Inc	Boiler Burner Replcmt & HVAC partial pmt	53,958.16
UW Extension	Jan-Jun 2011 Contract pmt	51,498.00
Xcel energy	Courthouse gas & electric	45,823.43
Veolia Environmental Services	Recycling	44,435.52
Veolia Environmental Services	Recycling	44,386.56
City of Altoona	Lottery Settlement	43,805.77
County of Chippewa	Prisoner housing (March)	37,422.00
Health Professionals LTD	Medical services - Jail (May)	32,254.73
Lutheran Social Services	Community Trans Cntr & AIM Court Coor	30,950.00
Venture Architects	Building project	29,874.00
Wisconsin Municipal Mutual Ins Co	Workers Comp replenish SIR balance	27,850.36
State of Wisconsin Treasurer	Probate and vital records - 1st qtr	27,103.49
Waste Management	Recycling	26,729.28
Waste Management	Recycling	26,697.60
Osseo Fairchild School District	Lottery Settlement	24,624.25
Elan Financial	Procurement card purchases	24,086.89
Fall Creek Public Library	1/2 2011 Library Levy pmt	23,245.02
Eau Claire Area Economic Develop	2nd Qtr pmt	22,000.00
Town of Washington	Lottery Settlement	21,130.01
Literacy Volunteers of America	Inmate education (Bremer grant) - Jail	20,880.00
Wisconsin Municipal Mutual Ins Co	Work Comp Prefunding	20,000.00
Badger Truck Center Inc	Surveyors Truck (2011 Ford Ranger) - P & D	19,646.75
Aramark Services	Food services - Jail	18,240.80
Ewalds	2011 Ford Truck - Parks & Forest	18,206.50
AUL Health Benefit Trust	Sick leave payout - Planning & Development	16,973.88
Chippewa Valley Orthopedics	Workers Comp	14,990.94
Oak Leaf Surgical Hospital	Workers Comp	14,543.96
AUL Health Benefit Trust	Sick leave payout - Sheriff	14,271.78
Minnesota Life Insurance Co	Life Insurance (May)	13,964.73
Tower Construction Maintenance LLC	Cooling Towers - courthouse	13,700.00
Aramark	Food services - Jail	13,349.19
School District of Mondovi	Lottery Settlement	13,322.90
City of Augusta	Lottery Settlement	13,242.90
Vanguard Systems Inc	City/Co Library shared document imaging	12,974.00
AUL Health Benefit Trust	Sick leave payout - Planning & Development	12,755.47
AUL Health Benefit Trust	Sick leave payout - Human Services	12,682.82
Tractor Central LLC	John Deere & Mower - Parks & Forest	12,545.00
City of Eau Claire Treasurer	Water/Sewer - Airport	11,649.49
Village of Fall Creek Treasurer	Lottery Settlement	11,538.49
Xcel energy	Gas / Electric - airport	11,186.54
Try Inc	April payment	10,801.58
School District of Eleva Strum	Lottery Settlement	10,800.57
Advanced Public Safety Inc	DOT interface to Tracs citation system - Sheriff	10,752.75
MSA Professional Services Inc	Consulting work on Cty Rd F project - Highway	10,407.85
Town of Seymour Treasurer	Lottery Settlement	10,062.70
	Sub total	<u>\$3,600,918.83</u>
State of Wisconsin Dept Health Serv	BCA Repayment	\$ 354,753.75
Lutheran Social Services	DHS Contracted	145,696.21

Trempealeau County	DHS Contracted	62,650.52
Brotoloc Inc	DHS Contracted	28,196.07
Career Development Center	DHS Contracted	26,725.67
REACH	DHS Contracted	26,509.67
Children's Service Society of WI	DHS Contracted	26,074.28
Northwest Passage	DHS Contracted	25,575.00
Triniteam	DHS Contracted	21,315.00
Clinicare Corporation	DHS Contracted	21,258.78
OMNE Clinic	DHS Contracted	21,034.93
Abby Vans Inc	DHS Contracted	19,681.52
ANU Family Services Inc	DHS Contracted	19,173.77
Oconomowoc Development Center	DHS Contracted	16,676.28
Northwest Counseling & Guidance Clinic	DHS Contracted	16,141.83
Abby Vans Inc	DHS Contracted	15,732.90
Heyde Health Care System Inc	DHS Contracted	15,382.52
United Cerebral Palsy	DHS Contracted	14,822.69
United Cerebral Palsy	DHS Contracted	14,397.60
Midelfort Clinic	DHS Contracted	14,213.00
Rawhide Inc	DHS Contracted	13,463.92
United Cerebral Palsy	DHS Contracted	12,656.92
New Hope Hallie Inc	DHS Contracted	12,276.00
New Hope Inc	DHS Contracted	11,904.00
L E Phillips Treatment Center	DHS Contracted	11,762.05
REM Wisconsin III Inc	DHS Contracted	11,698.85
Prentice House II Group Home	DHS Contracted	11,098.00
Lifestyles Adult family Homes Inc	DHS Contracted	10,075.00
	Sub total	<u>\$1,000,946.73</u>
	Grand Total	\$4,601,865.56

ADOPTED: May 17, 2011

Enrolled No. R155-014

RESOLUTION

File No. 11-12/028

-CONFIRMING THE APPOINTMENTS BY CHAIR GREGG MOORE OF SUPERVISORS ARDYTH KRAUSE AND STELLA PAGONIS TO THE AGING AND DISABILITY RESOURCE CENTER BOARD, SUPERVISOR SUE MILLER TO THE COUNTY HOUSING AUTHORITY AND SUPERVISORS JEAN SCHLIEVE AND NICHOLAS SMIAI TO WESTERN DAIRYLAND ECONOMIC OPPORTUNITY COUNCIL-

RESOLVED by the Eau Claire County Board of Supervisors that the following appointment is hereby confirmed for the term hereinafter indicated:

AGING AND DISABILITY RESOURCE CENTER BOARD

Supervisor Ardyth Krause to succeed herself  
Supervisor Stella Pagonis to succeed herself

TERM EXPIRES

April 2014  
April 2014

COUNTY HOUSING AUTHORITY

Supervisor Sue Miller to succeed herself

April 2016

WESTERN DAIRYLAND ECONOMIC OPPORTUNITY COUNCIL

Supervisor Jean Schlieve to succeed herself  
Supervisor Nicholas Smiar to succeed himself

April 2013  
April 2013

ADOPTED: May 17, 2011

Enrolled No. R155-015

RESOLUTION

File No. 11-12/029

-AUTHORIZING DELETION OF ONE .375 FTE MEAL SITE WORKER POSITION IN THE AGING AND DISABILITY RESOURCES CENTER-

WHEREAS, at its April 20, 2011 meeting, the ADRC Board approved closing the senior dining meal site at L. E. Phillips Senior Center effective May 27, 2011; and

WHEREAS, closing of the site will require the elimination of one .375 FTE meal site worker position; and

WHEREAS, at its meeting on April 29, 2011, the committee on human resources approved and recommends the deletion of the meal site worker position to the board of supervisors.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that one .375 FTE meal site worker position be deleted effective May 27, 2011.

ADOPTED: May 17, 2011

Enrolled No. R155-016

RESOLUTION

File No. 11-12/019

-AUTHORIZING CREATION OF ONE 1.0 FTE DIVERSION PROGRAM COORDINATOR POSITION IN THE DISTRICT ATTORNEY'S OFFICE-

WHEREAS, in association with the Criminal Justice Collaborating Council (CJCC), Eau Claire County's Criminal Justice System was approved to receive a \$95,209 Federal Justice Assistance Grant through the Wisconsin Office of Justice Assistance to establish a diversion program as part of Eau Claire County's Evidence-Based Decision-Making Model (EBDM); and

WHEREAS, the diversion program is a significant aspect of the recommendations being advanced by Eau Claire County's Evidence-Based Decision-Making (EBDM) Team, and initiating this diversion program through grant money to provide the initial funding for the alternative programming and the diversion program coordinator position will help to establish the program; and

WHEREAS, the position will be fully funded for one year as a result of the grant; continued funding for the position will be from fees paid by participants within the program; and

WHEREAS, at its meeting on April 29, 2011, the committee on human resources approved and recommends the creation of the diversion program coordinator position to the board of supervisors.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that one 1.0 FTE diversion program coordinator position be created.

ADOPTED: May 17, 2011

Enrolled No. R155-017

RESOLUTION

File No. 11-12/034

-APPROVING A TENTATIVE SUPERVISORY DISTRICT PLAN AND DIRECTING THE DEPARTMENT OF PLANNING AND DEVELOPMENT TO FORWARD THE TENTATIVE PLAN TO EACH MUNICIPAL GOVERNING BODY-

WHEREAS, the committee on administration conducted a public hearing on May 10, 2011 and considered a tentative supervisory district plan dividing Eau Claire County into 29 supervisory districts of approximately equal population; and

WHEREAS, one individual testified at the hearing; and

WHEREAS, the committee, after considering the testimony, concluded the attached plan should be recommended to the county board for adoption.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby approves the attached "Tentative Supervisory District Plan" consisting of 29 supervisory districts.

BE IT FURTHER RESOLVED that the department of planning and development is hereby directed to forward the tentative plan to each municipal governing body.

ADOPTED: May 17, 2011

Enrolled No. R155-018

RESOLUTION

File No. 11-12/026

-AWARDING A BID FOR THE MAY 2011 SALE OF TAX DEED PROPERTY; DIRECTING CORPORATION COUNSEL TO PREPARE QUIT CLAIM DEED ON THE DESCRIBED PROPERTY; DIRECTING THE COUNTY CLERK TO EXECUTE SAID QUIT CLAIM DEED ON BEHALF OF EAU CLAIRE COUNTY-

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

WHEREAS, on May 12, 2011, the bid was reviewed on said described parcel.

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

-----  
SALE PARCEL #5 435 Forest Street, City of Eau Claire

<u>PURCHASER</u>	<u>MINIMUM BID</u>	<u>BID AMOUNT</u>
Francis H. & Gloria M. Kirby Husband and Wife	\$ 500.00	\$ 500.00

Computer #221-08-0172

PIN # 18221-2-270917-001-2112

North 1/2 of Lot 12, Block 24, Huysen-Marfield-Galloway Meredith's Addition, City of Eau Claire, Eau Claire County, Wisconsin  
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BE IT FURTHER RESOLVED that the county clerk is hereby directed to execute said quit claim deed on behalf of Eau Claire County.

ADOPTED: May 17, 2011

Enrolled No. R155-019

RESOLUTION

File No. 11-12/037

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF MAY 2011-

RESOLVED by the Eau Claire County Board of Supervisors that the following accounts are allowed and the County Clerk and County Treasurer are authorized to issue County order checks to the vendors hereinafter and for the amounts set forth thereafter.

<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
Market Materials	Building Project	\$ 1,492,829.82
City of Eau Claire Treasurer	Buy Back 2010 Special Assessments	835,250.80
WCA Group Health Trust	Health & Dental Ins (June)	684,140.18
State of Wisconsin Treasurer	Courts fines, fees and surcharges (April)	255,903.26
City of Eau Claire Treasurer	Communications Center payment (May)	107,143.00
Eau Claire City County Health Dept	May payment	86,825.00

City of Eau Claire Treasurer	Jan-Apr Specialized Transp - ADRC	71,917.51
Ewald's	(2) Dodge Ram 2500 Trucks - Highway	49,151.00
City of Altoona Clerk Treasurer	Buy Back 2010 Special Assessments	47,936.72
City of Eau Claire Treasurer	Law Enforcement Application Support	44,548.79
Veolia Environmental Services	Recycling	44,542.08
Health Professionals LTD	Jail - Medical June	38,060.63
Fidlar Technologies	Support for Indexing application-Reg of Deeds	34,446.68
Lutheran Social Services	April Transition Cntr & Assessor position	30,695.00
Vermeer Wisconsin Inc	Brush Chipper - Highway	29,499.00
Elan Financial	Procurement card purchases	29,439.29
Xcel Energy	Courthouse gas & electric	28,393.24
Sacred Heart Hospital	Nutrition program (March)	26,071.75
Fuel Service DJ's Mart LLC	Fuel - Highway	25,374.00
Ewald's	(1) Dodge Ram 2500 Truck - Highway	24,575.50
US Postal Service+C63	Replenish postage	20,000.00
Mega Foods	Nutrition program March & April meals	18,628.50
MSA Professional Services Inc	Redesign reconstruction for Co Rd F - Highway	17,046.57
Minnesota Life Insurance Co	Life Insurance (June)	13,495.38
Village of Fairchild Treasurer	Buy Back 2010 Special Assessments	12,745.26
Team Laboratory Chemical Corp	Road stabilizer - Highway	11,137.50
Try Inc	May payment	10,801.58
CESA	BTOP Grant - Airport	<u>10,000.00</u>
	Sub total	\$4,100,598.04

Lutheran Social Services	DHS Contracted	\$ 121,161.66
Western Dairyland Economic	DHS Contracted	60,311.16
Trempealeau County	DHS Contracted	53,515.89
Northwest Passage LTD	DHS Contracted	32,650.00
New Visions Treatment Homes of WI	DHS Contracted	27,972.30
Brotoloc Inc	DHS Contracted	27,533.28
Children's Service Society of WI	DHS Contracted	27,117.72
Career Development Center	DHS Contracted	25,893.67
Clinicare Corp	DHS Contracted	25,591.59
Lutheran Social Services	DHS Contracted	24,750.00
New Visions Treatment Homes of WI	DHS Contracted	23,737.77
REACH Inc	DHS Contracted	23,603.72
Triniteam	DHS Contracted	21,283.50
OMNE Clinic	DHS Contracted	20,572.93
Wisconsin Early Autism Project	DHS Contracted	19,271.90
Wisconsin Early Autism Project	DHS Contracted	18,825.66

Abby Vans Inc	DHS Contracted	18,404.86
Northwest Counseling & Guidance	DHS Contracted	18,059.21
Heyde Health Care System Inc	DHS Contracted	16,586.52
ANU Family Services Inc	DHS Contracted	16,138.30
Prentice House II Group Home	DHS Contracted	15,036.00
New Hope Inc	DHS Contracted	14,756.00
Midelfort Clinic	DHS Contracted	13,298.00
Luther Hospital	DHS Contracted	13,168.00
New Hope Hallie Inc	DHS Contracted	13,020.00
United Cerebral Palsy	DHS Contracted	12,430.92
REM Wisconsin III Inc	DHS Contracted	12,267.60
United Cerebral Palsy	DHS Contracted	10,421.85
Educational Solutions Inc	DHS Contracted	10,132.61
	Sub total	<u>\$737,512.62</u>
	Grand Total	\$4,838,110.66

ADOPTED: June 21, 2011

Enrolled No. R155-020

RESOLUTION

File No. 11-12/030

-LOADED GUNS IN PUBLIC LEGISLATION; OPPOSING CONCEALED CARRY LEGISLATION OR REQUIRING ANY SUCH LEGISLATION TO SAFEGUARD THE PUBLIC-

WHEREAS, it appears legislators with support of the gun lobby are trying to quickly pass legislation to allow concealed weapons in most all public places in Wisconsin with minimal or no restrictions; and

WHEREAS, the Wisconsin State Supreme Court has ruled that prohibiting concealed weapons is a valid restriction affirming the state law in place since 1874, which prohibits carrying hidden loaded handguns and which the court has said serves many valuable purposes in promoting public safety; and

WHEREAS, Wisconsin has a lower firearm death rate than Texas and Florida; both of which allow people to carry concealed weapons in public; and

WHEREAS, allowing concealed weapons may hinder the ability of law enforcement to effectively protect themselves and the people they serve in Eau Claire County; and

WHEREAS, a recent study published in the American Journal of Public Health showed that the risk of an employee being murdered in a workplace that allowed guns was nearly seven times greater than a workplace that prohibited weapons; and

WHEREAS, politicians who don't want guns in the capitol should offer the same protection to all citizens in public buildings such as businesses, child care centers, churches, shelters, county human services departments, nonprofit organizations, hospitals, outpatient mental health clinics, banks, parks, public and private universities; and

WHEREAS, with one party controlling the legislature and governor's office, it appears a concealed weapons bill will easily pass.

NOW, THEREFORE, BE IT RESOLVED, by the Eau Claire County Board of Supervisors that we as local elected officials need to do everything we can to keep guns out of public places and oppose conceal and carry legislation.



BE IT FURTHER RESOLVED by the Eau Claire County Board of Supervisors that any concealed carry bill should include training requirements equal to the standards for law enforcement, a permitting process with background checks and registration, the Department of Justice having authority as a “may issue” rather than “shall issue”, an “opt-in” requirement in which gun owners would not be allowed into a business/public place unless those businesses/public places gave permission, stiff penalties for anyone who violates the regulations and the cost associated with this legislation should be fully paid for by user fees and not subsidized by other taxpayers.

BE IT FURTHER RESOLVED that the county clerk is directed to send a copy of this resolution to the governor of the State of Wisconsin, state senators and assembly members representing Eau Claire County, majority and minority leaders in the senate and assembly, the Wisconsin Counties Association, the committee on criminal justice and corrections, Representative Mursau and Senator Galloway.

ADOPTED: June 21, 2011

Enrolled No. R155-021

RESOLUTION

File No. 11-12/024

-REQUESTING RESOLUTIONS TO BE CONSIDERED AT THE 2011 WISCONSIN COUNTIES ASSOCIATION CONVENTION-

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

WHEREAS, the deadline for submitting resolutions to be considered at the 2010 WCA Convention is June 27, 2011; and

WHEREAS, the following resolutions adopted since June 2010 are appropriate to be forwarded for consideration at the 2011 WCA Convention.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors recommends that the following resolutions be sent to WCA for consideration at the 2011 WCA Convention.

1. Resolution File No. 10-11/137 – RESOLUTION OPPOSING THE CENTRALIZATION OF INCOME MAINTENANCE PROGRAMS AS PROPOSED IN THE GOVERNOR’S BIENNIUM BUDGET THAT COULD BE HARMFUL TO THE HEALTH AND WELL BEING OF LOW INCOME CITIZENS (April 6, 2011, Agenda pp. 12-15)

2. Resolution File No. 10-11/138 – RESOLUTION SUPPORTING THE WORK OF WESTERN DAIRYLAND AND CONTINUING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING AT 2008 LEVELS (April 6, 2011, Agenda pp. 16-18)

BE IT FURTHER RESOLVED that the county clerk, before June 27, 2011, send certified copies of this resolution and the above-named resolutions to the WCA Resolutions Committee with a cover letter to Mark D. O’Connell, WCA Executive Director, requesting that the above resolutions be considered at the 2011 WCA Convention.

ADOPTED: June 21, 2011

Enrolled No. R155-022

RESOLUTION

File No. 11-12/036

-CONFIRMING THE APPOINTMENTS BY CHAIR GREGG MOORE OF DEBI LEVIN- STANKEVICH TO THE AGING & DISABILITY RESOURCE CENTER BOARD AND MARY KAISER, LARRY LOKKEN, MARION GRILL, PETER STRAND, MATT JANIAC, PAUL CANFIELD, SUPERVISOR GORDON STEINHAUER AND PAM MCINNIS TO THE LAND INFORMATION COUNCIL-

RESOLVED by the Eau Claire County Board of Supervisors that the following appointments are hereby confirmed for the terms hereinafter indicated:

AGING & DISABILITY RESOURCE CENTER BOARD  
Debi Levin-Stankevich to succeed herself

TERM EXPIRES  
April 2014

LAND INFORMATION COUNCIL

TERM EXPIRES

Mary Kaiser, Register of Deeds, or designee	April 2012
Larry Lokken, County Treasurer, or designee	April 2012
Marion Grill, Real Property Lister	April 2012
Peter Strand, Land Information office representative	April 2012
Matt Janiak, County Surveyor	April 2012
Paul Canfield, member of the Realtor Association	April 2012
Supervisor Gordon Steinhauer, Committee on Planning and Development	April 2012
Pam McInnis, Emergency Communications representative	April 2012

ADOPTED: June 21, 2011

Enrolled No. R155-023

RESOLUTION

File No. 11-12/039

-AWARDING REROOFING OF THE COURTHOUSE 88 ADDITION AT 721 OXFORD AVENUE, EAU CLAIRE TO TURAUSKI & SONS INC. D/B/A NORTHWEST ROOFING COMPANY FOR \$100,000; HIGHWAY ALTOONA SHOP AT 2000 SPOONER AVENUE, ALTOONA TO RTS ROOFING INC. FOR \$68,792; HIGHWAY FOSTER SHOP AT S12801 WREN DRIVE, OSSEO TO MAUER ROOFING INC. FOR \$30,100-

WHEREAS, in accordance with Chapter 2.70, bids were solicited for reroofing of the courthouse 88 addition at 721 Oxford Avenue, Altoona Highway Shop at 2000 Spooner Avenue and Foster Highway Shop at S12801 Wren Drive; and

WHEREAS, the attachment represents the results of said solicitation; and

WHEREAS, the committee has concurred with the recommendation of the purchasing director to award said bids to Turauski & Sons Inc. d/b/a Northwest Roofing Inc. for \$100,000, RTS Roofing Inc. for \$68,792 and Mauer Roofing Inc. for \$30,100.

NOW, THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby awards the bid for reroofing of the courthouse 88 addition, 721 Oxford Avenue to Turauski & Sons Inc. d/b/a Northwest Roofing Inc. for \$100,000, Altoona Highway Shop at 2000 Spooner Avenue to RTS Roofing Inc. for \$68,792 and the Foster Highway Shop at S12801 Wren Drive to Mauer Roofing Inc. for \$30,100.

ADOPTED: June 21, 2011

Enrolled No. R155-024

RESOLUTION

File No. 11-12/040

-APPROVING SUBMITTAL OF A CERTIFIED SURVEY MAP FOR THE COUNTY GOVERNMENT CENTER PROPERTY TO THE CITY OF EAU CLAIRE FOR REVIEW-

WHEREAS, the City of Eau Claire requires a certified survey map (CSM) for the county government center property as a single lot for both the new and existing buildings since a building cannot be located on multiple lots in the city and to create right-of-way for the relocated Second Avenue and related street parcels; and

WHEREAS, as part of this CSM process, Eau Claire County is required to dedicate to the city public right-of-way which the city will be responsible for maintaining; and

WHEREAS, in addition to the CSM, a cross access agreement will also need to be included with the CSM when it is submitted to the City of Eau Claire.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that it approves the attached certified survey map for the county government center property to be submitted to the City of Eau Claire for review.

BE IT FURTHER RESOLVED that the county administrator be authorized to execute any documents needed to finalize the CSM including, but not limited to, a cross access agreement.

ADOPTED: June 21, 2011

-APPROVING AN INTERAGENCY AGREEMENT AND AN APPROPRIATION OF BUDGETED FUNDS FOR THE ACQUISITION AND IMPLEMENTATION OF THE REPLACEMENT IBM iSERIES SERVER SYSTEM-

WHEREAS, the joint IBM iSeries System Intergovernmental Cooperative Agreement would be among Eau Claire County, City of Eau Claire, L.E. Phillips Memorial Public Library and Chippewa County for the purpose of purchasing and maintaining a shared IBM iSeries system; and

WHEREAS, the agreement would allow the participating organizations to acquire a robust and redundant system that supports multiple large software systems; and

WHEREAS, the County of Eau Claire will realize savings in the purchase of the initial hardware and software, installation, training, future maintenance costs and future technical support and training costs.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby authorizes the county administrator to enter into the joint IBM iSeries System Intergovernmental Cooperative Agreement.

ADOPTED: June 21, 2011

-APPROVING THE CHIPPEWA VALLEY INTERNETWORKING CONSORTIUM (CINC) AGREEMENT-

WHEREAS, the Chippewa Valley Internetworking Consortium (CINC) began as an informal regional community area network work group in 1999 and today CINC has 18 members represented by their chief information officers and 72 miles of fiber with 150 connections; and

WHEREAS, in order to meet the challenges of the future, it is proposed that CINC be organized under Chapter 184 of the Wisconsin Statutes, the Uniform Unincorporated Nonprofit Association Act; and

WHEREAS, CINC will operate under a set of bylaws and governing board and will be managed by an executive committee; and

WHEREAS, the CINC network provided high speed network access to county staff at the job center, enabled the HTE law enforcement application to be shared between the City and County of Eau Claire and will allow for remote high speed connection to the airport and other county locations.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors approves the CINC Agreement.

BE IT FURTHER RESOLVED that the Eau Claire County Information Systems Director is appointed as the county representative on the CINC executive committee.

BE IT FURTHER RESOLVED that the county administrator is authorized to sign the CINC Agreement and any other documents necessary to implement it.

ADOPTED: June 21, 2011

-AWARDING THE BID FOR THE HUMAN SERVICES COMPUTER INFORMATION SYSTEM TO NETSMART TECHNOLOGIES INC. FOR THE AVATAR APPLICATION AT A COST NOT TO EXCEED \$500,000-

WHEREAS, in 2005 an RFP (request for proposal) was issued to replace the department of human services Genisys application which is no longer being supported; and

WHEREAS, Avatar by Netsmart Technologies best meets the need of the human services department; and

WHEREAS, \$500,000 is budgeted in the 2011 capital budget for this project.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that the RFP for the human services department information system be awarded to Netsmart Technologies Inc. for its Avatar application at a cost not to exceed \$500,000.

BE IT FURTHER RESOLVED that the county administrator is authorized to execute any documents necessary to implement the Avatar application in the department of human services.

ADOPTED: June 21, 2011

Enrolled No. R155-028

RESOLUTION

File No. 11-12/038

-AUTHORIZING AN AMENDMENT TO THE 2005 SEVEN MILE CREEK LANDFILL EXPANSION FINAL NEGOTIATED AGREEMENT TO INCORPORATE THE "FEASIBILITY MODIFICATION" SUBMITTED TO THE WISCONSIN DNR BY VEOLIA-

WHEREAS, Veolia Environmental Services has requested an amendment to the 2005 Seven Mile Creek Landfill Expansion final negotiated agreement, which would result in the boundary of the landfill moving to the south, but within the existing landfill site, and in a directional change and connection of leachate lines between the existing and expansion sectors of the landfill; and

WHEREAS, this feasibility modification is possible due to a change in DNR regulations regarding maximum leachate collection line length; and

WHEREAS, this feasibility modification will require buried waste to be unburied and moved, but will not increase the capacity, the footprint or the maximum height of the landfill; and

WHEREAS, the Veolia Seven Mile Creek Landfill Standing Committee consisting of representatives from the Town of Seymour, City of Eau Claire and Eau Claire County on April 28, 2011 unanimously recommended approval of the feasibility modification as shown on the attached drawing; and

WHEREAS, the Seymour Town Board approved the amendment on June 7, 2011 and the Eau Claire City Council approved the amendment on June 14, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors to approve an amendment to the 2005 Seven Mile Creek Landfill Expansion final negotiated agreement authorizing the feasibility modification as described in this resolution and authorizing amendment of Exhibit B of the agreement as shown on the attached drawing.

BE IT FURTHER RESOLVED that the county board chair is authorized to execute an amendment to the agreement and any documents necessary to effectuate the amendment.

ADOPTED: June 21, 2011

Enrolled No. R155-029

RESOLUTION

File No. 11-12/032

-APPROVING AN INTERGOVERNMENTAL COOPERATIVE AGREEMENT CREATING THE WOODLAND ENHANCED HEALTH SERVICES COMMISSION, PAYMENT OF \$5,000 FOR THE INITIAL MEMBERSHIP FEE FOR MEMBERSHIP ON THE COMMISSION; DIRECTING THE COUNTY BOARD CHAIR TO APPOINT A SUPERVISOR AS COUNTY REPRESENTATIVE; AUTHORIZING THE COUNTY ADMINISTRATOR TO TAKE ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION-

WHEREAS, Clark County currently owns and operates a facility known as Clark County Health Care Center ("CCHCC"), which, among other things, contains a skilled nursing facility and facility for the developmentally disabled; and

WHEREAS, Eau Claire County currently authorizes placement of Eau Claire County residents in CCHCC for purposes of receiving services under a protective placement order, guardianship and/or private placement; and

WHEREAS, Eau Claire County anticipates a need to place Eau Claire County residents in CCHCC for the foreseeable future; and

WHEREAS, Clark County currently provides funding necessary to operate CCHCC at a rate that exceeds the Medicaid reimbursement rate, thus creating a situation where Clark County is contributing Clark County tax levy funds for the care of Eau Claire County (and other county) residents; and

WHEREAS, Clark County has expressed concerns regarding the continued financial viability of CCHCC given Clark County's increasing tax levy commitment to CCHCC's operations; and

WHEREAS, it is in Eau Claire County's best interests to ensure the continued financial viability of CCHCC as an appropriate placement alternative given the high costs associated with a potential placement at other facilities including the state centers; and

WHEREAS, Clark County and other counties have studied the possibility of creating an intergovernmental commission pursuant to Wis. Stat. § 66.0301(3) to be known as Woodland Enhanced Health Services Commission (hereinafter referred to as the "Commission"); and

WHEREAS, the creation of the Commission would allow CCHCC to continue its operations with funding provided from all of the counties that are members of the Commission; and

WHEREAS, the legal authority and goals of the Commission are set forth in a draft Intergovernmental Cooperation Agreement, a copy of which is attached hereto; and

WHEREAS, in accordance with the provisions of the Intergovernmental Cooperation Agreement, Clark County shall contract with the Commission for the purposes of (1) leasing a portion of CCHCC to the Commission and, (2) providing for the administration, maintenance and operation of the leased portion of CCHCC; and

WHEREAS, the goals of the Commission as set forth in the Intergovernmental Cooperation Agreement are in accordance with the philosophy and public policy objectives of Eau Claire County; and

WHEREAS, Wis. Stat. § 66.0301 and the Intergovernmental Cooperation Agreement require each participating county to execute the Intergovernmental Cooperation Agreement before the Intergovernmental Cooperation Agreement is effective and binding; and

WHEREAS, it is the intent of this resolution to authorize Eau Claire County to create and become a member of the Commission and authorize a board supervisor appointed in accordance with Eau Claire County rules and procedures to finalize and execute an Intergovernmental Cooperation Agreement that is substantially similar to the draft Intergovernmental Cooperation Agreement attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby approves the draft Intergovernmental Cooperation Agreement, a copy of which is attached hereto, and authorizes and directs an authorized representative of Eau Claire County to sign such document after receipt of preliminary approval from the other participating counties, approval from the board supervisor appointed as the Eau Claire County representative on the Commission and approval of the Eau Claire County Corporation Counsel.

BE IT FURTHER RESOLVED that the chair of the Eau Claire County Board of Supervisors is hereby directed to appoint a board supervisor to act as Eau Claire County's representative on the Commission and the county administrator is directed to take all action necessary to effectuate the intent of this resolution.

BE IT FURTHER RESOLVED that, once the Intergovernmental Cooperation Agreement has been executed, Eau Claire County is authorized to expend funds related to the placement of persons in CCHCC and otherwise comply with the terms and conditions of the Intergovernmental Cooperation Agreement.

BE IT FURTHER RESOLVED that the initial membership fee of \$5,000 shall be paid to the Commission from the department of human services mental health budget.

ADOPTED: June 21, 2011

-RECOGNIZING AND SUPPORTING THE CHIPPEWA VALLEY CHILD ADVOCACY CENTER-

WHEREAS, the Chippewa Valley Child Advocacy Center (CVCAC) has been created as a joint venture among multiple social welfare agencies and health care providers for the purpose of providing an enhanced resource for the evaluation and investigation of child sexual abuse, physical abuse and neglect; and

WHEREAS, the CVCAC brings together a multi-disciplinary team for the purpose of pooling information, comparing notes, and discussing follow up investigation and child protection needs; and

WHEREAS, the multi-disciplinary team is comprised of representatives of the following agencies and disciplines: Eau Claire County Department of Human Services, Eau Claire County District Attorney's Office, Eau Claire County Corporation Counsel's Office, Eau Claire County Law Enforcement, Sacred Heart Hospital SANE program, Family Support Center-Sexual Assault Victim Services, victim advocates, health care providers, mental health providers, school personnel and Chippewa County Department of Human Services and law enforcement agencies involved in joint investigations with Eau Claire County; and

WHEREAS, the CVCAC employs staff for the purposes of providing evaluations, interviews, referrals and support services, as well as technical and clerical support for the purposes of tracking case results and managing information obtained; and

WHEREAS, the Eau Claire County Department of Human Services has a statutory duty to investigate reports of child abuse and neglect; and

WHEREAS, § 48.981 (7)(a) 6 and § 48.981(7) (a) 6m, Wis. Statutes create an exception to the rules of confidentiality applicable to reports and records generated by the county department in the course of its investigations so that said information may be shared with a multi-disciplinary team and staff of a child advocacy center, if said team and child advocacy center are recognized by the county department and the county board of supervisors; and

WHEREAS, the Eau Claire County Department of Human Services has worked for the development of the CVCAC and approves and supports its mission.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors does hereby ordain and resolve as follows: The Chippewa County Child Advocacy Center, which serves as a multi-disciplinary team and employs staff for the purpose of facilitating and enhancing cooperation and assessing child abuse and neglect cases, is hereby recognized, supported and approved by both the Eau Claire County Department of Human Services and the Eau Claire County Board of Supervisors for the purposes of meeting the requirements of statutes cited above for the release of records and reports by the Eau Claire County Department of Human Services.

BE IT FURTHER RESOLVED that all appropriate county officials are hereby authorized to execute all documents necessary and approved by the office of corporation counsel to implement this resolution.

ADOPTED: June 21, 2011

-TO REAPPLY FOR A "CLASS B" INTOXICATING LIQUOR LICENSE FOR USE BY THE RESTAURANT AND LOUNGE, CHIPPEWA VALLEY REGIONAL AIRPORT, UNDER SECTION 125.51(5)(b) 2., WIS. STATS-

WHEREAS, Eau Claire County is leasing its airport terminal restaurant and lounge to Lynn A. McDonough d/b/a Connell's II At The Airport; and

WHEREAS, Section 125.51(5)(b) 2., Wis. Stats., allows that counties which own an airport in actual operation may, by resolution of the board of supervisors, apply annually for a "Class B" Intoxicating Liquor License for use on the airport premises, which application shall be on behalf of the county's concessionaire; and

WHEREAS, the applications are to be made to the State of Wisconsin as to the "Class B" Intoxicating Liquor License and to the City of Eau Claire as to the "Class B" Fermented Malt Beverages License; and

WHEREAS, Lynn A. McDonough d/b/a Connell's II At The Airport constitutes the concessionaire for purposes of the application by Eau Claire County for the said licenses; and

WHEREAS, licenses for the year commencing with July 1, 2011, should be procured for the purpose of facilitating operation of the airport restaurant and lounge.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that, pursuant to Section 125.51(5)(b) 2., Wis. Stats., Connell's II is hereby directed to make an application to the City of Eau Claire for a "Class B" Fermented Malt Beverages License and to the State of Wisconsin for a "Class B" Intoxicating Liquor License for use at the Chippewa Valley Regional Airport by the county concessionaire, Lynn A. McDonough d/b/a Connell's II At The Airport, commencing with July 1, 2011.

ADOPTED: June 21, 2011

Enrolled No. R155-032

RESOLUTION

File No. 11-12/045

-CONFIRMING THE APPOINTMENT BY CHAIR GREGG MOORE OF SUPERVISOR CHRIS FLATEN TO THE CHIPPEWA VALLEY BUSINESS INNOVATION CENTER-

RESOLVED by the Eau Claire County Board of Supervisors that the following appointment is hereby confirmed for the term hereinafter indicated:

CHIPPEWA VALLEY BUSINESS INNOVATION CENTER  
Supervisor Chris Flaten to succeed Supervisor Jean Schlieve

TERM EXPIRES  
April 2012

ADOPTED: June 21, 2011

Enrolled No. R155-033

RESOLUTION

File No. 11-12/050

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF JUNE 2011-

RESOLVED by the Eau Claire County Board of Supervisors that the following accounts are allowed and the County Clerk and County Treasurer are authorized to issue County order checks to the vendors hereinafter and for the amounts set forth thereafter.

<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
Market Materials LLC	Building project	\$ 1,292,426.27
Market & Johnson	Building project	1,142,066.00
WCA Group Health Trust	Health & Dental Ins (July)	687,461.04
Market & Johnson	Building project	518,046.00
State of Wisconsin Treasurer	Courts fines, fees and surcharges (May)	222,988.17
City of Eau Claire Treasurer	Communications Center payment (June)	107,143.00
Altoona Public Library	1st half library levy pmt	87,553.52
Eau Claire City County Health Dept	June payment	86,825.00
State of WI Local Gov Property Ins	Annual property insurance renewal	71,912.00
Venture Architects	Building project	64,708.00
State of Wisconsin DNR	Forest property tax (2010)	48,480.36
Veolia Environmental Services	Recycling	44,591.04

The Kraemer Co LLC	Base Course - Highway	42,971.85
Health Professionals LTD	Jail - Medical June	41,617.77
Aramark Services Inc	Food Services - Jail (April & May)	38,689.94
Bobcat Plus Inc	Loader - Highway	36,755.00
Venture Architects	Building project	34,854.00
County of Chippewa	Prisoner Housing - April	31,322.00
Lutheran Social Services	Assessor & Community Trans Center payments	30,840.00
Fuel Service DJ's Mart	Fuel - Highway	29,423.50
Elan Financial	Procurement card purchases	28,240.19
AUL Health Benefit Trust	Retirement - Parks & Forest	27,507.54
Fuel Service DJ's Mart	Diesel - Highway	26,465.03
Sacred Heart Hospital	Nutrition program (April)	24,710.75
Xcel Energy	Courthouse gas & electric	24,509.13
Sacred Heart Hospital	Nutrition program (May)	23,569.75
Allied Municipal Supply LLC	Signs - Highway	22,916.00
County Materials Corp	Culvert pipe - Highway	21,073.72
Ewald's	2011 Dodge Nitro - Sheriff Dept	18,104.00
Baker Tilly Virchow Krause LLP	Auditing expense	17,948.00
City of Eau Claire Treasurer	Specialized trans - May - ADRC	17,817.31
AUL Health Benefit Trust	Retirement - ADRC	16,855.20
Augusta Memorial Public Library	1st half library levy pmt	15,491.59
AUL Health Benefit Trust	Retirement - Maintenance	14,464.80
AUL Health Benefit Trust	Retirement - DHS	14,464.80
Minnesota Life Insurance Co	Life Insurance (July)	14,255.38
Luther Hospital	Workers Comp	11,916.89
Johnson Controls	HVAC partial pmt - Maintenance	10,949.50
Try Inc	June payment	10,801.58
	Sub total	<u>\$5,022,735.62</u>
Lutheran Social Services	DHS Contracted	144,470.87
Northwest Passage LTD	DHS Contracted	55,830.00
Trempealeau County	DHS Contracted	50,068.01
Clinicare Corp	DHS Contracted	31,702.74
New Visions Treatment Homes	DHS Contracted	31,449.68
Brotoloc Inc	DHS Contracted	28,841.64
Career Development Center	DHS Contracted	26,701.67
REACH Inc	DHS Contracted	23,806.57
OMNE Clinic	DHS Contracted	22,248.33
Triniteam	DHS Contracted	21,745.50
Children's Service Society	DHS Contracted	19,513.32



Wisconsin Early Autism Project Inc	DHS Contracted	18,973.78
L E Phillips Treatment Center	DHS Contracted	18,815.45
Heyde Health Care System	DHS Contracted	18,310.46
Northwest Counseling & Guidance Clinic	DHS Contracted	16,403.32
ANU Family Services Inc	DHS Contracted	15,602.85
County of Dane	DHS Contracted	14,339.33
New Hope Hallie Inc	DHS Contracted	14,136.00
United Cerebral Palsy	DHS Contracted	13,137.39
United Cerebral Palsy	DHS Contracted	12,731.81
REM Wisconsin III	DHS Contracted	12,260.11
Lutheran Social Services	DHS Contracted	12,240.00
Reliant Rehab Service & Supply	DHS Contracted	12,201.00
New Hope Inc	DHS Contracted	11,532.00
Prentice House II Group Home	DHS Contracted	10,740.00
Oconomowoc Development Training	DHS Contracted	10,106.00
Lifestyles Adult Family Homes Inc	DHS Contracted	<u>10,075.00</u>
	Sub total	\$677,982.83
	Grand Total	\$5,700,718.45

ADOPTED: July 19, 2011

Enrolled No. R155-034

RESOLUTION

File No. 11-12/049

-AWARDING THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) PROGRAM FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR HVAC (HEATING, VENTILATING AND AIR CONDITIONING) RETROFIT FOR THE COUNTY COURTHOUSE LOCATED AT 721 OXFORD AVENUE, EAU CLAIRE AND THE AGRICULTURE AND RESOURCE CENTER LOCATED AT 227 FIRST STREET WEST, ALTOONA TO BARTINGALE MECHANICAL FOR \$30,693-

WHEREAS, in accordance with Chapter 2.70, bids were solicited for the HVAC retrofit; and

WHEREAS, the attachment represents the results of said solicitation; and

WHEREAS, the committee has concurred with the recommendation of the purchasing director to award said bid to Bartingale Mechanical for \$30,693.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby awards the bid for the HVAC retrofit located at 721 Oxford Avenue, Eau Claire and 227 First Street West, Altoona to Bartingale Mechanical for \$30,693 funded by the Energy Efficiency and Conservation Block Grant (EECBG) from the American Recovery and Reinvestment Act of 2009.

ADOPTED: July 19, 2011

Enrolled No. R155-035

RESOLUTION

File No. 11-12/051

-CONFIRMING THE APPOINTMENT BY CHAIR GREGG MOORE OF SUPERVISOR RAY HENNING TO THE LAND CONSERVATION COMMISSION-

RESOLVED by the Eau Claire County Board of Supervisors that the following appointment is hereby confirmed for the term hereinafter indicated:

LAND CONSERVATION COMMISSION

Supervisor Ray Henning to succeed Supervisor Roger Hahn

TERM EXPIRES

April 2012

ADOPTED: July 19, 2011

Enrolled No. R155-036

RESOLUTION

File No. 11-12/041

-AWARDING A BID FOR THE SALE OF TAX DEED PROPERTY AT 318 NORTH DEWEY STREET IN THE CITY OF EAU CLAIRE; 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-

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

WHEREAS, on June 20, 2011, a bid was received on said described parcel.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors award the bid for the sale of tax deed property as follows:

-----  
318 North Dewey Street, City of Eau Claire

PURCHASER

Everett E. Blakeley Jr. and Marty Fisher-Blakeley  
Husband and Wife as joint tenants

MINIMUM BID

\$ 7,500.00

BID AMOUNT

\$7,500.00

Computer #221-08-0102

PIN # 18221-2-270917-001-2052

Lot 14, Block 18, Huysen-Marfield-Galloway Meredith's Addition to the City of Eau Claire,  
Eau Claire County, Wisconsin  
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BE IT FURTHER RESOLVED that the county clerk is hereby directed to execute said quit claim deed on behalf of Eau Claire County.

ADOPTED: July 19, 2011

Enrolled No. R155-037

RESOLUTION

File No. 11-12/059

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF JULY 2011-

RESOLVED by the Eau Claire County Board of Supervisors that the following accounts are allowed and the County Clerk and County Treasurer are authorized to issue County order checks to the vendors hereinafter and for the amounts set forth thereafter.

VENDOR

Market & Johnson

PAYMENT FOR:

Building Project

AMOUNT

\$ 1,417,163.00

Market Materials	Building Project	1,082,070.77
WCA Group Health Trust	Health & Dental Ins (August)	689,649.80
Market & Johnson	Building Project	327,013.00
State of Wisconsin Treasurer	Courts fines, fees and surcharges (June)	223,392.56
Cooperative Educational Service Agency	BTOP Grant E.C. County match (2010/2011)	200,000.00
Monarch Paving Co	Hot mix - Highway	129,688.80
City of Eau Claire Treasurer	Communications Center payment (July)	107,143.00
Eau Claire City County Health Dept	July Payment	86,825.00
Monarch Paving CO	Hot Mix - Highway	81,014.22
Waste Management	Recycling (Apr-May-Jun)	80,061.12
Bartingale Mechanical Inc	HVAC Retrofit Project	68,844.00
Fuel Service DJ's Mart LLC	Diesel - Highway	53,688.00
Haas Sons Inc	Base Course - Highway	45,219.68
Veolia Environmental Services	Recycling	44,778.24
Associated Snowmobile Clubs	Snowmobile trail grant (2010-2011 Season)	44,655.00
Heartland Label printers Inc	Wireless expansion	40,226.70
County of Chippewa	Prisoner Housing - May	36,960.00
Eaton Corporation	Uninterruptible Power Supply for Computer Rm.	34,300.00
Health Professionals LTD	Medical - Jail (August)	33,246.38
Health Professionals LTD	Medical - Jail (September)	33,222.38
Lutheran Social Services Inc	Assessor & Community Trans Center payments	30,802.00
Venture Architects	Building Project	29,854.00
Ewald	2011 Chevy Tahoe - Highway	28,832.00
Beaver Creek Reserve	2011 Payment (Jan - Jun Net)	28,061.35
Fuel Service DJ's Mart LLC	Gasoline - Highway	27,774.56
Xcel energy	Courthouse gas & electric	26,661.80
Fuel Service DJ's Mart LLC	Diesel fuel - Highway	26,248.44
Aramark Services Inc	Food Services - Jail (June)	24,902.75
State of Wisconsin Treasurer	Probate and vital records - 2nd qtr	24,712.06
Eau Claire Area Economic Develop	3rd Qtr payment	22,000.00
Scott Construction Inc	Base Course - Highway	21,303.31
Cemstone Ready Mix Inc	Culvert Lubricant - Highway	21,281.00
Elan Financial	Procurement card purchases	20,887.97
U S Postal Service	Postage	20,000.00
City of Eau Claire Treasurer	June Specialized Transportation - ADRC	18,967.22
Aramark Services Inc	Food Services - Jail (July)	18,360.33
MSA Professional Services Inc	Engineering Services CTH 4 & II - Highway	17,236.60
Kent Walbeck	Financial Assurance Refund - LCD	16,488.75
Minnesota Life Insurance Co	Life Insurance (August)	13,265.97
Winter Equipment Company Inc	Curb guards for blades - Highway	12,453.52

AUL Health Benefit Trust	Retirement - Maintenance	12,340.80
Novell	Annual software maintenance - Groupwise	11,832.48
City of Eau Claire Treasurer	Water/Sewer - Airport	11,696.35
Office Depot	Office Supplies (June)	11,112.64
Try Inc	July payment	10,801.58
The Kraemer Co LLC	Base Course - Highway	10,661.12
AUL Health Benefit Trust	Retirement - Children's Division	<u>10,655.94</u>
	Sub total	\$5,388,356.19

State of Wisconsin	BCA Payment	\$ 354,753.75
Lutheran Social Services	DHS Contracted	146,679.58
Trempealeau County	DHS Contracted	55,627.31
Northwest Passage LTD	DHS Contracted	46,475.00
New Visions Treatment Homes of WI	DHS Contracted	38,193.88
Clinicare Corporation	DHS Contracted	30,787.73
Brotoloc Inc	DHS Contracted	29,052.28
Career Development Center	DHS Contracted	28,857.09
REACH Inc	DHS Contracted	25,999.22
OMNE Clinic	DHS Contracted	23,486.93
Triniteam	DHS Contracted	21,534.00
Wisconsin Early Autism Project	DHS Contracted	21,201.28
New Hope Hallie Inc	DHS Contracted	21,080.00
United Cerebral Palsy	DHS Contracted	20,241.27
REACH Inc	DHS Contracted	19,690.86
United Cerebral Palsy	DHS Contracted	18,395.07
Heyde Health Care System	DHS Contracted	17,719.80
Abby Vans Inc	DHS Contracted	15,932.94
Northwest Counseling & Guidance	DHS Contracted	15,865.72
Children's Service Society of WI	DHS Contracted	14,577.82
REM Wisconsin III	DHS Contracted	12,780.58
Midelfort Clinic	DHS Contracted	12,627.00
Abby Vans Inc	DHS Contracted	12,293.11
Prentice House II Group Home	DHS Contracted	10,740.00
ANU Family Services Inc	DHS Contracted	10,678.23
New Hope Inc	DHS Contracted	<u>10,168.00</u>
	Sub total	\$1,035,438.45

Grand Total \$6,423,794.64

ADOPTED: August 16, 2011

Enrolled No. R155-038

RESOLUTION

File No. 11-12/052

-AWARDING REROOFING THE BEAVER CREEK NATURE CENTER AT S1 COUNTY ROAD K, FALL CREEK, TO BJORKSTRAND METAL ROOFING FOR \$34,321-

WHEREAS, in accordance with Chapter 2.70, bids were solicited for reroofing the Beaver Creek Nature Center at S1 County Road K, Fall Creek; and

WHEREAS, the attachment represents the results of said solicitation; and

WHEREAS, the committee has concurred with the recommendation of the purchasing director to award said bid to Bjorkstrand Metal Roofing for \$34,321.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby awards the bid for reroofing the Beaver Creek Nature Center at S1 County Road K, Fall Creek, to Bjorkstrand Metal Roofing for \$34,321.

ADOPTED: August 16, 2011

Enrolled No. R155-039

RESOLUTION

File No. 11-12/063

-CONFIRMING THE APPOINTMENT BY CHAIR GREGG MOORE OF SUPERVISOR JOHN PRINCE TO THE WEST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION-

RESOLVED by the Eau Claire County Board of Supervisors that the following appointment is hereby confirmed for the term hereinafter indicated:

WEST CENTRAL WISCONSIN REGIONAL  
PLANNING COMMISSION  
Supervisor John Prince to succeed Supervisor Roger Hahn

TERM EXPIRES  
April 2012

ADOPTED: August 16, 2011

Enrolled No. R155-040

RESOLUTION

File No. 11-12/058

-CLOSING THE OXFORD AVENUE EAU CLAIRE COUNTY GOVERNMENT CENTER TO THE PUBLIC ON JANUARY 16, 2012, THE OBSERVANCE OF MARTIN LUTHER KING'S BIRTHDAY; SCHEDULING MANDATORY TRAINING FOR COUNTY EMPLOYEES-

WHEREAS, the birthday of Martin Luther King Jr., will be observed on January 16, 2012 by the federal and state governments, resulting in the closing of circuit courts and no mail delivery on such date; and

WHEREAS, January 16, 2012 is a convenient work day to provide a variety of mandated and nonmandated training and other in-service programs to county employees allowing for a completion of numerous in-services done all in a one-day period for county staff, instead of being spread throughout the year resulting in interrupted work schedules; and

WHEREAS, training for sergeants, deputies and correctional officers in the sheriff's department, training for juvenile detention workers in the juvenile detention center, training for the position titles in the highway Appendix A and training for the position titles in the parks and forest Appendix B are specific to such position titles, employees in such titles shall not be required to attend the training on January 16, 2012 except for support staff employees in these departments who shall attend.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that, on January 16, 2012, the Oxford Avenue Eau Claire County Government Center shall be closed to the public, and a variety of mandated and nonmandated training shall be offered to certain county employees.

ADOPTED: August 16, 2011

-APPROVING REIMBURSEMENT OF EMPLOYEE PAID WRS DEDUCTIONS FROM EMPLOYEE PAY CHECKS DATED APRIL 22, MAY 6 AND MAY 20 OVER AND ABOVE ANY AMOUNTS PREVIOUSLY PAID BY EMPLOYEES-

WHEREAS, collective bargaining agreements were negotiated with AFSCME Locals 254 and 2223, Teamsters Local 662, WPPA Civilian and WPPA Supervisory Units and the county code was amended for nonrepresented employees requiring payment of one-half of all actuarially required contributions for general municipal employees effective the first day of the first pay period after March 13, 2011, first deducted from the April 22, 2011 paychecks; and

WHEREAS, at that time the State of Wisconsin budget repair bill contained language that if WRS deductions were not taken effective the first day of the first pay period after March 13, 2011 that those deductions would be taken retroactively before July 1; and

WHEREAS, AFSCME Locals 254 and 2223 filed grievances claiming the WRS should not become effective until the WRS requirement became law; and

WHEREAS, the State of Wisconsin budget bill eliminated the retroactive language; and

WHEREAS, the human resources committee believes a fair resolution is to treat all employees in the same way and that the AFSCME grievances should be settled by reimbursing employees for the employees' share of WRS over and above what had previously been paid by employees, deducted from employee pay checks on April 22, May 6 and May 20, 2011 accordingly; and

WHEREAS, the total amount of the reimbursement for all employees for the three pay periods is approximately \$129,000 and was budgeted for in 2011.

NOW, THEREFORE, BE IT RESOLVED, by the Eau Claire County Board of Supervisors that it approves reimbursement of all employee paid WRS contributions over and above what was previously paid by county employees, for pay checks dated April 22, May 6 and May 20, 2011.

ADOPTED: August 16, 2011

-APPROVING WRS DEDUCTIONS FOR COUNTY CLERK, COUNTY TREASURER, CLERK OF COURT AND REGISTER OF DEEDS AND DISCONTINUING WRS DEDUCTIONS FOR SHERIFF'S DEPARTMENT CAPTAINS AND LIEUTENANTS-

WHEREAS, Wis. Stat. § 40.05(1)(b) has been amended to prohibit an employer from paying, on behalf of a participating employee, any WRS contributions required by par.(a); and

WHEREAS, Wis. Stat. § 40.05(1)(a) requires employees to pay one-half of the actuarially required WRS contributions for local elected officials; this is 6.65% in 2011; and

WHEREAS, Wis. Stat. § 40.05(1)(b) states nonrepresented law enforcement managerial employees, captains and lieutenants in Eau Claire County will contribute the same to WRS as represented law enforcement employees; and

WHEREAS, the nonsupervisory deputy unit has filed for interest arbitration and is not paying any portion of WRS.

NOW, THEREFORE, BE IT RESOLVED, by the Eau Claire County Board of Supervisors that it approves WRS deductions of one-half of the actuarially required contributions, 6.65% in 2011, for the county clerk, county treasurer, clerk of court and register of deeds beginning with the August 26, 2011 paychecks.

BE IT FURTHER RESOLVED that employee WRS contributions for the captains and lieutenants in the sheriff's department be discontinued with the August 26, 2011 paychecks until such time as nonsupervisory unit employees begin making WRS contributions.

ADOPTED: August 16, 2011

-CONFIRMING THE APPOINTMENT BY COUNTY BOARD CHAIR GREGG MOORE OF LEE B. ADAMS TO COUNTY BOARD SUPERVISORY DISTRICT #5 -

RESOLVED by the Eau Claire County Board of Supervisors that the following appointment is hereby confirmed for the term hereinafter indicated:

COUNTY BOARD SUPERVISORY DISTRICT #5  
Lee B. Adams to succeed Supervisor Roger Hahn

TERM EXPIRES  
April 2012

ADOPTED: August 16, 2011

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF AUGUST 2011-

RESOLVED by the Eau Claire County Board of Supervisors that the following accounts are allowed and the county clerk and county treasurer are authorized to issue county order checks to the vendors hereinafter and for the amounts set forth thereafter.

<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
Altoona Public Schools	August Tax Settlement	1,520,376.46
Augusta School District	August Tax Settlement	1,147,853.74
City of Altoona Clerk Treasurer	August Tax Settlement	962,576.64
Fall Creek School District	August Tax Settlement	886,044.41
Market Materials LLC	Building Project	825,708.82
Town of Washington Treasurer	August Tax Settlement	412,119.83
Osseo Fairchild School District	August Tax Settlement	321,573.08
Annuity Investors	2010 HRA Pmts-Unused Health Ins Deductibles	262,971.58
School District of Mondovi	August Tax Settlement	232,007.84
State of Wisconsin Treasurer	Courts fines, fees and surcharges (July)	205,617.04
School District of Eleva Strum	August Tax Settlement	179,217.58
Henry Meigs LLC	Seal coating oil - Highway	172,788.75
City of Augusta Clerk Treasurer	August Tax Settlement	157,729.00
Town of Seymour Treasurer	August Tax Settlement	156,129.75
Town of Union Treasurer	August Tax Settlement	153,522.88
Town of Pleasant Valley Treasurer	August Tax Settlement	144,561.06
Village of Fall Creek Treasurer	August Tax Settlement	137,151.67
Market & Johnson Inc	Building project	117,002.00
City of Eau Claire Treasurer	Communications Center payment (August)	107,143.00
Town of Lincoln Treasurer	August Tax Settlement	106,049.65
Town of Bridge Creek Treasurer	August Tax Settlement	102,598.08
Town of Brunswick Treasurer	August Tax Settlement	92,161.34

Eau Claire City County Health Dept	August payment	86,825.00
Town of Ludington Treasurer	August Tax Settlement	60,682.54
Fuel Service DJ's Mart	Fuel - Highway	53,741.77
Stanley Boyd Area Schools	August Tax Settlement	47,267.75
Veolia Environmental Services	Recycling	44,778.24
Haas Sons Inc	Base Course - Highway	39,195.61
Monarch Paving Co	Hot mix - Highway	37,377.39
Xcel energy	Courthouse gas & electric	36,009.15
Elk Mound Area School District	August Tax Settlement	34,815.78
Town of Fairchild Treasurer	August Tax Settlement	32,027.29
Lutheran Social Services Inc	Assessor & Community Trans Center payments	31,000.00
Venture Architects	Building project	29,854.00
County of Chippewa Falls	Prisoner Housing June 2011	29,190.00
Ewald's	2011 Chev Tahoe - Highway	28,907.00
Town of Clear Creek Treasurer	August Tax Settlement	28,430.37
Town of Drammen Treasurer	August Tax Settlement	27,046.87
Elan Financial	Procurement card purchases	25,902.56
Town of Otter Creek	August Tax Settlement	24,081.03
Sacred Heart Hospital	Nutrition Program - June	23,935.50
Monarch Paving Co	Hot mix - Highway	21,844.85
Straight Line Fence	Wild life damage-fences - LCD	21,690.75
Johnson Controls	HVAC Chiller Rebuild	21,299.83
Ewald's	2011 Dodge Caravan - Sheriff	20,631.00
U S Postal Service	Replenish postage	20,000.00
Village of Fairchild Treasurer	August Tax Settlement	16,890.20
Baker Tilly Virchow Krause LLP	Auditing expense	16,265.00
Cretex Concrete Products Midwest	Culvert material - Highway	14,496.96
Chippewa Falls Area School Dist	August Tax Settlement	14,087.77
AUL Health Benefit Trust	HSA money for retired staff - various depts	13,740.14
Minnesota Life Insurance Co	Life Insurance (September 2011)	13,517.97
Aramark Services Inc	Food Services - Jail	12,615.44
Hudson Electric	Uninterruptible Power Supply replacement - IS	11,400.00
The Kraemer Co LLC	Base course/riprap - Highway	11,224.50
Moody's Investors Service	Bond Sale Services	11,000.00
Try Inc	August payment	10,801.58
Town of Wilson Treasurer	August Tax Settlement	10,561.67
Scott Construction Inc	Road chips - Highway	10,517.98
MSA Professional Services Inc	Professional Serv (Cth F Const) - Highway	10,510.50
	Sub total	<u>\$9,407,068.19</u>



Lutheran Social Services	DHS Contracted	131,718.55
Trempealeau County	DHS Contracted	54,149.47
New Visions Treatment Homes	DHS Contracted	38,385.00
Northwest Passage LTD	DHS Contracted	37,625.00
Clinicare Corp	DHS Contracted	32,837.47
Brotoloc	DHS Contracted	30,035.18
Career Development Center	DHS Contracted	26,465.09
REACH Inc	DHS Contracted	24,209.68
Heyde Health Care System Inc	DHS Contracted	22,938.02
Wisconsin Early Autism Project	DHS Contracted	22,053.78
Triniteam	DHS Contracted	20,973.00
Northwest Counseling & Guidance	DHS Contracted	20,069.43
United Cerebral Palsy	DHS Contracted	20,035.53
OMNE Clinic	DHS Contracted	19,172.23
L E Phillips Treatment Center	DHS Contracted	19,002.45
United Cerebral Palsy	DHS Contracted	16,717.62
Children's Service Society of WI	DHS Contracted	15,233.24
MCHS Eau Claire Hospital	DHS Contracted	11,618.72
Prentice House II Group Home	DHS Contracted	11,098.00
New Hope Hallie Inc	DHS Contracted	10,788.00
ANU Family Services Inc	DHS Contracted	10,678.23
REM Wisconsin III Inc	DHS Contracted	10,666.86
MCHS - Eau Claire Luther Campus	DHS Contracted	10,248.00
Oconomowoc Development Training	DHS Contracted	10,106.00
Lifestyles Adult Family Homes Inc	DHS Contracted	10,075.00
New Hope Inc	DHS Contracted	10,044.00
	Sub total	\$646,943.55
	Grand Total	\$10,054,011.74

ADOPTED: September 20, 2011

Enrolled No. R155-045

RESOLUTION

File No. 11-12/072

-CONFIRMING THE APPOINTMENT BY CHAIR GREGG MOORE OF SUPERVISOR LEE ADAMS TO THE FRIENDS OF BEAVER CREEK RESERVE COMMISSION-

RESOLVED by the Eau Claire County Board of Supervisors that the following appointment is hereby confirmed for the term hereinafter indicated:

FRIENDS OF BEAVER CREEK RESERVE COMMISSION TERM EXPIRES  
Supervisor Lee Adams to succeed Supervisor Roger Hahn April 2012

ADOPTED: September 20, 2011

-AWARDING THE BID FOR CONSERVATION PROJECT FOR THE LAND CONSERVATION DIVISION TO JAENKE CONCRETE & EXCAVATION (CHARLES FREMSTAD BARNYARD RUNOFF) FOR \$101,483.85-

WHEREAS, in accordance with Chapter 2.70, bids were solicited for the purchase of conservation projects for Eau Claire County landowners; and

WHEREAS, the attachment represents the results of said solicitation; and

WHEREAS, the committee has concurred with the recommendation of the purchasing director to award said bid to Jaenke Concrete & Excavation (Charles Fremstad Barnyard Runoff) for \$101,483.85.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby awards the bid for the conservation project for the Eau Claire County Land Conservation Division to Jaenke Concrete & Excavation (Charles Fremstad Barnyard Runoff) for \$101,483.85.

ADOPTED: September 20, 2011

-ENDORING THE AMERICAN BAR ASSOCIATION RESOLUTION PROMOTING CIVIL PUBLIC DISCOURSE-

WHEREAS, public discourse lies at the heart of American democracy and the key elements of civil public discourse include dialogue, respectful communication, and informed public decision-making; and

WHEREAS, in recent years public discourse has become more contentious with distortion coming before honest orderly debate, gamesmanship valued over statesmanship, extremism instead of commonality, and might being mistaken for right, all to the detriment of reaching reasoned long-term solutions to the challenges facing our communities, our state, and our country; and

WHEREAS, words matter, how we treat each other matters, use of destructive discourse has negative consequences for society by fostering polarization instead of community, alienation instead of involvement, and contempt rather than understanding. We best address our worst problems through honest, open, rigorous but respectful debate following a timely yet well-researched review of the issues and broad based input from active informed citizens. To do otherwise reduces the efficiency, effectiveness of and further erodes public faith in our government institutions; and

WHEREAS, the American Bar Association House of Delegates at its 2011 annual meeting adopted a resolution promoting civil public discourse, as show in Attachment 1; and

WHEREAS, the American Bar Association resolution urges all government bodies and officials to strive for a more civil public discourse in the conduct of political activities and in the administration of the affairs of the government; and

WHEREAS, September is Civic Awareness Month.

NOW, THEREFORE, BE IT RESOLVED, by the Eau Claire County Board of Supervisors that the County fully endorses the resolution recently adopted by the American Bar Association House of Delegates, at its 2011 annual meeting, promoting civil public discourse and reaffirming the principle of civility as a foundation for democracy and the rule of law.

BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors will itself as a collective body and as individual members demonstrate respect for opposing views, listen to others with an open mind, seek

opportunities to build community through collaboration and principled compromise, and strive toward a more civil public discourse in the conduct of their official duties and in the administration of the affairs of government.

BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors urges all government officials and employees, political parties, the media, advocacy organizations, and candidates for political office and their supporters to strive for a more civil public discourse in the conduct of political activities and the administration of the affairs of government.

ADOPTED: September 20, 2011

Enrolled No. R155-048

RESOLUTION

File No. 11-12/079

-APPROVING A FINAL SUPERVISORY DISTRICT PLAN; DIRECTING THE DEPARTMENT OF PLANNING AND DEVELOPMENT TO FORWARD THE FINAL PLAN TO EACH MUNICIPAL GOVERNING BODY AND DIRECTING THE COUNTY BOARD CHAIR TO FILE THE PLAN WITH THE SECRETARY OF STATE-

WHEREAS, in accordance with Resolution File No. 11-12/034 the county board adopted a Tentative Supervisory District Plan consisting of 29 supervisory districts; and

WHEREAS, the Tentative Supervisory District Plan was forwarded to each municipal governing body in Eau Claire County and those municipalities divided into two or more supervisory districts by the tentative plan were requested to form wards in compliance with the plan; and

WHEREAS, the committee on administration has reviewed the Tentative Supervisory District Plan for any changes necessitated by municipal ward creation and made adjustments accordingly; and

WHEREAS, the committee on administration has concluded that the Tentative Supervisory District Plan as adjusted should be recommended to the county board for adoption as the Final Supervisory District Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Eau Claire County Board of Supervisors hereby approves the attached Final Supervisory District Plan consisting of 29 supervisory districts.

BE IT FURTHER RESOLVED that the department of planning and development is hereby directed to forward the final plan to each municipal governing body and the county board chair is directed to file a copy of the final plan with the secretary of state.

ADOPTED: September 20, 2011

Enrolled No. R155-049

RESOLUTION

File No. 11-12/075

-AUTHORIZING THE PURCHASE OF ONE (1) TRUCK SCALE (AVERY WEIGH-TRONIX) FOR THE EAU CLAIRE COUNTY HIGHWAY DEPARTMENT TO BSI SCALES INC. OF NEW BERLIN, WISCONSIN FOR \$52,215-

WHEREAS, in accordance with Chapter 2.70, bids were solicited for purchase of one truck scale; and

WHEREAS, the attachment represents the results of said solicitation; and

WHEREAS, the committee has concurred with the recommendation of the purchasing director to award said bids to BSI Scales Inc. of New Berlin, Wisconsin for \$52,215.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby authorizes the purchase of one truck scale for the Eau Claire County Highway Department to BSI Scales Inc. of New Berlin, Wisconsin for \$52,215.

ADOPTED: September 20, 2011

-AWARDING BIDS FOR THE SEPTEMBER 2011 SALE OF TAX DEED PROPERTIES; DIRECTING CORPORATION COUNSEL TO PREPARE QUIT CLAIM DEEDS ON THE DESCRIBED PROPERTY; DIRECTING THE COUNTY CLERK TO EXECUTE SAID QUIT CLAIM DEEDS ON BEHALF OF EAU CLAIRE COUNTY-

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

WHEREAS, on September 8, 2011, the bids were reviewed on said described parcels.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors awards the bids for the sale of tax deed properties as follows:

**SALE PARCEL #6 No address, Town of Bridge Creek**

<u>PURCHASER</u>	<u>MINIMUM BID</u>	<u>BID AMOUNT</u>
David J. & Margaret A. Seufzer Husband and Wife	\$50.00	\$50.00

Computer #002-1163-10-030

PIN # 18002-2-260633-130-0005

The South 5' of the North 330' (20 Rods) of the West 462' (28 Rods) of the SW ¼ of the NE 1/4

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**SALE PARCEL #9 N1366 County Road H, Stanley, WI, Town of Wilson**

<u>PURCHASER</u>	<u>MINIMUM BID</u>	<u>BID AMOUNT</u>
Levi Sprinkle	\$4,000.00	\$7,110.00

Computer #026-1027-01-000

PIN # 18026-2-270511-410-0003

A part of the Northeast Quarter of the Southeast Quarter, Section 11, Township 27 North, Range 5 West, more particularly described as follows: Commencing at a point 600 feet South of the Northeast corner of said forty; thence West to the Western boundary of said forty; thence South 118 feet; thence East to the Eastern boundary of said forty; thence North 118 feet to the place of beginning.

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to execute said quit claim deed on behalf of Eau Claire County.

ADOPTED: September 20, 2011

-RESOLUTION APPROVING STATE OF WISCONSIN GRANT FOR AUTOMATIC VEHICLE LOCATION-GLOBAL POSITIONING SYSTEM (AVL-GPS) EQUIPMENT FOR HIGHWAY DEPARTMENT WINTER ROADWAY MAINTENANCE TRUCKS-

WHEREAS, Eau Claire County has entered into agreement with the State of Wisconsin to perform roadway maintenance work on all state trunk highways (STHs) located within the county; and

WHEREAS, the county is responsible to taxpayers to perform roadway maintenance work in a cost effective and environmentally responsible manner; and

WHEREAS, many agencies throughout the world have achieved great cost savings in anti-/de-icing material usage in conjunction with winter roadway maintenance work by utilizing AVL-GPS systems; and

WHEREAS, the state has agreed to reimburse the county for the purchase and installation of AVL-GPS equipment on all large trucks utilized for winter roadway maintenance work on STHs; and

WHEREAS, the Eau Claire County Highway Committee unanimously concurred with the highway commissioner's recommendation to participate in the grant program on July 14, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that the Eau Claire County Highway Department enter into an agreement with the State of Wisconsin to purchase and install AVL-GPS equipment on all highway department trucks utilized for STH winter roadway maintenance work.

ADOPTED: September 20, 2011

Enrolled No. R155-052

RESOLUTION

File No. 11-12/070

-BORROWING \$88,080 FROM THE EAU CLAIRE COUNTY GENERAL FUND UNDESIGNATED FUND BALANCE TO COVER A SHORTFALL IN GRANT FUNDING FOR THE EAU CLAIRE COUNTY RECYCLING PROGRAM IN 2011 CONTINGENT ON ALL MUNICIPALITIES IN EAU CLAIRE COUNTY EXCEPT THE CITY OF EAU CLAIRE INCREASING SPECIAL CHARGES IN 2012 TO REPAY THE \$88,080-

WHEREAS the Eau Claire County recycling program, clean sweep program, waste medication collection program, and brush disposal program are funded by a combination of state recycling grants, fees collected by refuse haulers in the City of Eau Claire from single family residences and dwelling units in 2-4 unit residential buildings, and special charges in all municipalities other than the City of Eau Claire placed on property tax bills for parcels having single family residences and dwelling units in 2-4 unit residential buildings; and

WHEREAS the amount of grant funding for 2011 awarded by the State of Wisconsin was reduced from \$710,000 to \$459,258 in 2011 creating a shortfall of \$251,542 in funding necessary for these programs in 2011; and

WHEREAS the amount of the shortfall in 2011 attributable to recycling services provided by refuse haulers in the City of Eau Claire is \$175,920, and the amount of the shortfall attributable to recycling services provided by the county in all other municipalities is \$88,080; and

WHEREAS grant funding in 2012 and future years has also been reduced to a projected \$459,258, making it necessary to generate more revenue in 2012 and future years to maintain these programs; and

WHEREAS fees collected by refuse haulers in the City of Eau Claire can be increased in the final quarter of 2011 to cover the shortfall in funding in 2011 and in future years to cover shortfalls in future years; and

WHEREAS special charges cannot be increased in 2011 but can be increased in future years, making it necessary to borrow funds from another source to cover the shortfall in revenue in 2011 attributable to providing recycling services to 1-4 unit residences in all other municipalities except the City of Eau Claire in 2011, and making it necessary to increase special charges in 2012 to pay back borrowed funding for the revenue shortfall in 2011 and the revenue shortfall expected in 2012, and increasing special charges in subsequent years to cover funding shortfalls in subsequent years.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby authorizes borrowing \$88,080 from the General Fund Undesignated Fund Balance to cover the amount of the shortfall in funding that is attributable to recycling services provided by the county to single family residences and dwelling units in 2-4 unit residential buildings in all municipalities in the county except the City of Eau Claire provided the funding is paid back with increased special charges in all municipalities except the City of Eau Claire in 2012.

ADOPTED: October 4, 2011

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF  
SEPTEMBER 2011-

RESOLVED by the Eau Claire County Board of Supervisors that the following accounts are allowed and the county clerk and county treasurer are authorized to issue county order checks to the vendors hereinafter and for the amounts set forth thereafter.

<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
Market & Johnson	Building project	\$ 1,786,263.00
Market & Johnson Inc	Building project	1,579,714.00
Market & Johnson Inc	Building project	1,284,579.47
WCA Group Health Insurance	Health & Dental Ins (October)	687,607.65
WCA Group Health Insurance	Health & Dental Ins (September)	678,848.29
LE Phillips Memorial Public Library	2nd Half Library Levy Payment	274,601.50
State of Wisconsin Treasurer	Courts fines, fees and surcharges (September)	235,427.44
Senn Blacktop	Hot Mix - Highway	124,398.60
City of Eau Claire Treasurer	Communications Center payment (September)	107,143.00
Henry G Meigs LLC	Asphalt - road oil - Highway	98,640.15
Altoona Public Library	2nd Half Library Levy Payment	87,553.52
Eau Claire City County Health Dept	September payment	86,825.00
Market & Johnson Inc	Building project	74,770.00
Fuel Services DJ's Mart LLC	Fuel - Highway	51,670.50
Henry G Meigs LLC	Asphalt - road oil - Highway	39,029.05
Health Professionals LTD	Jail medical	33,252.38
Xcel energy	Courthouse gas & electric	31,432.86
Lutheran Social Services	Assessor & Community Trans Center payments	30,900.00
Maurer Roofing Inc	Roof replaced Foster Shop - Highway	30,382.85
Fuel Service DJ's Mart LLC	Fuel - Highway	28,540.16
Bartingale Mechanical Inc	HVAC retrofit project	27,623.00
Kayser Ford Inc	2011 Ford Expedition - Sheriff	26,177.00
Aramark Services	Food services - Jail	26,015.08
Elan Financial	Procurement card purchases	25,149.44
Ewald	Dodge Charge - Sheriff Dept	24,047.00
Sacred Heart Hospital	Nutrition Program - August	23,567.25
Fall Creek Public Library	2nd Half Library Levy Payment	23,245.01
Eau Claire Economic Develop Corp	4th Qtr pmt	22,000.00
Sacred Heart Hospital	Nutrition program - July meals	21,974.75
Haas Sons Inc	Base Course - Highway	19,131.56

MCHS - Eau Claire	Workers Comp	17,708.62
Bartingale Mechanical Inc	Heat Exchanger Replacement	16,143.00
City of Eau Claire Treasurer	Specialized transportation 85:21	15,906.64
Augusta Memorial Public Library	2nd Half Library Levy Payment	15,491.58
City of Eau Claire Treasurer	Water/Sewer - Courthouse	14,850.07
State of Wisconsin	Unemployment Comp (August 2011)	14,712.50
State of Wisconsin Local Government	Builders Risk Insurance - Building project	14,508.00
MCHS Eau Claire Hospital-Luther	Workers Comp	13,924.95
Minnesota Life Insurance Co	Life Insurance (October 2011)	13,718.50
AUL Health Benefit Trust	Sick leave payout - Highway dept	13,317.40
County of Dunn	Prison Housing - August 2011	13,207.00
Recon Robotics Inc	Reconnaissance Equip - SWAT	12,704.58
Roshell Electric Inc	Electrical work Foster & Augusta Shop - Hwy	11,247.21
Try Inc	September payment	10,801.58
	Sub total	<u>\$7,788,751.14</u>

Lutheran Social Services	DHS Contracted	\$ 143,948.99
Northwest Passage LTD	DHS Contracted	40,385.00
Trempealeau County	DHS Contracted	38,894.52
New Visions Treatment Homes of WI	DHS Contracted	38,567.48
Brotoloc	DHS Contracted	31,042.54
Career Development Center	DHS Contracted	29,585.09
REACH Inc	DHS Contracted	25,121.77
Clinicare	DHS Contracted	24,867.26
OMNE Clinic	DHS Contracted	24,766.63
Wisconsin Early Autism Project	DHS Contracted	24,531.27
Heyde Health Care Systems	DHS Contracted	24,165.74
Triniteam	DHS Contracted	21,502.50
New Hope Hallie Inc	DHS Contracted	19,220.00
United Cerebral Palsy	DHS Contracted	18,357.65
United Cerebral Palsy	DHS Contracted	16,943.98
Northwest Counseling & Guidance	DHS Contracted	16,688.56
Trempealeau County	DHS Contracted	15,643.16
Children's' Service Society of WI	DHS Contracted	15,233.24
United Cerebral Palsy	DHS Contracted	14,855.67
L E Phillips Treatment Center	DHS Contracted	14,384.06
REM Wisconsin III Inc	DHS Contracted	13,581.77
Educational Solutions Inc	DHS Contracted	12,023.94
MCHS Eau Claire Luther Campus	DHS Contracted	11,651.00
Prentice House II Group Home	DHS Contracted	11,098.00





BE IT FURTHER RESOLVED that, in exchange for waiving the fees, the Youth Ski League and Ski Striders will commit to a minimum of two free adult group ski lessons during the two-month period.

BE IT FURTHER RESOLVED that a report from the Ski Striders and department staff be forwarded to the committee on parks and forest after the season for future consideration.

ADOPTED: November 1, 2011

Enrolled No. R155-056

RESOLUTION

File No. 11-12/097

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF OCTOBER 2011-

RESOLVED by the Eau Claire County Board of Supervisors that the following accounts are allowed and the county clerk and county treasurer are authorized to issue county order checks to the vendors hereinafter and for the amounts set forth thereafter.

<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
Market Materials LLC	Building project	\$ 1,395,305.70
Market & Johnson Inc	Building project	1,254,079.00
Monarch Paving Co	Hot mix - Highway	940,829.05
State of Wisconsin Treasurer	Courts fines, fees and surcharges (September)	217,335.00
City of Eau Claire Treasurer	Communications Center payment (October)	107,143.00
Eau Claire City County Health Dept	October payment	86,825.00
Waste Management	Recycling	78,932.16
CCI Systems	Fiber Optic Install - building project	61,117.21
UW Extension	Agent contracts 2nd half - Extension	60,922.52
Chippewa County	Prison housing - July & August	55,944.00
Fuel Service DJ's Mart LLC	Fuel - Highway	46,140.29
Veolia Environmental Services	Recycling	44,616.96
Veolia	Recycling	44,614.08
State of Wisconsin Treasurer	Probate and vital records - 3rd qtr.	42,228.26
Health Professionals LTD	Jail medical	41,417.25
Elan Financial	Procurement card purchases	36,942.65
Ewalds	2012 Ford F450 Truck - Highway	36,390.50
Team Laboratory Chemical Corp	Road stabilizer - Highway	33,862.50
Hancock Concrete Products Co Inc	Box culverts - Highway	31,379.65
Lutheran Social Services	Assessor & Community Transition Cntr-Sept	30,940.00
Xcel energy	Courthouse gas & electric	29,299.62
Chippewa County Highway	Patching material - Highway	27,011.20
Fuel Service DJ's Mart LLC	Diesel - Highway	24,783.91
Sacred Heart Hospital	Nutrition Program - September	22,029.00

County of Dunn	Prison Housing - June-Aug 2011 Housing	20,116.00
U S Postal Service	Postage	20,000.00
Aramark Services	Food services - Jail	19,346.32
City of Eau Claire Treasurer	August Specialized transportation-ADRC	19,252.51
AUL Health Benefit Trust	Retirement payout - DHS	19,195.20
AUL Health Benefit Trust	Retirement payout - DHS	19,195.20
AUL Health Benefit Trust	Retirement payout - DHS	19,195.20
USA Sign	State signage - Highway	18,086.92
Farrell Equipment & Supply Co	Epoxy seal for bridges - Highway	16,728.35
Milestone Materials	Base course - Highway	15,627.98
Dunn County	Prison housing - September	15,510.00
Venture Architects	Building project	14,583.00
Venture Architects	Building project	14,483.00
Minnesota Life Insurance Co	Life Insurance (November 2011)	13,609.45
City of Eau Claire Treasurer	Water / Sewer - Airport	12,187.06
Two Way Communications Inc	Remove & Install lights/sirens/radios - Sheriff	12,036.79
Dell Computer Corp	Computers	11,294.79
Try Inc	October payment	10,801.58
River States Truck & Trailer	General repairs - Highway	10,665.40
Chippewa Valley Foundations	Pad for overspill protection/comp. - Highway	10,108.89
	Sub total	<u>\$5,062,112.15</u>
State of Wisconsin Dept of Health	BCA payment for LTC	\$ 354,753.75
Lutheran Social Services	DHS Contracted	155,352.92
Trempealeau County	DHS Contracted	46,558.05
Northwest Passage LTD	DHS Contracted	42,190.00
Sacred Heart Hospital	DHS Contracted	39,276.89
New Visions Treatment Homes of WI	DHS Contracted	32,895.80
Brotoloc Inc	DHS Contracted	29,621.92
Career Development Center	DHS Contracted	28,409.09
Heyde Health Care System Inc	DHS Contracted	23,386.20
Triniteam	DHS Contracted	22,050.50
Clinicare Corporation	DHS Contracted	20,183.39
OMNE Clinic	DHS Contracted	19,375.13
New Hope Hallie Inc	DHS Contracted	18,600.00
Northwest Counseling & Guidance	DHS Contracted	17,022.80
Children's Service Society of Wi	DHS Contracted	15,233.24
Wisconsin Early Autism Project Inc	DHS Contracted	14,306.26
United Cerebral Palsy	DHS Contracted	11,800.05
REACH Inc	DHS Contracted	11,182.91

United Cerebral Palsy	DHS Contracted	10,946.77
MCHS - Eau Claire Clinic	DHS Contracted	10,858.00
Prentice House II Group Home	DHS Contracted	10,740.00
REM Wisconsin III Inc State office	DHS Contracted	10,686.43
ANU Family Services	DHS Contracted	10,678.23
Educational Solutions Inc	DHS Contracted	<u>10,332.89</u>
	Sub total	\$966,441.22
	Grand total	\$6,028,553.37

ADOPTED: November 16, 2011

Enrolled No. R155-057

RESOLUTION

File No. 11-12/092

~~-ACCEPTING THE JOINT COMMISSION ON SHARED SERVICES RECOMMENDATIONS FOR PRIORITY PARTNERSHIP OPPORTUNITIES FOR 2012-2014-~~

WHEREAS, by joint action of the Eau Claire City Council and Eau Claire County Board of Supervisors, a Joint Commission on Shared Services Initiatives was established in March 2006 for the purpose of examining potential city/county shared services opportunities and making recommendations to the respective governing bodies regarding potential strategies that increase efficiency, improve quality or reduce costs in the delivery of public services; and

WHEREAS, in July 2009, the Commission expanded to include members of the Eau Claire School Board; and

WHEREAS, the Joint Commission has served as a positive focus for exploration of policy issues related to expanding shared services in specific operational areas and has served to maintain a public policy emphasis on the concept of shared services; and

WHEREAS, the City of Eau Claire, Eau Claire County and the Eau Claire Area School District entered into a joint contract with Craig Rapp LLC to assist the Joint Commission on Shared Services in conducting a Service Optimization and Process Review to:

- Update the Joint Commission on Shared Services' vision and mission;
- Develop a focused multi-year work plan;
- Develop intergovernmental governance and leadership strategies;
- Develop factors for determining success of the Commission's efforts; and

WHEREAS, the Joint Commission on Shared Services has received and approved the Service Optimization and Process Review Report August 2011, which includes a recommended list of six priority projects for detailed follow-up over the next several years.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that the following Priority Partnership Opportunity Projects are accepted as the work program priorities for the Joint Commission on Shared Services Initiatives for 2012-2014:

- Combine Information Technology (IT) and communication technology functions;
- Share administrative functions;
- Include the Eau Claire Area School District in a joint purchasing program;
- Implement a joint healthcare insurance program;
- Combine land record systems including GIS (Geographic Information Systems);
- Share administrative space and facilities.

ADOPTED: November 16, 2011

-SUPPORTING EAU CLAIRE COMMUNITY HAPPINESS INITIATIVE AND ENCOURAGING CITIZENS TO PARTICIPATE IN THE ONLINE HAPPINESS SURVEY-

WHEREAS, the Declaration of Independence states that we are endowed with “unalienable rights” and “among these are life, liberty, and the pursuit of happiness” and the happiness and well-being of Eau Claire county residents is important to the vitality and success of our community; and

WHEREAS, measuring community residents’ happiness or satisfaction with how their lives are going will assist in building good public policy and a healthy community; and

WHEREAS, the county’s mission statement is “to provide quality, innovative services that safeguard and enhance the well-being of all our residents” and “encouraging community engagement” is one of the county’s values and beliefs adopted as part of the county’s strategic plan; and

WHEREAS, Sustainable Seattle through the Happiness Initiative is leading a national initiative to encourage local communities to participate in an online survey measuring multiple factors of happiness and to engage in conversations with residents about factors that matter for well-being in their community; and

WHEREAS, Clear Vision Eau Claire is working with the City of Eau Claire, the University of Wisconsin-Eau Claire, the Chippewa Valley Technical College, the L.E. Phillips Memorial Public Library, the Eau Claire Chamber of Commerce and other community organizations to encourage local participation in the online happiness survey and to create opportunities for community dialogue about well-being in the greater Eau Claire community; and

WHEREAS, Eau Claire County Board of Supervisors recognizes the importance of creating a broad assessment of citizens’ happiness, using both objective and subjective indicators of well-being.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that county citizens are encouraged to take the online happiness survey at [www.eauclairehappiness.com](http://www.eauclairehappiness.com) and to participate in subsequent community forums and discussions regarding the results of the survey.

BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors looks forward to the results of the online survey and to the insights and recommendations from subsequent citizen forums and discussions regarding community well-being and the potential implications for future county strategic planning.

ADOPTED: November 16, 2011

-AUTHORIZING THE SALE OF TIMBER FROM THE EAU CLAIRE COUNTY FOREST IN THE TOWN OF BRIDGE CREEK IN TOWNSHIP 26 NORTH, RANGE 5 WEST, SECTIONS 6, 7, 16, 19, 30 AND TOWNSHIP 26 NORTH, RANGE 6 WEST, SECTIONS 13, 14; TOWN OF FAIRCHILD IN TOWNSHIP 25 NORTH, RANGE 5 WEST, SECTIONS 11, 12, 13, 24; TOWN OF LINCOLN IN TOWNSHIP 27 NORTH, RANGE 8 WEST, SECTION 23; TOWN OF LUDINGTON IN TOWNSHIP 26 NORTH, RANGE 6 WEST, SECTION 5; TOWN OF WASHINGTON IN TOWNSHIP 27 NORTH, RANGE 8 WEST, SECTION 20; TOWN OF WILSON IN TOWNSHIP 27 NORTH, RANGE 5 WEST, SECTIONS 21, 28, 31 AND TOWNSHIP 27 NORTH, RANGE 6 WEST, SECTIONS 24, 36-

WHEREAS, the Eau Claire County Forest has some mature timber stumpage and timber needing thinning and clearcutting that should be cut to maximize use of wood fiber resources; enhance timber health, growth, and regeneration; provide revenue to the county and employment opportunities, in accordance with the County Forest Fifteen-Year Plan; and

WHEREAS, this tree stumpage is scheduled for harvesting in the County Forest Reconnaissance Inventory; and

WHEREAS, the committee on parks and forest, upon the advice of the department of natural resources forester and the parks and forest forester and director, concur that these tracts should be sold on a bid basis with the sales going to the highest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that the following stumpage is offered for sale:

A total of 379 ton of aspen pulp, 3661 ton of mixed hardwood pulp, 10666 ton of oak pulp, 150 ton of jack pine pulp, 4789 ton of red pine pulp, 31 ton of white pine pulp, 305 MBF of oak logs, 41 MBF of mixed hardwood logs 26 MBF of red pine logs and 6 MBF of white pine logs.

<u>Tract</u>	<u>T</u>	<u>R</u>	<u>Sec</u>	<u>Timber Species</u>	<u>Volume</u>			
4-11	25	5	13, 24	Oak Pulp	580 Ton			
				Mx Hardwood Pulp	150 Ton			
				Aspen Pulp	50 Ton			
				Oak Sawlogs	8 MBF			
5-11	25	5	13	Oak Pulp	316 Ton			
				Mx Hardwood Pulp	273 Ton			
				Aspen Pulp	56 Ton			
				Oak Sawlogs	20 MBF			
6-11	25	5	11,12	Oak Pulp	2062 Ton			
				Mx Hardwood Pulp	910 Ton			
				Aspen Pulp	56 Ton			
				White Pine Pulp	31 Ton			
				Oak Sawlogs	54 MBF			
				White Pine Sawlogs	6 MBF			
7-11	26	5	16	Oak Bolts	55 Ton			
				Oak Pulp	495 Ton			
				Mx Hardwood Pulp	114 Ton			
				Aspen Pulp	22 Ton			
8-11	26	5	6,7	Oak Bolts	165 Ton			
				Oak Pulp	963 Ton			
				Mx Hardwood Pulp	46 Ton			
				Oak Sawlogs	28 MBF			
				Red Pine Pulp	600 Ton			
9-11	26	6	13,14	Red Pine Sawlogs	26 MBF			
				Oak Pulp	1375 Ton			
10-11	26	5	6	Mx Hardwood Pulp	500 Ton			
				27	5	31	Red Pine Pulp	56 Ton
							6	36
11-11	27	5	21,28	Mx Hardwood Sawlogs	20 MBF			
				Oak Pulp	255 Ton			
				Mx Hardwood Pulp	34 Ton			
				Aspen Pulp	90 Ton			
				Oak Sawlogs	55 MBF			
12-11	27	6	24	Mx Hardwood Sawlogs	1 MBF			
				Red Pine Pulp	1406 Ton			
13-11	26	6	5	Oak Pulp	4400 Ton			
				Mx Hardwood Pulp	910 Ton			
				Aspen Pulp	67 Ton			
				Oak Sawlogs	140 MBF			
				Mx Hardwood Sawlogs	9 MBF			
14-11	26	5	19	Red Pine Pulp	432 Ton			
				Mx Hardwood Pulp	182 Ton			
				Jack Pine Pulp	150 Ton			
				Mx Hardwood Sawlogs	1 MBF			
15-11	26	5	30	Mx Hardwood Pulp	542 Ton			

16-11	27	8	20,23	Mx Hardwood Sawlogs 10 MBF Red Pine Pulp	2295 Ton
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BE IT FURTHER RESOLVED that, pursuant to Section 28.11(6) of the Wisconsin Statutes, these sale tracts shall be advertised for bids by the parks and forest department subject to the minimum valuation established for each tract by the parks and forest department forester in conjunction with the department of natural resources, and each tract shall be awarded by the committee on parks and forest to the highest responsible bidder.

ADOPTED: November 16, 2011

Enrolled No. R155-060

RESOLUTION

File No. SA 11-12/085

-AUTHORIZING NEW AND MODIFIED POSITION REQUESTS FOR 2012-

WHEREAS, at its regularly scheduled meeting on September 16, 2011, the committee on human resources approved requests from various departments for new positions; and

WHEREAS, both the Eau Claire County Code of General Ordinances and the Eau Claire County Human Resources Manual require that such requests be submitted to the board in time for due deliberation during the budget process; and

WHEREAS, such approved requests are as follows:

- Children’s Court Services:
  - o Four new .50 FTE Juvenile Detention Worker positions effective January 1, 2012, to function as holding positions. These positions will not be budgeted but will be covered with other department monies based upon operation need.
- Courthouse Maintenance Department:
  - o New position for a 1.0 FTE Facilities Maintenance Worker position effective May 1, 2012. Funding would be from tax levy at a cost of \$40,955.
- Human Services Department:
  - o Position modification for the seasonal Office Associate 4 position, which works September through May by increasing the hours from .038 FTE (20 hours per week) to 0.70 (40 hours per week). Increased cost is \$19,312 with funding from the WHEAP contract.
- Sheriff’s Office:
  - o New positions for 16.0 FTE Correctional Officer positions effective January 1, 2012. Funding would be from tax levy at a cost of \$1,107,310.
  - o New position for a .5 FTE Office Associate 3 position, effective January 1, 2012. Funding through the property tax levy at a cost of \$20,000.
- UW Extension:
  - o Position modification for Exposition Center Director position, increase from .63 FTE to .72 FTE effective January 1, 2012. Increased cost is \$533; funding from tax levy.
- ADRC:
  - o New positions for 1.5 FTE Care Transition Coach positions, effective January 1,2012. Increased cost of \$114,765 paid by grant.

Reduced Positions

Clerk of Courts: eliminate a .50 FTE Office Associate 3 position (currently vacant); effective December 31, 2011.

Human Resources: reduce 1.0 FTE to .75 FTE Analyst position (currently vacant); revise department structure effective December 31, 2011.

Parks & Forest: eliminate 1.0 FTE Supervisor position (Director position currently vacant; revise management structure) effective December 31, 2011.

Planning & Development (Housing Authority): Eliminate a .75 FTE Office Associate 3 position (currently vacant); effective December 31, 2011.

Register of Deeds: eliminate .25 FTE Office Associate I position (currently vacant); effective December 31, 2011.

WHEREAS, there is a total of 25 position requests with a total increase of 21.41 FTE's consisting of 23 new position requests (21.0 FTE) and 2 modified position (.41 FTE). The total cost for these positions equal \$1,188,110 of new levy cost. Other funding sources for the positions include state grant funds and reallocation of existing resources. The finance and budget committee is also recommending the reduction of one position and the elimination of four positions resulting in a decrease of 3.50 FTE positions.

THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby approves the above-stated 2012 new position requests effective as listed.

ADOPTED: November 16, 2011

Enrolled No. R155-061

RESOLUTION

File No. 11-12/102

-AUTHORIZING A TRANSFER OF \$1,636,930 FROM THE DEPARTMENT OF HUMAN SERVICES UNRESERVED FUND BALANCE TO THE GENERAL FUND UNDESIGNATED FUND BALANCE-

WHEREAS, the 2010 Eau Claire County financial audit noted that the department of human services has a current unreserved fund balance of \$1,636,930; and

WHEREAS, the finance and budget committee is charged with a fiscal responsibility of annually reviewing all county fund balances in light of appropriate and prudent fiscal management policies; and

WHEREAS, in order to maintain appropriate levels of fund balances for various county operations and be consistent with the county's fiscal policies, the finance and budget committee recommends the transfer of \$1,636,930 from the department of human services unreserved fund balance to the county's general fund undesignated fund balance.

ADOPTED: November 16, 2011

Enrolled No. R155-062

RESOLUTION

File No. 11-12/106

-RESOLUTION PROVIDING FOR THE SALE OF \$4,000,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2011A-

WHEREAS, the County Board of Supervisors of Eau Claire County, Wisconsin (the "County") previously found and determined that it is necessary, desirable and in the best interest of the County to raise funds for the public purpose of paying the cost of capital projects included in the County's Capital Improvement Plan including improving highways, acquiring and installing software, hardware and other equipment, and replacing roofs (the "Projects"), and there are insufficient funds on hand to pay said costs; and

WHEREAS, counties are authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and to issue general obligation promissory notes for such public purposes; and

WHEREAS, on September 21, 2010, the County Board of Supervisors of the County adopted an initial resolution (the "Initial Resolution") authorizing the issuance of \$7,800,000 general obligation promissory notes for the Projects; and

WHEREAS, pursuant to the Initial Resolution, the County has heretofore issued its \$3,800,000 in principal amount of its General Obligation Promissory Notes, Series 2010A, dated November 9, 2010 (the "2010A Notes") to pay a portion of the costs of the Projects; and

WHEREAS, the County Board of Supervisors of the County hereby finds and determines that general obligation promissory notes authorized by the Initial Resolution should be issued in the amount of \$4,000,000 to pay the remaining costs of the Projects, and it is now necessary and desirable to authorize their sale.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Authorization of the Notes. For the purpose of paying the remaining costs of the Projects, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes and the Initial Resolution, the principal sum of FOUR MILLION DOLLARS (\$4,000,000) from a purchaser to be determined by the competitive sale (the "Purchaser").

Section 2. Sale of the Notes. To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, General Obligation Promissory Notes, Series 2011A aggregating the principal amount of FOUR MILLION DOLLARS (\$4,000,000) (the "Notes"). The County shall offer the Notes for public sale on December 6, 2011.

Section 3. Note of Sale. The County Clerk (in consultation with the County's financial advisor, Public Financial Management, Inc. ("PFM")) is hereby authorized and directed to cause notice of the sale of the Notes to appear in such newspapers and at such times as the County Clerk may determine.

Section 4. Official Notice of Sale. The County Clerk (in consultation with PFM) shall also cause an Official Notice of Sale to be prepared and distributed and may prepare or cause to be prepared and distributed an Official Statement or other form of offering circular.

Section 5. Award of the Notes. Following receipt of bids for the Notes, the County Board of Supervisors shall consider taking further action to provide the details of the Notes; to award the Notes to the lowest responsible bidder therefore; and to levy a direct annual irrevocable tax sufficient to pay the principal of and interest on the Notes as the same becomes due as required by law.

Section 6. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

ADOPTED: November 16, 2011

Enrolled No. R155-063

RESOLUTION

File No. 11-12/107

-RESOLUTION PROVIDING FOR THE SALE OF \$18,000,000 GENERAL OBLIGATION BUILDING BONDS, SERIES 2011B-

WHEREAS, the County Board of Supervisors of Eau Claire County, Wisconsin (the "County") previously found and determined that it is necessary, desirable and in the best interest of the County to raise funds for the public purpose of paying of the cost of designing and constructing a new jail facility; remodeling the courthouse to provide a for a new law enforcement center on the ground and first floors and for general government purpose; expanding the parking lot for the law enforcement center; constructing an overhead walkway; and acquiring related furniture, fixtures and equipment (the "Project"), and there are insufficient funds on hand to pay said costs; and

WHEREAS, counties are authorized by the provisions of Section 6704, Wisconsin Statutes, to borrow money and to issue general obligation building bonds for such public purposes; and

WHEREAS, the County has heretofore issued its \$25,000,000 General Obligation Building Bonds, Series 2008B, dated April 1, 2008 to pay a portion of the cost of the Project; and



WHEREAS, on September 21, 2010, the County Board of Supervisors of the County adopted an Initial Resolution (the "Initial Resolution") authorizing the issuance of \$29,100,000 general obligation bonds or promissory notes for remaining costs of the Project; and

WHEREAS, pursuant to the Initial Resolution, the County has heretofore issued its \$9,190,000 Taxable General Obligation Building Bonds, Series 2010B (Build America Bonds – Direct Payment), dated November 9, 2010 and \$1,280,000 in principal amount of its General Obligation Promissory Notes, Series 2010A, dated November 9, 2010 (the "2010A Notes") to pay a portion of the cost of the Project; and

WHEREAS, the County Board of Supervisors of the County hereby finds and determines that general obligation building bonds authorized by the Initial Resolution should be issued in the amount of \$18,000,000 to pay remaining costs of the Project, and it is now necessary and desirable to authorize their sale.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Authorization of the Bonds. For the purpose of paying the remaining cost of the Project, there shall be borrowed pursuant to Section 67.04 of the Wisconsin Statutes and the Initial Resolution, the principal sum of EIGHTEEN MILLION DOLLARS (\$18,000,000) from a purchaser to be determined by competitive sale (the "Purchaser").

Section 2. Sale of the Bonds. To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, General Obligation Building Bonds, Series 2011B aggregating the principal amount of EIGHTEEN MILLION DOLLARS (\$18,000,000) (the "Bonds"). The County shall offer the Bonds for public sale on December 6, 2011.

Section 3. Note of Sale. The County Clerk (in consultation with the County's financial advisor, Public Financial Management, Inc. ("PFM")) is hereby authorized and directed to cause notice of the sale of the Bonds to appear in such newspapers and at such times as the County Clerk may determine.

Section 4. Official Notice of Sale. The County Clerk (in consultation with PFM) shall also cause an Official Notice of Sale to be prepared and distributed and may prepare or cause to be prepared and distributed an Official Statement or other form of offering circular.

Section 5. Award of the Bonds. Following receipt of bids for the Bonds, the County Board of Supervisors shall consider taking further action to provide the details of the Bonds; to award the Bonds to the lowest responsible bidder therefore; and to levy a direct annual irrevocable tax sufficient to pay the principal of and interest on the Bonds as the same becomes due as required by law.

Section 6. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

ADOPTED: November 16, 2011

Enrolled No. R155-064

RESOLUTION

File No. 11-12/100

REPORT OF THE COMMITTEE OF THE WHOLE ESTABLISHING THE 2011 TAX  
LEVY FOR EAU CLAIRE COUNTY AT \$24,493,206; AUTHORIZING THE APPROPRIATIONS  
FOR THE CITY-COUNTY HEALTH DEPARTMENT OF \$1,042,422 TO BE LEVIED ON ALL

PARTS OF THE COUNTY EXCEPT FOR THE CITY OF EAU CLAIRE; ESTABLISHING THE STATE TAX FOR FORESTRY PURPOSES AT \$1,141,669 AND OTHER SPECIAL STATE CHARGES AT \$154; AUTHORIZING THE APPROPRIATION FOR THE STATE TRUST FUND LOANS OF \$73,530 TO BE LEVIED ON ALL PARTS OF THE COUNTY; AUTHORIZING A COUNTY TAX FOR COUNTY AID TO BRIDGES AT \$50,000 TO BE CHARGED AGAINST ALL NON-EXEMPT PARTS OF THE COUNTY; AUTHORIZING A COUNTY SPECIAL CHARGE FOR COUNTYWIDE LIBRARY SERVICES AMOUNTING TO \$826,940 BASED ON CIRCULATION OF LIBRARY MATERIALS TO NONEXEMPT TOWNS, CITIES, AND VILLAGES AS INDICATED HEREIN

RESOLVED by the Eau Claire County Board of Supervisors that \$24,493,206 is hereby levied against the taxable property of the County as equalized for the year 2011. The breakdown of the 2011 tax levy is as follows:

State Trust Fund Loans	\$	73,530
City-County Health Department		1,042,422
County Aid to Bridges		50,000
All Other County Taxes/Revenues		31,127,254
County Sales Tax Credit		<u>(7,800,000)</u>
 TOTAL 2011 TAX LEVY	 \$	 <u><u>24,493,206</u></u>

BE IT FURTHER RESOLVED that the entire \$1,042,422 appropriation for the City-County Health Department is hereby levied on all parts of the County except the City of Eau Claire; and

BE IT FURTHER RESOLVED that the state tax for forestry purposes of \$1,141,669 and other state special charges of \$154 be charged against all taxable property within Eau Claire County; and

BE IT FURTHER RESOLVED that the entire appropriation for State Trust Fund Loans amounting to \$73,530 is hereby levied on all parts of the County; and

BE IT FURTHER RESOLVED that a County special charge for County-wide library services amounting to \$826,940 based on circulation of library materials be charged on the County Clerk's apportionment to non-exempt towns, cities and villages as shown below; and

BE IT FURTHER RESOLVED that the County tax levy for County Aid to Bridges of \$50,000 is hereby levied on all parts of the County except the City of Augusta, City of Altoona and the Village of Fall Creek pursuant to Section 81.38 of the Wisconsin Stats.; and

BE IT FURTHER RESOLVED that \$921,700 in undesignated general funds is hereby designated to be applied to the 2011 County budget.

BE IT FURTHER RESOLVED that \$7,800,000 of sales tax revenue be applied to reduce the County tax levy on all parts of the County.

**County Special Charge for County-Wide Library Services**

Town of:

Bridge Creek	\$	23,788
Brunswick		48,692
Clear Creek		15,034
Drammen		18,818
Lincoln		23,965
Ludington		27,970
Otter Creek		8,423
Pleasant Valley		100,409
Seymour		93,561
Union		68,463
Washington		217,806
Wilson		6,213

Cities of:

Altoona	\$	53,612
Augusta		9,450
Eau Claire		105,033
Village of Fall Creek		<u>5,703</u>
Total	\$	<u>826,940</u>

Altoona Library	\$	181,845
Augusta Library		28,059
Fall Creek		50,719
L.E. Phillips Library		547,619
Chippewa Falls		4,826
Cadott		947
Menomonie		590
Mondovi		5,975
Osseo		4,780
Stanley		1,576
Pepin		<u>4</u>
Total	\$	<u>826,940</u>

BE IT FURTHER RESOLVED that the budget in detail hereto attached shall be made a part of the tax levy:

Total Expenditures	\$	106,618,244
Less: Estimated Revenues		69,637,475
Non-lapsing Fund Balances Applied		11,565,863
General Fund Surplus Applied		921,700
2011 Proposed Tax Levy		\$24,493,206
2011 Proposed Tax Rate (Equalized)	\$	3.707

**EXPENDITURE DETAILS**

**GENERAL GOVERNMENT**

County Board	\$	128,230
Community Television		12,200
County Administrator		276,268
Contingency Fund		155,039
County Clerk		279,480
Human Resources		377,463
Information Systems		1,229,456
Central Duplicating/Mail		119,325
Purchasing		259,906
Finance		701,766
Employee Lounge		6,000
Uncollectible Taxes		5,000
Insurance		55,000
County Wide Service on Machines		6,000
Out of County Library Payment		3,000
Risk Mgmt/Worker's Comp		1,030,328
County Treasurer		339,411
Corporation Counsel		713,699
Register of Deeds		388,976
Land Records Fund-Resurvey		96,019
Regional Planning Commission		45,558
Planning and Development		905,011
Courthouse Maintenance/Ag Center		2,111,963
<b>TOTAL GENERAL GOVERNMENT</b>	<b>\$</b>	<b>9,245,098</b>

**JUDICIAL**

Circuit Court	\$	632,000
Court Attorney Fees		234,740
Restorative Justice		75,083
Clerk of Courts		1,277,941
TRY Mediation, Inc.		129,619
Register in Probate		123,584
Juvenile Division		581,358
Criminal Justice Collaborating Council		777,161
District Attorney		801,267
		<hr/>
<b>TOTAL JUDICIAL</b>	<b>\$</b>	<b>4,632,753</b>
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**PUBLIC SAFETY**

Medical Examiner	\$	170,253
Emergency Government		106,968
L.E. Phillips CPR Program		15,650
Emergency Government-EPCRA		31,750
Sheriff-Response to Crime		1,525,613
Sheriff-Detention of Inmates-Secure		4,750,447
Sheriff-Detention of Inmates-Huber		1,925,861
Sheriff-Courthouse Security		454,486
Sheriff-Civil Process		303,718
Sheriff-Investigative Services		604,498
Sheriff-Traffic Control & Enforcement		1,178,724
Anti-Drug Grant Fund		328,485
Juvenile Detention Fund		737,086
Communication Center		1,291,220
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<b>TOTAL PUBLIC SAFETY</b>	<b>\$</b>	<b>13,424,759</b>
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**HEALTH & SOCIAL SERVICES**

Juvenile Shelter Facility	\$	13,000
Health Department		1,042,422
Water Rescue / Contracted Services		5,000
Humane Association		42,765

Senior Aides	84,792
Child Support Program	1,185,700
Veterans Services	200,311
ADRC Programs	2,910,886
Senior Centers (Levy)	48,000
Human Serv - Admin	360,446
Human Serv - Management	1,343,446
Human Serv - Kinship	23,706
Human Serv - LIHEAP	96,975
Human Serv - Child Care	177,021
Human Serv - Adult Support Unit/DD	561,317
Human Serv - IM/W2	2,151,411
Human Serv - Juvenile Justice Youth	634,663
Human Serv - Intensive Supervision	261,960
Human Serv - Child Protect. Serv.	1,643,229
Human Serv - Verification Spec	50,717
Human Serv - CSP	1,406,942
Human Serv - Childrens MH	440,906
Human Serv - Elderly	467,420
Human Serv - AODA	230,522
Human Serv - Mental Health	480,083
Human Serv - Contracted Serv	13,172,456
Human Serv - Burial - SSI	50,000
Human Serv - Burial - MA	125,000
General Relief	1,500
Human Serv - Energy Assist.	90,154
Clubhouse - LSS	30,000
AFDC Homeless Assist.	120,000
Community Agencies-Bolton, Interfaith, CSS, Sojourner	<u>75,100</u>
<b>TOTAL HEALTH AND SOCIAL SERVICES</b>	<b>\$ <u>29,527,850</u></b>
 <b><u>TRANSPORTATION AND PUBLIC WORKS</u></b>	
Airport	\$ 1,249,769
Highway	15,564,120
Automobile Fleet	56,589
Recycling	<u>1,268,400</u>
<b>TOTAL TRANSPORTATION &amp; PUBLIC WORKS</b>	<b>\$ <u>18,138,878</u></b>

**LEISURE AND EDUCATION**

Chippewa Valley Museum	\$	22,250
Paul Bunyan Camp		4,000
Beaver Creek Reserve		171,916
Fairs and Exhibits		26,619
4-H Programs		102,668
Expo Center		119,932
University Extension Programs		192,400
County Snowmobile/ATV Trails		60,380
County Parks		<u>598,228</u>
<b>TOTAL LEISURE AND EDUCATION</b>	<b>\$</b>	<b><u>1,298,393</u></b>

**CONSERVATION AND ECONOMIC ENVIRONMENT**

Industrial Development	\$	88,000
Innovation Center		10,000
Momentum Chippewa Valley		2,500
Land Conservation		423,333
Housing Authority		196,749
Housing Authority HUD Voucher Program		858,240
County Forest		245,044
Land Conservation - Watershed Program		<u>101,000</u>
<b>TOTAL CONSERVATION AND ECONOMIC ENVIRONMENT</b>	<b>\$</b>	<b><u>1,924,866</u></b>

**DEBT SERVICE**

Jail/Courthouse Project		3,093,160
Highway Construction		1,030,318
Health Department WRS		10,842
General Projects		<u>187,444</u>
<b>TOTAL DEBT SERVICE</b>	<b>\$</b>	<b><u>4,321,764</u></b>

**CAPITAL PROJECTS**

Jail/Courthouse Construction Project	\$	20,000,000
Narrow Band Radio Project		2,000,000

Administration	20,000
Beaver Creek Reserve	73,500
Chippewa Valley Regional Airport	296,925
(Airport Included in operations)	(296,925)
Extension	28,400
Highway-Construction	3,595,000
Highway-Equipment Replacement	695,000
(Highway Included in operations)	(4,290,000)
Information Systems	1,324,569
Courthouse Maintenance	262,500
Parks and Forest	44,414
Planning & Development	133,000
Purchasing	36,000
Sheriff	181,500
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<b>TOTAL CAPITAL PROJECTS</b>	<b>\$ 24,103,883</b>
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**TOTAL EXPENDITURES** **\$ 106,618,244**

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**REVENUE DETAILS**

**GENERAL FUND**

**TAXES**

Forest Crop Taxes	\$ 12,000
County Sales Tax	7,800,000
Interest on Delinquent Taxes	485,000
Penalty on Delinquent Taxes	285,000
Real Estate Transfer Fees	<hr/> 130,000
<b>TOTAL TAXES</b>	<b>\$ 8,712,000</b>
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**INTERGOVERNMENTAL GRANTS & AIDS**

Shared Taxes	\$ 2,410,198
State Grant Courts	413,160
District Attorney	154,667
State Aid Emergency Government	60,983
Land Information Training Grant	300
Soil & Water Conservation	111,600



Wildlife Damages	25,000
State Aid - EPCRA	25,000
Land Conservation Special Events	3,000
Police Training	14,400
SWAT Vests Grant	3,000
Intoxicated Driver Intervention	30,375
Administration Cost Reimbursement	763,354
Performance Based Funding	187,000
State General Purpose Revenue	85,106
MSL Incentives	43,000
Test Reimbursements	8,000
State Aid - Vets	13,000
Fairs and Exhibits	2,500
State Postage	1,988
Safety Grant	1,200
Postage Fees	300
4H Activity Fees & Dues	3,000
County Fair Fees	3,000
Snow Trails	45,125
ATV Trail Aids	12,078
Forest Road Aids	6,028
Administration Grant	46,831
Intergovernmental Grants	190,000

**TOTAL INTERGOVERNMENT AIDS**

\$ 4,663,193

**LICENSES & PERMITS**

Dogs and Cats	\$ 42,765
Zoning Permits	181,000
Mapping Fees	3,000
Stormwater Fees	23,000

**TOTAL LICENSES & PERMITS**

\$ 249,765

**FINES & FORFEITURES**

Parking Fees & Fines	\$ 800
County Ordinance Forfeitures	218,000
County Share State Fines	273,000
Jail Assessment	143,000

**TOTAL FINES & FORFEITURES**\$ 634,800

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**PUBLIC CHARGES & SERVICES**

Court Fees & Costs	\$	335,795
Attorney Fees		150,000
County Share Occupant Drivers License		220
Family Case Fees (TRY Mediation)		10,000
Probate Fees		42,000
Courts Video		150
Comunity Svc Surcharge		30,193
Juvenile Shelter Fees		2,000
Medical Examiner Fees		97,650
Meeting Room Rental		500
County Clerk's Fees		300
Waivers		600
Marriage Fees		20,930
Assembly License Fees		100
Marriage Fee/Counseling (TRY Mediation)		14,500
SVRD Charges		1,600
Data Processing Fees		101,250
Treasurer's Fees		18,500
Co. Treasurer Collection Services		64,500
District Attorney Fees		22,000
District Atty - Restitution		60,000
Deferred Prosecution Fees		145,209
Register of Deeds Fees		330,000
Cnty Share Land Records Fee		95,000
Land Records Feed/ Info Systems		35,000
Register of Deeds - Laredo Fee		50,000
Redaction Fees		87,500
Tax Roll Assmt. Supp.		2,000
Conservation Tree Sales		15,000
CPR Fees		12,000
Misc. Fees - Sheriff		3,000
Process Fees		135,700
Sheriff Restitution		500
Parking Citations		2,000
Traffic Control		15,000
Shooting Range Fees		1,300

Patrol Service Fees	7,000
Electronic Monitoring	124,100
Board of Prisoners - Huber	324,850
Board of Prisoners - SSI	9,000
Board of Prisoners - Other Agency	248,265
Jail Medical Collection	3,000
Jail/Laundry Fees	3,000
Huber Drug Testing Fees	14,000
Jail Miscellaneous Revenue	2,000
Genetic Test Repayment	7,000
Child Support/Filing Fees	850
Veterans Fees	320
Election Programming Rev.	600
Expo Rent	33,000
Expo Winter Storage Fees	17,500
Fair Exhibitor/Vendor Fees	4,300
4-H Programs	1,000
School Outreach Program Grant	700
Expo Utilities	17,000
Reference Materials - UWE	300
Duplicating - UWE	500
Educational Programs - UWE	22,000
Garden Rent	2,500
Reservation Fees - Parks	3,700
Park Entrance Fees	123,000
Coon Forks Shelter	100
Coon Forks Camping	77,110
Coon Forks Firewood	7,600
Coon Forks Concession	3,265
Coon Forks Electricity	15,200
Coon Forks Sewage	450
Coon Forks Canoe Rental	5,200
Coon Forks Showers	1,770
Coon Forks Park Violations	700
Harstad Camping	5,140
Harstad Firewood	750
Harstad Shelter	100
Harstad Park Violations	200
Lake Altoona Shelter	2,700
Lake Altoona Clubhouse	12,000

Lake Altoona Boat Launching	50
Lake Atloona Park Violations	3,750
Lake Eau Claire Shelter	1,050
Lake Eau Claire Clubhouse	3,500
Lake Eau Claire Violations	500
Chalet Rental	500
Big Falls Violations	2,000
Lowes Creek Violations	135
Tower Ridge Ski Trails	14,070
Tower Ridge Violations	505
Timber Sales	450,500
Tree Planting	250
Firewood Sales	4,700
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<b>TOTAL PUBLIC CHARGES FOR SERVICES</b>	<b>\$ 3,485,277</b>

**INTERGOVERNMENT CHARGES FOR SERVICES**

AODA Grant / Intake	\$ 9,411
Child Abuse Investment Contract	9,820
Dept of Corrections-Community Transition Ctr	117,000
Central Duplicating Fees	108,384
Purchasing Service Chargeback	45,280
Corporation Counsel Fees	500
Airport Charge back (for Corporation Counsel)	5,250
Central Mail Fees	28,000
Survey Work for Others	2,000
Housing Authority	228,009
Housing Authority Voucher Program	858,240
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<b>TOTAL INTERGOVERNMENT CHARGES FOR SERVICES</b>	<b>\$ 1,411,894</b>

**OTHER REVENUE**

Interest on Investments	\$ 710,000
Sale of Tax Deeds/Profits	5,000
Duplex Rent	9,600
Interest from Airport Agreement	23,800
Interest on WMMIC Deposit	50,000
County Buildings & Office Rent	442,510

Sale of General Fixed Assets	5,000
Miscellaneous Revenue	5,000
Insurance Recoveries	10,000
Courthouse Vending Revenue	6,000
Bad Debt Collections	18,000
Sheriff Donations (K-9)	9,000
Inmate Phone System	60,000
Law Library Donations	2,500
Venison Donation Program	1,000
Parent Newsletter Donations	2,000
SCAAP Reimbursement	6,000

**TOTAL OTHER REVENUE** \$ 1,365,410

**TOTAL GENERAL FUND REVENUE** \$ 20,522,339

**SPECIAL REVENUE FUNDS**

**INTERGOVERNMENT REVENUE**

Aging & Disability Resource Center Grant	\$ 2,204,310
Human Services State/Fed Aids	14,445,539
Land & Water Resource Mgn	50,000
Malweg Grant	10,000
DATCP - Nutrient Pest Mgmt	5,000
Stormwater Mgmt	24,000
Juvenile State Aid	20,000
Recycling Grant	459,258
Anti-Drug Grant	75,879
State Aid - CEASE Program	500

**TOTAL INTERGOVERNMENTAL REVENUE** \$ 17,294,486

**PUBLIC CHARGES AND SERVICES**

Human Services - Charges & Fees	\$ 877,938
Aging & Disability Resource Ctr Charges	534,924
Recycling-Clean Sweep Charges	33,000
Juvenile Detention Center Fees	475,000

**TOTAL PUBLIC CHARGES AND SERVICES** \$ 1,920,862

**OTHER REVENUE**

Human Services - Miscellaneous	\$	639,774
Aging & Disability Resource Ctr Misc		2,002
Recycling - Other		693,000
Drug Forfeiture Funds		79,230

**TOTAL OTHER REVENUE** \$ 1,414,006

**TOTAL SPECIAL REVENUE FUNDS** \$ 20,629,354

**CAPITAL PROJECTS FUND**

**VARIOUS REVENUE**

Loan Proceeds	\$	13,558,942
Charges & Fees	\$	185,531
Grants		75,000

**TOTAL CAPITAL PROJECTS** \$ 13,819,473

**ENTERPRISE FUNDS**

**AIRPORT PUBLIC CHARGES FOR SERVICES**

Advertising	\$	8,000
Air Terminal		98,104
FAA		11,500
FBO		123,000
Fuel Flowage		90,000
Hangars		105,400
Landing		43,960
Parking		90,000
Rental Cars		55,000
Restaurant		25,000
Tie Downs		144
PFC Fees		70,000
Utility Revenues		7,500
Land Lease Revenues		8,500
Other Revenue		10,000

Chippewa County Contrib	123,961
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<b>TOTAL AIRPORT PUBLIC CHARGES FOR SERVICES</b>	<b>\$ 870,069</b>
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**HIGHWAY**

**Intergovernment Grants & Aids**

State Transportation Aid	\$ 1,905,358
Highway Aid - CHIP	225,000
State Aid – CHIP/Admin	6,100

<b>Total Intergovernmental Grants &amp; Aids</b>	<b>\$ 2,136,458</b>
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**Intergovernmental Charges for Services**

Incidental Labor Revenues	\$ 1,578,300
Machinery & Equipment	2,950,000
STHE - Maintenance	1,070,448
STHS - Snow & Ice Control	707,877
STHS - Road & Bridge Construction	80,000
STHS - Records & Reports	109,500
STHS - Salt Storage	4,000
STHS - Other	171,160
Other Local Governments	259,944
Local Government Records & Reports	16,000
Local Departments	187,370
Local Departments Records & Reports	3,000

<b>TOTAL INTERGOVERNMENTAL CHARGES FOR SERVICES</b>	<b>\$ 7,137,599</b>
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**Other Revenue**

Cell Tower Lease	\$ 35,970
Miscellaneous - Other	304,992
Vehicle Registration Fee	-
Transfer from General Fund (Landfill)	175,000
Proceed from Debt	3,150,000

<b>TOTAL OTHER REVENUE</b>	<b>\$ 3,665,962</b>
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**TOTAL HIGHWAY DEPARTMENT** \$ 12,940,019

**TOTAL ENTERPRISE FUND REVENUE** \$ 13,810,088

**INTERNAL SERVICE FUNDS**

**Fleet Cars**

**Intergovernment Charges**

Transportation Revenue \$ 51,000

**Other Revenue**

Gain on Sale of Assets \$ 1,000

**TOTAL FLEET CAR REVENUE** \$ 52,000

**Self-Insurance Fund Charges** \$ 746,937

**TOTAL INTERNAL SERVICE FUNDS** \$ 798,937

**TOTAL REVENUES** \$ 69,637,475

**NON-LAPSING FUNDS APPLIED**

General Fund-Undesignated \$ 647,700  
Sheriff-Out of County Prisoners 250,000  
County Clerk-Increased Election Costs 24,000  
IDA Funds – Economic Development Corporation 100,500  
UW-Extension 13,556  
ADRC 75,256  
Recycling Fund Balance Applied 83,760  
Capital -Courthouse/Jail/Maintenance Projects 10,191,910  
Capital-DHS Software 50,000  
Highway 735,901  
Fleet Cars 9,589  
Self Insurance Fund 305,391

Total Non-Lapsing Funds Applied \$ 12,487,563

ADOPTED: November 16, 2011



-RESOLUTION AWARDING THE SALE OF \$4,000,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2011A-

WHEREAS, the County Board of Supervisors of Eau Claire County, Wisconsin (the "County") previously found and determined that it is necessary, desirable and in the best interest of the County to raise funds for the public purpose of paying the cost of capital projects included in the County's Capital Improvement Plan including improving highways, acquiring and installing software, hardware and other equipment, and replacing roofs (the "Projects"), and there are insufficient funds on hand to pay said costs;

WHEREAS, on September 21, 2010, the County Board of Supervisors of the County adopted an initial resolution (the "Initial Resolution") authorizing the issuance of \$7,800,000 general obligation promissory notes for the Projects;

WHEREAS, pursuant to the Initial Resolution, the County has heretofore issued its \$3,800,000 in principal amount of its General Obligation Promissory Notes, Series 2010A, dated November 9, 2010, to pay a portion of the cost of the Projects;

WHEREAS, pursuant to a Resolution adopted on November 16, 2011 (the "Authorizing Resolution"), the County Board of Supervisors of the County found and determined that general obligation promissory notes authorized by the Initial Resolution and designated General Obligation Promissory Notes, Series 2011A (the "Notes") should be issued in the amount of \$4,000,000 to pay the remaining cost of the Projects;

WHEREAS, none of the proceeds of the Notes shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by the property taxes;

WHEREAS, pursuant to the Authorizing Resolution, the County has directed Public Financial Management, Inc., Milwaukee, Wisconsin ("PFM") to take the steps necessary to sell the Notes to pay the cost of the Projects;

WHEREAS, PFM, in consultation with the officials of the County, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on December 6, 2011;

WHEREAS, the County Clerk (in consultation with PFM) caused a form of notice of the sale to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Notes for public sale on December 6, 2011;

WHEREAS, the County has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. PFM has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Official Notice of Sale and any other offering materials prepared and circulated by PFM are hereby ratified and approved in all respects. All actions taken by officers of the County and

PFM in connection with the preparation and distribution of the Official Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Notes. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer and applied in accordance with the Official Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2011A"; shall be issued in the aggregate principal amount of \$4,000,000; shall be dated their date of delivery; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on September 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on March 1 and September 1 of each year commencing on September 1, 2012. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes shall not be subject to optional redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2012 through 2014 for the payments due in the years 2012 through 2015 in the amounts set forth on the Schedule. The amount of tax levied in the year 2012 shall be the total amount of debt service due on the Notes in the years 2012 and 2013; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts appropriated pursuant to subsection (D) below which are applied to payment of principal of or interest on the Notes in the year 2012.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

(D) Appropriation. The County hereby appropriates from taxes levied in anticipation of the issuance of the Notes, proceeds of the Notes or other funds of the County on hand a sum sufficient to be irrevocably deposited in the segregated Debt Service Fund Account created below and used to pay the principal of and interest on the Notes coming due on September 1, 2012 as set forth on the Schedule.

## Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$4,000,000 General Obligation Promissory Notes, Series 2011A, dated December 22, 2011" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Notes. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose for which the Notes have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply

with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the County Clerk or County Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the

County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 15. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 17. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 18. Bond Insurance. If the Purchaser of the Notes determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 19. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

ADOPTED: December 6, 2011

Enrolled No. R155-066

RESOLUTION

File No. 11-12/115

-RESOLUTION AWARDING THE SALE OF \$18,000,000 GENERAL OBLIGATION BUILDING BONDS, SERIES 2011B-

WHEREAS, the County Board of Supervisors of Eau Claire County, Wisconsin (the "County") previously found and determined that it is necessary, desirable and in the best interest of the County to raise funds for the public purpose of paying of the cost of designing and constructing a new jail facility; remodeling the courthouse to provide for a new law enforcement center on the ground and first floors and for general government purpose; expanding the

parking lot for the law enforcement center; constructing an overhead walkway; and acquiring related furniture, fixtures and equipment (the "Project"), and there are insufficient funds on hand to pay said costs;

WHEREAS, the County has heretofore issued its \$25,000,000 General Obligation Building Bonds, Series 2008B, dated April 1, 2008 to pay a portion of the cost of the Project;

WHEREAS, on September 21, 2010, the County Board of Supervisors of the County adopted an initial resolution (the "Initial Resolution") authorizing the issuance of \$29,100,000 general obligation bonds or promissory notes for remaining costs of the Project;

WHEREAS, pursuant to the Initial Resolution, the County has heretofore issued its \$9,190,000 Taxable General Obligation Building Bonds, Series 2010B (Build America Bonds - Direct Payment), dated November 9, 2010 and \$1,280,000 in principal amount of its General Obligation Promissory Notes, Series 2010A, dated November 9, 2010, to pay a portion of the cost of the Project;

WHEREAS, pursuant to a Resolution adopted on November 16, 2011 (the "Authorizing Resolution"), the County Board of Supervisors of the County found and determined that general obligation building bonds authorized by the Initial Resolution and designated General Obligation Building Bonds, Series 2011B (the "Bonds") should be issued in the amount of \$18,000,000 to pay the remaining cost of the Project;

WHEREAS, none of the proceeds of the Bonds shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by the property taxes;

WHEREAS, pursuant to the Authorizing Resolution, the County has directed Public Financial Management, Inc., Milwaukee, Wisconsin ("PFM") to take the steps necessary to sell the Bonds to pay the cost of the Project;

WHEREAS, PFM, in consultation with the officials of the County, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on December 6, 2011;

WHEREAS, the County Clerk (in consultation with PFM) caused a form of notice of the sale to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Bonds for public sale on December 6, 2011;

WHEREAS, the County has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. PFM has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Official Notice of Sale and any other offering materials prepared and circulated by PFM are hereby ratified and approved in all respects. All actions taken by officers of the County and PFM in connection with the preparation and distribution of the Official Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Bonds. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth

on the Proposal is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer and applied in accordance with the Official Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Building Bonds, Series 2011B"; shall be issued in the aggregate principal amount of \$18,000,000; shall be dated their date of delivery; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum; and mature on September 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on March 1 and September 1 of each year commencing on September 1, 2012. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds maturing on September 1, 2022 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on September 1, 2021 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2012 through 2030 for the payments due in the years 2012 through 2031 in the amounts set forth on the Schedule. The amount of tax levied in the year 2012 shall be the total amount of debt service due on the Bonds in the years 2012 and 2013; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts appropriated pursuant to subsection (D) below which are applied to payment of principal of or interest on the Bonds in the year 2012.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

(D) Appropriation. The County hereby appropriates from taxes levied in anticipation of the issuance of the Bonds, proceeds of the Bonds or other funds of the County on hand a sum sufficient to be irrevocably deposited in the segregated Debt Service Fund Account created below and used to pay the interest on the Bonds coming due on September 1, 2012 as set forth on the Schedule.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$18,000,000 General Obligation Building Bonds, Series 2011B, dated December 22, 2011" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the County above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Bonds. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose for which the Bonds have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Bonds and the ownership, management and use of the projects will not cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall



comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 11. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the County Clerk or County Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the

County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 15. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 17. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 18. Bond Insurance. If the Purchaser of the Bonds determines to obtain municipal bond insurance with respect to the Bonds, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 19. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner.

ADOPTED: December 6, 2011

Enrolled No. R155-067

RESOLUTION

File No. 11-12/095

-APPROVING THE EAU CLAIRE COUNTY HUMAN RESOURCES EMPLOYEE POLICY MANUAL;  
AUTHORIZING THE HUMAN RESOURCES COMMITTEE TO APPROVE ANY FUTURE CHANGES TO  
THE EMPLOYEE POLICY MANUAL-

WHEREAS, as a result of the state budget repair bill and expiration of existing collective bargaining agreements on December 31, 2011, beginning January 1, 2012, only public safety employees as defined by law will have the right to negotiate on anything but base wages; and

WHEREAS, human resources policies are currently contained in collective bargaining agreements with AFSCME, Teamsters and WPPA, the county code and the Human Resources Manual and these documents are inconsistent; and

WHEREAS, to the extent possible the Employee Policy Manual combines all of the human resources policies in one document for use by all county employees; and

WHEREAS, the process used in developing the Employee Policy Manual has included focus groups consisting of represented employees, direct input from employees to the human resources director, review by the transition team composed of the human resources director, county administrator, finance director and corporation counsel and final review and approval by the human resources committee in six separate meetings; and

WHEREAS, the human resources committee has approved all of the policies in the current Human Resources Manual as well as in the collective bargaining agreements and county code and is most familiar with and best able to review and approve future changes in the Employee Policy Manual.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that the Employee Policy Manual is approved.

BE IT FURTHER RESOLVED that the human resources committee is authorized to approve any future changes to the Employee Policy Manual except any changes resulting in a fiscal impact will go to the county board for approval.

ADOPTED: December 6, 2011

Enrolled No. R155-068

RESOLUTION

File No. 11-12/111

-ADOPTING THE 2011 AFFIRMATIVE ACTION PLAN ANALYSIS UPDATE; DIRECTING THAT THE ORIGINALS OF SAID 2011 AFFIRMATIVE ACTION PLAN ANALYSIS UPDATE SHALL BE PLACED IN THE COUNTY CLERK'S OFFICE FOR PUBLIC INSPECTION-

WHEREAS, the committee on human resources, at its November 18, 2011 meeting, has reviewed the Affirmative Action Plan Analysis Update for the County of Eau Claire; and

WHEREAS, the attached Affirmative Action Plan Analysis Update contains specifics on progress toward meeting plan recommendations and required workforce analysis for the period from July 1, 2010 through June 30, 2011; and

WHEREAS, said 2011 Affirmative Action Plan Analysis Update meets all equal employment opportunity requirements as stipulated by the Federal Government; and

WHEREAS, the internal mechanisms have been established and are in place to monitor said 2011 Affirmative Action Plan Analysis Update and the basic Affirmative Action Plan within the human resources department.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby adopts the attached 2011 Affirmative Action Plan Analysis Update.

BE IT FURTHER RESOLVED that the county clerk is hereby directed to retain the original of said 2011 Affirmative Action Plan Analysis Update in said office for public inspection.

ADOPTED: December 6, 2011

**-AUTHORIZING CONTRACTS TO FORM AND JOIN AN INCOME MAINTENANCE ADMINISTRATION CONSORTIUM-**

WHEREAS, under current law, pursuant to Wis. Stat. § 49.78, the State Department of Health Services (DHS) has delegated certain duties and responsibilities related to the administration of the Income Maintenance Program to counties; and

WHEREAS, under current law, Wis. Stats. §§ 46.031 and 49.78 require Eau Claire County to enter into a contract with DHS for the provision of Income Maintenance Program administration services; and

WHEREAS, 2011 Wisconsin Act 32, the Biennial Budget Bill, modifies current law relating to the authorization for DHS to enter into contracts with individual counties in relation to Income Maintenance Program administration services and instead authorizes the formation of county-based regional consortia and further authorizes each consortium to enter into a contract with DHS related to the provision of the services; and

WHEREAS, Act 32 specifically provides that "... each county with a population of less than 750,000 shall participate in a multi-county consortium that is approved by the department..." and further that "...[b]y October 31, 2011, the department shall approve multi-county consortia..."; and

WHEREAS, Act 32 further provides that "[t]he department may not approve more than 10 multi-county consortia..."; and

WHEREAS, Act 32 further provides that "[i]f a county with a population of less than 750,000 does not participate in a multi-county consortium or the department determines that a multi-county consortium does not satisfy the department's performance requirements, the department shall assume responsibility for administering Income Maintenance Programs in that county or in the geographical area of the multi-county consortium..."; and

WHEREAS Act 32 further provides that, without regard to whether a county chooses to allow DHS to take over Income Maintenance Program administration services or join a consortium that will provide the services, Eau Claire County is required to maintain a tax levy contribution to the system at an amount not less than the amount contributed in 2009; and

WHEREAS, as a result of Act 32, Eau Claire County is faced with a choice of either fully relinquishing all responsibility for Income Maintenance Program administration services to DHS or joining a multi-county consortium consistent with the requirements established in Act 32; and

WHEREAS, Eau Claire County believes it to be in the best interests of the citizens of Eau Claire County to join a multi-county consortium related to the provision of Income Maintenance Program administration services consistent with the requirements established in Act 32 and which consists of 10 counties (Barron, Douglas, Polk, Burnett, Washburn, St. Croix, Dunn, Pierce, Eau Claire and Chippewa), known as the Great Rivers Income Maintenance Consortium; and

WHEREAS, joining a multi-county consortium for purposes of the provision of Income Maintenance Program administration services will require that Eau Claire County enter into a contract or series of contracts with the other counties that make up the consortium and a contract between the consortium and the State of Wisconsin; and

WHEREAS, the contracts with the other counties will establish, among other things, the following: (1) financial responsibility for the consortium; (2) financial accountability among consortium members; (3) individual county responsibilities related to the provision of services; (4) methods for service level accountability among consortium members; and (5) overall responsibility for the contract that will be entered into by and among the multi-county consortium and DHS; and

WHEREAS, the intent of this resolution is to authorize the Eau Claire County Administrator and Human Services Director to take all actions necessary to effectuate the intent of this resolution and that Eau Claire County will act as the lead agency for the Great Rivers Income Maintenance Consortium for calendar year 2012; and

WHEREAS, as lead agency, Eau Claire County, for calendar year 2012, will be responsible for signing the contract with the State of Wisconsin and acting as fiscal agent for the consortium.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that:

1. Eau Claire County does declare its intent to join a multi-county consortium consistent with the requirements set forth in Act 32.
2. Eau Claire County hereby authorizes its county administrator and human services director to enter in to any and all contracts or other documents necessary to create, form, authorize and/or operate the multi-county consortium of which Eau Claire County will be a member.
3. Eau Claire County hereby authorizes its county administrator and human services director to take any other actions necessary to effectuate the intent of this resolution.

ADOPTED: December 6, 2011

Enrolled No. R155-070

RESOLUTION

File No.11-12/119

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF NOVEMBER 2011-

RESOLVED by the Eau Claire County Board of Supervisors that the following accounts are allowed and the county clerk and county treasurer are authorized to issue county order checks to the vendors hereinafter and for the amounts set forth thereafter.

<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
Market Materials LLC	Building project	\$ 1,271,363.20
WCA Group Health Trust	Health & Dental November 2011	692,114.68
State of Wisconsin Treasurer	Courts fines, fees and surcharges (October)	215,711.97
Boon Construction Inc	Base course - Highway	128,237.89
Monarch Paving Co	County Rd F reconditioning - Highway	113,550.50
City of Eau Claire Treasurer	Communications Center payment (November)	107,143.00
Eau Claire City County Health Dept	November payment	86,825.00
Northwest Roofing Co	Roof replacement - courthouse	74,839.68
Scott Construction Inc	County Rd RR base course - Highway	70,227.21
Fahrner Asphalt Sealers LLC	Pavement painting - Highway	60,408.79
Veolia Environmental Services	Recycling	44,334.72
Wilber Trucking Inc	Truck rental - Highway	40,460.00
Baker Tilly	Auditing	35,030.00
Health Professionals LTD	Jail medical	33,222.38
Lutheran Social Services	Assessor & Community Transition Cntr-Oct	30,880.00
Elan Financial	Procurement card purchases	27,437.21
Fuel Service DJ's Mart LLC	Fuel - Highway	27,308.78
Xcel energy	Courthouse gas & electric	23,928.56

Gulfeagle Supply	Roofing material - courthouse	23,848.64
John S Olynick Inc	Materials & trucking rental - Highway	23,735.00
Hewlett Packard	Computers	23,230.46
Sacred Heart Hospital	Nutrition Program - October	21,957.75
U S Postal Service	Postage	20,000.00
AUL Health Benefit Trust	Sick leave payout - DHS	19,195.20
AUL Health Benefit Trust	Sick leave payout - DHS	19,195.20
City of Eau Claire Treasurer	September Specialized transportation-ADRC	18,754.50
Aramark Services	Food services - Jail	18,336.94
Sungard HTE Inc	County share TRAC's SW interface - Sheriff	16,700.00
Chippewa County Sheriff Office	Prisoner housing - September	16,338.00
AUL Special Pay Trust	Sick leave payout - Child Support	13,150.80
AUL Health Benefit Trust	Sick leave payout - Child Support	13,150.80
Minnesota Life Insurance Co	Life Insurance (December 2011)	13,066.91
SHI International Corp	Computers	11,875.34
Try Inc	November payment	10,801.58
Fidlar Technologies	Redaction project	10,540.00
Tactical Command Industries Inc	SWAT supplies - Sheriff	10,207.68
	Sub total	<u>\$3,387,108.37</u>

Lutheran Social Services	DHS Contracted	\$ 133,818.90
Trempealeau County	DHS Contracted	34,957.03
New Visions Treatment Homes of WI	DHS Contracted	33,404.16
Lutheran Social Services	DHS Contracted	32,373.49
Brotoloc Inc	DHS Contracted	30,029.71
Northwest Passage LTD	DHS Contracted	28,615.00
Career Development Center	DHS Contracted	27,337.09
Heyde Health Care System Inc	DHS Contracted	24,165.74
REACH	DHS Contracted	22,564.93
Triniteam	DHS Contracted	21,682.50
Omne Clinic	DHS Contracted	20,231.23
Clinicare Corporation	DHS Contracted	20,093.10
New Hope Hallie Inc	DHS Contracted	18,104.00
Northwest Counseling & Guidance Clinic	DHS Contracted	15,582.92
Childrens Service Society	DHS Contracted	15,233.24
Rawhide Inc	DHS Contracted	13,917.83
Educational Solutions Inc	DHS Contracted	13,637.58
Wisconsin Early Autism Project	DHS Contracted	13,165.01
May Clinic Health System	DHS Contracted	12,627.00
United Cerebral Palsy	DHS Contracted	12,550.29

Eau Claire City County Health Dept	DHS Contracted	11,947.91
REM Wisconsin III Inc	DHS Contracted	11,662.64
Prentice House II Group Home	DHS Contracted	11,098.00
Lifestyles Adult Family Homes Inc	DHS Contracted	<u>10,075.00</u>
	Sub total	\$588,874.30
	Grand Total	\$3,975,982.67

ADOPTED: December 20, 2011

Enrolled No. R155-071

RESOLUTION

File No. 11-12/116

-CONFIRMING THE APPOINTMENTS BY CHAIR GREGG MOORE OF JOHN PADDOCK TO THE CITY-COUNTY BOARD OF HEALTH, RANDALL STUTZMAN TO THE BOARD OF LAND USE APPEALS AND TRAVIS LUDVIGSON TO THE VETERANS SERVICE COMMISSION-

RESOLVED by the Eau Claire County Board of Supervisors that the following appointments are hereby confirmed for the terms hereinafter indicated:

CITY-COUNTY BOARD OF HEALTH  
John Paddock to succeed himself

TERM EXPIRES  
December 2016

BOARD OF AND USE APPEALS  
Randall Stutzman to succeed himself

TERM EXPIRES  
June 2014

VETERANS SERVICE COMMISSION  
Travis Ludvigson to succeed himself

TERM EXPIRES  
December 2014

ADOPTED: December 20, 2011

Enrolled No. R155-072

RESOLUTION

File No. 11-12/096

-AMENDING THE 2006-2020 EAU CLAIRE COUNTY FOREST COMPREHENSIVE LAND USE PLAN-

WHEREAS, Eau Claire County has lands enrolled as county forest pursuant to Wis. Stat. § 28.11; and

WHEREAS, Wis. Stat. §28.11(5)(a) requires that a Comprehensive County Forest Land Use Plan be prepared by the county forestry committee with said plan to encompass a 15-year period with subsequent plan revisions to be completed at 15-year intervals thereafter; and

WHEREAS, said Plan is a dynamic document to be revised by amendment as approved by the Eau Claire County Board of Supervisors as changing conditions require; and

WHEREAS, Chapter 900 of the Comprehensive Land Use Plan 980-16A Timber Sale Contract, pages 1 through 10, include minor changes as well as addition, page 4, item: 13. Purchaser shall apply Cellu-treat (or equivalent) fungicide to all conifer stumps within 24 hours of tree cutting. Purchaser shall apply Cellu-Treat (or equivalent) according to product label directions. County will provide the Cellu-Treat (or equivalent) product and dye. County will also provide the purchaser with a backpack sprayer if needed. Application of Cellu-Treat (or equivalent) is not required if the high temperature on the day of harvest is less than 32 degrees; and

WHEREAS, the creation of Wilson and Hathaway Creek Wilderness Areas boundaries as originally defined were by legal description and did not accurately reflect natural stands and cover types or ecology of the areas. The approved boundary changes reflect suitable natural stands and cover types or ecology of the Wilson Wilderness Area and Hathaway Creek Wilderness Area and exclude the buildings and parking lot from within the Hathaway Creek Wilderness Area not suited to wilderness area designation. Page 500-19 of the Comprehensive Land Use Plan Section 530.2.2 Additional sites for special management b. Wilson Wilderness Area change from 157 to 276 acres and Hathaway Creek Wilderness Area from 98 to 65 acres; and

WHEREAS, Green Tree Retention Guidelines, adopted by Wisconsin County Forest Association in 2011, should be included in the Comprehensive Land Use Plan 2006-2020. The addition is to Chapter 800, Subchapter 810, 810.1.11 Green Tree Retention Guidelines.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors, in consideration of the contents of said Plan, hereby amend and direct the parks and forest director to forward an official copy of the Plan to the Wisconsin Department of Natural Resources for their approval.

ADOPTED: December 20, 2011

Enrolled No. R155-073

RESOLUTION

File No. 11-12/118

-ADOPTING THE 2012 ANNUAL WORK PLAN FOR THE PARKS AND FOREST DEPARTMENT TO COMPLY WITH THE COUNTY FOREST ADMINISTRATION GRANT PROGRAM-

WHEREAS, each year the county is eligible to receive 50% of the actual salary and up to 50% of the fringe benefit costs of a county-employed professional forester in the position of county forest administrator or assistant county forest administrator, except that the fringe benefits may not exceed 40% of the position's annual salary; and

WHEREAS, the parks and forest acting director, in his position, has been grandfathered under the grant program and therefore also qualifies for this funding; and

WHEREAS, per Wisconsin Statutes 28.11(5)(b) and Chapter NR 47.75 of the Wisconsin Administrative Rules for the county forest administration grant program, the county board must approve an annual county forest work plan which must also be approved by the department of natural resources to comply; and

WHEREAS, the 2012 Annual Work Plan implements projects included in the adopted 2012 budget and other projects involving only staff time with no other budget expenditures; and

WHEREAS, a copy of the approved 2012 Annual Work Plan and a copy of this adopted resolution must be received by the department of natural resources prior to January 31, 2012.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby adopts the attached 2012 Annual Work Plan for the parks and forest department.

ADOPTED: December 20, 2011

Enrolled No. R155-074

RESOLUTION

File No. 11-12/117

-REQUESTING THAT THE GOVERNOR AND ALL ELECTED REPRESENTATIVES IN THE WISCONSIN STATE LEGISLATURE REJECT FURTHER CUTS TO COUNTY LAND CONSERVATION STAFFING GRANTS-

WHEREAS, county Land and Water Resource Management (LWRM) Plans were added to Chapter 92 State Statutes in 1997 as a new method of addressing nonpoint pollution and other land conservation efforts in Wisconsin; and



WHEREAS, pursuant to Wis. Stat. § 92.16(6)(b) the Department of Agriculture, Trade and Consumer Protection (DATCP) shall attempt to provide funding for an average of three staff persons per county, with an average of \$100,000 per county for cost-sharing grants; and

WHEREAS, the Soil and Water Resource Management (SWRM) program is currently approximately \$4 million short of meeting its statutory staffing grant goal; and

WHEREAS, county land conservation staff supported by state grants have consistently decreased since the program began, from 219 in 1997 to 97 in 2012, under the 2011-2013 biennial budget and corresponding agency lapse proposal; and

WHEREAS, DATCP proposes to further reduce soil and water general purpose revenue funds, which are used for staffing of county conservation departments by 29%, resulting in a statewide reduction of \$1,100,400; and

WHEREAS, this comes in addition to the \$1 million in cuts already approved in the 2011-2013 biennial budget; and

WHEREAS, DATCP’s proposal identifies only \$105,695 for Eau Claire County’s 2012 staffing grant which is a cut of \$34,882 from the previous year’s award and less than half of the amount that Eau Claire County is eligible to receive by statute; and

WHEREAS, county land conservation staff play a critical role to our state’s economy by assisting landowners to obtain state and federal funds that help pay for their operations and the proposed cuts will therefore have a rippling negative impact on our county’s citizens.

THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors does hereby urge the Governor of the State of Wisconsin and all elected representatives in the Wisconsin State Legislature to reject further cuts to county land conservation staffing grants, recognizing the invaluable service that county conservation employees provide in local delivery of state programs and in managing and protecting the county’s natural resources.

ADOPTED: December 20, 2011

Enrolled No. R155-075

RESOLUTION

File No. 11-12/121

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF DECEMBER 2011-

RESOLVED by the Eau Claire County Board of Supervisors that the following accounts are allowed and the county clerk and county treasurer are authorized to issue county order checks to the vendors hereinafter and for the amounts set forth thereafter.

<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
Market & Johnson	Building project	\$ 1,873,968.00
Market & Johnson	Building project	1,299,744.00
Market Materials	Building project	725,517.53
WCA Group Health Trust	Health & Dental December	686,765.74
State of Wisconsin Treasurer	Courts fines, fees and surcharges (November)	219,058.38
Senn Blacktop Inc	Hot Mix - Highway	152,964.45
Boon Construction	Base Course - Highway	147,622.71

City of Eau Claire Treasurer	Communications Center payment (December)	107,143.00
Dell Computer Corp	Microsoft Office 2010 upgrade	91,764.01
Eau Claire City County Health Dept	December 2011 payment	86,825.00
Netsmart Technologies Inc	Partial pmt for DHS case mgmt/fiscal application	83,318.00
Fuel Service DJ's Mart	Fuel - Highway	77,852.48
ACS	Land records permitting project	75,600.00
BSI Scales Inc	Certified truck scale - Highway	52,215.00
Fahrner Asphalt Sealers	Pavement marking - Highway	47,048.93
Fabco Equipment	Plow blades - Highway	45,952.61
City of Eau Claire Treasurer	Law Enforc server replacement - County portion	42,742.97
Bjorkstrand Metal Roofing Inc	Metal roof - Beaver Creek Reserve	37,621.00
City of Eau Claire Treasurer	Specialized transportation (Oct & Nov)-ADRC	37,220.58
Lutheran Social Services	Assessor & Community Transition Cntr-Nov	30,885.00
John S Olynick Inc	Trucking charges - Highway	29,624.00
Xcel energy	Courthouse gas & electric	28,321.72
Hudson Electric	Final pmt - UPS Replacement project	26,854.00
Fuel Service DJ's Mart	Fuel - Highway	24,103.93
Jaenke Concrete & Excavation	Cost share project - LCD	23,580.26
Jaenke Concrete & Excavation	Cost share project - LCD	23,465.64
Elan Financial	Procurement card purchases	23,009.39
Fuel Service DJ's Mart	Fuel - Airport	22,981.20
Sacred Heart Hospital	Nutrition Program - November	21,024.50
United Way of Greater Eau Claire	2011 United way deductions	20,165.00
Wisconsin Municipal Mutual Inc Co	Work comp - prefunding	20,000.00
Aramark Services	Food services Nov - Jail	19,114.34
Aramark Services	Food services Oct - Jail	18,433.58
Milestone Materials	Base Course - Highway	17,653.20
Promantek Inc	Performance evaluation software - HR	16,670.00
Venture Architects	Building project	14,483.00
AUL Health Benefit Trust	Sick leave payout - Highway	14,292.00
AUL Health Benefit Trust	Sick leave payout - Parks & Forest	14,292.00
Fleming Andre & Assoc Inc	Engineering services bridge design - Highway	13,987.84
Kayser Ford Inc	2012 Ford Focus - Courthouse fleet	13,937.50
Wilber Trucking Inc	Trucking charges - Highway	13,642.50
Minnesota Life Insurance Co	Life Insurance (January 2012)	13,185.72
Office Depot	Office supplies - November	12,507.96
Aramark Services	Food services Dec - Jail	12,301.81
Monroe Truck Equipment	Truck dump body - Highway	12,289.51
The Kraemer Co	Base Course - Highway	11,486.96
Chippewa County	Prison Housing - Oct 2011	11,466.00

L & M Mail Service	Mailing of tax statements	11,185.31
Xcel energy	Airport gas & electric	11,100.94
Ayres Associates	Engineering services bridge design - Highway	10,909.30
Try Inc	December 2011 payment	10,801.58
Advantage Police Supply	Vests - Sheriff	<u>10,161.00</u>
	Sub total	\$6,468,861.08

Lutheran Social Services	DHS Contracted	\$ 139,490.39
Brotoloc Inc	DHS Contracted	28,846.16
Career Development Center	DHS Contracted	27,249.09
Clinicare Corporation	DHS Contracted	26,516.27
Heyde Health Care System Inc	DHS Contracted	26,219.40
Sacred Heart Hospital	DHS Contracted	25,760.18
Northwest Passage LTD	DHS Contracted	23,100.00
Trempealeau County	DHS Contracted	22,171.87
Triniteam	DHS Contracted	21,958.00
OMNE Clinic	DHS Contracted	20,214.43
Trempealeau County	DHS Contracted	18,081.11
Prentice House II Group Home	DHS Contracted	16,260.00
Children's Service Society of WI	DHS Contracted	15,233.24
Northwest Counseling & Guid Clinic	DHS Contracted	15,077.08
Stokes, Prock & Mundt Funeral Chap.	DHS Contracted	14,064.68
Rawhide Inc	DHS Contracted	14,037.90
REACH Inc	DHS Contracted	12,489.21
Mayo Clinic Health Services	DHS Contracted	12,200.00
New Hope Inc	DHS Contracted	11,036.00
REACH Inc	DHS Contracted	10,427.17
	Sub total	\$500,432.18

ADOPTED: January 17, 2012

Enrolled No. R155-076

RESOLUTION

File No. 11-12/120

-ESTABLISHING A LIBRARY PLANNING COMMITTEE FOR EAU CLAIRE COUNTY-

WHEREAS, in 1997 Eau Claire County renegotiated an agreement, titled the County-Wide Library Services Agreement, with county libraries for the provision of library services to all county residents; and

WHEREAS, the agreement was grandfathered in following adoption of Act 150 establishing statewide standards and requirements for library planning and is considered the County Library Plan; and

WHEREAS, the county is interested in exploring changes to the current Countywide Library Services Agreement or the creation of a new library plan; and

WHEREAS, the county is interested in exploring changes to the current Countywide Library Services Agreement or the creation of a new library plan; and

WHEREAS, Chapter 43.11 of the Wisconsin Statutes establishes the process for library planning and allows the county board to create a library planning committee.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby creates an 11-member ad hoc library planning committee composed of two county board supervisors, one representative each from the Eau Claire, Altoona, Fall Creek and Augusta libraries, two town board chairs, one town resident from a town that does not maintain a library, one resident from a city, village or town that maintains a library and one representative of the Indianhead Federated Library System.

BE IT FURTHER RESOLVED that the library planning committee shall review the current library services agreement, explore changes to the agreement/plan or creation of a new plan and submit its report and recommendations to the committee on administration, library boards and chief elected officers of municipalities in the county no later than July 20, 2012.

BE IT FURTHER RESOLVED that the county board chair is authorized to appoint members to the library planning committee.

ADOPTED: January 17, 2012

Enrolled No. R155-077

RESOLUTION

File No.11-12/125

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF JANUARY 2012-

RESOLVED by the Eau Claire County Board of Supervisors that the following accounts are allowed and the county clerk and county treasurer are authorized to issue county order checks to the vendors hereinafter and for the amounts set forth thereafter.

<u>VENDOR</u>	<u>PAYMENT FOR:</u>	<u>AMOUNT</u>
Market & Johnson	Building project	\$ 1,311,052.00
Market Materials	Building project	803,939.06
WCA Group Health Trust	Health & Dental December	696,663.22
State of Wisconsin Treasurer	Courts fines, fees and surcharges (December)	200,497.03
Wisconsin Municipal Mutual Ins Co	Insurance (auto, errors & omission, w/c replen)	178,935.76
State of Wisconsin Treasurer	Terminal const. phase II Cty portion - Airport	127,364.00
Heartland Label Printers Inc	Network core equipment - Building project	99,605.50
Veolia Environmental Services	Recycling	88,263.36
Eau Claire City County Health Dept	January 2012 payment	86,868.50
Waste Management Northern WI	Recycling - (Oct, Nov, and Dec)	75,680.64
RTS Roofing	Truck barn roof - Highway	71,648.00
CDW Government Inc	Network storage expansion	69,642.00
Venture Architects	Building project	68,766.00
City of Eau Claire Treasurer	Tax transfer	59,467.37

Fuel Service DJ's Mart	Fuel - Highway	49,593.04
ACS	Land records maintenance & support	41,800.00
Town of Brunswick Treasurer	County bridge aid (Maple Dr) - Highway	36,379.84
Town of Bridge Creek	Timber sales	35,063.69
Xcel Energy	Courthouse gas & electric	34,173.87
North American Salt Co	Road salt - Highway	32,573.68
Lutheran Social Services	Assessor & Community Transition Cntr-Dec	30,965.00
Positioning Solutions Company	GPS Hiper base & rover rtk kit - Planning	29,439.90
City of Eau Claire Treasurer	Hazmat B payment - Planning & Develop	29,223.00
Trane Company	Air handling units replacement project-Crths	26,379.00
Weidenhammer Systems Corp	Alio maintenance and support	24,926.00
Fuel Service DJ's Mart LLC	Fuel - Highway	24,809.95
Robertson Ryan & Associates Inc	Excess workers comp renewal	23,620.00
Sacred Heart Hospital	Nutrition Program - December	22,560.50
Eau Claire Area Economic Develop	1st qtr payment	22,000.00
State of Wisconsin Treasurer	Probate and vital records - 4th qtr	21,860.17
Aramark Services	Food services December - Jail	20,105.35
US Postal Service	Postage	20,000.00
Town of Wilson	Timber sales	19,778.18
City of Eau Claire Treasurer	Communications Center payment (January)	19,300.00
Bobcat Plus	2008 Bobcat skid steer loader - Parks & Forest	18,995.00
Elan Financial	Procurement card purchases	17,515.08
Ewald's	2012 Chev Impala - Fleet car	17,409.00
Moody's Investors Service	Bond sale rating analysis	15,000.00
Force America Inc	GPS System - Highway	14,599.76
AUL Health Benefit Trust	Sick leave payout - Human Services	14,464.80
University of Cincinnati	CJCC training (will be reimbursed)	14,000.00
AUL Health Benefit Trust	Sick leave payout - Highway	13,831.82
Xcel Energy	Airport gas & electric	13,677.00
Minnesota Life Insurance Co	Life Insurance (February 2012)	13,091.18
Chippewa County Treasurer	Prisoner housing - December	12,432.00
Wisconsin Counties Association	Annual dues	11,992.00
CDW Government	Smartnet telephone upgrade	11,945.63
Town of Fairchild	Timber sales	11,836.39
City of Altoona	Water / sewer - Airport	11,612.80
Try Inc	January 2012 payment	10,801.58
Mayo Clinic Health Systems	Workers Comp	10,387.05
Force America Inc	GPS System - Highway	10,215.93
	Sub total	<u>\$4,746,750.63</u>

State of Wisconsin Dept of Health	BCA payment for LTC	\$	319,858.50
Lutheran Social Services	DHS Contracted		104,366.77
Trempealeau County	DHS Contracted		54,252.31
Clinicare Corporation	DHS Contracted		33,923.47
New Visions Treatment Homes of WI	DHS Contracted		29,144.16
Brotoloc	DHS Contracted		28,613.81
New Visions Treatment Homes of WI	DHS Contracted		28,380.80
Career Development Center	DHS Contracted		28,345.09
Northwest Passage LTD	DHS Contracted		27,350.00
Heyde Health Care System	DHS Contracted		27,093.38
Lutheran Social Services	DHS Contracted		25,247.14
Triniteam	DHS Contracted		22,429.00
OMNE Clinic	DHS Contracted		18,148.33
Prentice House II Group Home	DHS Contracted		16,802.00
Northwest Counseling & Guidance	DHS Contracted		15,419.33
Rawhide Inc	DHS Contracted		14,505.83
Mayo Clinic Health Systems	DHS Contracted		12,261.00
REACH Inc	DHS Contracted		10,994.03
Sacred Heart Hospital	DHS Contracted		10,960.16
New Hope Inc	DHS Contracted		10,168.00
Positive Alternatives Inc	DHS Contracted		10,090.50
Lifestyles Adult Family Homes	DHS Contracted		<u>10,075.00</u>
	Sub total		\$858,428.61
	Grand Total		\$5,605,179.24

ADOPTED: February 21, 2012

Enrolled No. R155-078

RESOLUTION

File No. 11-12/131

-APPROVING A REVISED INTERGOVERNMENTAL AGREEMENT FOR GOVERNANCE OF THE JOINT COMMISSION ON SHARED SERVICES INITIATIVES-

WHEREAS, by joint action of the Eau Claire City Council and Eau Claire County Board of Supervisors, a Joint Commission on Shared Services Initiatives was established in March 2006 for the purpose of examining potential city/county shared services opportunities and making recommendations to the respective governing bodies regarding potential strategies that increase efficiency, improve quality or reduce costs in the delivery of public services; and

WHEREAS, in July 2009, the Commission expanded to include members of the Eau Claire School Board;  
and

WHEREAS, the Joint Commission has served as a positive focus for exploration of policy issues related to expanding shared services in specific operational areas and has served to maintain a public policy emphasis on the concept of shared services; and

WHEREAS, in August 2011, the Joint Commission on Shared Services received and approved the Service Optimization and Process Review Report; and

WHEREAS, in November 2011, the Eau Claire City Council, Eau Claire County Board of Supervisors and the Eau Claire School Board accepted the Priority Partnership Opportunity Projects included in the Service Optimization and Process Review report; and

WHEREAS, the Joint Commission on Shared Services Initiatives has reviewed and approved revisions to the Intergovernmental Agreement for Governance of the Joint Commission on Shared Services Initiatives as shown on the attached document; and

WHEREAS, the Intergovernmental Agreement for Governance of the Joint Commission on Shared Services Initiatives requires that any revisions to the agreement must be approved by the respective governing bodies.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that the revisions to the Intergovernmental Agreement for Governance of the Joint Commission on Shared Services Initiatives as shown on the attached document are hereby approved.

ADOPTED: February 21, 2012

Enrolled No. R155-079

RESOLUTION

File No. 11-12/123

-AMENDING THE EAU CLAIRE COUNTY HUMAN RESOURCES EMPLOYEE POLICY MANUAL-

WHEREAS, when reviewing Employee Policy 503 *Overtime and Compensatory Time*, the policy was unclear on how to implement for the sergeant, civilian jail sergeant and correctional officer positions; and

WHEREAS, the intent of the policy was for employees in these positions to earn compensatory time or overtime compensation for hours worked beyond their scheduled hours. The language was written that overtime or compensatory time is earned after 80 hours worked; and

WHEREAS, the scheduling for the jail is such that 12 correctional officers are scheduled to work 85 hours every pay period. The way the policy is currently written would result in a potential \$15,990 in additional overtime pay; and

WHEREAS the intent of the policy is to compensate for additional hours worked beyond the regularly scheduled hours within a pay period. Paid benefit time will not be considered as hours worked for purposes of determining compensatory hours. The amended language, below, reflects this change;

4.3.2 Employees in the sergeant, civilian jail sergeant or correctional officer positions will earn compensatory time on the basis of time and one-half hours compensatory time for one hour worked ~~outside an 80 hour pay period to a maximum of 85 hours annually~~ for hours worked beyond their regularly scheduled hours within a pay period to a maximum of 85 hours annually.

***4.3.2.1 ~~Once the maximum accrual amount has been met, employees will be paid for any time worked outside an 80 hour pay period at a rate of time and one-half time for one hour worked~~ for hours worked beyond their regularly scheduled hours within a pay period at a rate of time and one-half time for one hour worked.***

WHEREAS, the human resources committee has approved these changes at their January 13, 2012 meeting and recommends them to the county board.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that the change to Policy 503 in the Employee Policy Manual is approved.

ADOPTED: February 21, 2012

Enrolled No. R155-080

RESOLUTION

File No. 11-12/132

-AUTHORIZING DELETION OF .72 FTE EXPOSITION CENTER DIRECTOR POSITION AND CREATION OF A .72 FTE (1,500 HOURS) CUSTODIAN POSITION IN THE UW-EXTENSION OFFICE-

WHEREAS, the Eau Claire County Code of General Ordinances requires that all regular positions or changes therein be submitted to the board for authorization; and

WHEREAS, at its regularly scheduled meeting on February 10, 2012, the committee on human resources approved a request from the UW-Extension office for deletion of the exposition director position and creation one .72 FTE (1,500 hours annually) custodian position; and

WHEREAS, at its January 16, 2012 meeting, the exposition center facility commission approved the creation of this position after a review by UW-Extension staff of the operation of the exposition center and their recommendation of this part-time position to manage the needs more efficiently; and

WHEREAS, the annual estimated cost of the position is \$24,090, and these funds have been allocated in the 2012 budget.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby approves the deletion of the .72 FTE exposition center director position and creation of a .72 FTE (1,500 hours) custodian position in the UW-Extension office.

ADOPTED: February 21, 2012

Enrolled No. R155-081

RESOLUTION

File No. 11-12/133

-AUTHORIZING A NEW .75 FTE CARE TRANSITION COACH POSITION IN THE AGING AND DISABILITY RESOURCE CENTER (ADRC)-

WHEREAS, the Eau Claire County Code of General Ordinances requires that all regular positions or changes therein be submitted to the board for authorization; and

WHEREAS, at its regularly scheduled meeting on February 10, 2012, the committee on human resources approved a request from the ADRC department to create one new .75 FTE care transition coach to expand the care transition program to Chippewa County as part of the implementation of an evidence based care transitions program for Medicare beneficiaries who are at high risk for readmission to the hospital. This is a regional effort between Mayo Clinic Health Systems, Sacred Heart Hospital, St Joseph's Hospital and the ADRC's of Eau Claire and Chippewa Counties, and they are in the process of contracting with the ADRC of Chippewa County to provide the funding for this position and expansion of service to St Joseph's Hospital and Chippewa County; and

WHEREAS, for 2012 the position cost is \$43,596. Position funding will be received from Chippewa County to cover the cost.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby approves the .75 FTE care transition coach position.

ADOPTED: February 21, 2012



-AMENDING THE EAU CLAIRE COUNTY HUMAN RESOURCES EMPLOYEE POLICY MANUAL-

WHEREAS, when reviewing Employee Policy 527 *Clothing Allowance*, Section 2.1 reads, “Employees in the positions of sergeant, correctional officer and civilian jail sergeant will be allocated \$720 annually for the purchase of new uniforms;” and

WHEREAS, the transition team is recommending a change to this section to include the captains and lieutenants per the policy statement, employees in the sheriff’s office are expected to maintain clean, pressed and professional looking uniforms at all times. The county will provide an annual allowance to employees in the sheriff’s office to assist in the expense of the required uniform. The recommended change to include the captains and lieutenants better matches the policy statement of this policy and will include employees in these positions who are also required to maintain clean, pressed uniforms; and

WHEREAS the amended language, below, reflects this change:

2. Payment of Clothing Allowance.

***2.1 Employees in the positions of captain, lieutenant, sergeant, correctional officer and civilian jail sergeant will be allocated \$720 annually for the purchase of new uniforms.***

WHEREAS, the fiscal impact is projected to be \$2,880 annually and was not budgeted in the 2012 budget but will be managed within the existing sheriff’s office budget; and

WHEREAS, the human resources committee has approved these changes at their February 10, 2012 meeting and recommends them to the county board.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that the change to Policy 527 in the Employee Policy Manual is approved.

ADOPTED: February 21, 2012

-AWARDING THE CONSTRUCTION/REMODEL OF THE EAU CLAIRE COUNTY HEALTH DEPARTMENT PHASE III TO THE FOLLOWING: STEEL ERECTION TO INDUSTRIAL CONSTRUCTION SPECIALISTS \$489; STEEL MATERIAL TO NICK’S WELDING \$7,000; BUILDING WORKS TO MARKET & JOHNSON \$157,503; ALUMINUM SYSTEMS TO ESSER GLASS \$1,738; ACCOUSTICAL CEILINGS TO AUSTAD & SONS \$11,500; FLOORING TO SWANSON COMMERCIAL FLOORING \$52,800; PAINTING TO OMNI GLASS & PAINT \$13,800; FIRE PROTECTION TO VIKING AUTOMATIC SPRINKLER \$9,900; HVAC TO NORTH AMERICAN MECHANICAL INC. \$87,000; ELECTRICAL TO HUDSON ELECTRIC \$116,439-

WHEREAS, in accordance with Chapter 2.70, bids were solicited for construction of the Eau Claire County Health Department remodel Phase III; and

WHEREAS, the attachment represents the results of said solicitation; and

WHEREAS, the building committee has concurred with the recommendation of the purchasing director to award said bids.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby authorizes the bid for construction of the Eau Claire County Health Department remodel project for steel erection to Construction Specialists \$489; steel material to Nick’s Welding \$7,000; building works to Market & Johnson

\$157,503; aluminum systems to Esser Glass \$1,738; acoustical ceilings to Austad & Sons \$11,500; flooring to Swanson Commercial Flooring \$52,800; painting to Omni Glass & Paint \$13,800; fire protection to Viking Automatic Sprinkler \$9,900; HVAC to North American Mechanical Inc. \$87,000 and electrical to Hudson Electric \$116,439.

ADOPTED: February 21, 2012

Enrolled No. R155-084

RESOLUTION

File No. 11-12/136

-AWARDING THE ELEVATOR CONVERSION OF THE EAU CLAIRE COUNTY GOVERNMENT CENTER REMODEL PROJECT (PHASE III) TO BRAUN, THYSSENKRUPP ELEVATOR FOR \$63,400, FLOORING TO SWANSON COMMERCIAL FLOORING FOR \$750, ELECTRICAL TO HUDSON ELECTRIC FOR \$8,545-

WHEREAS, in accordance with Chapter 2.70, bids were solicited for construction (Phase III) of the elevator conversion; and

WHEREAS, the attachment represents the results of said solicitation; and

WHEREAS, the committee has concurred with the recommendation of the purchasing director to award said bids.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby awards the bid for the elevator conversion for the Eau Claire County Government Center project (Phase III) to Braun, ThyssenKrupp Elevator for \$63,400 flooring to Swanson Commercial Flooring for \$750, electrical to Hudson Electric for \$8,545.

ADOPTED: February 21, 2012

Enrolled No. R155-085

RESOLUTION

File No. 11-12/101

-TRANSFERRING ADMINISTRATION OF THE ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT GRANT FROM THE DEPARTMENT OF HUMAN SERVICES TO THE AGING AND DISABILITY RESOURCE CENTER-

WHEREAS, the Alzheimer's Family and Caregivers Support Program (AFCSP) is an annual grant coordinated by the Wisconsin Bureau on Aging and Disability Resources, the ADRC's state office intended to support families and caregivers of people with Alzheimer's; and

WHEREAS, the department of human services (DHS) is currently designated by the Eau Claire County Board of Supervisors as the recipient of the Alzheimer's Family and Caregiver Support Program grant; and

WHEREAS, in 2012 the grant amount is \$30,965 and is intended to provide services to the population served by the aging and disability resource center (ADRC); and

WHEREAS, the current process involves ADRC identifying individuals who will benefit from the AFCSP and referring them to DHS; and

WHEREAS, ADRC options counselors continue to work with many of the individuals referred to DHS through early memory screening, the Older American's Act Family Caregiver Support and Meals on Wheels programs and the Memory Care Connections Program for caregivers of people with Alzheimer's; and

WHEREAS, transferring administration of the grant to the ADRC would increase coordination of services provided to each person and provide a one stop process for these already stressed individuals.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that administration of the Alzheimer's Family and Caregiver Support Grant be transferred from the department of human services to the ADRC.

ADOPTED: February 21, 2012

Enrolled No. R155-086

RESOLUTION

File No. 11-12/126

-TO AUTHORIZE THE SUBMISSION OF AN APPLICATION TO THE STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION, DIVISION OF HOUSING AND INTERGOVERNMENTAL RELATIONS, FOR PARTICIPATION IN THE 2011 SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM-

WHEREAS, federal monies are available under the Wisconsin Community Development Block Grant (CDBG) program, administered by the State of Wisconsin, Department of Administration, Division of Housing, for the purpose of housing activities; and

WHEREAS, after public meeting and due consideration, the Eau Claire County Housing Authority has recommended that an application be submitted to the State of Wisconsin for the following projects:

- Owner-occupied rehabilitation
- Renter-occupied rehabilitation
- Homebuyer opportunity (rehabilitation, down payment and closing cost funds)

WHEREAS, it is necessary for the Eau Claire County Board of Supervisors to approve the preparation and filing of an application for the County of Eau Claire to receive funds from this program; and

WHEREAS, the Eau Claire County Board of Supervisors has reviewed the need for the proposed projects and the benefits to be gained therefrom.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors does approve and authorize the preparation and filing of an application for the above-named projects.

BE IT FURTHER RESOLVED that the county board chair is hereby authorized to sign all necessary documents on behalf of the county.

BE IT FURTHER RESOLVED that authority is hereby granted to the Eau Claire County Housing Authority to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

ADOPTED: February 21, 2012

Enrolled No. R155-087

RESOLUTION

File No. 11-12/127

-TO REVISE EAU CLAIRE COUNTY'S CITIZEN PARTICIPATION PLAN-

WHEREAS, Eau Claire County will apply for a 2011 Small Cities Community Development Block Grant; and

WHEREAS, the State Department of Administration and the U.S. Department of Housing and Urban Development require recipients of Community Development Block Grant monies to have in place a Citizen Participation Plan; and

WHEREAS, the Citizen Participation Plan encourages citizen participation (especially by persons of low to moderate income), provides citizens reasonable and timely access to local meetings and information, provides for

technical assistance, provides for public hearings, provides for a complaint procedure and accommodates non-English speaking residents; and

WHEREAS, Eau Claire County adopted a Citizen Participation Plan on October 1, 1991.

WHEREAS, Eau Claire County's Citizen Participation Plan has been revised to incorporate content and format changes since the plan's adoption; and

WHEREAS, Eau Claire County has prepared and publicly reviewed the revised Citizen Participation Plan.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors officially adopts the revised Citizen Participation Plan.

ADOPTED: February 21, 2012

Enrolled No. R155-088

RESOLUTION

File No. 11-12/139

-SUPPORTING EAU CLAIRE COUNTY'S PARTICIPATION IN THE STATE UTILITY TERRAIN VEHICLE (UTV) PILOT PROGRAM AND A PERMANENT PROGRAM IF ONE IS ESTABLISHED BY THE STATE LEGISLATURE-

WHEREAS, there is increasing interest in the use of utility terrain vehicles (UTV's) on all-terrain vehicle (ATV) routes and trails; and

WHEREAS, the "Utility Terrain Vehicle Pilot Program" (Pilot Program), 2009 Wisconsin Act 175, was signed into law by Governor James Doyle and became effective on March 15, 2010; and

WHEREAS, if a county elects to participate in the Pilot Program, the governing body of the county shall adopt a resolution to that effect, in strict conformity to s. 23.33, Wis. Stats.; and

WHEREAS, if a county adopts such a resolution, the resolution shall apply to all of the cities, villages and towns (municipalities) within the county unless the governing body of a municipality adopts a resolution that provides that the municipality will not participate in the Pilot Program; and

WHEREAS, the governing body of each participating county or municipality may withdraw from the Pilot Program before July 1, 2012, by adopting a resolution to that effect; and

WHEREAS, if a county or municipality adopts a resolution, its clerk shall immediately send a copy of the resolution to the Department of Natural Resources, ATV Administrator, 101 S. Webster St., Madison, WI 53707-7921 and also to the office of any law enforcement agency of municipality or county having jurisdiction over any all-terrain vehicle route or trail designated as open to UTV's.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors approves allowing UTV's to use Eau Claire County all-terrain vehicle trails and routes for the period of May 1 to June 30, 2012 under the Pilot Program and from July 1 to October 31, 2012 under a permanent UTV program if one is established by the state legislature, as well as all municipal ATV routes, unless a municipality prohibits such operation by resolution.

BE IT FURTHER RESOLVED that funding for the UTV program shall come from any available state funding through the parks and forest department ATV program budget with no additional county funds to be allocated for the UTV program.

ADOPTED: March 6, 2012

-AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF FEBRUARY 2012-

RESOLVED by the Eau Claire County Board of Supervisors that the following accounts are allowed and the county clerk and county treasurer are authorized to issue county order checks to the vendors hereinafter and for the amounts set forth thereafter.

<u>VENDOR</u>	<u>PAYMENT FOR:</u>		<u>AMOUNT</u>
Market Materials LLC	Building project	\$	756,252.83
WCA Group Health Trust	Health & Dental March		683,911.14
WCA Group Health Trust	Health & Dental February		650,773.46
L E Phillips Memorial Public Library	1st half Levy payment		273,809.50
State of Wisconsin Treasurer	Courts fines, fees and surcharges (January)		202,522.65
City of Eau Claire	Personal property transfer		164,609.17
Eau Claire City County Health Dept	February 2012 payment		86,868.50
Correctional Healthcare Companies Inc	Services for February & March 2012		66,444.76
AUL Health Benefit Trust	Retiree HRA Transfer (Pass through)		50,049.77
DJ's Mart LLC	Diesel fuel - Highway		49,157.90
Veolia Environmental Services	Recycling		43,738.56
Bartingale Mechanical Inc	Air handler unit replacement		33,250.00
Correctional Healthcare Companies Inc	Services for January 2012		33,222.38
Xcel Energy	Courthouse gas & electric		32,629.17
WI Municipal Mutual Insurance Co	Work Comp prefunding		31,522.11
Elan Financial	Procurement card purchases		25,238.80
Waste Management	Recycling		24,641.28
Xcel Energy	Overpayment of real estate tax		22,934.63
Heartland Label Printers Inc	Building project		21,000.00
City of Eau Claire Treasurer	85.21 Transportation contract - ADRC		20,327.52
Mac Queen Equipment	Sweeper repairs - Highway		20,008.88
Literacy Volunteers of America	Contracted Services - Jail		20,000.00
North American Salt Co	Road salt - Highway		18,294.39
AUL Health Benefit Trust	Retirement - Sick leave payout, Sheriff		16,044.22
Cheryl Weckwerth	Workers Comp payment (13 months)		15,886.00
North American Salt Co	Road salt - Highway		14,827.62
AUL Health Benefit Trust	Retirement - Sick leave payout, Highway		14,292.00
AUL Health Benefit Trust	Retirement - Sick leave payout, Finance		13,921.28
State of Wisconsin Treasurer	Delinquent tax auction		13,915.00
CDW Government Inc	Network storage expansion		13,250.79
A 1 Excavating Inc	Reclaimer parts - Highway		13,000.00
Xcel Energy	Airport gas & electric		12,698.87
AUL Health Benefit Trust	Retirement - Sick leave payout, Clk of Cts		12,340.80
Minnesota Life Insurance Co	Life Insurance (February 2012)		12,296.04
The Cary Group Inc	Training for CJCC		12,000.00
Aramark Services	Food services January 2nd half - Jail		11,914.55
Aramark Services Inc	Food services February 1st half - Jail		11,803.74
Aramark Services Inc	Food services January 1st half - Jail		11,738.76
Greg C Heiler MD	Medical examinations		11,050.00
Try Inc	February 2012 payment		10,801.58
Elmer Steinmetz	Overpayment of real estate tax		10,097.05
	Subtotal		<u>\$3,563,085.70</u>

Lutheran Social Services	DHS Contracted	93,671.87
Trempealeau County	DHS Contracted	47,898.78
Northwest Passage LTD	DHS Contracted	32,505.00
Clinicare Corporation	DHS Contracted	32,232.94
New Visions Treatment Homes of WI	DHS Contracted	29,414.16
Brotoloc Inc	DHS Contracted	28,022.48
Career Development Center	DHS Contracted	27,959.00
Heyde Health Care System Inc	DHS Contracted	24,889.90
Omne Clinic	DHS Contracted	21,945.13
Lutheran Social Services	DHS Contracted	21,493.00
Triniteam	DHS Contracted	20,464.33
Reach Inc	DHS Contracted	20,136.48
Northwest Counseling & Guidance	DHS Contracted	14,957.41
Prentice House II Group Home	DHS Contracted	14,904.00
New Hope Hallie Inc	DHS Contracted	14,384.00
Mayo Clinic Health Systems	DHS Contracted	11,925.30
New Hope Inc	DHS Contracted	11,532.00
Positive Alternatives	DHS Contracted	10,230.00
L E Phillips Treatment Center	DHS Contracted	10,128.52
Lifestyles Adult Family Homes Inc	DHS Contracted	10,075.00
	Subtotal	<u>\$498,769.30</u>
	Grand total	\$4,061,855.00

ADOPTED: March 20, 2012

Enrolled No. R155-090

RESOLUTION

File No. 11-12/145

-AWARDING THE BEAVER CREEK RESERVE SHOWER HOUSE REMODEL TO RHOM CONSTRUCTION FOR \$94,315, WIERSGALLA CO. INC. FOR \$77,700 AND LL DAHL ELECTRIC FOR \$14,249-

WHEREAS, in accordance with Chapter 2.70, bids were solicited for the Beaver Creek shower house remodel; and

WHEREAS, the attachment represents the results of said solicitation; and

WHEREAS, the committee has concurred with the recommendation of the purchasing director to award said bids to Rhom Construction for \$94,315, Wiersgalla Co. Inc. for \$77,700 and LL Dahl Electric for \$14,249.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby awards the bids for the Beaver Creek Reserve shower house remodel to Rhom Construction for \$94,315, Wiersgalla Co. Inc. for \$77,700 and LL Dahl Electric for \$14,249.

ADOPTED: March 20, 2012

Enrolled No. R155-091

RESOLUTION

File No. 11-12/150

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

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

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that the following matters previously referred to committees be carried over to the 2012-2013 legislative session:

11-12/137

BE IT FURTHER RESOLVED that all calendar items referred or introduced for first reading at the April 4, 2012 county board meeting shall be carried over to the 2012-2013 legislative session.

ADOPTED: April 4, 2012

**SECTION 3**

**ENACTED ORDINANCES**



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11-12/035

AMENDING TITLE 19 OF THE EAU CLAIRE COUNTY CODE: EAU CLAIRE COUNTY WISCONSIN COMPREHENSIVE PLAN O155-007

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(Ldr.-Tele., April 29, 2011)

Enrolled No. O155-001

**ORDINANCE**

File No. 11-12/013

-TO AMEND SECTION 3.35.050 A. 1. AND 2. OF THE COUNTY CODE: GROUP HEALTH INSURANCE;  
TO AMEND SECTION 3.35.070 B. OF THE CODE: RETIREMENT-

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

**SECTION 1.** That Paragraphs 1. and 2. of Subsection A. of Section 3.35.050 of the code be amended to read:

1. Eligible full-time employees shall contribute 910% effective July 1, 2011 and 12% effective December 31, 2011 of the premium payment for the HMO plan.
2. Eligible part-time employees as defined in 3.35.010 B. shall contribute 910% effective July 1, 2011 and 12% effective December 31, 2011 of the premium payment for a single HMO plan or 58% of the premium payment for a family HMO plan.

**SECTION 2.** That Subsection B. of Section 3.35.070 of the code be amended to read:

B. Employee contributions. Effective the first day of the first pay period after March 13, 2011, employees will pay the employee share one-half of all actuarially required contributions and protective service employees will pay one-half of the actuarially required contributions for general participants to the Wisconsin Retirement Fund ~~as required by state law.~~

**SECTION 3.** That this ordinance shall take effect April 20, 2011.

ENACTED: April 19, 2011

(Ldr.-Tele., May 13, 2011)

Enrolled No. O155-002

**ORDINANCE**

File No. 11-12/016

-TO AMEND SECTION 2.04.030 C. 2., D. 2., AND E. 3. OF THE CODE: RULE 3--OPENING OF MEETING-

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

**SECTION 1.** That Paragraph 2. of Subsection C., Paragraph 2. of Subsection D. and Paragraph 3. of Subsection E. of Section 2.04.030 of the code be amended to read:

- C. Order of Business for Regular Meetings. The order of business shall be as follows for all regular meetings of the board, except as otherwise provided by rules for the annual and organizational meetings:
  1. Call to order;
  2. Honoring of the flag and invocation moment of reflection;
- D. Order of Business for the Annual Meeting. The order of business shall be as follows for the annual meeting:
  1. Call to order;
  2. Honoring of the flag and invocation moment of reflection;
- E. Order of Business for the Organizational Meeting. The order of business shall be as follows for the organizational meeting:
  1. Call to order;
  2. Presentation of the colors and honoring of the flag;
  3. Invocation Moment of reflection;

ENACTED: May 3, 2011

(Ldr.-Tele., May 13, 2011)

Enrolled No. O155-003

**ORDINANCE**

File No. 11-12/002

-TO AMEND SECTION 3.30.050 OF THE CODE: NONEXEMPT EMPLOYEES-

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

**SECTION 1.** That Subsection 3.30.050 of the code be repealed and recreated to read:

3.30.50 Nonexempt employees.

- A. All excess hours must be approved of in advance by the department head.
- B. Nonexempt employees will be paid time and one-half their regular hourly rate for all time worked in excess of 40 hours per week.
- C. All paid overtime must be authorized by the department head or designee and is subject to budgetary limitations.
- D. In lieu of overtime pay, nonexempt employees may be granted compensatory time off at time and one-half hours for each overtime hour worked in excess of 40 hours per week.
- E. Compensatory time may be accumulated to a maximum of 40 hours, and must be used before vacation and personal holiday benefits, except where use of compensatory time would forfeit accumulated vacation and personal holiday benefits.

ENACTED: May 3, 2011

(Ldr.-Tele., May 13, 2011)

Enrolled No. O155-004

**ORDINANCE**

File No. 11-12/003

-TO AMEND SECTION 3.01.010 Y. OF THE CODE: SEASONAL EMPLOYMENT-

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

**SECTION 1.** That Subsection Y, of Section 3.01.010 of the code be amend to read:

Y. "Seasonal employment" means employment in a position ~~which can be performed between March 15 to November 15 of the same calendar year~~ not more than 180 continuous calendar days, including weekends, county-observed holidays and other days incorporating both voluntary and/or involuntary leave.

ENACTED: May 3, 2011

(Ldr.-Tele., May 13, 2011)

Enrolled No. O155-005

**ORDINANCE**

File No. 11-12/004

-TO AMEND SECTION 3.60.040 OF THE CODE: PERFORMANCE EVALUATION-

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

**SECTION 1.** That Subsection 3.60.040 E. of the code be amended to read:

E. Upon receipt of the delinquent performance evaluations, the human resources department will ensure that the incremental salary increases are restored ~~retroactive to the effective date of the last salary increase~~ effective the date the evaluations were received by the human resources department.

ENACTED: May 3, 2011

(Ldr.-Tele., May 27, 2011)

Enrolled No. O155-006

**ORDINANCE**

File No. 11-12/027

-TO AMEND SECTION 10.81.030 C. OF THE CODE: RESTRICTED PARKING AREAS; TO CREATE SECTION 10.81.030 H. OF THE CODE: RESTRICTED PARKING AREAS-

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

**SECTION 1.** That Subsection C. of Section 10.81.030 of the code be amended to read:

C. The easternmost two rows and southernmost row of Lot B shall be restricted solely to visitor parking. Visitors may also park in any parking space that is not specifically designated otherwise, consistent with any other restrictions designated herein.

**SECTION 2.** That Subsection H. of Section 10.81.030 of the code be created to read:

H. The county administrator shall have the authority to restrict parking to ensure visitor access to the county courthouse regardless of the restrictions in this section.

ENACTED: May 17, 2011

(Ldr.-Tele., July 29, 2011)

Enrolled No. O155-007

**ORDINANCE**

File No. 11-12/035

-AMENDING TITLE 19 OF THE EAU CLAIRE COUNTY CODE: EAU CLAIRE COUNTY WISCONSIN COMPREHENSIVE PLAN-

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

**SECTION 1.** That Title 19 of the code be amended to:

Amend the county's Future Land Use Map, Map 9, Appendix E to the Rural Residential Planning Area Designation for the Plat of Bluebird Meadow and all of Lot 2 of Certified Survey Map Recorded in Volume 6, Page 22, located in the Northwest ¼ of the Southwest ¼ of Section 30, Township 27 North, Range 10 West, Town of Union, Eau Claire County. This change would be consistent with the city and town agreement for the residential development standards.

The Eau Claire County Board of Supervisors may amend the Eau Claire County Wisconsin Comprehensive Plan at any time, in accordance with Section 4.3 of the Eau Claire County Wisconsin Comprehensive Plan, Plan Adoption and Amendment Procedures, which are in accordance with the procedures set forth in Wis. Stat. § 66.1001(4).

ENACTED: July 19, 2011

(Ldr.-Tele., July 29, 2011)

Enrolled No. O155-008

**ORDINANCE**

File No. 11-12/023

-AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF UNION-

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

**SECTION 1.** That the 1982 Official Zoning District Boundary Map for the Town of Union described as follows: A parcel of land being part of Lot 2 of Certified Survey Map recorded in Volume 6 of Eau Claire County Certified Survey Maps, Page 222, located in the Northwest 1/4 of the Southwest 1/4 of Section 30, Township 27 North, Range 10 West of the 4<sup>th</sup> Principal Meridian, located in and forming a part of the Town of Union, Eau Claire County, Wisconsin, more particularly described as follows: Commencing at the west quarter corner of said Section 30; thence along the west line of said Southwest 1/4, South 00°41'08" West 1192.78 feet to the point of beginning; thence South 89°41'44" East 519.87 feet to angle point on the east line of said Lot 2; thence along the east line of said Lot 2, South 00°18'00" West 126.60 feet to the southeast corner of said Lot 2; thence along the south line of said Lot 2, North 89°41'44" West 164.56 feet; thence North 00°41'08" East 75.67 feet; thence North 89°41'44" West 356.17 feet to the west line of said Southwest 1/4; thence along said west line, North 00°41'08" East 50.92 feet to the point of beginning, containing 38,915 sq. ft. or 0.89 acres be reclassified from the A-2 Agriculture-Residential District to the RH Rural Homes District.

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

ENACTED: July 19, 2011

(Ldr.-Tele., Aug. 26, 2011)

**Enrolled No. O155-009** **ORDINANCE** **File No. 11-12/048**  
-AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF PLEASANT VALLEY-

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

**SECTION 1.** That the zoning district for the following described property on the 1982 Official Zoning District Boundary Map for the Town of Pleasant Valley be reclassified from the A-1 Exclusive Agricultural District to the A-R Floating Agricultural-Residential District described as follows:

A parcel of land located in the SW1/4 of the NW1/4 of Section 13, Township 25 North, Range 9 West, Town of Pleasant Valley, Eau Claire County, Wisconsin, being further described as follows: Commencing at the southeast corner of the SW1/4 of the NW1/4 of Section 13; thence north 390 feet to the point of beginning; thence north 330 feet; thence west 375 feet; thence south 330 feet; thence east 375 feet to the point of beginning, containing 2.84 acres, more or less.

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

ENACTED: August 16, 2011

(Ldr.-Tele., Aug. 26, 2011)

**Enrolled No. O155-010** **ORDINANCE** **File No. 11-12/065**  
-TO AMEND SECTION 3.35.050 A. OF THE CODE: GROUP HEALTH INSURANCE-

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

**SECTION 1.** That Subsection A. of Section 3.35.050 of the code be amended to read:

A. Health insurance options. The County shall provide health insurance for employees which may include a standard group health insurance plan and/or health maintenance insurance "HMO" plan. The county will offer a lower priced wellness option for such plan(s), based on whether an employee and spouse have a physical examination. Annual physical examinations during a calendar year will qualify employees for the wellness option in the succeeding calendar year.

ENACTED: August 16, 2011

(Ldr.-Tele., Sept. 30, 2011)

**Enrolled No. O155-011** **ORDINANCE** **File No. 11-12/056**  
-TO AMEND SECTION 2.05.005 D. OF THE CODE: TERMS OF OFFICE AND FILLING VACANCIES; TO AMEND SECTION 2.05.100 B. OF THE CODE: EMERGENCY MEDICAL SERVICES COUNCIL; TO AMEND SECTION 2.05.690 A. OF THE CODE: UW EXTENSION ADVISORY COMMITTEE; TO AMEND SECTION 2.56.005 C. OF THE CODE: DEFINITIONS; TO AMEND SECTION 2.56.010 OF THE CODE:

ESTABLISHMENT OF AGENCY; TO REPEAL CHAPTER 2.99 OF THE CODE: MINIMAL EAU CLAIRE COUNTY CONTRACT WAGE; TO AMEND SECTION 4.90.010 A. OF THE CODE: CLAIMS PROCEDURE-  
The County Board of Supervisors of the County of Eau Claire does ordain as follows:

**SECTION 1.** That Subsection D. of Section 2.05.005 of the code be amended to read:

D. Any vacancy on a governmental body created by law or ordinance shall be filled for the ~~residue~~ remainder of the unexpired term in the same manner as the initial appointment.

**SECTION 2.** That Subsection B. of Section 2.05.100 of the code be amended to read:

B. The council shall consist of 11 members, appointed by the chair of the county board, with the approval of the county board, from among the following:

1. A member of the county board,
2. An administrator of each hospital in the county or a designee thereof,
3. The president of Chippewa Valley Technical College or designee thereof,
4. A representative from each ambulance service based in Eau Claire County,
5. The director of the communications center or a designee thereof,
6. The County contracted CPR Director,
7. The Medical Director contracted by the county representing medical directors of ambulance services.

8.7 A first responder representative.

**SECTION 3.** That Subsection A. of Section 2.05.690 be amended to read:

2.05.690 UW-Extension Advisory Committee.

A. There is established, pursuant to Wis. Stats. § ~~59.56(3)3e~~59.56(3)(f)3e, a citizens' advisory committee which shall be called the Eau Claire County Community Partners Advisory Group (or ECCCPAG), attached to the Department on UW-Extension Education for administrative purposes.

**SECTION 4.** That Subsection C. of Section 2.56.005 of the code be amended to read:

2.56.005 Definitions.

A. "Agency" means the child support agency.

B. "Committee" means the committee on judiciary and law enforcement.

C. "Department" means the ~~State Department of Workforce Development~~ Department of Children and

Families.

D. "Director" means the director of the agency.

E. "Title IV-D Program" means the federally mandated child and spousal support, paternity

establishment, and medical support liability program.

**SECTION 5.** That Section 2.56.010 of the code be amended to read:

2.56.010 Establishment of agency. The agency is established pursuant to Wis. Stat. §§ 59.03(1) and 59.53(5), for the purpose of implementing Title IV-D of the Federal Social Security Act and related Wisconsin statutory and administrative provisions creating a Child and Spousal Support, Paternity Establishment and Medical Support Liability Program. The agency shall be the sole county authority designated by the board as its policy and contracting body with the ~~Department of Workforce Development~~ Department of Children and Families for the implementation and administration of the program within the county, and shall be responsible to the board through the committee for approval of its policy determinations and state contracts.

**SECTION 6.** That Chapter 2.99 of the code be repealed.

**SECTION 7.** That Section 4.90.010 of the code be amended to read:

4.90.010 Claims procedure.

A. All claims shall be filed with the county clerk who shall immediately file the original claim and transmit copies thereof to the ~~finance director and the~~ corporation counsel.

~~B. The finance director shall examine the claim and, if properly made, designate the account to which it would be chargeable if allowed.~~

~~C.B.~~ The corporation counsel shall ascertain whether insurance coverage is available and, if so, shall take the steps necessary to apprise the insurance carrier and to secure its representation. In the absence of insurance coverage, the corporation counsel shall, with the assistance of the county officials involved, investigate the claim and recommend to the ~~committee~~ the denial or approval thereof.

~~D.C. Thereafter corporation counsel shall as soon as practicable refer the claim to the committee for action.~~ When a claim has been referred to the committee, it shall be placed on a future agenda for action.

ENACTED: September 20, 2011

(Ldr.-Tele., Aug. 26, 2011)

Enrolled No. O155-012

## ORDINANCE

File No. 11-12/046

-TO AMEND SECTION 16.33.020 OF THE CODE: RENTAL RATES FOR PRIVATE, OTHER ORGANIZATIONS AND INDIVIDUALS; TO AMEND SECTION 16.33.027 OF THE CODE: MEETING ROOM EQUIPMENT RENTALS; TO AMEND SECTION 16.33.028 OF THE CODE: MISCELLANEOUS EQUIPMENT RENTALS; TO AMEND SECTION 16.33.030 A. OF THE CODE: PAYMENT OF RENT AND DEPOSITS; TO AMEND SECTION 16.33.040 OF THE CODE: SPECIAL CHARGES-

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

**SECTION 1.** That Section 16.33.020 of the code be amended to read:

16.33.020 Rental rates for private, other organizations and individuals.

A. Private, other organizations and individuals shall be charged the following daily rental rates for exposition center facilities. Daily is to mean a 24 hour period or any portion thereof. One-half the daily rate will be charged for set-up and take down per day.

Daily Camping Fee per Campsite .....	\$20.00
Exhibit building A (66' x 200') .....	\$450.00
Exhibit building C-D; (66' x 135') .....	<del>\$339.00</del> \$350.00
Exhibit building A-B, 66'x200' .....	\$435.00
Exhibit building E; (66' x 240') .....	<del>\$644.00</del> \$700.00
Exhibit building E – Exhibit area (66' x 160') .....	<del>\$513.00</del> \$525.00
Exhibit building E – Meeting room viewing area (summer only) .....	\$65.00
Exhibit building E – Meeting room .....	\$65.00
Exhibit building E – Both meeting rooms (summer only) .....	\$125.00
Exhibit building E kitchen only .....	<del>\$161.00</del> 165.00 per day plus \$80 per day deposit*
<hr/>	
Wireless microphones/event (refundable deposit) .....	\$100.00
meeting rooms (5 hrs. max.) .....	\$64.00/5 hrs.
Exhibit building E West End (Summer only) .....	\$132.00
Outdoor Space (based on use and space) .....	\$165.00-\$644.00/day
Non-electric campsite/day .....	\$20.00
Electric campsite/day .....	\$25.00
Agility arena .....	\$75.00
Horse arena .....	\$165.00
Milk house .....	<del>\$129.00</del> 130.00
Concession stand .....	\$120.00
Grounds rental/day – All outdoor space (no buildings) .....	\$500.00
Grounds use only (based on facilities unavailable due to use) .....	\$341.00-\$1540.00/day
All buildings and ground/day (excludes camping) .....	\$2500.00
Independent food stand/day (with electricity) .....	\$100.00
Outside catering/day .....	\$100.00
Bring in food stand w/electrical .....	\$20.00/day
Milk house .....	\$129.00
Horse arena .....	\$165.00
Bleachers/unit, per event/event .....	<del>\$53.00</del> 50.00
(up to 3 days) off grounds Off grounds/unit – (3 days) .....	<del>\$53.00</del> 75.00
Replacement cost/unit .....	<del>\$2420.00</del> Actual Cost
Tables, per event, off grounds .....	\$9.00
Chairs, per event, off grounds .....	\$1.90
Tables/each, per/event .....	<del>\$5.75</del> 6.00
Off grounds/each/event (limited use) .....	\$10.00
Replacement cost/each .....	<del>\$109.00</del> Actual Cost
Chairs/each, per /event .....	<del>85</del> \$5.50
Off grounds/each/event (limited use) .....	\$2.00
Replacement cost/each .....	<del>\$18.00</del> Actual Cost
Agility equipment/event .....	\$75.00
Display rack/each, per/event .....	\$11.00
Clothes rack/each, per event .....	\$8.25
Small animal pen/each/event .....	\$5.00
Off grounds/each event .....	\$6.00
Replacement cost/each .....	Actual Cost
Poultry pens/each, per event .....	\$4.50
(up to 3 days) off grounds .....	\$4.50
Replacement cost .....	\$36.00
Stages 4'x8'x2' sections .....	\$19.00/day
Stages 4'x8'x2' sections, off grounds .....	\$25.00/3 day event
Stages/section/day (4'x 8' x 2') .....	\$25.00
Off grounds/section/event .....	\$50.00
Squeeze chute .....	not available
Portable scale .....	not available
Amplifier & 2 speakers .....	\$50.00
Folding pens, per event .....	



(up to 3 days) off grounds .....	\$ 5.50
Hog pens/each, per /1 pair/event .....	\$ <del>4.50</del> 10.00
Picnic tables/each/event .....	\$13.00
Picnic pavilion/event .....	\$57.00/5 hours <del>55.00</del>
Steel gates/each/event - (10') .....	\$ <del>8.25</del> 8.00
Stall dividers .....	\$ 7.00
P.A. System/event .....	\$60.00/event <del>75.00</del>
On site personnel/person/hour (requested during event).....	... \$22.00
Skid Steer/operator/hour .....	.....\$75.00
Maintenance assistance	
per person/per hour .....	\$22.00
RV adaptors/purchase/each .....	\$12.00
Key deposit/each .....	\$10.00
Tractor/operator per hour .....	\$73.00
Garbage removal (excessive).....	aActual eCost
*Event holder responsible for removal of excessive amount of trash	
Manure removal/holding areas .....	actual cost
Manure removal/buildings and holding area .....	\$22.00 per hour and cost
Set-up/Clean-up, per person/per hour.....	\$22.00
Extra ordinary setup/clean-up/person/hour.....	\$50.00
Delivery charge .....	not available
Concession stand .....	\$118.00 per day plus \$50
	per day deposit *

\* Event holder responsible for waste removal.

B. Dry storage shall be at the following rate per building per season subject to a minimum \$50.00 per contract charge:

	Per Square Foot
Exhibit building A/per square foot (66' x 200') .....	\$1.30
Exhibit building C-D/per square foot; (66' x 135') .....	\$1.30
Exhibit building A-B, 66'x200' .....	\$1.30

**SECTION 2.** That Section 16.33.027 of the code be amended to read:

16.33.027 Meeting room equipment rentals.

A. Charges for the following equipment used in conjunction with a meeting room rental applied to all users on a per meeting basis.

Internet service/event.....	\$25.00
Overhead projector/event .....	\$18.25\$18.00
Screen (5 foot)/event .....	\$12.00
Flip chart w/markers/each/event.....	<del>18.25</del> \$18.00
TV/VCR large screen/event.....	<del>18.25</del> \$18.00
100 cup coffee urn (w/o coffee)/event.....	\$12.00
Replacement valuecost.....	<del>88.00</del> Actual Cost
Nesco/Hamilton Beach cooking roasters.....	18.25
Electric Roaster/each/event .....	\$18.00
Replacement valuecost.....	<del>71.50</del> Actual Cost

**SECTION 3.** That Section 16.33.028 of the code be amended to read:

16.33.028 Miscellaneous Equipment Rentals.

A. Charges for the following small equipment items available for rent to all users renting facility.

Fire Extinguishers <del>for tents/portable</del> /each (tents pavilions) .....	\$18.25/each <del>18.00</del>
Replacement value .....	<del>\$60.50</del> Actual Cost
GFI Outdoor Extensions/each (electric service outdoors).....	\$12.00/each
Replacement valuecost.....	<del>\$55.00</del> Actual Cost
Extension Cords/each (100 ft).....	(100 ft) \$7.50/each; (50 ft) \$4.00/each <del>\$8.00</del>
Replacements at .....	\$33.00 and \$20.00 respectively
Extension cords each (50 ft) .....	\$4.00
Replacement cost/each.....	Actual Cost
Traffic Cones/each.....	\$6.00
Replacement valuecost/each .....	<del>\$22.00</del> Actual Cost
Park Benches/each.....	\$4.00/each
Replacement valuecost.....	<del>\$88.00</del> Actual Cost

**SECTION 4.** That Subsection A. of Section 16.33.030 of the code be amended to read:

16.33.030 Payment of rent and deposits.

A. A security deposit of 20% of total contract cost, ~~\$100.00~~ minimum ~~\$100.00~~ is due within 30 days of the writing of the contract. Within 90 days of the event, one-half of the total rental fee is due, with the remaining balance due 30 days prior to the event. Any cancellation will result in forfeiture of the security deposit.

Cancellations between 90 days and 30 days will result in forfeiture of the 50% rental fee paid, unless fully re-rented. Cancellations of 30 days or less will result in loss of all rental fees, unless fully re-rented. Rental of the facility less than 30 days from the event requires full rent and security deposit at the time the contract is written. The required certificate of insurance must be provided at least one week prior to the event.

**SECTION 5.** That Section 16.33.040 of the code be amended to read:

16.33.040 Special charges. In the event that a user of Exposition Center facilities makes special arrangements for services by the director ~~county caretaker~~ for the storage or removal of personal property placed on the premises by the user, the user shall be assessed the following special charges: a minimum of \$22.00 per trip by the director or designee ~~county caretaker~~ plus \$16.50 per hour for after the 1st hour in addition to the actual cost of snow removal or agreed-upon services.

ENACTED: August 16, 2011

(Ldr.-Tele., Sept. 30, 2011)

Enrolled No. O155-013

**ORDINANCE**

File No. 11-12/064

-TO RELETTER SECTION 9.40.100 B. TO C. OF THE CODE: LICENSE--CONDITIONS FOR ISSUANCE; TO CREATE SECTION 9.40.100 B. OF THE CODE: LICENSE--CONDITIONS FOR ISSUANCE; TO AMEND SECTION 9.44.010 A. OF THE CODE: DISORDERLY CONDUCT AND ANNOYING TELEPHONE CALLS PROHIBITED; TO CREATE SECTION 9.46.005 C. OF THE CODE: DEFINITIONS; TO AMEND SECTION 9.46.010 OF THE CODE: POSSESSION OF FIREARMS IN PUBLIC BUILDINGS AND BUSINESS ESTABLISHMENTS PROHIBITED; TO AMEND SECTION 9.46.020 OF THE CODE: SAFE USE AND TRANSPORTATION OF FIREARMS; TO CREATE SECTION 9.46.080 D. OF THE CODE: APPLICATION OF CHAPTER; TO AMEND SECTION 16.30.180 A. OF THE CODE: FIREARMS-

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

**SECTION 1.** That Subsection B. of Section 9.40.100 of the code be relettered to C.

B.C. Provide proof that the applicant will furnish, at applicant's own expense, before the assembly commences:

**SECTION 2.** That Subsection B. of Section 9.40.100 of the code be created to read:

B. If the assembly is open to the public, is for a duration of less than 3 weeks, and either has designated entrances to and from the event that are locked when the event is closed or requires an admission, the applicant shall indicate whether attendees will be allowed to carry firearms. If carrying of firearms will be prohibited, the applicant will provide documentation of how notice will be provided consistent with the requirements of Wis. Stats. § 943.13(1m)(c)3. and (2)(bm).

**SECTION 3.** That Subsection A. of Section 9.44.010 of the code be amended to read:

A. In a public or private place engages in violent, abusive, indecent, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance; er unless other facts and circumstances that indicate a criminal or malicious intent on the person apply, a person is not in violation of this section for loading, carrying, or going armed with a firearm, without regard to whether the firearm is loaded or is concealed or openly carried.

**SECTION 4.** That Subsection C. of Section 9.46.005 be created to read:

C. "Weapon" means a handgun, an electric weapon, as defined in Wis. Stat. § 941.295(1)(a), a knife other than a switchblade knife under Wis. Stat. § 941.24, or a billy club.

**SECTION 5.** That Section 9.46.010 of the code be amended to read:

9.46.010 Possession of firearms and weapons in public county buildings and business establishments prohibited.

A. No ~~invitee~~ person shall have in his or her possession, carry or bear any firearm or weapon within any publicly county owned building er business establishment open to the public within the county.

B. Signs at least 5 inches by 7 inches, which set forth the restriction on firearms, shall be posted in a prominent placement near all of the entrances to the building.

B.C. This section shall not be construed to prohibit:

**SECTION 6.** That Section 9.46.020 of the code be amended to read:

9.46.020 Safe use and transportation of firearms.

A. No person may possess, place or transport a firearm contrary to the provisions of Wis. Stat. §§ 29.224(1) and (2), 167.31(2) and (3) and 23.33(3)(e).

B. No person may load, fire or shoot any firearm contrary to Wis. Stat. § 29.224(3) 167.31(2), (3) and (4).

C. ~~For the purposes of Wis. Stat. § 29.224(2), the provisions of Wis. Admin. Code ch. NR-10.001 (21) are adopted by reference.~~

D. ~~No person may possess or carry a firearm unless it is unloaded and enclosed in a carrying case, as provided in this section, on:~~

1. ~~Any street, sidewalk, alley, park or other public property in any incorporated municipality in the county;~~

2. ~~Any county owned public property, except the county forest and county parks where permitted under 16.30.180,~~

**SECTION 7.** That Subsection D. of Section 9.46.080 of the code is created to read:

D. Judges, persons permitted to carry a weapon by a judge in writing pursuant to Wis. Stat. § 175.60(16)(b)2., district attorneys and assistant district attorneys who are licensees under Wis. Stat. § 175.60 while in the Eau Claire County Courthouse.

**SECTION 8.** That Subsection A. of Section 16.30.180 of the code be amended to read:

A. It is unlawful for any person to have in his or her possession or under his or her control in any park, wayside or special use area any firearm or airgun as defined in Wis. Stat. § 939.22(2) unless it is unloaded and enclosed in a carrying case, or any bow, crossbow or slingshot, unless it is unstrung and enclosed in a carrying case except as otherwise allowed by Wis. Stat. § 941.23. This prohibition shall not apply to the Donald L. Eisberner Memorial Forest and Canoe Landing, Hamilton Falls Wayside and Canoe Landing, and The Countywide Snowmobile Trail, Tower Ridge and Evergreen Ski Areas or the Eau Claire National Rifle Club Range during established state hunting seasons. Discharge of firearms at Tower Ridge at any time after the deer rifle season is prohibited.

ENACTED: September 20, 2011

(Ldr.-Tele., Sept. 30, 2011)

**Enrolled No. O155-014**

**ORDINANCE**

**File No. 11-12/055**

-TO AMEND SECTION 3.60.040 OF THE CODE: PERFORMANCE EVALUATION-

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

**SECTION 1.** That Subsection 3.60.040 E. of the code be amended to read:

E. Upon receipt of the delinquent performance evaluations, the human resources department will ensure that the incremental salary increases are restored ~~effective the date the evaluations were received by the human resources department~~ at the start of the first pay period after the supervisor submits all delinquent performance evaluations.

ENACTED: September 20, 2011

(Ldr.-Tele., Sept. 30, 2011)

**Enrolled No. O155-015**

**ORDINANCE**

**File No. 11-12/057**

-TO AMEND SECTION 3.45.030 A. OF THE CODE: RESIDENCY-

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

**SECTION 1.** That Subsection A. of Section 3.45.030 A. of the code be amend to read:

A. All department heads shall reside within 45 minutes of their permanent work location, except the county administrator shall reside within Eau Claire County. In addition, employees in positions that require the employee to be on call for emergency duty or require availability on very short notice shall reside within a reasonable proximity of their permanent work location, and shall include the following:

1. Emergency management coordinator;
2. ~~Superintendent of buildings and grounds~~ Facilities director;
3. Maintenance supervisor;
- 3 ~~4~~. Highway commissioner;
- 4 ~~5~~. Highway patrol superintendent;
- 5 ~~6~~. Airport manager.

ENACTED: September 20, 2011

(Ldr.-Tele., Sept. 30, 2011)

**Enrolled No. O155-016**

**ORDINANCE**

**File No. 11-12/061**

-TO AMEND SECTION 3.01.010 A. OF THE CODE: DEFINITIONS; TO REPEAL SECTION 3.01.010 P. OF THE CODE: DEFINITIONS; TO AMEND SECTION 3.01.010 T. OF THE CODE: DEFINITIONS; TO AMEND SECTION 3.03.020. A. 3. AND D. 10 OF THE CODE: INTERPRETATION; TO AMEND SECTION 3.15.030 A. AND C. OF THE CODE: POSITION ESTABLISHMENT; TO AMEND SECTION 3.15.070 OF THE CODE: PERMANENT AND PROJECT POSITION TITLES; TO AMEND SECTION 3.25.040 OF THE CODE: EMPLOYEE TRANSACTIONS; TO AMEND SECTION 3.35.010 OF THE CODE: ELIGIBILITY; TO AMEND SECTION 3.35.020 B. AND H. OF THE CODE: PAID VACATIONS; TO AMEND SECTION 3.35.030 A. AND G. OF THE CODE: PAID SICK LEAVE; TO AMEND SECTION 3.35.040 A. OF THE CODE: PAID HOLIDAYS; TO AMEND SECTION 3.35.040 B. 4. OF THE CODE: PAID HOLIDAYS; TO AMEND SECTION 3.35.040 H. AND J. OF THE CODE: PAID HOLIDAYS; TO AMEND SECTION 3.35.050 B. OF THE CODE: GROUP HEALTH INSURANCE; TO AMEND SECTION 3.35.050 F. 1. OF THE CODE: GROUP HEALTH

INSURANCE; TO AMEND SECTION 3.35.060 A. OF THE CODE: GROUP LIFE INSURANCE; TO AMEND SECTION 3.35.070 A. OF THE CODE: RETIREMENT; TO AMEND SECTION 3.40.040 C. OF THE CODE: SAFETY AND HEALTH; TO AMEND SECTION 3.45.030 B. OF THE CODE: RESIDENCY; TO AMEND SECTION 3.45.070 OF THE CODE: NONPERMANENT EMERGENCY, INTERIM AND LIGHT DUTY APPOINTMENTS; TO AMEND SECTION 3.45.090 OF THE CODE: PROBATIONARY PERIOD; TO AMEND SECTION 3.60.010 OF THE CODE: PURPOSE; TO AMEND SECTION 3.60.020 OF THE CODE: FREQUENCY OF EVALUATIONS; TO AMEND SECTION 3.70.030 OF THE CODE: GROUNDS FOR DISCIPLINARY ACTION; TO AMEND SECTION 3.70.040 A. OF THE CODE: SEPARATIONS OF PROBATIONARY AND TEMPORARY EMPLOYEES; TO AMEND SECTION 3.70.050 A. 1. OF THE CODE: SEPARATIONS OF PERMANENT AND PROJECT EMPLOYEES; TO AMEND SECTION 3.70.050 B. OF THE CODE: SEPARATIONS OF PERMANENT AND PROJECT EMPLOYEES; TO REPEAL AND RECREATE CHAPTER 3.80 OF THE CODE: EMPLOYEE GRIEVANCE PROCEDURE-

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

**SECTION 1.** That Subsection A. of Section 3.01.010 of the code be amended to read:

A. "Anniversary date" means the date an employee begins ~~permanent~~ regular or project employment.

**SECTION 2.** That Subsection P. of Section 3.01.010 of the code is repealed.

**SECTION 3.** That Subsection T. of Section 3.01.010 of the code be amended to read:

T. "~~Permanent~~ Regular employee" means employment in a position which normally requires actual performance of at least 600 hours per year in a planned undertaking which is a regular and continuing function of the county and expected to last more than 2 years.

**SECTION 4.** . That Paragraph 3. of Subsection A. and Paragraph 10. of Subsection D. of Section 3.03.020 of the code be amended to read:

3. Authorize the creation, abolition or reclassification of all ~~permanent~~ regular and project positions pursuant to Chapter 3.15; and

10. Maintain a list of ~~permanent~~ regular and project position titles.

**SECTION 5.** That Subsections A. and C. of Section 3.15.030 of the code be amended to read:

A. Authorization for all ~~permanent~~ regular or project positions or changes therein is subject to the recommendation of the governing committee, the committee and approval by the board.

C. Each position shall be designated as ~~permanent~~ regular, project, limited term, temporary or seasonal and the annual scheduled hours for the position determined.

**SECTION 6.** That Section 3.15.070 of the code be amended to read:

3.15.070 Permanent Regular and project position titles.

A. The director shall maintain a list of ~~permanent~~ regular and project position titles used in county service which shall include the position title, number of positions per position title, full time equivalency (FTE), salary code and any contingent conditions for specific positions. The list is available from human resources by request.

B. Position title changes. Authorization for all title changes is subject to the recommendations of the governing committee and director and approval by the committee

**SECTION 7.** That Section 3.25.040 of the code be amended to read:

3.25.040 Employee transactions. The following actions may affect the pay status of an employee:

A. New employees.

1. An employee appointed to a ~~permanent~~ regular or project position shall be paid at the entry level rate for the position to which appointed and progress to additional in-range steps, if any, in accordance with the appropriate salary schedule, except as provided in 3.25.030.

2. An employee appointed to a non-~~permanent~~ regular position, except a project position, shall be paid at the entry level rate for the position to which appointed and shall not be eligible for further in-range rate increases. If an appropriate pay range does not exist for a non-~~permanent~~ regular position, the rate of pay shall be determined by the director, subject to the approval by the committee.

B. An employee returning to county employment after a termination that was without a re-employment commitment by the county shall be considered a new employee.

C. Promotion. When a regular employee is ~~permanently~~ transferred to a position having a higher salary range, the employee shall be advanced to that step in the pay range providing the minimum increase in salary, except as provided in 3.25.030 A.

D. Demotion. Except as provided in J., a regular employee ~~permanently~~ is assigned to another position with a lower salary range shall receive the maximum rate in the lower salary range which is less than or equal to the employee's rate at the time of demotion.

E. Lateral transfer. When an employee is transferred to another position with an equivalent pay range, the employee shall continue to receive the same salary.

F. An employee temporarily assigned to a position with a higher maximum salary range for a period of at least 30 days shall be paid at least at the lowest step within the salary range for the temporarily assigned position which affords a salary increase over the employee's current rate, retroactive to the date of temporary assignment subject to the approval of the committee.

G. Assignment differential. An employee assigned to 2 positions on a ~~permanent~~ regular basis, one of which has a higher salary range, shall receive an assignment differential equal to the difference in the salary rates for the positions for all hours worked in the position with the higher salary range.

H. Employee reclassification. An employee reclassified as part of a designed and designated career progression shall receive the minimum rate providing a salary increase. Such reclassifications shall be based upon the individual's demonstrated capacity to perform tasks which require a higher degree of functional skills or attainment of specified additional training, subject to recommendation of the department head and approval of the director.

I. Position reclassification and reallocation. Positions shall be reclassified and reallocated to a salary range to reflect an appropriate classification and salary range as duties and responsibilities substantially change. Incumbents in such positions shall receive the same salary step if the salary range is unchanged, the minimum salary step providing a salary increase if reallocated to a higher salary range, and the salary step providing the least salary reduction if reallocated to a lower salary range, except that the committee may approve that the salary rate of the incumbent be red-circled.

J. In-range steps and unpaid absences. The period of service required between in-range step increases shall be extended by the amount of time an employee is on unpaid leave or layoff exceeding 15 days.

**SECTION 8.** That Section 3.35.010 of the code be amended to read:

3.35.010 Eligibility.

A. ~~Permanent Regular~~ full-time employees. Individuals appointed to full-time permanent regular positions normally scheduled to work a minimum of 1,716 annual hours shall be eligible for all employee benefits in this chapter.

B. ~~Permanent Regular~~ part-time employees. Individuals appointed to part-time permanent regular positions normally scheduled to work a minimum of 1,200 annual hours shall be eligible for all employee benefits in this chapter, except that those benefits provided under 3.35.020 through 3.35.050, shall be ½ the full-time benefits unless otherwise specified. Individuals appointed to part-time ~~permanent regular~~ positions normally scheduled to work less than 1,200 annual hours shall be eligible for all employee benefits in this chapter, except those provided in 3.35.020 through 3.35.050.

C. Project employees. Individuals appointed to project positions shall receive employee benefits as provided in A. and B., excluding retirement and group life insurance benefits provided in 3.35.060 and 3.35.070, respectively.

D. Non- ~~permanent regular~~ employees except project employees. Individuals appointed to Non-~~permanent regular~~ positions, except project positions, shall be eligible only for benefits provided under 3.35.080, 3.35.130 and 3.35.140.

E. Federal or state programs. Employee benefits for individuals appointed to non-~~permanent regular~~ positions under unemployment work-relief or work-training programs shall be determined by the director in accordance with the terms of such program grants and this chapter.

**SECTION 9.** That Subsections B. and H. of Section 3.35.020 of the code be amended to read:

B. ~~Probationary Introductory~~ employees. New employees shall accrue but may not use vacation benefits during the initial 6 month employment period.

H. Separation pay. Employees with at least 6 months of ~~permanent~~ permanent regular or project service who subsequently leave the employ of the county in good standing and upon giving notice as required in 3.70.050 D. 1., or employees separated by the county for other than disciplinary or performance reasons just cause per 3.80, shall receive payment for any vacation time accrued to the last day worked.

**SECTION 10.** That Subsections A and G. of Section 3.35.030 of the code be amended to read:

A. Accumulation. ~~permanent regular~~ full-time employees shall accrue paid sick leave benefits at the rate of 3.7 hours per biweekly pay period, accumulative to a maximum of 720 hours. No employee shall earn the equivalent biweekly accrual of sick leave credit during any biweekly period when the employee is absent 5 or more working days without pay or suspended without pay, except employees on worker's compensation leave.

G. Termination pay. Upon termination, except discharge for disciplinary or performance reasons for just cause per 3.80, an employee with 10 years or more of creditable employment in a ~~permanent regular~~ or project position shall have the option to either be paid 1/3 of the accumulated sick leave balance to a maximum of 240 hours, or apply 1/3 of the accumulated sick leave balance to a maximum of 240 hours toward payment of health insurance premiums. An employee with 20 years or more of creditable employment in a ~~permanent regular~~ or project position and 50 years of age shall receive 100% of the accumulated sick leave balance with the following options:

**SECTION 11.** That Subsection A. of Section 3.35.040 of the code be amended to read:

A. Observed holidays. The following holidays are observed by the county and shall be granted to ~~permanent regular~~ full-time employees with pay, except as otherwise provided in this section:

New Year's Day	Labor Day
Memorial Day	Thanksgiving Day
Independence Day	One half (½) workday on Christmas Eve
4 personal holidays	Christmas Day

**SECTION 12.** That Paragraph 4. of Subsection B. of Section 3.35.040 of the code be amended to read:

4. Separation pay. Employees with at least 6 months of ~~permanent regular~~ or project service who subsequently leave the employ of the county in good standing and upon giving notice as required in 3.70.050 D. 1., or employees separated by the county for other than ~~just-cause-disciplinary or performance reasons per 3.80~~, shall receive payment for unused personal holidays.

**SECTION 13.** That Subsections H. and J. of Section 3.35.040 of the code be amended to read:

H. Holiday after last day worked. Employees with at least 6 months of ~~permanent regular~~ or project service who subsequently leave the employ of the county in good standing and upon giving notice as required in 3.70.050 D. 1., or employees separated by the county for other than ~~just-cause disciplinary or performance reasons per 3.80~~, shall receive payment only for holidays occurring prior to the last day actually worked.

I. Observance of Christmas Eve half-holiday. When Christmas Day falls on a Saturday and is observed the preceding Friday, or December 24th, the Christmas Eve half-holiday shall be observed the preceding Thursday or December 23rd. When Christmas Eve falls on a Saturday or Sunday, it shall be observed the preceding Friday.

J. Other staff. The county administrator shall be granted 10 additional personal holidays each calendar year in lieu of overtime pay or compensatory time off with 5 days credited to the accumulated leave on May 1st of each year, and 5 days credited to the accumulated leave on September 1st each year. Other staff designated herein shall be granted 5 additional personal holidays each calendar year prorated with the 1st calendar year calculated from the 1st day of employment. Thereafter one half of the personal holidays will be credited to the employee's accumulated leave on May 1st each year and the other one half will be credited on September 1st each year. Such additional days may be taken during the ~~probationary introductory~~ period.

**SECTION 14.** That Subsection B. of Section 3.35.050 of the code be amended to read:

B. Effective date. Health insurance coverage shall be effective the 1st day of the month following the month of hire, provided the employee has completed an application prior to the effective date. Employees not applying during ~~probation the introductory period~~ may subsequently attain coverage only by submitting evidence of insurability acceptable to the insurance carrier.

**SECTION 15.** That Paragraph 1. of Subsection F. of Section 3.35.050 of the code be amended to read:

1. Employees discharged ~~for-just-cause for disciplinary or performance reasons per 3.80~~ shall have insurance coverage only through the month in which the discharge is effective.

**SECTION 16.** That Subsection A. of Section 3.35.060 of the code be amended to read:

A. The county shall participate in the Wisconsin Group Life Insurance Program as provided in Wis. Stat. § 40.70 through 40.74. All ~~permanent regular~~ employees and elected officers shall be eligible to participate, except those who have elected to waive said insurance.

**SECTION 17.** That Subsection A. of Section 3.35.070 of the code be amended to read:

A. Retirement plans. All ~~permanent regular~~ employees shall be covered under the provisions of the Wisconsin Retirement Fund as required by law, except county extension agents employed under cooperative agreements with the UW-Extension who shall be covered by the provisions of the State Teachers Retirement Fund.

**SECTION 18.** That Subsection C. of Section 3.40.040 of the code be amended to read:

C. Engaging in any unsafe act shall be deemed as ~~grounds just-cause per 3.80~~ for disciplinary action.

**SECTION 19.** That Subsection B. of Section 3.45.030 of the code be amended to read:

B. Newly hired employees in these positions shall meet the residency requirement before completion of their ~~probationary introductory~~ period.

**SECTION 20.** That Section 3.45.070 of the code be amended to read:

~~3.45.070 Non--Permanent Regular, emergency, interim and light duty appointments.~~

A. Interim appointments. Except as provided in B., whenever a vacancy occurs in any position or when a leave of absence for 30 days or more has been granted to an employee under 3.65.010 or 3.65.050, the appointing authority may, with the approval of the director, employ a limited term or temporary employee or temporarily reassign a current employee of that department to fill the position for the duration of the leave of absence or until a ~~permanent regular~~ appointment is made.

B. Acting department heads. Whenever a vacancy occurs in the office of any department head appointed under 3.01.010 B. or when a leave of absence for 30 days or more has been granted to a department head under 3.65.010 or 3.65.050, the county administrator shall

designate a qualified acting department head to serve for the duration of the leave of absence or until a ~~permanent regular~~ appointment as department head is made.

C. Non--~~permanent regular~~ appointments. All selections for appointments to limited-term, temporary or seasonal positions shall be made by the appointing authority from applications on open file, if available, or otherwise through external recruitment sources. The acceptance or refusal by an eligible applicant for project or non-~~permanent regular~~ appointment shall not affect eligibility for ~~permanent regular~~ appointment.

D. Emergency appointment. The director may authorize the appointment of temporary employees under emergency conditions for a period not to exceed 90 days so long as sufficient funds are available. Such appointments shall be considered at the committee's next regular meeting following such action.

E. Federal or state programs. Appointment of individuals to positions funded under federal or state grants as part of an unemployment work-relief or work-training program is ~~non-permanent not considered regular employment~~. Appointment to these positions shall be in accordance with this chapter and any preferential hiring requirements of such programs.

F. Light duty appointments. Employees injured on the job and receiving worker's compensation may be able to work a light duty schedule within their job title upon physician's approval. These light duty appointments are temporary measures until the employee has recuperated and can return to their job or it is shown they cannot return to their pre-injury duties. Such employees shall be appointed upon the approval of the director and after the appropriate supervisor has developed a work schedule detailing specific duties and the number of daily work hours. The light duty schedule shall be for a maximum of 6 weeks. Employees may return to their regular work schedule on or before the conclusion of the 6 weeks of light duty upon physician's approval. Employees unable to resume a regular work schedule at the conclusion of such 6 weeks shall be reviewed by the director, department head and supervisor. If the light duty job is extended, the extension shall be in writing re-emphasizing the temporary nature of the job and state a new end date, not to exceed 6 months.

**SECTION 21.** That Section 3.45.090 of the code be amended to read:

3.45.090 Probationary Introductory period. A person employed in a ~~permanent regular~~ or project position or promoted as provided in 3.25.040 shall, immediately following the date of employment or promotion, serve an probationary introductory period of 6 months, except that department heads and supervisors shall serve an probationary introductory period of 12 months.

A. An employee shall be considered to have successfully completed the probationary introductory period unless the employee has been notified in writing by the appointing authority of the unsuccessful completion of the probationary introductory period at which time the employee shall be dismissed. The director shall be notified of any employee failing the probationary introductory period.

B. Probationary Introductory employees have no recourse under the grievance procedure identified at 3.80.010.

**SECTION 22.** That Section 3.60.010 of the code be amended to read:

3.60.10 Purpose. To improve individual performance, strengthen supervisor-employee relationships, and recognize employee accomplishments and good work. Employee performance evaluations will be considered in decisions affecting placement, ~~permanent regular~~ employment, salary adjustment, promotions, transfers, corrective action or dismissal, reemployment, and training.

**SECTION 23.** That Section 3.60.020 of the code be amended to read:

3.60.020 Frequency of Evaluations. At a minimum, all ~~permanent regular~~ and project employees' performance will be formally reviewed according to the schedule below. However, formal performance evaluations may be completed at any time to document significant events of exceptional performance or substandard performance.

A. Annual. All regular employees will be formally evaluated on the anniversary of their original ~~permanent~~ hire dates.

~~B.B.~~ Probationary-Introductory. Employees will serve an probationary introductory period after initial hire or promotion into positions that require probationary introductory periods. Probationary Introductory periods are as follows:

1. Six-Month Probation-Introductory Period. All employees will serve at least a six-month probationary introductory period after initial hire, unless the position requires a one-year probationary introductory period. Employees will be formally evaluated at month three and month five during the six months following their initial appointments.

2. One-Year Probation-Introductory Period. Supervisors, department heads, law enforcement employees, and Civilian Unit employees will serve one-year probationary introductory periods. Employees will be formally evaluated at months three, five, nine, and eleven. After completing the probationary introductory period, employees' next evaluation due dates will revert to the annual due date.

C. Special Evaluations. Employees who transfer or are promoted to new positions may be required to begin new probationary introductory periods.

D. Temporary/Seasonal Employees. Formal written performance evaluations are required for temporary/seasonal employees. An evaluation for each employee must be completed prior to the last day of work at the end of the season or term for which they were employed. The performance evaluation will be considered in rehire and other ~~or permanent~~ employment decisions.

**SECTION 24.** That Section 3.70.030 of the code be amended to read:

3.70.030 Grounds for disciplinary action. Grounds for disciplinary action shall be based on ~~just-cause~~ an individual review of all facts and circumstances surrounding the event and shall be inclusive of, but not limited to, the following:

**SECTION 25.** That Section 3.70.040 of the code be amended to read:

3.70.040 Separations of probationary introductory and temporary employees.

A. Probationary Introductory and temporary employees may be terminated at the appointing authority's discretion, including, but not limited to whenever their services are unsatisfactory or no longer needed, and when funding has expired. No specific advance notice is required, although as much prior notice as possible should be given to the employee.

**SECTION 26.** That Paragraph 1. of Subsection A. of Section 3.70.050 of the code be amended to read:

3.70.050 Separations of permanent regular and project employees.

A. Temporary layoff. The head of each department or office may lay off employees therein on a temporary basis in the event of lack of work or funds in the department or office or where continuation of existing staffing levels would be inefficient, subject to the following:

1. No ~~permanent regular~~ employee shall be laid off while there are non-~~permanent regular~~ employees serving in comparable positions within the same department.

**SECTION 27.** That Subsection B. of Section 3.70.050 of the code be amended to read:

B. Permanent reduction in work force. If the board eliminates a ~~permanent regular~~ or project position, the employee in the position shall be given 2 weeks written notice of ~~permanent regular~~ separation;

**SECTION 28.** That Chapter 3.80 of the code be repealed and recreated to read:

3.80.010 Purpose and Applicability. This procedure provides an employee with the individual opportunity to address concerns regarding discipline, termination or workplace safety matters, to have those matters reviewed by an impartial hearing officer and to appeal to the county board, where appropriate, as required by Wis. Stat. 66.0509. The county expects employees and management to exercise reasonable efforts to resolve any questions, problems, or misunderstandings prior to utilizing the grievance procedure. If an employee is subject to a contractual grievance procedure, the contractual grievance procedure must be followed as applicable. This procedure does not replace or supersede any statutory provision which may be applicable to an employee's employment with the county. This grievance procedure does not create a legally binding contract or a contract of employment.

3.80.020 Definitions.

A. "Discipline" means an employment action that results in disciplinary suspension or disciplinary demotion/reduction in rank. "Discipline" does not include any written or verbal notices, warnings, or reminders; verbal discipline will be documented, but not subject to the grievance procedure. The purpose of written and verbal notices, warnings, or reminders is to alert the employee that failure to correct the behavior may result in disciplinary suspension, termination, or disciplinary demotion/reduction in rank.

B. "Termination" means a separation from employment by the employer for disciplinary or performance reasons. "Termination" does not include layoff, furlough or reduction in workforce, reduction in hours, job transfer or reassignment, or retirement.

C. "Employee" for purposes of the procedure for grievances concerning employee terminations and employee discipline, includes all regular full-time and part-time employees. The term "employee" excludes elected officials; individuals hired on a limited term, temporary, casual, project or seasonal basis; independent contractors; employees within their introductory period; and any employee, official or officer that serves at the pleasure of an appointing authority as provided by Wisconsin Statutes.

D. "Workplace Safety" includes any conditions of employment related to the physical health and safety of employees, including the safety of the physical work environment, the safe operation of workplace equipment and tools, provision of personal protective equipment, and accident risks. "Workplace Safety" does not include conditions of employment unrelated to physical health and safety matters, including, but not limited to, hours, overtime, and work schedules.

E. "Employee" for purposes of the procedure for grievances concerning workplace safety, shall include all regular full-time and part-time employee, elected officials; and, individuals hired on a limited term, temporary, casual, project, or seasonal basis. The term "employee" excludes independent contractors.

3.80.030 General Provisions.

A. Role and Appointment of "impartial hearing officer".

1. For purposes of this policy, the role of the "impartial hearing officer" will be to define the issues, identifying areas of agreement between the parties and identifying the issues in dispute, and to hear the parties' respective arguments.

2. The hearing officer may require the parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing.

3. The hearing officer will have the authority to administer oaths, issue subpoenas at the request of either party, and decide if a transcript is necessary.

4. The hearing officer may apply relaxed standards for the admission of evidence and may request oral or written arguments and replies.

5. The impartial hearing officer shall be selected by the county administrator based upon the nature of the matter in dispute.

B. Costs.

1. Each party shall bear its own costs for witnesses and all other out-of-pocket expenses, including possible attorney fees, in investigating, preparing, presenting, or defending a grievance.

2. The fees of the impartial hearing officer will be paid by the county.

C. Time Limits.

6-1. The term "days" as used in this provision means calendar days, excluding observed holidays as set forth in 3.35.040. The employer and grievant may mutually agree to waive time limits, in writing. If the last day on which a grievance is to be filed or a decision is to be appealed is a Saturday, Sunday or holiday as set forth in 3.35.040, the time limit is the next day which is not a Saturday, Sunday or holiday.

2. A grievance or decision or appeal is considered timely if received by the employer during normal business hours or if postmarked by 12:00 midnight on the due date.



3. The employer and grievant may mutually agree, in writing, to waive any step to facilitate or expedite resolution of the grievance.

4. If the grievance is not answered within the time limits, the grievant may proceed to the next available step within 7 days.

5. Any issues involving the timeliness of a grievance shall be resolved by the county administrator.

D. Scheduling: Grievance meetings and hearings will typically be held during the grievant's off-duty hours. Time spent in grievance meetings and hearing shall not be considered as compensable work time.

E. Representation: The grievant shall have the right to representation during the grievance procedure at the grievant's expense.

#### 3.80.040 Procedure for Grievances Concerning Employee Terminations and Employee Discipline:

A. Step 1: An earnest effort shall be made to settle the matter informally between the aggrieved employee and the employee's immediate supervisor. If the grievance is not resolved informally, it shall be reduced to writing by the employee who shall submit it to the employee's department head, with a copy to the human resources director.

1. The written grievance shall give a detailed statement concerning the subject of the grievance, the facts upon which the grievance is based, and indicate the specific relief being sought.

2. Time Limit: If the employee does not submit a written grievance within 14 days after the facts upon which the grievance is based first became known, or should have been known to the employee, the grievance will be deemed waived. The department head will reply in writing to the employee within 14 days after receipt of the written grievance.

B. Step 2: If the grievance is not settled in Step 1, and the employee wishes to appeal the decision, the employee shall submit the written grievance to the county administrator to request a hearing before an impartial hearing officer.

1. Time Limit: If the employee does not submit a written grievance to the county administrator requesting a hearing before an impartial hearing officer within 14 days after receipt of the department head's decision, the grievance will be deemed waived. If timely requested, the hearing will normally be scheduled within 30 days of receipt of the request for hearing.

2. The hearing officer shall determine whether the departments head's decision was arbitrary, capricious or not supported by the facts presented. At the conclusion of the hearing, the hearing officer shall render a written decision indicating the reasons for one of four decisions: 1) Sustaining the discipline/termination, 2) Modifying the discipline/termination, 3) Denying the discipline/ termination, or 4) Recommending additional investigation prior to final determination. In cases where the hearing officer recommends additional investigation, at the conclusion of the additional investigation, a second, follow-up hearing shall be scheduled. The hearing officer shall render a written decision to the employer and employee within 10 calendar days from the date of the hearing.

C. Step 3: The employer or employee may appeal the decision of the hearing officer to the county board. The decision of the governing body shall be final and binding upon the parties.

1. Time Limit: The employee or employer may request a review by the county board by filing a request with the county administrator within 14 days of receipt of the written decision of the hearing officer. The request must set forth in detail the reasons for the appeal. The non-appealing party shall have 14 days to submit a reply to the detailed request. Once the request for review and reply are received, the review will be scheduled at the board's next regularly scheduled meeting. If not timely submitted by the grievant, the grievance can no longer be addressed in the grievance procedure.

2. Level of Review: The county board shall review only the written decision of the hearing officer, the reasons for the appeal and the reply. The role of the county board, in reviewing the decision of the impartial hearing officer, is to determine whether the impartial hearing officer's decision was arbitrary, capricious, or not supported by the facts presented to the hearing officer. The county board may either uphold, modify, or reverse the decision of the impartial hearing officer.

#### 3.80.050 Procedure for Grievances Concerning Employee Workplace Safety.

A. Step 1: Any employee who personally identifies, or is given information about, a workplace safety issue or incident must notify the employees department head of the issue or incident as soon as reasonably practicable. All safety issues, no matter how insignificant the situation may appear to be, must be reported.

1. Time Limit: Any workplace safety incident or issue must be reported by an employee within 24 hours after the incident or issue was raised in order to be addressed as part of the grievance procedure.

2. A written report of the incident or issue, outlining the events that transpired and proposed resolution, if any, shall be signed by all concerned parties and submitted to the human resources director within 7 days of the incident or issue for review and consideration by the loss control committee.

B. Step 2: After receipt of the written report, the loss control committee will conduct additional investigation, if required, and normally issue a final report on its findings and conclusions within 14 days of receipt of the written report. Copies of the loss control committee's final report will be given to the persons who signed the written report, as well as to the human resources director.

C. Step 3: The employee may appeal the findings and conclusions of the loss control committee and request a hearing before an impartial hearing officer.

1. Time Limit: If the employee does not submit a written grievance to county administrator requesting a hearing before an impartial hearing officer within 7 days after receipt of the loss control committee's final report, the grievance can no longer be addressed in the grievance procedure. If timely requested, the hearing will normally be scheduled within 14 days of receipt of the request for hearing.

2. At the conclusion of the hearing, the hearing officer shall record one of three outcomes and the reasons therefore:

- a. Sustaining the conclusions of the loss control committee,
- b. Denying the conclusions of the loss control committee and ordering additional or alternative remedial measures, if applicable, or
- c. Recommending additional investigation prior to final determination. In cases where the hearing officer recommends additional investigation, at the conclusion of the additional investigation, a second, follow-up hearing shall be scheduled. The hearing officer shall render a written decision to the employer and employee within 10 calendar days from the date of the hearing.

D. Step 4: The employer or employee may appeal the decision of the hearing officer to the county board. The decision of the governing body shall be final and binding upon the parties.

1. Time Limit: The employee or employer may request a review by the county board by filing a request with county administrator within 14 days of receipt of the written decision of the hearing officer. The request must set forth in detail the reasons for the appeal. The non-appealing party shall have 14 days to submit a reply to the detailed request. Once the request for review and reply are received, the review will be scheduled at the board's next regularly scheduled meeting. If not timely submitted by the grievant, the grievance can no longer be addressed in the grievance procedure.

2. Level of Review: The county board shall review only the written decision of the hearing officer, the reasons for the appeal and the reply. The role of the county board, in reviewing the decision of the impartial hearing officer, is to determine whether the impartial hearing officer's decision was arbitrary, capricious, or not supported by the facts presented to the hearing officer. The county board may either uphold, modify, or reverse the decision of the impartial hearing officer.

ENACTED: September 20, 2011

(Ldr.-Tele., Sept. 30, 2011)

Enrolled No. O155-017

**ORDINANCE**

File No. 11-12/053

-TO AMEND SECTION 2.09.010 B. 4. OF THE CODE: BUSINESS HOURS-

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

**SECTION 1.** That Paragraph 4. of Subsection B. of Section 2.09.010 of the code be amended to read:

4. The clerk of courts office hours shall be as stated in A. above; however, the office will be closed to the public from 4:00 p.m. to 5:00 p.m. and papers will be received for filing until 5:00 p.m.

ENACTED: September 20, 2011

(Ldr.-Tele., Oct. 14, 2011)

Enrolled No. O155-018

**ORDINANCE**

File No. 11-12/081

-AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF SEYMOUR-  
The County Board of Supervisors of the County of Eau Claire does ordain as follows:

**SECTION 1.** That the zoning district for the following described property on the 1982 Official Zoning District Boundary Map for the Town of Seymour be reclassified from the RH, Rural Homes District to the R-1-L, Single Family Residential District, Large Lot.

Said parcel of land is located on Lot 1 of Certified Survey Map, Volume 6, Page 20 (#1098) lying in part of the Southeast ¼ of the Southwest ¼, Section 2, Township 27 North, Range 9 West, Town of Seymour, Eau Claire County, Wisconsin, containing two acres without road right-of-way.

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

ENACTED: October 4, 2011

(Ldr.-Tele., Oct. 28, 2011)

Enrolled No. O155-019

**ORDINANCE**

File No. 11-12/066

-TO AMEND SECTION 18.02.020 A. 81. OF THE CODE: DEFINITIONS; TO RENUMBER SECTION 18.02.020 A. 35. THROUGH 80. AS 36. THROUGH 81. OF THE CODE: DEFINITIONS; TO CREATE

SECTION 18.02.020 35. OF THE CODE: DEFINITIONS; TO RENUMBER SECTION 18.02.020 81. THROUGH 180. AS 83. THROUGH 182. OF THE CODE: DEFINITIONS; TO CREATE SECTION 18.02.020 A. 82. OF THE CODE: DEFINITIONS; TO REPEAL AND RECREATE CHAPTER 18.23; HOME OCCUPATIONS; TO AMEND SECTION 18.26.015 D. OF THE CODE: PERMITTED SIGNS; TO AMEND SECTION 18.50.080 A. OF THE CODE: PRE-EXISTING TELECOMMUNICATIONS TOWERS AND FACILITIES; TO AMEND SECTION 18.78.060 A. OF THE CODE: FINAL PLAT SUBMITTAL; TO AMEND SECTION 18.78.080 B. OF THE CODE: RECORDING THE FINAL PLAT; TO AMEND SECTION 18.82.060 B. OF THE CODE: LOT STANDARDS; TO REPEAL AND RECREATE SECTION 18.82.060 L. OF THE CODE: LOT STANDARDS; TO CREATE SECTION 18.82.060 M. OF THE CODE: CONTIGUOUS BUILDABLE AREA-

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

**SECTION 1.** To amend section 18.02.020 A. 81. of the code to read:

81. "Home occupation" means any ~~gainful~~ occupation for gain or support conducted entirely within a residential structure by its occupant, customarily conducted within a dwelling or accessory building by the residents thereof, which is clearly secondary to the residential use and does not change the character of the structure as a residence.

**SECTION 2.** To renumber Paragraphs 35. through 80. of Subsection A. of Section 18.02.020 of the code as 36. through 81.

**SECTION 3.** To create Paragraph 35. of Subsection A. of Section 18.02.020 of the code.

35. "Cottage industry" means a small business or service operation located entirely within a dwelling, or as an accessory structure located on the same lot or tract as a dwelling, which complies with the requirements of local code. The use is clearly incidental and secondary to the use of the property and is compatible with adjacent land uses. A cottage industry will have less than 5 employees, generate low traffic volumes, and have little or no noise, smoke, odor, dust, glare, or vibration detectable at any property line.

**SECTION 4.** To renumber Paragraphs 81. through 180. of Subsection A. of Section 18.02.020 of the code as 83. through 182.

**SECTION 5.** To create Paragraph 82. of Subsection A. of Section 18.02.020 of the code.

82. "Home business" means a business activity for financial gain carried on by a resident of a property within a residential structure or in an accessory structure that has little or no impact on the character of the neighborhood beyond that typically expected from residential use.

**SECTION 6.** To repeal and recreate Chapter 18.23 of the code.  
Chapter 18.23

#### HOME OCCUPATIONS, HOME BUSINESSES AND COTTAGE INDUSTRIES

Sections:

18.23.001 Purpose.

18.23.010 Home occupations.

18.23.020 Home business.

18.23.025 Types of home businesses.

18.23.030 Cottage Industries.

18.23.035 Types of cottage industries.

18.23.001 Purpose. The purpose of this chapter is to set standards under which home occupations, home businesses and cottage industries may be conducted so that such occupations, businesses and industries do not undermine the purpose and intent of this subtitle and the purposes of all agricultural and residential districts.

18.23.010 Home occupations. Home occupations shall be allowed without permit in all agricultural and residential districts, provided they conform to the following performance standards:

- A. The occupation shall be conducted entirely within the principal dwelling unit;
- B. The floor area devoted to the occupation shall not exceed 25% of the floor area of the principal dwelling unit;
- C. No person other than a resident of the dwelling shall be employed therein;
- D. No inventory of a commodity shall be sold on a regular basis from the dwelling;
- E. The occupation shall not be objectionable to neighboring uses due to noise, dust, odors, hours of operation, traffic generation or electrical interference;
- F. Signage is allowed in accordance with the requirements in 18.26.015 E., Permitted signs;
- G. Lighting. All lights related to the home occupation shall be directed on site and shielded to reduce glare to adjacent areas;
- H. There shall be no outside storage or display of products, materials, or equipment related to the home occupation;
- I. Traffic and delivery or pickup of goods shall not exceed that normally created by residential uses;
- J. In compliance with Wis. Stat. § 91.01 (1) (d), a home occupation in the exclusive agricultural district is also limited to be operated by the owner or operator of the farm; shall not impair or limit the current or future agricultural use of the farm or of other protected farmland; and requires no buildings, structures, or improvements other than those which are an integral part of, or are incidental to, an agricultural use or the farm residence.

18.23.020 Home businesses. Home business shall require a regular land use permit in all agricultural and residential districts, provided they conform to the following performance standards:

A. Number. A maximum of two home businesses shall be permitted per lot or building site. In no instance shall there be more than 2 home businesses on a lot or building site, whether those enterprises are a home occupation and/or a home business;

B. Size. If located within a dwelling unit, the total area of the home businesses shall occupy no more than 50% of the floor area of the dwelling unit. If located in an accessory building, the total area of the home businesses shall not occupy an area greater than 75% of the floor area of the dwelling unit or more than 1,000 square feet, whichever is greater applies.

C. Operator. The home business shall be conducted by a resident of the dwelling unit. No more than 1 full time equivalent employee that is not a resident of the premises shall be employed by each home business on the lot.

D. Parking. Off street parking shall be provided in accordance with the requirements in 18.25, on-site parking and loading.

E. Sanitation. Sanitary facilities shall be provided per county and state sanitary code requirements.

F. Signage. Is allowed in accordance with the requirements in 18.26.015 E., Permitted signs.

G. Lighting. All lights related to the home business shall be directed on site and shielded to reduce glare to adjacent areas.

H. Access. The business site shall have direct access to only state, county or town roads. Direct access to private roads or easements shall not be allowed.

I. Sales. Sales in connection with the business activity are limited to merchandise manufactured, items accessory to a service (such as hair care products for a beauty salon), catalog or e-commerce sales or other products related to or incidental to the business.

J. Products. Traffic and delivery or pickup of goods /products shall not exceed that normally created by residential uses.

K. Vehicles. Any vehicles used in conjunction with the business, which advertise the business, shall be stored inside a building between the hours 7 p.m. and 6 a.m.

L. Exclusive Agricultural District. In compliance with Wis. Stat. § 91.01 (1) (d), a home business in the exclusive agricultural district is also limited to be operated by the owner or operator of the farm; shall not impair or limit the current or future agricultural use of the farm or of other protected farmland; and requires no buildings, structures, or improvements other than those which are an integral part of, or are incidental to, an agricultural use, or, the farm residence.

18.23.025 Types of home businesses. The following types of businesses may be allowed as a home business but, are not necessarily limited to:

A. Barber or beauty shops;

B. Massage therapy;

C. Art or photography studios;

D. Professional offices, including but not limited to physicians, chiropractors, dentists, lawyers, real estate brokers, insurance agents and contractors, nurse-practitioners, clergyman, architects and engineers, registered land surveyors;

E. Teachers;

F. Authors;

G. Musicians;

H. Pet groomers;

I. E-commerce businesses;

J. Taxidermists;

K. Seasonal related businesses;

L. Studios;

M. Or other recognized professions.

N. Patrons or participants are limited to 5 or fewer on-site at any one time.

18.23.030 Cottage industries. Cottage industries are a conditional use in the following zoning districts: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-1 Exclusive Forestry District and F-2 Forestry District. Cottage industries shall require the review and approval of a conditional use permit by the committee on planning and development, provided the committee finds that the requirements of Chapter 18.21 Conditional Uses, are met and the use conforms to the following performance standards:

A. The cottage industry shall conform to the development standards in the applicable zoning district, except as provided below.

B. Operator. The owner and operator of the cottage industry shall reside on the lot.

C. Lot area. The total land area occupied by the cottage industry and the principal residential use including portions of the lot occupied by buildings, storage areas and work places devoted to the cottage industry shall be a minimum of 3 acres.

D. Employees. Up to 5 employees who are not residents, may be employed with the cottage industry.

E. Building size. The appurtenant and accessory structure used as a cottage industry shall not occupy a total area greater than 2,400 square feet. If located within a dwelling unit, the total area of the cottage industry shall not occupy more than 50% of the floor area of the dwelling unit.

F. Storage. Any outdoor storage of materials, including building or construction materials, unregistered or registered vehicles, junk vehicle parts, trailers, boats, small engine equipment or heavy equipment, firewood or lumber, storage of earthen materials not to exceed 100 cubic yards or others items related to the industry, except for activities related to the growing and storing of plants, must be completely screened year-round from the road and from neighboring properties. Customer vehicles that require service or are being repaired must be repaired immediately and in no event shall be on the premises for longer than 2 weeks. The storage of vehicles and equipment must be related to the cottage industry business.

G. Screening. The cottage industry business and associated use areas shall be visually compatible with neighboring lots and uses. Landscaping and screening may be required by the committee if it is determined that the use needs to be sufficiently screened from view of adjacent residences, using site location, topography, landscaping buffer, earth berm, fencing (tight-board wood or plastic fence), the retention of native vegetation, or a combination thereof.

H. Operation. All activity related to the conduct of the business or industry, except for activities related to the growing and storing of plants, shall be conducted or stored within an enclosed structure. No business operations, activities, or transactions shall be conducted on any portion of the lot not approved for cottage industry use by the county.

I. Setbacks. No activities associated with a cottage industry, including materials or equipment storage, shall be located or conducted within 50 feet of an adjoining property line and should not be visible from the street or road.

J. Hours of operation. The committee shall establish business hours during the conditional use permit review and approval process. The use shall not generate pedestrian or vehicular traffic beyond that normal in the neighborhood in which it is located.

K. Traffic. Traffic generated by the cottage industry shall not exceed the level of service adopted for the public roadway which accesses the use, nor generate significant traffic in excess of that normally generated by typical uses found within the particular district. No business may provide drive-through service.

L. Parking. Off street parking shall be provided in accordance with the requirements in 18.25, on-site parking and loading. The committee may establish conditions related to the maximum number of vehicles, equipment, trailers that may be parked at any given time during business operations during the conditional use permit review and approval process.

M. Nuisance. No nuisances shall be produced including but not limited to smoke, glare, vibrations, noises, or odors that may be discernable by neighbors proximate to the dwelling unit.

N. Sales. Sales in connection with the activity are limited to merchandise manufactured or repaired on the premises, items accessory to a service, catalog or e-commerce sales or other products related to or incidental to the primary business.

O. Display. The committee may allow the outdoor display of merchandise or seasonal products on the premises on a case-by-case basis.

P. Noise. All noise generating operations shall be buffered so that they do not exceed the exterior ambient noise level at the property line by more than 5 dB (a), or an equivalent standard, which achieves comparable results.

Q. Sanitation. Sanitary facilities shall be provided per county and state sanitary code requirements.

R. Lighting. All lights related to the cottage industry shall be directed on site and shielded to reduce glare to adjacent areas.

S. Interference. No visual or audible interference of radio or television reception by operations shall be permitted.

T. Signage. Is allowed in accordance with the requirements in 18.26.015 E., permitted signs.

U. Exclusive Agricultural District. In compliance with Wis. Stat. § 91.01 (1) (d) a home business in the exclusive agricultural district is also limited to be operated by the owner or operator of the farm; shall not impair or limit the current or future agricultural use of the farm or of other protected farmland; and requires no buildings, structures, or improvements other than those which are an integral part of, or are incidental to, an agricultural use, or, the farm residence.

V. Committee. The committee on planning and development may establish additional conditions during the conditional use permit review and approval process as deemed necessary.

18.23.035 Types of cottage industries. The following types of industries may be allowed as a cottage industry with a conditional use permit, but, are not necessarily limited to:

A. Repair of motor vehicles and small engine and boat repair including the construction and operation of racing machines such as stock cars, snowmobiles, and tractors;

B. Storage of motor vehicles and recreational vehicles in accessory structures that were existing at the time of adoption of the zoning code;

C. Contractor businesses, including but not limited to landscapers, excavating contractors, building trade contractors, lawn maintenance businesses, snow plowing, well drillers, and septic tank haulers;

D. Wood related businesses (i.e. woodworking shops, firewood sales);

- E. Pet care business;
- F. Home bakery;
- G. Furniture and repair and refinishing;
- H. Pottery shop;
- I. Electric repair businesses;
- J. Sales of antiques and collectibles;
- K. Ironworking, welding or blacksmith shop;
- L. Seasonal related businesses;
- M. Home businesses that exceed 5 patrons or participants on-site at any one time;
- N. Other uses determined by the land use supervisor that meet the standards for a cottage industry.

**SECTION 7.** That Subsection K. of Section 4.35.090 of the code be created to read:

- K. Home Businesses \$ 160.00

**SECTION 8.** That Subsection D. of Section 18.26.015 of the code be amended to read:

D. Campaign Signs. Election campaign or referendum signs may be placed on the first day for circulation of nomination papers or the period beginning on the day on which the questions to be voted upon are submitted to the electorate ~~and shall be removed within 24 hours after the day of election or vote on a referendum.~~ In residential districts, no sign may be electrical, mechanical, or have an audio auxiliary.

**SECTION 9.** That Subsection A. of Section 18.50.080 of the code be amended to read:

A. Beginning January 1, 2002 the owners or operators of all telecommunications towers and facilities capable of co-locating additional antennas and under the jurisdiction of this chapter shall provide the information required under 18.6050.030, except D., H. and M., and pay an annual fee as prescribed in 4.35.100. Failure to provide this information shall result in a civil forfeiture of \$500 per day until the information is received by the department.

**SECTION 10.** To amend Subsection A. of Section 18.78.060 of the code to read:

A. The final plat or portion thereof shall be submitted to the committee within ~~6~~ 36 months of the last required preliminary plat approval. The time limit may be extended for 6 months by agreement between the committee and the subdivider without additional costs or fees.

If the time limit is not extended or the final plat is substantially different than the preliminary plat, the committee may require resubmission of the preliminary plat.

**SECTION 11.** To amend Subsection B. of Section 18.78.080 of the code to read:

B. The final plat shall be submitted to the register of deeds within ~~24~~ 36 months of the date of the first certification required by 18.78.080 and within ~~6~~ 12 months of the last certification required by that section. Failure to submit the plat within the time limit shall render the plat void, unless the limit is extended by the committee.

**SECTION 12.** To amend Subsection B. of Section 18.82.060 of the code to read:

B. Size. Lot area shall conform to the provisions of Title 18 except that within the extraterritorial jurisdiction of the City of Eau Claire where municipal sewer services are not readily available and within unzoned towns, outside of the shoreland overlay district, the minimum lot area shall be 1.5 acres. In unzoned towns, within the shoreland overlay district, the minimum lot size will conform to the underlying zoning district lot size requirements.

**SECTION 13.** That Subsection L. of Section 18.82.060 of the code be repealed and recreated to read:

L. Environmentally Sensitive Areas. Environmentally sensitive areas shall be identified, legally described and monumented on all subdivision plats and certified surveys. No development or land disturbance activity shall be allowed within any environmentally sensitive area except after issuance of a permit from the county, such permit only to be issued if the owner demonstrates the proposed development or land disturbance activity is expressly allowed under any of the following:

1. Chapter 17.05, Storm Water Management and Erosion Control.
2. Title 18, Zoning.

**SECTION 14.** To create Subsection M. of Section 18.82.060 of the code to read:

M. Contiguous Buildable Area. In lieu of monumenting environmentally sensitive areas as required in L. above, the surveyor may choose to identify, legally describe and monument a contiguous buildable area as required in 18.77.080 A. on lots created in a subdivision plat or in a certified survey. Areas not included in the contiguous buildable area would not be available for development unless an amendment is reviewed and approved by the committee and a correction affidavit is filed in the register of deeds office. Each lot shall have a driveway access that connects the contiguous buildable area to a public or private road from which the lot takes access.

ENACTED: October 18, 2011

(Ldr.-Tele., Oct. 28, 2011)

Enrolled No. O155-020

## ORDINANCE

File No. 11-12/054

-TO AMEND SECTION 12.01.005 A. OF THE CODE: DEFINITIONS; TO CREATE SECTION 12.02.060 OF THE CODE: AIRCRAFT BROKERAGE; TO AMEND SECTION 12.04.020 OF THE CODE: REQUIRED AIRCRAFT; TO AMEND SECTION 12.06.010 D. AND E. OF THE CODE: AIRPORT FACILITIES; TO AMEND SECTION 12.09.020 OF THE CODE: REQUIRED AIRCRAFT; TO AMEND SECTION 12.11.060 B. OF THE CODE: LEASE REQUESTS-

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

**SECTION 1.** That Subsection A. of Section 12.01.005 of the code be amended to read:

A. "Aeronautical services" includes aircraft sales and rentals, flight training, aircraft charter and air taxi services, specialized commercial flying services, aircraft fuels and oil dispensing, ~~and~~ radio, instrument and propeller repairs, ~~and~~ renting hangar space, and airframe and power plant repair.

**SECTION 2.** That Section 12.02.060 of the code be created to read:

12.02.060 Aircraft Brokerage. An operator or F.B.O. may engage in brokerage, as defined as brokering, acquisition and sales of aircraft but shall not be required to comply with the provisions of this Chapter. Aircraft brokerage requires approval of the airport manager and may be subject to Chapter 12.11 commercial lease provisions.

**SECTION 3.** That Section 12.04.020 of the code be amended to read:

12.04.020 Required aircraft. ~~Each~~ Operators or F.B.O.'s that provide charter service must have available for charter and air taxi services, ~~either owned or leased,~~ a minimum of 2 ~~multi-engine~~ aircraft, either multi-engine or single engine turbine powered. All of which aircraft must shall be either owned, leased, or operated under a written agreement by the operator or F.B.O. and shall meet the requirements of the air taxi commercial operator certificate held by the operator or F.B.O., including instrument operations.

**SECTION 4.** That Subsections D. and E. of Section 12.06.010 of the code be amended to read:

D. Each F.B.O. subject to this chapter shall maintain at least 2 fuel storage tanks of the capacity set forth in B. at the airport fuel farm site and maintain an adequate supply of fuel on hand at all times of at least 2 grades of fuel, inclusive of jet fuel, as closely related to the popular demand of the general aviation uses as possible and maintain petroleum tank environmental insurance listing the airport as additional insured with a minimum coverage of \$1,000,000.

E. Corporations and individuals subject to this chapter for private fueling shall maintain at least one fuel storage tank of the capacity set forth in B. atwithin the airport fuel farm site and maintain petroleum tank environmental insurance listing the airport as an additional insured with a minimum coverage of \$1,000,000.

**SECTION 5.** That Section 12.09.020 of the code be amended to read:

12.09.020 Required aircraft. At all times the operator or F.B.O. shall have available and based at the airport at least 2 certified and airworthy aircraft, which shall be equipped and capable of meeting the minimum standards for each type of aeronautical service ~~regulated in Chapters 12.02 to 12.08~~ required by Title 12. Multiple uses may be made of all aircraft except those used for crop dusting, aerial application or other commercial use of chemicals.

**SECTION 6.** That Subsection B. of Section 12.11.060 of the code be amended to read:

B. Requests for the leasing of space on the airport will be considered only if an applicant has firm plans either to take occupancy of existing space upon entry into a lease or to begin construction of planned facilities within 90~~180~~ days of the issuing of approval for its lease of the desired site, weather permitting, and where applicable after completion of the airspace review process by the FAA. The commission at its sole discretion may grant an extension of up to 365 days only if such extension is in the airports best interest. Applications for leases to reserve space for future use and development will not be considered.

ENACTED: October 18, 2011

(Ldr.-Tele., Nov. 11, 2011)

Enrolled No. **O155-021**

## **ORDINANCE**

File No. **11-12/089**

-AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF DRAMMEN-

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

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

That part of the southeast  $\frac{1}{4}$  of the southwest  $\frac{1}{4}$ , lying west of CTH BB, containing 29.73 acres more or less and that part of the northeast  $\frac{1}{4}$  of the southwest  $\frac{1}{4}$  lying west of CTH BB except the north 410 feet thereof, containing 22.32 acres more or less, all in Section 33, Township 25 North, Range 10 West, Town of Drammen, total 52.05 acres, be reclassified from the A-1 Exclusive Agricultural District to the A-3 Agricultural District.

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

ENACTED: November 1, 2011

Enrolled No. O155-022

**ORDINANCE**

File No. 11-12/069

-TO AMEND SECTION 4.30.120 OF THE CODE: PLANNING AND DEVELOPMENT PUBLICATIONS, PHOTOCOPIES, DIGITAL DATA ON CD-ROM AND PAPER COPIES FROM PLOTTER; TO CREATE SECTION 4.30.120 A. 2. OF THE CODE: PLANNING AND DEVELOPMENT PUBLICATIONS, PHOTOCOPIES, DIGITAL DATA ON CD-ROM AND PAPER COPIES FROM PLOTTER; TO CREATE SECTION 4.30.120 B. 3. OF THE CODE: PLANNING AND DEVELOPMENT PUBLICATIONS, PHOTOCOPIES, DIGITAL DATA ON CD-ROM AND PAPER COPIES FROM PLOTTER; TO AMEND SECTION 4.30.150 A. OF THE CODE: SHERIFF'S FEES-SERVICE OF PROCESS/WARRANT SERVICE; TO AMEND SECTION 4.35.090 OF THE CODE: PERMIT, VARIANCE, REZONING, SPECIAL EXCEPTION, SIGN AND LAND USE FEES; TO CREATE SECTION 4.35.090 L. AND M. OF THE CODE: PERMIT, VARIANCE, REZONING, SPECIAL EXCEPTION, SIGN AND LAND USE FEES; TO AMEND SECTION 4.35.095 OF THE CODE: AIRPORT ZONING FEES; TO AMEND SECTION 4.35.100 OF THE CODE: TELECOMMUNICATIONS FACILITY FEES; TO AMEND SECTION 4.35.110 OF THE CODE: SUBDIVISION CONTROL CODE REVIEW FEES; TO AMEND SECTION 4.35.130 OF THE CODE: CONDOMINIUM INSTRUMENT REVIEW FEE; TO AMEND SECTION 4.35.160 OF THE CODE: STORM WATER MANAGEMENT AND EROSION CONTROL FEES; TO AMEND SECTION 8.04.050 A. 1. OF THE CODE: INCINERATOR SPECIFICATIONS--LICENSE REQUIRED; TO AMEND SECTION 8.12.260 C. 1. OF THE CODE: FEE SCHEDULE; TO AMEND SECTION 8.14.040 B. 1. THROUGH 6. OF THE CODE: TATTOOING, BODY PIERCING--PERMIT REQUIRED; TO AMEND SECTION 15.01.060 OF THE CODE: PERMIT FEES; TO CREATE SECTION 15.01.060 A. 14. AND 15. OF THE CODE: PERMIT FEES; TO CREATE SECTION 15.01.060 B. 2. AND 3. OF THE CODE: PERMIT FEES; TO AMEND SECTION 16.30.040 OF THE CODE: FEES AND CHARGES; TO REPEAL AND RECREATE SECTION 18.95.010 A. OF THE CODE: APPLICATION AND ANNUAL EXTENSION FEE; TO AMEND SECTION 18.95.030 B. OF THE CODE: PUBLIC NOTICE AND HEARING FEES-

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

**SECTION 1.** That Section 4.30.120 of the code be amended to read:

4.30.120 Planning and development publications, photocopies, digital data on CD-ROM and paper copies from Plotter.

A. The department of planning and development shall charge for the publications and photocopies enumerated below as follows:

- 1. Zoning and subdivision ordinance - ~~\$7.58~~ + ~~\$.42 tax/ordinance~~ 10.00.
- 2. ~~Parcel overlay maps~~ \$5.00 per map.
- 3. ~~Aerial photos~~ \$5.00 per photo.
- 4. ~~Overlay and aerial maps~~ \$7.50 per map.
- 5. ~~Mylar reproductions~~ \$6.25 for 1st square foot plus \$1.00/additional sq. ft.
- 6. ~~Blue Ray reproductions~~ \$4.25 for first square foot + \$.40/additional sq. ft.
- 7. ~~U.S.G.S. quads~~ \$5.67 + \$.33 tax/copy.
- 8. ~~D.O.T. county maps~~ \$1.00 + \$.05 tax/copy.
- 93. Computer-generated reports - \$.25/page.
- 104. Mailing labels - \$.05/label, \$6.00 minimum charge.
- 115. Oversize photocopies
  - a. 18" x 24" - \$5.25/copy.
  - b. 24" x 36" - \$5.75/ copy.
  - c. 32" x 32" - \$6.50/copy.
  - d. Over 32" - \$4.25 for 1st square foot plus \$.40/additional sq. ft.

B. The department of planning and development shall charge for digital data on CD-ROM or DVD as follows:

- 1. Full parcel polygon shapefile ~~\$100.00~~ 105.00
- 2. Orthophotography by township ~~\$100.00~~ 105.00
- 3. ~~Transportation shapefile~~ \$100.00
- 4. Custom data CD or DVD ~~\$100.00~~ 105.00  
 minimum, \$50.00  
55.00 per half hour  
 after the 1<sup>st</sup> hour of production time

C. The department of planning and development shall charge perfor paper copies of orthophotography air photos and parcel maps from the plotter or printer as follows:

- 1. 8.5" x 11" ~~\$ 4.00~~ 5.00
- 2. 11" x 17" ~~\$ 6.00~~ 7.00
- 3. 36" x 36" ~~\$13.00~~ 15.00
- 4. Custom Order ~~\$25.00~~ 30.00  
\$4.00 5.00 per sheet

**SECTION 2.** That Paragraph 2. of Subsection A. of Section 4.30.120 of the code be created to read:

- 2. County or Local Comprehensive Plans \$50.00



**SECTION 3.** That Paragraph 3. of Subsection B. of Section 4.30.120 of the code be created to read:

3. Complete GIS Geo Data Base \$500.00

**SECTION 4.** That Subsection A. of Section 4.30.150 of the code be amended to read:

A. Service of process. The sheriff, pursuant to Wis. Stat. § 814.705(1), shall charge ~~\$40.00~~\$50.00 for each service or attempted service of a paper for each defendant or person.

**SECTION 5.** That Section 4.35.090 of the code be amended to read:

4.35.090 Permit, Variance, Rezoning, Special Exception, Sign and Land Use Fees. The following fee schedule shall apply:

A.	Residential, forestry and agriculture districts.	
1.	Principal uses:	\$ <del>200.00</del> <u>205.00</u>
2.	Accessory uses and additions:	
a.	0-100 sq. ft.	\$ 0.00
b.	101 to 200 sq. ft.	\$ 35.00
c.	200+ sq. ft.	\$ .20,21/sq. ft.
d.	Maximum fee	\$ <del>200.00</del> <u>205.00</u>
B.	Commercial and industrial uses.	
1.	Principal uses:	
a.	0-1,000 sq. ft.	\$ <del>200.00</del> <u>205.00</u>
b.	1,000 + sq. ft.	\$ .2021/sq. ft.
c.	Maximum fee	\$ <del>2,940.00</del> <u>2990.00</u>
2.	Accessory uses:	
a.	0-500 sq. ft.	\$ 84.00 <u>85.00</u>
b.	500 + sq. ft.	\$ .2021 sq. ft.
c.	Maximum fee	\$ <del>2,940.00</del> <u>2990.00</u>
3.	Additions: See principal and accessory fees.	
C.	Change of Use.	\$ <del>155.00</del> <u>160.00</u>
D.	Signs	
1.	All signs	\$ <del>60.00</del> <u>62.00</u>
2.	Billboards	\$ <del>205.00</del> <u>210.00</u>
E.	Variances	\$ <del>448.00</del> <u>460.00</u>
F.	Appeals	\$ <del>448.00</del> <u>460.00</u>
G.	Conditional use permits	\$ <del>448.00</del> <u>460.00</u>
H.	Rezoning	\$ <del>448.00</del> <u>460.00</u>
I.	One time temporary use fee per site	\$ 30.00
J.	Rezoning surcharge for mapping	\$ <del>50.00</del> <u>52.00</u>

When construction begins prior to the issuance of a land use permit or when a use precedes the application for a rezoning or conditional use permit, a double fee ~~may~~will be assessed.

**SECTION 6.** That Subsection L. and M. of Section 4.35.090 of the code be created to read:

L Text Amendments \$ 460.00

M Wind Energy Systems \$ 205.00

**SECTION 7.** That Section 4.35.095 of the code be amended to read:

4.35.095 Airport Zoning Fees. The following schedule shall apply:

A.	Principal Structures:	
1.	Zones A, 1, & 2	\$ <del>165.00</del> <u>170.00</u>
2.	Zone 3 (over 35 ft. in height)	<del>165.00</del> <u>170.00</u>
B.	Accessory Structures and additions:	
1.	Zones A, 1, & 2	\$.2021/sq.ft. (Maximum <del>\$75.00</del> <u>\$80.00</u> ) (Minimum \$ <del>20.00</del> <u>\$25.00</u> )
2.	Zone 3 (over 35 ft. in height)	\$.2021/sq.ft. (Maximum <del>\$75.00</del> <u>\$80.00</u> ) (Minimum \$ <del>20.00</del> <u>\$25.00</u> )
C.	Variances/Appeals	\$ <del>448.00</del> <u>460.00</u>
D.	Conditional Use	\$ <del>448.00</del> <u>460.00</u>

**SECTION 8.** That Section 4.35.100 of the code be amended to read:

4.35.100 Telecommunications Facility Fees. The following fee schedule shall apply:

A.	Alternative analysis cost plus	\$ <del>350.00</del> <u>360.00</u>
B.	Initial and annual report	\$ <del>350.00</del> <u>360.00</u>
C.	Initial and annual existing facility report	\$ <del>295.00</del> <u>300.00</u>
D.	Forfeiture for failure to submit a report	\$ <del>620.00</del> <u>630.00</u> per day

**SECTION 9.** That Section 4.35.110 of the code be amended to read:

4.35.110 Subdivision Control Code Review Fees. The following fee schedule shall apply:

A.	Plat Review	\$ <del>400.00</del> <u>410.00</u> plus <del>\$72.00</del> <u>74.00</u> per lot
B.	Certified Survey Map Review	\$ <del>100.00</del> <u>103.00</u> per lot
C.	Mapping	\$ <del>90.00</del> <u>92.00</u> per lot

- D. Soil Boring Review \$ ~~41.00~~ 42.00 per lot
- E. Final Plat ~~\$230.00~~ 235.00
- F. Variance/Appeal ~~\$178.00~~ 180.00

When a land division is recorded with the register of deeds office that requires review under the subdivision control code and precedes approval of the subdivision (certified survey map or plat) by the department of planning and development or the committee on planning and development, a double fee shall be assessed.

**SECTION 10.** That Section 4.35.130 of the code is amended to read:

4.35.130 Condominium Instrument Review Fee. Pursuant to Wis. Stat. § 703.115, the planning and development department shall charge ~~\$122.00~~ 125.00 for county surveyor review of each condominium instrument before recording.

**SECTION 11.** That Section 4.35.160 of the code be amended to read:

4.35.160 Storm water management and erosion control fees. The following fee schedule shall apply:

- A. Small Sites ~~\$250.00~~ 255.00
- B. Subdivisions ~~\$555.00~~ 570.00 + \$39.00 ~~40.00~~ /lot
- C. Certified Survey Maps ~~\$282.00~~ 290.00
- D. Commercial Sites ~~\$445.00~~ 455.00 + ~~\$29.00~~ 30.00 /5,000 square feet of impervious area
- E. Permit Exemptions, Amendments, Extensions and Transfers ~~\$59.00~~ 60.00 for Erosion Control  
~~\$220.00~~ 225.00 for Storm Water

**SECTION 12.** That Paragraph 1. of Subsection A. of Section 8.04.050 of the code be amended to read:

- 1. The fee for such license shall be ~~\$8085.00~~ 8085.00 and shall be payable to the health department.

**SECTION 13.** That Paragraph 1. of Subsection C. of Section 8.12.260 of the code be amended to read:

- 1. The sanitary permit fee includes a \$100 Department of Commerce Fee, which includes the \$25 groundwater fee, required by Wis. Stat. § 145.19(6) that is forwarded to the Department of Natural Resources by the Department of Commerce for each sanitary permit issued. Sanitary permit fee (with the following exceptions) ~~\$325.00~~ 340.00:

**SECTION 14.** That Paragraph 1. of Subsection B. of Section 8.14.040 of the code be amended to read:

- B. Fee. A fee shall accompany the permit application as follows:
  - 1. Tattoo or body piercing facility permit ~~\$136.00~~ 150.00;
  - 2. Tattoo artist permit..... \$ ~~73.00~~ 80.00;
  - 3. Temporary tattoo or body piercing facility or temporary combined tattoo and body piercing facility permit..... ~~\$129.00~~ 140.00;
  - 4. Body piercer permit..... \$ ~~73.00~~ 80.00;
  - 5. Combined tattoo and body piercing facility permit ..... ~~\$259.00~~ 280.00;
  - 6. New facility inspection, pre-inspection fee ~~\$102.00~~ 110.00.

**SECTION 15.** That Section 15.01.060 of the code be amended to read:

15.01.060 Permit Fees. The department of planning and development shall charge fees subject to the following schedule:

- A. Fee Schedule for structures covered under the Uniform Dwelling Code:
  - 1. 1 and 2 family dwellings \$ ~~4849~~ /sq. ft. of living area exclusive of garages and uninhabited basements  
Minimum Fee ~~\$410.00~~ 420.00
  - 2. Conversion of an existing structure to 1 and 2 family garages. ~~\$4849~~ /sq. ft. of living area exclusive of uninhabited basements and garages.  
Minimum Fee ~~\$410.00~~ 420.00
  - 3. Manufactured/panelized or modular homes (foundation with or without plumbing and electrical) ~~\$465.00~~ 475.00
  - 4. House moved to the site (foundation with or without plumbing and electrical) ~~\$465.00~~ 475.00
  - 5. Additions/alterations to manufactured homes and to 1 and 2 family houses of added/altered living area ~~\$4849~~ /sq. ft.  
Minimum Fee ~~\$140.00~~ 144.00
  - 6. Miscellaneous: woodstoves, chimneys, fireplaces, decks, screen porches, etc. ~~\$116.00~~ 120.00
  - 7. Attached garages additions ~~\$111.00~~ 115.00
  - 8. Recreational Dwellings:
    - a. Basic structure - no heating, plumbing ~~\$3435~~ /sq. ft.

- or electrical  
Minimum Fee \$375.00385.00
- b. Structure with heating, electrical and plumbing (all or one)  
Minimum Fee \$410.00420.00
- c. Installation of heating, electrical or plumbing system (all or one) \$250.00255.00
- 9. UDC Sticker (additional with all fees where applicable.) \$30.00
- 10. Erosion Control:
  - a. With full UDC Permit \$118.00120.00
- 11. Refunds: Refunds for projects not started shall be based on the fee paid minus UDC seal fee of \$30, \$75 plan review fee when plans are required and erosion control fee of \$60.
- 12. Reinspection fee \$123.00125.00
- 13. Permit for a dwelling with its exterior not complete within 24 months after issuance of original permit \$473.00485.00

B. The fee schedule for structures subject to Comm 60-66:

- 1. Plan approval(s) conducted by Eau Claire shall be as follows:

AREA IN SQUARE FEET	BUILDING PLANS	HVAC
0-500	<u>\$ 175.00</u> <u>180.00</u>	\$ <u>118.00</u> <u>120.00</u>
500+ - 2,500	<u>350.00</u> <u>360.00</u>	<u>230.00</u> <u>235.00</u>
2,500+ - 5,000	<u>440.00</u> <u>450.00</u>	<u>275.00</u> <u>285.00</u>

C. Reinspection Fee: A fee of \$118.00120.00 may be assessed when it is necessary for the inspector to make a reinspection due to the initial inspection request not being completed.

- D. Occupation of a dwelling constructed under Comm 20-25 before final inspection: \$350.00360.00.

**SECTION 16.** That Paragraphs 14. and 15. of Subsection A. of Section 15.01.060 of the code be created to read:

- 14. Permission to start construction \$100.00
- 15. Existing residential electrical services: Electrical plans may be required.
  - a. Add 1 to 5 circuits \$ 90.00
  - b. Add more than 5 circuits \$ 115.00
  - c. Replace service panel only \$ 90.00
  - d. Replace service panel and add circuits, misc. \$ 115.00
  - e. Installing solar panels, solar water heater, wind generator, misc.: One required inspection \$ 90.00
  - f. Installing solar panels, solar water heater, wind generator, misc.: Two required inspections \$125.00
  - g. Installing solar panels, solar water heater, wind generator, misc.: Three or more required inspections \$160.00

**SECTION 17.** That Paragraphs 2. & 3. of Subsection B. of Section 15.01.060 of the code be created to read:

- 2. Electrical services for new commercial and agricultural buildings:  
Electrical plans required.

AREA IN SQUARE FEET	PLAN REVIEW FEE
0-500	\$ 115.00
500+ - 2,500	190.00
2,500+ - 5,000	240.00
5,000+	400.00

- 3. Electrical services for existing commercial and agricultural buildings:
  - a. Add 1 to 5 circuits \$ 90.00
  - b. Add more than 5 circuits \$115.00
  - c. Replace service panel only \$ 90.00
  - d. Replace two electrical panels only \$ 115.00
  - e. Replace more than two electrical panels \$ 200.00
  - f. Upgrade commercial/

	agricultural building electrical – minimum	\$ 90.00
g.	Upgrade commercial/ agricultural building electrical - up to 4 inspections needed	\$ 400.00

**SECTION 18.** That Section 16.30.040 of the code be amended to read:

16.30.040 Fees and charges.

A. Fee Administration. It is unlawful for any person to use any facility, shelter or area for which a fee or charge has been established by ordinance without payment of the fee or charge or for failure to properly display a recreation entrance pass on the inside lower left hand corner of the vehicle windshield. Annual passes must be adhered upon receipt to the vehicle windshield only with the pass adhesive and will not be considered valid if not adhered or if adhered with tape or other methods. Motorcycles shall have the annual pass affixed to the windshield or, if no windshield, to a front fork. The committee on parks and forest or parks and forest director, if time does not allow for committee action, shall have authorization to waive vehicle entrance fees for volunteers performing work or training that would benefit the citizens of Eau Claire County.

B. Fees. The following fees shall be charged, unless otherwise specified:

**General Usage Fees**

Recreation Area Entrance Fee	
per motor vehicle	\$ 3.00 daily or \$25.00 annually
Additional Annual Entrance Stickers	\$10.00 for same household
Required at boat launches, county parks, Evergreen ski trail, Lake Eau Claire beach and Tower Ridge Recreation area (from April 1 to December 1) including disc golf area. In lieu of this fee, a 20% surcharge, rounded up to the next dollar, shall be added to all clubhouse and picnic shelter reservations. Buses for non-school related functions \$6.00 daily fee, buses for school related functions exempt from fees. A registered camper shall be granted up to two free vehicle passes per site for the duration of the camping.	
Replacement Annual Entrance Sticker	\$10.00
Boat Dealers/commercial Watercraft launch permit	\$50.00/annually
Rental of tree planting machine	\$20.00/1,000 trees planted with \$40.00 minimum charge.
Permit for Driveway off County Forest Roads	\$35.00

**Coon Fork County Park Fees**

Picnic Shelter	\$20.00/reservation, with a maximum of 10 vehicle passes issued per reservation.
Camping	\$15.00/night off lake \$75.00/week off lake \$18.00/night on lake \$90.00/week on lake (7 nights for price of 5) \$10.00/night--off season nonelectrical \$15.00/night--off season electrical
Section D. Campsites with 50 amp electric, water	\$25.00/night
Camping Electricity	\$ 5.00/night (no discount for week long camping.)
Campground Reservation	<del>\$ 5.00</del> <u>\$10.00</u>
Reservation transfer	\$ 5.00
Paddle boat, canoe and row boat rental	\$ 5.00/hour
Sewage Dumping Station	\$ 1.00/use for registered campers \$10.00/use for non-registered campers or travelers

**Harstad County Park Fees**

Camping	\$ 11.00/night \$ 55.00/week \$ 5.00/night—off season
Picnic Shelter	\$ 25.00/reservation

**Lake Altoona County Park Fees**

Clubhouse	\$90.00/reservation Monday – Thursday plus \$15.00 /hour for each hour after five hours and \$140.00/reservation on Friday, Saturday, Sunday & holidays plus \$25.00 for each hour after five hours.
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Alcohol Surcharge for Clubhouse	\$25.00 surcharge shall be charged for each reservation when alcoholic beverages are served.
Picnic Shelter (with electricity)	\$70.00/for first 5 hrs. plus \$10.00/hr. thereafter
<b>Lake Eau Claire County Park Fees</b>	
Clubhouse	\$60.00/reservation Monday - Thursday and <del>\$80.00</del> <u>\$90.00</u> /reservation Friday, Saturday, Sunday & holidays plus \$25.00/hour for each hour after five hours. An additional \$25.00/hour charge for reservations extending between 11:00 p.m. and 12:00 midnight.
Clubhouse Porch	<del>\$40.00</del> <u>\$45.00</u> /reservation plus \$5.00/hour for each hour after five hours.
Alcohol Surcharge for Clubhouse and Porch Reservations	\$25.00 surcharge shall be charged for each reservation when alcoholic beverages are served.
Picnic Shelters with electricity	
Small	<del>\$20.00</del> <u>\$25.00</u> /reservation plus \$5.00/hour for each hour after five hours.
Large	\$50.00 for first 5 hours plus \$10.00/hr. thereafter.
Picnic Shelter with grilling pit	<del>\$40.00</del> <u>\$45.00</u> /reservation plus \$10.00/hour for each hour after five hours.
<b>Tower Ridge Recreation Area Fees</b>	
Vehicle Pass (winter use)	\$6.00/day or <del>\$55.00</del> <u>\$60.00</u> seasonal fee for first vehicle and <del>\$35.00</del> <u>\$40.00</u> per vehicle for additional vehicles registered to same household.
<u>All Parks Winter Season Pass</u>	<u>\$75.00 seasonal fee for first vehicle and \$50.00 per vehicle for additional vehicles</u>
Multi-Use Facility	\$ 90/day Monday–Thursday
April 1 to November 30	\$120/day Friday –Sunday and holidays (one reservation per weekend) \$200 key deposit \$ 70 cleaning deposit
Alcohol Surcharge	\$ 25 surcharge shall be charged for each reservation when alcoholic beverages are served.
Disc golf vendor	\$25.00 per vendor per event.
<b>Miscellaneous Firewood Permit</b>	\$25.00

C. Reservation fee policy. The clubhouse and shelter reservation fees shall be required in advance. An 80% refund will be granted if a reservation is canceled 60 days or more in advance of the reservation, a 50% refund for 30-59 days in advance, and no refund for cancellation of less than 30 days unless the reservation period is rebooked by another party resulting in a 50% refund. Groups of 250 or more are required to reserve the clubhouse in addition to reserving picnic shelters. Picnic shelters have a maximum capacity of 100 people.

**SECTION 19.** That Subsection A. of Section 18.95.010 of the code be repealed and recreated to read:

18.95.010 Application and Annual Extension Fee.

A. An application for a permit shall be accompanied by a reclamation plan review fee. The reclamation plan review fee shall be as follows:

1. PLAN REVIEW FEES (one time fee based on the life of the mine)
  - a. 1-5 acres: \$200,
  - b. 6-10 acres: \$500,
  - c. 11-15 acres: \$1000,
  - d. 16-25 acres: \$1500,
  - e. 26-50 acres: \$2000,
  - f. 51-100 acres: \$4000,
  - g. 101 acres or more \$7000.

\*Fees are established as base rate fees. Additional fees will be charged to reimburse staff costs at hourly rates reflecting wages and benefits in circumstances where the service costs incurred by Eau Claire County exceed the base rate.

2. A separate plan review fee of \$250 shall be paid under this section for any modification to an existing reclamation plan submitted pursuant to section 18.91.050 A.

3. Proposed changes to a previously approved reclamation plan shall be subject to plan review fees based on the area affected by the plan changes.

4. Mine size is in acres rounded to the nearest whole acre. Does not include mines less than 1 acre.

5. In addition to the stated fees, applicants shall be responsible for the payment of all reasonable expenses of the committee on planning and development for retaining outside expert assistance in determining conformity with the requirements of the Nonmetallic Mining Reclamation Ordinance.

**SECTION 20.** That Subsection B. of Section 18.95.030 of the code be amended to read:

B. Public Informational Hearing Fee. A public informational hearing fee of ~~\$150~~ \$225 shall be paid by the applicant when a public information hearing is required under this chapter.

ENACTED: November 1, 2011

(Ldr.-Tele., Nov. 11, 2011)

Enrolled No. **O155-023**

### **ORDINANCE**

File No. **11-12/009**

-TO AMEND SECTION 8.04.040 OF THE CODE: DEPARTMENT OF NATURAL RESOURCES RULES ADOPTED-

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

**SECTION 1.** That Section 8.04.040 of the code be amended to read:

8.04.040 State Statutes and Department of Natural Resources rules adopted. Wis. Stat. ch. 285 and the rules of the Department of Natural Resources, Chapter NR 400 through Chapter NR 499 are ~~herewith~~ adopted by reference.

ENACTED: November 1, 2011

(Ldr.-Tele., Nov. 11, 2011)

Enrolled No. **O155-024**

### **ORDINANCE**

File No. **11-12/080**

-TO AMEND SECTION 8.12.030 OF THE CODE: REGULATIONS, RULES AND LAWS ADOPTED BY REFERENCE; TO AMEND SECTION 8.12.130 OF THE CODE: PRIVIES--CONSTRUCTION, MAINTENANCE AND LOCATION; TO REPEAL SECTION 8.12.205 B. OF THE CODE: SOIL ABSORPTION SYSTEM--LOCATION SPECIFICATIONS; TO AMEND SECTION 8.12.210 OF THE CODE: DISPOSAL SITE--SEWAGE DEPOSIT--RESTRICTIONS; TO AMEND SECTION 8.12.220 A. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.220 A. 1. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.220 A. 3. e. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.220 A. 4. OF THE CODE: MAINTENANCE AND SLUDGE DISPOSAL; TO AMEND SECTION 8.12.260 C. 1. OF THE CODE: FEE SCHEDULE-

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

**SECTION 1.** That Section 8.12.030 of the code be amended to read:

8.12.030 Regulations, rules and laws adopted by reference. The applicable laws, rules, regulations set forth in Wis. Stat. chs. 144, 145, 146, 251.05, 251.06, and 254, NR102, NR105, NR 110, NR 809, NR 812, NR 113, ~~NR 124~~, NR 140, NR 845, NR 500-555, Comm 81, Comm 82, Comm 83, Comm 84, Comm 85, Comm 87 and Comm 91, are incorporated in this chapter by reference and they shall be construed, read and interpreted as though fully set forth herein. The express provisions of this chapter shall control where more restrictive except with respect to rules promulgated under Wis. Stat. ch. 145.

**SECTION 2.** That Section 8.12.130 of the code be amended to read:

8.12.130 Privies--construction, maintenance and location.

A. Privies shall be located, constructed, and maintained pursuant to in the manner described in the Comm 91 specifications for a sanitary privy. A permitApproval to construct a privy must be obtained from the health department, ~~and the privy must be constructed and located in conformance with the instructions as specified by the same.~~ The owner shall notify the health department upon completion of the privy. The privy must be inspected and approved prior to use. Privies shall be maintained in a clean condition.

B. ~~Privies shall be located at the following minimum horizontal distances:~~

- ~~1. 25' from a dwelling;~~
- ~~2. 25' from a lot line;~~
- ~~3. 25' from a slope 12% or greater at the edge of a watercourse;~~
- ~~4. 50' from any well;~~
- ~~5. 50' from the high water mark of a watercourse.~~

CB. The applicant must provide a soil evaluation report with at least one boring in the area of the proposed privy demonstrating that the bottom of the open pits is at least shall be 3' above erieved bedrock and the high groundwater level, as indicated by redoximorphic features. All privies in areas subject to periodic flooding shall be located and constructed to minimize health hazards by construction of a watertight vault.

DC. The owner of any occupied dwelling served only by a privy shall file an affidavit with the health department stating that indoor plumbing including but not limited to a water closet, sink, shower or laundry will not be installed until a sanitary permit has been issued and an approved private onsite wastewater treatment system installed.

ED. Temporary, portable toilets, are prohibited as the only means of human waste disposal for permanently constructed buildings.

**SECTION 3.** That Subsection B. of Section 8.12.205 be repealed:

**SECTION 4.** That Section 8.12.210 of the code be amended to read:

8.12.210 Disposal site--sewage deposit--restrictions. Disposal of sludge, scum, liquid, or any other material removed from any private onsite wastewater treatment system, privy, composting toilet, incinerating toilet, industrial or commercial establishment, or municipal or public wastewater treatment plant~~Serviceing of all private onsite wastewater treatment systems, privy, composting toilet or incinerating toilet shall be accomplished pursuant to NR 113 and Comm 83.~~

~~A. No disposal site shall be used for disposal of sludge, scum, liquid or any other material removed from any private onsite wastewater treatment systems until approved by the health department and property owner.~~

~~B. No disposal site shall be used for disposal of sludge, scum, liquid or any other material removed from industrial or commercial establishments or municipal or public waste water treatment plants until approved by the health department and property owner. This shall not include disposal at a landfill licensed by the state.~~

~~SECTION 5. That Subsection A. of Section 8.12.220 of the code be amended to read:~~

~~8.12.220 Maintenance and sludge disposal.~~

~~A. All private onsite wastewater treatment systems (POWTS) shall be subject to a maintenance program operated in accordance with COMM 83, 84, and this ordinance. POWTS installed before January 1, 1991, the effective date for the County's participation in the Wisconsin Fund Septic System Program, shall be phased into the required maintenance program over a three-year time period beginning January 1, 2008. Approximately one-third of the POWTS will be included each year in the maintenance program over this three-year time period.~~

~~SECTION 6. That Paragraph 1. of Subsection A. of Section 8.12.220 of the code be amended to read:~~

~~1. An annual maintenance program fee is required to be paid by the owner of each POWTS included in this maintenance program. The annual maintenance fee will be based on the frequency of inspection as determined by the type of POWTS. The annual fee will be included on the owner's property tax bill beginning December 2007 for POWTS installed after January 1, 1991. Approximately 1/3 of the POWTS installed prior to January 1, 1991 will be included each year on the December 2008, December 2009 and December 2010 property tax bills.~~

~~SECTION 7. That Subparagraph e. of Paragraph 3. of Subsection A. of Section 8.12.220 of the code be created to read:~~

~~e. Any tank security and safety issues including, but not limited to, the presence of manhole covers and locks.~~

~~SECTION 8. That Paragraph 4. of Subsection A. of Section 8.12.220 of the code be amended to read:~~

~~4. The health department may conduct an inspection to verify any maintenance activity may be required.~~

~~SECTION 9. That Paragraph 1. of Subsection C. of Section 8.12.260 of the code be amended to read:~~

~~1. The sanitary permit fee is \$340.00, which includes a \$100 Department of Commerce Fee (~~which~~ includes the \$25 groundwater fee, required by Wis. Stat. § 145.19(6) that is forwarded to the Department of Natural Resources by the Department of Commerce for each sanitary permit issued). The sSanitary permit fee is applicable (~~with the following exceptions~~) \$325.00:~~

- ~~a. Privy, composting toilet system, incinerating toilet system \$70.00.~~
- ~~b. Reconnection to existing complying sewage system \$70.00.~~

ENACTED: November 1, 2011

(Ldr.-Tele., April 13, 2011)

Enrolled No. O155-025

## ORDINANCE

File No. 11-12/104

(Amended)

-AN ORDINANCE TO IMPOSE A MORATORIUM ON THE EXPANSION AND CREATION OF NEW NONMETALLIC MINING OPERATIONS WITHIN THE UNINCORPORATED AREAS OF EAU CLAIRE COUNTY PENDING STUDY OF POSSIBLE LEGISLATIVE ACTION-

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

SECTION 1. Purpose. The purpose of this moratorium is to allow the county adequate time to study the possible impacts that silica sand mining operations may have on the health, safety and welfare of the residents of Eau Claire County including air quality and water quality concerns and potential impact to the infrastructure of the county, to allow unzoned townships within the county the opportunity to consider enacting zoning or other regulatory ordinances, to determine the advisability of amending its Comprehensive Plan and to review and consider amending or adopting other police power or zoning ordinances so as to effectively regulate silica sand mining operations.

SECTION 2. Moratorium Imposed. That pursuant to Wis. Stats. §§59.03, 59.69, 59.70 and 92.11, the county board of supervisors hereby prohibits the expansion of any nonmetallic mining operation beyond its physical dimensions as identified in the reclamation plan on file as of the date of adoption of the ordinance and further prohibits the processing of applications for new nonmetallic mine reclamation permits or new conditional use permits for nonmetallic mines, the issuance of new nonmetallic mine reclamation permits or new conditional use permits for nonmetallic mines and creation of any new nonmetallic mining operation during the pendency of the moratorium within unincorporated areas of the county.

SECTION 3. Duration of Moratorium. The moratorium imposed by this ordinance shall be in effect until May 31, 2012. During this period, the department of planning and development, the highway department, the groundwater advisory committee and the Eau Claire City-County Health Department shall study and analyze the impact of silica

sand mining and shall make final recommendations to their respective governing committees, the land conservation commission and the county board of supervisors within 120 days of the effective date of this ordinance.

SECTION 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 5. Effective Date. This ordinance shall take effect upon its adoption and publication.

SECTION 6. Legislative Findings. The county board of supervisors hereby makes the following findings: 1. The board recognizes that there is an increased interest locally that may lead to requests to mine, process and transport silica sand (aka frac sand) in Eau Claire County.

2. The board recognizes that there is an increased demand nationally for silica sand that is used in the hydraulic fracturing process as a means to extract natural gas and oil and that there may be abundant silica sand in Eau Claire County. 3. The board recognizes that the mining, processing and transporting of silica sand may have an impact on air and water quality which may affect the health and safety of county residents and could impact roads and infrastructure within the county. 4. The board recognizes that, due to the increased demand for silica sand and the potential for large scale mining operations, it is critical that all necessary regulations and safeguards be in place before such mining operations expand or commence.

SECTION 7. Exception. An applicant who has submitted an application for a mining reclamation permit and/or conditional use permit for nonmetallic mining in the townships of Bridge Creek and Otter Creek on or before the effective date of the moratorium that is determined to be in complete conformity with all zoning requirements in effect as of the date of the application shall not be affected by the terms of the moratorium other than the prohibition against expansion of its nonmetallic mining operations as set forth in Section 2."

SECTION 8. This ordinance shall not be codified.

ENACTED: April 4, 2012

(Ldr.-Tele., Dec. 26, 2011)

Enrolled No. O155-026

## ORDINANCE

File No. 11-12/093

-AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF BRIDGE CREEK-

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

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

The NE ¼ of the SE ¼ of Section 21, Township 25 North, Range 6 West, Town of Bridge Creek, Wisconsin, containing +/- 40 acres, to be reclassified from the A-1 Exclusive Agricultural District to the A-2 Agriculture-Residential District and A-3 Agricultural District.

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

ENACTED: December 6, 2011

(Ldr.-Tele., Dec. 26, 2011)

Enrolled No. O155-027

## ORDINANCE

File No. 11-12/094

-TO AMEND SECTION 3.01.001 OF THE CODE: PURPOSE; TO AMEND SECTION 3.01.005 OF THE CODE: SCOPE AND COLLECTIVE BARGAINING OBLIGATIONS; TO REPEAL AND RECREATE SECTION 3.01.010 OF THE CODE: DEFINITIONS; TO AMEND SECTION 3.03.020 A. 1., B., C., D. 1. AND 10. AND E. 1., 2., AND 3. OF THE CODE: RESPONSIBILITY AND AUTHORITY; TO AMEND SECTION 3.05.030 B. 2. OF THE CODE: INSPECTION AND CONFIDENTIALITY OF RECORDS; TO REPEAL SECTION 3.10.005 OF THE CODE: SEXUAL HARASSMENT; TO AMEND SECTION 3.10.030 OF THE CODE: AFFIRMATIVE ACTION PLAN ADOPTED BY REFERENCE; TO AMEND SECTION 3.15.030 OF THE CODE: POSITION ESTABLISHMENT; TO AMEND SECTION 3.15.070 A. OF THE CODE: REGULAR AND PROJECT POSITION TITLES; TO REPEAL SECTION 3.15.050 OF THE CODE: PROCEDURE FOR REVIEWING, ADDING OR CHANGING POSITIONS; TO REPEAL SECTION 3.15.060 OF THE CODE: REORGANIZATION OR MERGER OF COUNTY DEPARTMENTS; TO REPEAL CHAPTER 3.25 OF THE CODE: NONREPRESENTED SALARY PLAN; TO REPEAL CHAPTER 3.30 OF THE CODE: OVERTIME AND COMPENSATORY TIME; TO REPEAL CHAPTER 3.35 OF THE CODE: EMPLOYEE BENEFITS; TO REPEAL CHAPTER 3.40 OF THE CODE: CONDITIONS OF EMPLOYMENT; TO REPEAL CHAPTER 3.45 OF THE CODE: EMPLOYMENT/HIRING; TO REPEAL SECTION 3.50.080 OF THE CODE: OUTSIDE EMPLOYMENT; TO REPEAL SECTION 3.50.100 OF THE CODE: SOLICITATIONS AND SALES, TO REPEAL CHAPTER 3.55 OF THE CODE: TRAINING--DEVELOPMENT--NEW EMPLOYEE ORIENTATION; TO REPEAL CHAPTER 3.60 OF THE CODE: PERFORMANCE EVALUATION; TO REPEAL CHAPTER 3.65 OF THE CODE: LEAVES OF ABSENCE; TO REPEAL CHAPTER 3.70 OF THE CODE: DISCIPLINE AND TERMINATION OF EMPLOYMENT; TO REPEAL CHAPTER 3.75 OF THE CODE: RETURN OF COUNTY



PROPERTY; TO REPEAL CHAPTER 3.80 OF THE CODE: NON-REPRESENTED EMPLOYEE GRIEVANCE PROCEDURE-

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

**SECTION 1.** That Section 3.01.001 of the code be amended to read:

3.01.001 Purpose. The general purpose of the human resources code is to establish a ~~system of framework~~ for personnel administration that meets the social, economic and program needs of the county. It shall be the responsibility of every member of the supervisory staff to administer these policies in a fair and impartial manner. ~~The system shall foster recruiting, selecting and advancing employees on the basis of their relative ability, common knowledge and skills, including open competition of qualified applicants for initial appointments.~~

**SECTION 2.** That Section 3.01.005 of the code be amended to read:

3.01.005 Scope and collective bargaining obligations. County employees, other than supervisory, confidential, managerial or executive, have the right to organize, join and participate in any employee organization, freely and without fear of penalty or reprisal, as provided for in the Municipal Employment Relations Act, Wis. Stat. § 111.70, which includes provisions for the resolution of impasses. ~~Where provisions of duly negotiated employee contracts are in conflict with the Federal Merit System standards, bargaining should attempt to assure future compliance.~~

**SECTION 3.** That Section 3.01.010 of the code be repealed and recreated to read:

3.01.010 Definitions. The following words and phrases as utilized in this title of the code shall be afforded the definitions hereunder set forth, unless a different meaning is specifically afforded to the word or phrase via definition established in another title of this code or from the context:

A. "Appointing authority" means the person, governing body or designee thereof which has the authority granted by law or ordinance to appoint an individual to or remove an individual from positions in county service. The county administrator shall appoint heads of all departments and offices and the head of each department or office shall appoint all subordinate personnel.

B. "Committee" means the committee on human resources.

C. "Department head" means any county official who has the responsibility for the operation of a county department.

D. "Director" means the human resources director.

E. "Limited term employment" means employment in a short-term position for a period not to exceed 1200 hours.

F. "Regular employee" means employment in a position which normally requires actual performance in a planned undertaking which is a regular and continuing function of the county and expected to last more than 2 years.

G. "Seasonal employment" means employment in a position not more than 180 continuous calendar days, including weekends, county-observed holidays and other days incorporating both voluntary and/or involuntary leave.

H. "Supervisor" means the governing body, department head or designee thereof which is responsible for the work product, control, direction of work assignments and the evaluation of subordinate employees.

**SECTION 4.** That Paragraph 3. of Subsection A., Subsections B. and C., Paragraph 1. and 10. of Subsection D. and Paragraphs 1., 2., and 3. of Subsection E. of Section 3.03.020 of the code be amended to read:

A. The county board shall:

1. Authorize by ordinance any amendments to the human resources code;

2. Confirm non-elected department head appointments;

3. Authorize the creation, abolition or reclassification of all regular ~~and project~~ positions pursuant to Chapter 3.15; and

4. Appropriate funds for all authorized personnel positions.

B. The committee ~~on human resources~~ shall perform those functions provided in 2.04.440 and Title 3, ~~and shall establish pay rates for seasonal employees, and approve any changes to the Employee Policy Manual except any changes resulting in a fiscal impact will go to the county board for approval.~~

C. The county administrator shall perform those human resources functions provided in Chapter 2.06 and Title 3, ~~and review all amendments to the human resources code prior to submission to the board.~~

D. The director shall:

1. Administer the human resources code, the Employee Policy Manual and Human Resources Administrative Manual and perform those functions provided therein;...

10. Maintain a list of regular ~~and project~~ position titles.

E. Department heads shall:

1. Enforce the human resources code, the Employee Policy Manual, and the Human Resources Administrative Manual as it pertains to their respective departments, and keep employees informed of its provisions;

2. Recommend to the director any amendments to the human resources code, the Employee Policy Manual, and the Human Resources Administrative Manual which would improve county operating efficiency or employment relations;

3. Delegate appropriate authority to subordinate supervisory personnel in enforcing the code, the Employee Policy Manual, and the Human Resources Administrative Manual; and

**SECTION 5.** That Paragraph 2. of Subsection B. of Section 3.05.030 of the code be amended to read:

2. Third party requests for personnel records. When a third party request is made for personnel records, the director shall deny the request, shall balance the interests of the public to be informed in public matters against the harm to employee reputations which would likely result from the inspection and disclosure and release the records or release the records only after a notice of impending release and the ~~of~~ right of judicial review, where applicable, have been provided to the employee, all in conformance with the Wisconsin Public Records Law.

**SECTION 6.** That Section 3.10.005 of the code be repealed.

**SECTION 7.** That Section 3.10.030 of the code be amended to read:

3.10.030 Affirmative action plan adopted by reference. There is adopted by reference the Eau Claire County affirmative action plan, under date of March, 1984. The original copy of said plan shall be maintained and shall be open for inspection in the office of the county clerk. Amendments thereto shall be approved by the ~~county board~~ county committee and incorporated therein as though fully set forth and when adopted, have the same force and effect as the original plan.

**SECTION 8.** That Section 3.15.030 of the code be amended to read:

A. Authorization for all regular ~~or project~~ positions or changes therein is subject to the recommendation of the governing committee, the committee and approval by the board.

B. Authorization for all limited term, ~~temporary~~ and seasonal positions or changes therein shall be approved by the director, subject to departmental budgetary constraints.

C. Each position shall be designated as regular, ~~project~~, limited term, ~~temporary~~-or seasonal and the annual scheduled hours for the position determined.

**SECTION 9.** That Subsection A. of Section 3.15.070 of the code be amended to read:

A. The director shall maintain a list of regular ~~and project~~ position titles used in county service which shall include the position title, number of positions per position title, full time equivalency (FTE), salary code and any contingent conditions for specific positions. The list is available from human resources by request.

**SECTION 10.** That Sections 3.15.050, 3.15.060, 3.50.080, 3.50.100 of the code be repealed.

**SECTION 11.** That Chapters 3.25, 3.30, 3.35, 3.40, 3.45, 3.55, 3.60, 3.65, 3.70, 3.75 and 3.80 of the code be repealed.

ENACTED: December 6, 2011

(Ldr.-Tele., Dec. 30, 2011)

Enrolled No. O155-028

## ORDINANCE

File No. 11-12/109

-TO AMEND SECTION 16.30.040 C. OF THE CODE: FEES AND CHARGES-

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

**SECTION 1.** That Subsection C. of Section 16.30.040 of the code be amended to read:

C. Reservation fee policy. The clubhouse and shelter reservation fees shall be required in advance. An 80% refund will be granted if a reservation is canceled 60 days or more in advance of the reservation, a 50% refund for 30-59 days in advance, and no refund for cancellation of less than 30 days unless the reservation period is rebooked by another party resulting in a 50% refund. Groups of 250 or more are required to reserve the clubhouse in addition to reserving picnic shelters. Picnic shelters have a maximum capacity of 100 people. A camping reservation refund will be granted if cancelled at least 14 days prior to the first night of the camping period; however, the reservation fee will be retained.

ENACTED: December 20, 2011

(Ldr.-Tele., Dec. 30, 2011)

Enrolled No. O155-029

## ORDINANCE

File No. 11-12/110

-TO AMEND SECTION 16.30.040 B. OF THE CODE: FEES AND CHARGES-

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

**SECTION 1.** That Subsection B. of Section 16.30.040 of the code be amended to read:

C. Fees. The following fees shall be charged, unless otherwise specified:

General Usage Fees

Recreation Area Entrance Fee

per motor vehicle \$3.00 daily or \$25.00 annually

Additional Annual Entrance Stickers \$10.00 for same household

Required at boat launches, county parks, Evergreen ski trail, Lake Eau Claire beach and Tower Ridge Recreation area (from April 1 to December 1) including disc golf area. ~~In lieu of this fee, a 20% surcharge, rounded up to the next dollar, shall be added to all clubhouse and picnic shelter reservations.~~ Buses for non-school related functions \$6.00 daily fee, buses for school related functions exempt from fees. A registered camper shall be granted up to two free vehicle passes per site for the duration of the camping.

ENACTED: December 20, 2011

(Ldr.-Tele., Dec. 30, 2011)

Enrolled No. O155-030

**ORDINANCE**

File No. 11-12/113

-TO AMEND SECTION 18.95.010 A.1. g. AND h. AND B. OF THE CODE: APPLICATION AND ANNUAL EXTENSION FEE-

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

**SECTION 1.** That Subparagraph g. and h. of Paragraph 1. of Subsection A. and Subsection B. of Section 18.95.010 of the code be amended to read:

18.95.010 Application and Annual Extension Fee.

A. An application for a permit shall be accompanied by a reclamation plan review fee. The reclamation plan review fee shall be as follows:

- 1. PLAN REVIEW FEES (one time fee based on the life of the mine)
  - a. 1-5 acres: \$200,
  - b. 6-10 acres: \$500,
  - c. 11-15 acres: \$1000,
  - d. 16-25 acres: \$1500,
  - e. 26-50 acres: \$2000,
  - f. 51-100 acres: \$4000,
  - g. ~~101 acres or more: \$7000~~ 101-200 acres: \$7,000,
  - h. 201 acres or more: \$12,000.

\*Fees are established as base rate fees. Additional fees will be charged to reimburse staff costs at hourly rates reflecting wages and benefits in circumstances where the service costs incurred by Eau Claire County exceed the base rate.

2. A separate plan review fee of \$250 shall be paid under this section for any modification to an existing reclamation plan submitted pursuant to Section 18.91.050 A.

3. Proposed changes to a previously approved reclamation plan shall be subject to plan review fees based on the area affected by the plan changes.

4. Mine size is in acres rounded to the nearest whole acre. Does not include mines less than 1 acre.

5. In addition to the stated fees, applicants shall be responsible for the payment of all reasonable expenses of the committee on planning and development for retaining outside expert assistance in determining conformity with the requirements of the Nonmetallic Mining Reclamation Ordinance.

B. The annual extension fee shall be paid no later than January 31. The annual extension fee is based on the unreclaimed acreage of the nonmetallic mining site from the previous year. A fee of ~~\$35~~\$50 per acre shall be submitted for each acre rounded to the nearest whole acre not released pursuant to 18.96.060, but the total annual fee shall not be less than \$100.

ENACTED: December 20, 2011

(Ldr.-Tele., March 2, 2012)

Enrolled No. O155-031

**ORDINANCE**

File No. 11-12/122

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

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

**SECTION 1.** That the 1982 Official Zoning District Boundary Map for the Town of Clear Creek be reclassified from the A-1 Exclusive Agricultural District to the A-3 Agricultural District described as follows: The East ½ of the Southeast ¼ of the Northwest ¼ of Section 1, Township 25 North, Range 8 West, Town of Clear Creek.

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

ENACTED: February 21, 2012

(Ldr.-Tele., March 2, 2012)

Enrolled No. O155-032

**ORDINANCE**

File No. 11-12/103

-TO CREATE SECTION 18.04.030 I. OF THE CODE: CONDITIONAL USES; TO CREATE SECTION 18.04.035 G. OF THE CODE: STRUCTURES ALLOWED UNDER CONDITIONAL USE PERMITS-

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

**SECTION 1.** That Subsection I. of Section 18.04.030 of the code be created to read:

I. Temporary asphalt and concrete batching or ready mix operations or concrete crushing provided they meet the following criteria:

1. The operation is used solely for a specific Wisconsin Department of Transportation project.

2. A restoration plan for the site is provided which describes or illustrates measures taken to restore the site to its original land use. The restoration plan will describe methods for establishing vegetative cover on all exposed soil.

3. The temporary concrete or asphalt batch plants shall be removed from the premises within 60 days of completion of project.

4. A storm water and erosion control plan in compliance with Chapter 17.05 shall be submitted to and approved by the land conservation division.

5. The maximum area devoted for facility operations shall not be larger than 5 acres, including, but not limited to, the stockpiling of materials, equipment and vehicle storage, associated buildings, access roads, batch plants, storm water facilities and crushers.

SECTION 2. That Subsection G. of Section 18.04.035 of the code be created to read:

G. Temporary structures associated with temporary asphalt and concrete batching or ready mix operations or concrete crushing operations.

ENACTED: February 21, 2012

(Ldr.-Tele., March 30, 2012)

Enrolled No. O155-033

### ORDINANCE

File No. 11-12/130

-TO AMEND SECTION 3.20.001 A. OF THE CODE: ELECTED OFFICERS AND OFFICIALS COMPENSATION; TO REPEAL AND RECREATE SECTION 3.20.005 B. THROUGH E. OF THE CODE: SALARIES OF ELECTED OFFICERS; TO REPEAL AND RECREATE SECTION 3.20.010 OF THE CODE: BENEFITS OF ELECTED OFFICIALS-

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

SECTION 1. That Subsection A. of Section 3.20.001 of the code be amended to read:

3.20.001 Elected officers and officials total annual compensation.

A. Prior to ~~May 1st~~ March 15<sup>th</sup> of each even numbered year, the committee shall review salaries of all county elected officials and make recommendations by ordinance to the board in accordance with Wis. Stat. §§ 59.22(1)(a) and for each position up for election.

SECTION 2. That Subsections B. through E. of Section 3.20.005 be repealed and recreated to read:

3.20.005 Total annual compensation for county elected officers. This section establishes the total annual compensation for services to be paid to county elected officials under Wis. Stat. § 59.22(1), effective on the first day of the term of office that begins after the date of this ordinance. For all purposes, total annual compensation of county elected officials shall be separate and distinct from fringe benefits offered by the County to elected officials. It is expressly understood that fringe benefits are subject to increase or decrease during the officer's term at the discretion of the County board and in accordance with state and federal law.

A. The total annual compensation of all elected officers shall be paid in accordance with Chapter 4.07.

B. The total annual compensation of the elected officials for calendar year 2012 shall be as follows:

1. Clerk of circuit court	\$60,651
2. County clerk	\$57,376
3. County sheriff	\$80,711
4. County treasurer	\$57,376
5. Register of deeds	\$57,376

C. The total annual compensation of the elected officials for calendar year 2013 shall be as follows:

1. Clerk of circuit court	\$61,864
2. County sheriff	\$82,325
3. County Clerk	<del>\$60,376</del> <u>\$57,376</u>
4. County Treasurer	<del>\$60,376</del> <u>\$57,376</u>
5. Register of Deeds	<del>\$60,376</del> <u>\$57,376</u>

D. The total annual compensation of the elected officials for calendar year 2014 shall be as follows:

1. Clerk of circuit court	\$63,101
2. County sheriff	\$83,972
3. County Clerk	<del>\$60,980</del> <u>\$57,950</u>
4. County Treasurer	<del>\$60,980</del> <u>\$57,950</u>
5. Register of Deeds	<del>\$60,980</del> <u>\$57,950</u>

E. The total annual compensation of the elected officials for calendar year 2015 shall be as follows:

1. County Clerk	<del>\$61,589</del> <u>\$58,529</u>
2. County Treasurer	<del>\$61,589</del> <u>\$58,529</u>
3. Register of Deeds	<del>\$61,589</del> <u>\$58,529</u>

F. The total annual compensation of the elected officials for calendar year 2016 shall be as follows:

1. County Clerk	<del>\$62,205</del> <u>\$59,114</u>
2. County Treasurer	<del>\$62,205</del> <u>\$59,114</u>
3. Register of Deeds	<del>\$62,205</del> <u>\$59,114</u>

SECTION 3. That Section 3.20.010 be repealed and recreated to read:

3.20.010 Benefits of elected officials. This section establishes fringe benefits for county elected officials under Wis. Stat. §59.22(1), effective on the first day of the term of office that begins after the date of the ordinance. Fringe benefits are separate and distinct from total annual compensation. It is expressly understood that fringe benefits are subject to increase or decrease during the officer's term at the discretion of the county board and in accordance with state and federal law. Elected officials are:

A. Eligible to participate in a group health insurance plan, by paying for the portion of the monthly premium not paid by the county; 100% of all deductibles and co-pays, co-insurance and other shared costs as provided in the plan design as may be amended annually during the term of office as provided in the Employee Policy Manual. For 2013 and 2014, the county will pay \$585.20 per month for a single plan, \$1,168.71 per month for a limited family plan and \$1,834.76 per month for a family plan. For 2015 and 2016, the county will pay \$571.64 per month for a single plan, \$1,141.53 per month for a limited family plan and \$1,792.09 per month for a family plan.

B. Eligible to participate in a group dental plan by paying the entire premium as provided in the Employee Policy Manual

C. Eligible to participate in the Wisconsin Retirement System ("WRS") as authorized by law. Each elected official is required to pay their share of the total WRS required contributions. The county will pay only its share of the total WRS required contributions as required by law. It is expressly recognized that these contributions may change, when the required WRS rate is adjusted, as authorized by law.

D. Eligible to participate in the Wisconsin Group Life Insurance Program, social security, deferred compensation, Roth IRA's, group long-term disability plan, flexible spending account and the EdVest college savings program as provided in the Employee Policy Manual.

ENACTED: March 20, 2012

(Ldr.-Tele., March 30, 2012)

Enrolled No. O155-034

### ORDINANCE

File No. 11-12/129

-TO CREATE SECTION 18.55.200 OF THE CODE: GROUNDWATER PROTECTION OVERLAY DISTRICT-  
The County Board of Supervisors of the County of Eau Claire does ordain as follows:

**SECTION 1.** That Section 18.55.200 of the code be created to read:

18.55.200 Groundwater Protection Overlay District. A groundwater protection overlay district is created for the Village of Fall Creek with the boundaries as shown on the map dated February 2, 2012 entitled Map of the Groundwater Protection Districts for Public Water Supply Recharge Areas in Eau Claire County-Village of Fall Creek on file in the office of the department.

ENACTED: March 20, 2012

(Ldr.-Tele., April 13, 2012)

Enrolled No. O155-035

### ORDINANCE

File No. 11-12/128

-AMENDING THE 1983 OFFICIAL WETLAND INVENTORY MAP FOR THE COUNTY-

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

**SECTION 1.** That the 1983 Official Wetland Inventory Map for the county, described as follows:

Being part of the Northwest ¼ of the Northeast ¼, Section 7, Township 27 North, Range 10 West, Town of Union, Eau Claire County Wisconsin more particularly described as follows:

Commencing at the north ¼ corner of said Section 7; thence N88°59'38"E along the north line of said NE ¼ a distance of 804.44 feet to the point of beginning; thence continuing N88°59'38"E along said north line a distance of 515.38 feet to the northeast corner of said NW ¼ of the NE ¼; thence S00°04'34"E along the east line of said NW ¼ of the NE ¼ a distance of 927.96 feet; thence N79°34'26"W 328.48 feet; thence N38°26'29"W 327.96 feet to a meander line of a water course; thence N23°12'14"E along said meander line 181.63 feet; thence N04°42'25"W along said meander line 234.48 feet; thence N45°28'32"W along said meander line 113.24 feet; thence N17°34'49"E along said meander line 128.56 feet to the said north line and the point of beginning, including all lands lying between the said meander line and the watercourse lying southerly and westerly of said meander line, to be reclassified from a wetland (T3K, forested, broad leaved deciduous, wet soil) to an upland classification.

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

ENACTED: April 4, 2012

(Ldr.-Tele., April 13, 2012)

Enrolled No. O155-036

**ORDINANCE**

File No. 11-12/143

-AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF DRAMMEN-

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

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

Being part of the SE1/4 of the NE1/4 of Section 34, and part of the SW1/4 of the NW1/4 of Section 35, Township 25 North, Range 10 West, Town of Drammen, Eau Claire County, Wisconsin, more particularly described as follows: The south 200 feet of the east 400 feet of the SE1/4 of the NE1/4 Section 34, Township 25 North, Range 10 West, Town of Drammen, and the south 200 feet of the west 228 feet of the SW1/4 of the NW1/4 of Section 35, Township 25 North, Range 10 West, Town of Drammen, containing approximately 2.88 acres to be reclassified from the A-1 Exclusive Agricultural District to the A-R Floating Agricultural-Residential District.

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

ENACTED: April 4, 2012

(Ldr.-Tele., April 13, 2012)

Enrolled No. O155-037

**ORDINANCE**

File No. 11-12/147

-TO AMEND SECTION 2.04.030 A. OF THE CODE: RULE 3--OPENING OF MEETING; TO AMEND SECTION 2.04.320 D. OF THE CODE: RULE 32--REPORTS TO THE COUNTY BOARD-

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

**SECTION 1.** That Subsection A. of Section 2.04.030 of the code be amended to read:

A. Call to Order. Promptly at the hour of meeting, the chair of the board, or in the chair's absence, the 1st vice-chair or, in the 1st vice-chair's absence, the 2nd vice-chair, shall call the members to order. In case of the absence of the chair and vice-chairs for any meeting, the members present shall choose a temporary chair. ~~The chair shall call upon a member to lead the board in honoring the flag, and thereafter, except for the organizational meeting, shall call upon a member to offer the invocation. The 1st session of the organizational meeting shall be opened with an invocation offered by a member of the clergy selected by the clerk and serving without compensation.~~

**SECTION 2.** That Subsection D. of Section 2.04.320 of the code be amended to read:

D. Members appointed to represent the board on the governing bodies of independent agencies shall submit to the county administrator written reports of such agency activities or issues as may be of interest to the board by the calendar deadline in 2.04.110 A. ~~on a semi-annually basis at the January and July second meeting in March.~~ Copies of such reports shall be sent with the calendar to each board member. Discussion of and directives by the board for action by the appropriate committee on any matters so reported shall be in order.

ENACTED: April 4, 2012

(Ldr.-Tele., April 13, 2012)

Enrolled No. O155-038

**ORDINANCE**

File No. 11-12/140

-TO CREATE SECTION 1.16.040 OF THE CODE: TO AMEND SECTION 1.50.020 OF THE CODE; TO CREATE SECTION 8.04.020 F. OF THE CODE; TO AMEND SECTION 8.04.025 B. OF THE CODE; TO CREATE SECTION 8.04.025 C. OF THE CODE; TO CREATE SECTION 8.04.035 OF THE CODE; TO AMEND SECTION 8.12.020 B. OF THE CODE; TO CREATE SECTION 8.12.020 C. OF THE CODE; TO AMEND SECTION 8.12.030 OF THE CODE; TO AMEND SECTION 8.12.070 A. AND B. OF THE CODE; TO AMEND THE TITLE OF 8.12.075 OF THE CODE; TO AMEND SECTION 8.12.075 A. OF THE CODE; TO CREATE SECTION 8.12.075 E. OF THE CODE; TO AMEND SECTION 8.12.080 OF THE CODE; TO CREATE SECTION 9.44.040 C. OF THE CODE-

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

**SECTION 1.** That Section 1.16.040 of the code be created to read:

1.16.040 Enforcement--Orders--Inspections.

- A. Enforcement order. Whenever any officer or official designated under 1.50.030 determines a violation of this code exists, that person may, in addition to any other available enforcement options, issue a written order directing that all violations shall be corrected within the period of time specified.
- B. Failure to comply--Re-inspection fee. Any person who shall fail or neglect to comply with any such lawful order issued pursuant to this section for any violation of this code shall be assessed a \$100 fee for each compliance re-inspection performed in excess of two.

- B. Failure to comply--Re-inspection fee. Any person who shall fail or neglect to comply with any such lawful order issued pursuant to this section for any violation of this code shall be assessed a \$100 fee for each compliance re-inspection performed in excess of two.

**SECTION 2.** That Section 1.50.020 of the code be amended to read:

1.50.020 Schedule of Deposits

<u>ORDINANCE</u>	<u>OFFENSE</u>	<u>DEPOSIT</u>
8.04.030	Air pollution	200.00
8.04.035	Site-clearing, open burning	2,000.00
8.04.040	Department of Natural Resources rules adopted	1,000.00
8.12.070	Hazardous substance-control	2,000.00
8.12.075	Human health <u>hazards and public nuisances</u>	300.00
8.12.080	Groundwater contamination	2,000.00

**SECTION 3.** That Subsection F. of Section 8.04.020 of the code be created to read:

- F. "Site-clearing open burning" is the burning of uprooted or cleared vegetation, excluding stumps, in connection with the construction of buildings; residential, commercial, or industrial development; mining activities; or initial clearing of vegetation to enhance property value. It does not include routine maintenance or property cleanup activities.

**SECTION 4.** That Subsection B. of Section 8.04.025 of the code be amended to read:

- B. No person may interfere with the health department director or an authorized representative in the performance of his or her duties. Any person interfering shall be in violation of this ordinance and subject to penalty as provided by this ordinance. If consent to enter property for inspection purposes is denied, the health department director or his or her duly authorized representative may obtain a special inspection warrant under Wis. Stat. §§~~66.122 and 66.123~~, 66.0119.

**SECTION 5.** That Subsection C. of Section 8.04.025 of the code be created to read:

- C. Environmental Monitoring. The health department shall have the right to set up or require installation on any property such devices as are necessary in the opinion of the health department for the purpose of evaluating the threat to public health. Environmental monitoring for contamination, containment, clean up and restoration activities may be necessary to determine compliance with this ordinance. Monitoring and/or sampling equipment shall be maintained, at all times, in a safe and proper operating condition. The health department may recover expenses associated with enforcement of this ordinance, including sampling and monitoring. Any costs incurred shall be the responsibility of the violator/property owner from which the violations originated.

**SECTION 6.** That Section 8.04.035 of the code be created to read:

8.04.035 Site-clearing open burning.

Site-clearing open burning shall be conducted in a safe manner and does not cause air pollution as defined in 8.04.020 B. Stumps shall not be burned, but rather disposed of in another manner such as chipping or grinding. Smoldering or the creation of dense black or noxious smoke is prohibited.

**SECTION 7.** That Subsection B. of Section 8.12.020 of the code be amended to read:

- B. No person may interfere with the health department director or an authorized representative in the performance of his or her duties. Any person interfering shall be in violation of this ordinance and subject to penalty as provided by this ordinance. If consent to enter property for inspection purposes is denied, the health department director or his or her duly authorized representative may obtain a special inspection warrant under Wis. Stat. §§~~66.122 and 66.123~~, 66.0119.

**SECTION 8.** That Subsection C. of Section 8.12.020 of the code be created to read:

- C. Environmental Monitoring. The health department shall have the right to set up or require installation on any property such devices as are necessary in the opinion of the health department for the purpose of evaluating the threat to public health. Environmental monitoring for contamination, containment, clean up and restoration activities may be necessary to determine compliance with this ordinance. Monitoring and/or sampling equipment shall be maintained, at all times, in a safe and proper operating condition. The health department may recover expenses associated with enforcement of this ordinance, including sampling and monitoring. Any costs incurred shall be the responsibility of the violator/property owner from which the violations originated.

**SECTION 9.** That Section 8.12.030 of the code be amended to read:

8.12.030 Regulations, rules and laws adopted by reference

The applicable laws, rules, regulations set forth in Wis. Stat. chs. 101, 144, 145, 146, 168, 251.05, 251.06, and 254, ~~289, 291, 292, and 299~~, NR chs. 102, NR105, NR 110, NR 113, NR 140, NR 141, NR 149, NR 150, NR 157, NR 500-555, NR 600-666, NR 668, NR 670, NR 673, NR 679, NR 809, NR 812, NR ~~113, NR 140, NR 845, and SPS chs. 310, 348, NR 500-555, Comm 381, Comm 382, Comm 383, Comm 384, Comm 385, Comm 387 and Comm 391~~, are incorporated in this chapter by reference and they shall be construed, read and interpreted as though fully set forth herein. The express provisions of this chapter shall control where more restrictive except with respect to rules promulgated under Wis. Stat. ch. 145.

SECTION 10. That Subsections A. and B. of Section 8.12.070 of the code be amended to read:

8.12.070 Hazardous Substance - control

- A. It is unlawful for any person to store, use, transport, or dispose of any hazardous substance in such quantity or manner that it is, or has, the potential to create a human health hazard-or causes groundwater contamination per 8.12.080.
- B. It is unlawful to use or dispose of a hazardous substance or product other than as the label or labeling directs or as required by applicable federal, state, and local rules and regulations.

SECTION 11. That the title of Section 8.12.075 of the code be amended to read:

8.12.075 Human health hazards- and public nuisances.

SECTION 12. That subsection A. of Section 8.12.075 of the code be amended to read:

- A. No person shall erect, construct, cause, continue, maintain, or permit any human health hazard within the county. Any person who shall cause, create or maintain a human health hazard or who shall in any way aid or contribute to the causing, creating or maintenance thereof shall be liable for all costs and expenses for removal and correction of such a human health hazard and to the penalty provided in 8.12.270.
- ~~A.~~ Human health hazard is defined in 8.12.005. More specifically but not limited by enumeration the following are considered human health hazards.

SECTION 13. That Subsection E. of Section 8.12.075 be created to read:

- E. Public nuisances. No person shall erect, contrive, cause, continue, maintain or permit to exist any public health nuisance in the county. A public nuisance shall be defined as any thing, act, use or condition or a building or land that interferes substantially with the comfortable enjoyment of life, health or safety of another person or the public. Public nuisance shall include, but not be limited to:
  - 1. Any use that causes the air to become noxious or offensive as defined in Chapter 8.04.
  - 2. Any use that unduly promotes the breeding of flies, mosquitoes, or other insects or creates a harborage or breeding place for rodents or other animals.
  - 3. Noises disturbing the public peace as specified in 9.44.040.
  - 4. Infestation of 'pests of public health significance' such as, but not limited to, bed bugs and bird mites.
  - 5. Continuous violations of Title 8.

SECTION 14. That Section 8.12.080 of the code be amended to read:

8.12.080 – Groundwater contamination – prevention.

It is unlawful for any person to utilize in any manner, including but not limited to disposal, processing, application, and storage, of any material which contains hazardous substances and/or biological substance(s) that would cause groundwater to be unpalatable or unfit for human consumption. These substances include but are not limited to the chemical or biological substances listed in NR 4809 and NR 140, as well as other compounds for which state or federal health advisory limits have been issued.

SECTION 15. That Section 9.44.040 of the code be created to read:

9.44.040 Prohibition of excessive noise disturbing the public peace.

- A. Excessive noise shall mean any sound or level of sound of sufficient loudness that it tends unreasonably to disturb the peace, comfort, quiet or repose of persons in the vicinity of the noise including, but not limited to, any such noise produced in the operation or use of any radio, phonograph, tape or disc player, television or other mechanical or electrical device, machine or motor vehicle.
- B. No person shall cause or participate in the production of any excessive noise, and no owner, user, occupier or other person having charge of any property within Eau Claire County may cause, suffer, permit or participate in the production of excessive noise.
- C. This section shall apply in all areas of Eau Claire County except in those municipalities, which have an ordinance on the same subject matter.
- D. This section shall not be deemed to prohibit any noise or sound which is:
  - (1) necessary for the preservation of property or of the health, safety, life or limb of any person; or
  - (2) otherwise required or permitted by law; or
  - (3) produced as a necessary result of the reasonable operation of any activity otherwise regulated by law; or
  - (4) produced as a result of any agricultural activity.

ENACTED: April 4, 2012



**SECTION 4**

**ADOPTED REPORTS**

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## REVENUE AND FINANCE

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11-12/083	COUNTY BRIDGE AID REQUEST; TOWN OF CLEAR CREEK	RP155-005	18	3
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11-12/062	REZONING PETITION RZN2011-04 OF ALLIANCE BANK TO REZONE A PARCEL OF LAND FROM THE A-1 EXCLUSIVE AGRICULTURAL DISTRICT TO THE A-3 AGRICULTURAL DISTRICT	RP155-004	15	2
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Report of the Highway Committee

ANALYSIS

On April 14, 2011, the highway committee reviewed the request from the Town of Pleasant Valley for county bridge aid.

The project is located on Tollefson Road approximately 1,625 feet west of State Trunk Highway 93 in Section 33, Township 25N, Range 9W. The work consists of replacing a deteriorated pipe culvert with a 60-inch diameter polyethylene pipe culvert. Final costs are as follows:

Town of Pleasant Valley	\$ 4,295.10	(50% of final cost)
Eau Claire County	<u>\$ 4,295.11</u>	(50% of final cost)
Total	<u>\$ 8,590.21</u>	

After reviewing the request, the highway committee concurs with participating in costs using county bridge aid.

RECOMMENDATION

BE IT RESOLVED by the Eau Claire County Board of Supervisors that File No. 11-12/001 be adopted and hereby authorizes the participation of the County of Eau Claire in said bridge aid petition in accordance with Wisconsin Statute 82.02 at a final cost of \$4,295.11 to be paid from the 2011 county bridge aid account.

BE IT FURTHER RESOLVED that said participation is based upon the Town of Pleasant Valley appropriating the local share.

ADOPTED: April 19, 2011

Report of the Highway Committee

ANALYSIS

On June 30, 2011, the highway committee reviewed a request from the Town of Seymour for county bridge aid.

The project is located on 120th Avenue approximately 1,000 feet north of St. Bridget's Drive in Section 1/6, Township 27N, Range 7/8W. The work consists of replacing two deteriorated pipe culverts with a 3-foot (H) by 7-foot (W) concrete box culvert. Estimated costs are as follows:

Town of Seymour	\$ 8,750.00	(50% of final cost)
Eau Claire County	<u>\$ 8,750.00</u>	(50% of final cost)
Total	<u>\$ 17,500.00</u>	

After reviewing the request, the highway committee concurs with participating in costs using county bridge aid.

RECOMMENDATION

BE IT RESOLVED by the Eau Claire County Board of Supervisors that File No. 11-12/047 be adopted and hereby authorizes the participation of the County of Eau Claire in said bridge aid petition in accordance with Wisconsin Statute 82.02 at an estimated cost of \$8,750.00 to be paid from the 2011 county bridge aid account.

BE IT FURTHER RESOLVED that said participation is based upon the Town of Seymour appropriating the local share.

ADOPTED: July 19, 2011

Enrolled No. RP155-003

REPORT

File No. 11-12/073

Report of the Highway Committee

ANALYSIS

On September 8, 2011, the highway committee reviewed a request from the Town of Washington for county bridge aid.

The project is located on North Road approximately 3,500 feet north of Hickory Road in Section 19/20, Township 26N, Range 8W. The work consists of replacing a deteriorated pipe culvert with a 48-inch diameter polyethylene pipe culvert. Estimated costs are as follows:

Town of Washington	\$ 3,000.00	(50% of final cost)
Eau Claire County	\$ 3,000.00	(50% of final cost)
Total	<u>\$ 6,000.00</u>	

After reviewing the request, the highway committee concurs with participating in costs using county bridge aid.

RECOMMENDATION

BE IT RESOLVED by the Eau Claire County Board of Supervisors that File No. 11-12/073 be adopted and hereby authorizes the participation of the County of Eau Claire in said bridge aid petition in accordance with Wisconsin Statute 82.02 at an estimated cost of \$6,000.00 to be paid from the 2011 county bridge aid account.

BE IT FURTHER RESOLVED that said participation is based upon the Town of Washington appropriating the local share.

ADOPTED: September 20, 2011

Enrolled No. RP155-004

REPORT

File No. 11-12/062

Report of the Committee on Planning & Development

Rezoning Petition RZN2011-04 of Alliance Bank to rezone a parcel of land from the A-1 Exclusive Agricultural District to the A-3 Agricultural District

ANALYSIS

On Tuesday, August 23, 2011, the Committee on Planning and Development convened a public hearing to consider the rezoning petition of Alliance Bank, property owner, to rezone a parcel of land from the A-1 Exclusive Agricultural District to the A-3 Agricultural District. The property is described as follows: Part of Section 19, T25N-R9W, Town of Pleasant Valley, Eau Claire County. The parcel is more particularly described as follows:

A parcel of land located in part of the West ½ of the Southeast ¼ of Section 19, T26N-R9W, Town of Pleasant Valley, lying West of the centerline of County Highway "FF" and North of the centerline of County Highway "WW", also the North ½ of the Northeast ¼ of the Southwest ¼, Section 19, T25N, R9W, Town of Pleasant Valley, Eau Claire County, Wisconsin. Containing 55.92 acres. The site address is S 13650 County Highway FF, Eleva, WI 54738.

Staff presented a staff report, recommending that the Committee file a recommendation to the County Board to approve the rezoning petition because the rezoning petition meet all of the required standards for rezoning property from the A-1 Exclusive Agricultural District to another zoning district.

After the Committee considered the public testimony, the Town Boards action, staff analysis, vicinity map, adjacent land uses and statutory requirements the Committee voted to recommend denial of the petition and to file a report with the County Board to place the petition on file. The Committee cited the following reasons why they supported denying the petition: rezoning the property could set a precedent for future rezone petition in the neighborhood, dividing the land would be difficult due to topography and rezoning the land would allow for additional non-farm residential use of the property and this could result in future conflicts with agricultural uses in the vicinity.

The Pleasant Valley Town Board voted to approve the rezoning petition at a regular Town Board meeting held on August 15, 2011.

RECOMMENDATION

BE IT RESOLVED by the Eau Claire County Board of Supervisors that the rezoning petition of Alliance Bank to rezone a parcel of land from the A-1 Exclusive Agricultural District to the A-3 Agricultural District be and is hereby placed on file.

ADOPTED: September 20, 2011

RP155-005

REPORT

File No. 11-12/083

Report of the Highway Committee

ANALYSIS

On September 29, 2011, the highway committee reviewed a request from the Town of Clear Creek for county bridge aid.

The project is located on North Raven Road approximately 1,600 feet south of County Trunk Highway V in Section 9/10, Township 25N, Range 8W. The work consists of replacing a deteriorated pipe culvert with a new 36-inch diameter pipe culvert. Estimated costs are as follows:

Town of Clear Creek	\$ 2,713.50	(50% of final cost)
Eau Claire County	\$ 2,713.50	(50% of final cost)
Total	<u>\$ 5,427.00</u>	

After reviewing the request, the highway committee concurs with participating in costs using county bridge aid.

RECOMMENDATION

BE IT RESOLVED by the Eau Claire County Board of Supervisors that File No. 11-12/083 be adopted and hereby authorizes the participation of the County of Eau Claire in said bridge aid petition in accordance with Wisconsin Statute 82.02 at an estimated cost of \$5,427.00 to be paid from the 2011 county bridge aid account.

BE IT FURTHER RESOLVED that said participation is based upon the Town of Clear Creek appropriating the local share.

ADOPTED: October 4, 2011

Report of the Committee on Human Resources

ANALYSIS

Eau Claire County Code, Section 3.20.001, Elected officers and officials compensation, requires that the committee on human resources review and recommend to the Eau Claire County Board of Supervisors salary and per diem schedules for the full terms of the county supervisors to be next elected.

At its meeting on October 7, 2011, the committee on human resources reviewed Section 3.20.020, County board of supervisors compensation, Paragraph A., and Section 3.20.040, County board committee per diems, Paragraph A., and unanimously approved a motion recommending to the board that, in light of fiscal constraint for the 2012 and beyond, the salary and per diem schedules for county board supervisors to be next elected remain unchanged.

RECOMMENDATION

BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby adopts no increase in the salary and per diem schedules for the full terms for the county supervisors to be next elected.

ADOPTED: October 18, 2011

Report of the Committee on Finance and Budget

Re: Requesting a Library Exemption from the Town of Fairchild and Village of Fairchild

ANALYSIS

The committee on finance and budget reviewed correspondence from both the Town of Fairchild and Village of Fairchild in which they are requesting a library exemption from the county tax levy. Staff from planning and development provided an analysis regarding the exemption request.

RECOMMENDATION

BE IT RESOLVED by the Eau Claire County Board of Supervisors that the committee on finance and budget hereby recommends that the library exemption from the county tax levy be granted to the Town of Fairchild and to the Village of Fairchild.

ADOPTED: October 18, 2011

-REPORT OF THE COMMITTEE OF THE WHOLE ON THE ALTERATION OF THE PROPOSED 2012 BUDGET-

<u>DEPARTMENT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>ADOPTED</u>
Human Services Department	Adult AODA Position from Human Services Reassigned to Drug Court AODA Position	\$ -88,697 + 88,697	Defeated
	Human Services to get a contracted position that would do Drug Court Case Management	\$ +60,840	
	Reduction in contracted services in Human Services	\$ -30,000	
	Reduction in treatment courts services for treatment already budgeted	-30,840	Adopted

<u>ADRC</u>	Care Transitions Program 1.5 FTE	\$+131,815	Adopted
	Grant - Revenue	\$+131,815	
	Vets Transportation and Community Living Initiatives	\$+292,812	Adopted
	Grant – Revenue	\$+292,812	
Human Services Department			
	Substance Abuse and Mental Health Agency	\$+399,700	Adopted
	Grant – Revenue	\$+399,700	
	Income Maintenance Consortium	\$ + 88,450	Adopted
	Revenue	\$ -67,550	
	Revenue	\$+156,000	
	Youth Aides Reduction	\$ -89,650	Adopted
	Revenue	\$ -89,650	
Planning and Development			
	Nonmetallic Mining		Adopted
	Increase Contingency Fund	\$ +39,500	
	Increase Building Inspector by 7.50 hours	\$ +11,500	
	Revenue increase for permits	\$ +51,000	
Sheriffs			
	Increase OA position in the Jail from ½ time to full time to start July 1 <sup>st</sup>	\$ +10,750	Defeated
	Decrease Food Service Expense	-10,750	

ADOPTED: November 16, 2011

Enrolled No. RP155-009

REPORT

File No. 11-12/112

Report of the Highway Committee

ANALYSIS

On December 9, 2011, the highway committee reviewed a request from the Village of Fairchild for county bridge aid.

The project is located on Camp Road approximately 400 feet south of Pond Road in Section 35, Township 25N, Range 5W. The work consists of replacing a deteriorated pipe culvert with a new 48-inch diameter pipe culvert. Estimated costs are as follows:

Village of Fairchild	\$ 3,000.00	(50% of final cost)
Eau Claire County	<u>\$ 3,000.00</u>	(50% of final cost)
Total	<u>\$ 6,000.00</u>	

After reviewing the request, the highway committee concurs with participating in costs using county bridge aid.

RECOMMENDATION

BE IT RESOLVED by the Eau Claire County Board of Supervisors that File No. 11-12/112 be adopted and hereby authorizes the participation of the County of Eau Claire in said bridge aid petition in accordance with Wisconsin Statute 82.02 at an estimated cost of \$6,000.00 to be paid from the 2011 county bridge aid account.

BE IT FURTHER RESOLVED that said participation is based upon the Village of Fairchild appropriating the local share.

ADOPTED: December 20, 2011

SECTION 5

PETITIONS, CLAIMS AND  
COMMUNICATIONS



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**PETITIONS**

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# FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 · MADISON, WI 53701 · (608) 256-8900 · WWW.FFRF.ORG

February 25, 2011

Gregg Moore, Chair  
Eau Claire County Board of Supervisors  
721 Oxford Ave  
Eau Claire, WI 54703

**Received**

**FEB 28 2011**

**Eau Claire County  
Board of Supervisors**

**Re: County Board of Supervisors Invocations**

Dear Mr. Moore and Members of the County Board:

Our national organization, which works to keep state and church separate, has been contacted by taxpayers and residents of Eau Claire who strenuously oppose the practice of prayers at County Board of Supervisors meetings. It is our information and understanding that the Eau Claire County Board of Supervisors ("Board") includes prayers as part of its meetings.

Government prayer is unnecessary, inappropriate, and divisive. Calling upon Board members and citizens to rise and pray (even silently) is coercive, embarrassing and beyond the scope of secular city government. Board members are free to pray privately or to worship on their own time in their own way. They do not need to worship on taxpayers' time. The county ought not to lend its power and prestige to religion, amounting to a governmental endorsement that excludes the 15% of your population that is nonreligious (Religious Identification Survey 2008). The Board compounds the violation when a majority of prayers are sectarian, in this case to Jesus, or a majority of the officiants are of one religion, in this case Christian or Christian clergy (which inevitably happens). Such prayer creates acrimony, makes minorities feel like political outsiders in their own community, and shows unconstitutional governmental preference not just for religion over nonreligion, but Christianity over other faiths.

Citizens of all religions or no religion are compelled to come before you on civic, secular matters: variances, sewers, building permits, restaurant licenses, sidewalk repair, etc. They should not be subjected to a religious show or test, or be expected to demonstrate religious obeisance at a county function. We fail to see why divine guidance is needed over such earthly matters anyway.

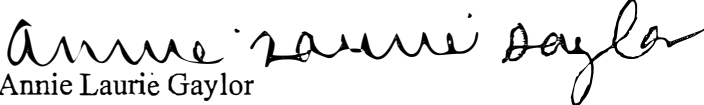
Christians who know their bible are familiar with the biblical injunction of Jesus in the Sermon on the Mount, condemning as hypocrisy public prayer. "Enter into thy closet and when thou hast shut the door, pray to thy Father which is in secret." (Matthew 6:5-13).

Observing a strict separation of church and state offends nobody, and honors not only the First Amendment, but also the very tenets being professed during County prayers.

On behalf of our Eau Claire membership and our secular constitution, we urge the County Board of Supervisors to concentrate on county matters. The tone that should be set is one that respects and reveres the secular and entirely godless U.S. constitution, which County officials take an oath to uphold, and whose only references to religion are exclusionary.

May we hear from you in writing at your earliest convenience what steps you are taking to remedy this First Amendment violation?

Yours very truly,

  
Annie Laurie Gaylor  
Co-President



**SCOTT WALKER**  
**OFFICE OF THE GOVERNOR**  
**STATE OF WISCONSIN**

P.O. Box 7863  
MADISON, WI 53707

April 29, 2011

Ms. Janet K. Loomis  
County Clerk  
721 Oxford Avenue  
Eau Claire, WI 54703-5212

Dear Ms. Loomis,

Thank you for contacting my office with your resolution. I appreciate the chance to hear from communities all across Wisconsin.

As a former county executive, I appreciate all of the day to day work that is done to keep government functioning at the local level. Furthermore, I am committed to staying up-to-date on the many issues facing Wisconsin.

Thank you again for sharing your resolution with me. I will keep your thoughts and ideas in mind. Please stay in touch as we work together to move Wisconsin forward.

Sincerely,

Scott Walker  
Governor

**RECEIVED**  
**MAY 3 2011**  
**COUNTY CLERK**

PROCLAMATION

**“PROCLAIMING JULY 2011 AS PARKS AND RECREATION MONTH”**

WHEREAS, parks and recreation activities enhance the physical health and mental well being of individuals, work forces and communities; and

WHEREAS, use of county recreation facilities builds self-esteem and provides positive opportunities for social interaction and constructive alternates to anti-social behavior;

WHEREAS, parks and recreation opportunities and open space enhance the desirability of communities as locations for business, industry and residential housing; and

WHEREAS, parks and recreation facilities stimulate tourism revenues and the economic development of communities; and;

WHEREAS, parks and open space are vital to the appearance and livability of communities, protect air and water quality and balance our ecosystem; and

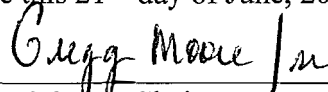
WHEREAS, it is the right of everyone regardless of age, race, color, religion, gender orientation, national origin or ability to participate in parks and recreation activities and to enjoy parks and open space.

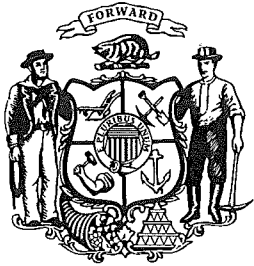
NOW, THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors along with all citizens of Eau Claire County recognize that parks and recreation facilities are essential to the quality of life and hereby proclaims July 2011 as

“Parks and Recreation Month”

BE IT FURTHER RESOLVED that our county recreation areas including seven parks, 52,310 acres of forest, Beaver Creek Reserve and all other county recreation facilities are hereby recognized for providing high quality, year round local recreation opportunities.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the County of Eau Claire to be affixed. Done at the Courthouse in the City of Eau Claire this 21<sup>st</sup> day of June, 2010.

  
\_\_\_\_\_  
Gregg Moore, Chair  
Eau Claire County Board of Supervisors



**SCOTT WALKER**  
**OFFICE OF THE GOVERNOR**  
**STATE OF WISCONSIN**

P.O. Box 7863  
MADISON, WI 53707

June 29, 2011

Ms. Janet K. Loomis  
Eau Claire County Clerk  
721 Oxford Avenue  
Eau Claire, WI 54703-5212

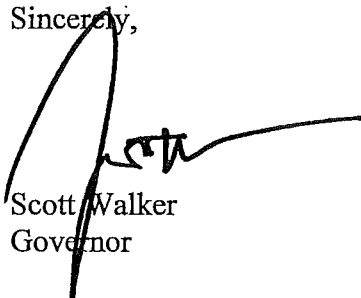
Dear Ms. Loomis,

Thank you for contacting my office with your resolution. I appreciate the chance to hear from communities all across Wisconsin.

As a former county executive, I appreciate all of the day to day work that is done to keep government functioning at the local level. Furthermore, I am committed to staying up-to-date on the many issues facing Wisconsin.

Thank you again for sharing your resolution with me. I will keep your thoughts and ideas in mind. Please stay in touch as we work together to move Wisconsin forward.

Sincerely,



Scott Walker  
Governor

**RECEIVED**

JUN 30 2011

**COUNTY CLERK**

PROCLAMATION

- PROCLAIMING SEPTEMBER 2011 AS JUROR APPRECIATION MONTH -

WHEREAS, the right to have a trial by a fair and representative jury is an essential safeguard protected by both the United States and Wisconsin Constitutions; and,

WHEREAS, service as a juror in the Eau Claire County Circuit Court is, along with voting, one of the most important responsibilities of citizenship; and,

WHEREAS, the Wisconsin State Court System, partnering with the State Bar of Wisconsin, has established September as Juror Appreciation Month, a time to publicly recognize the contribution of those who are summoned and serve.

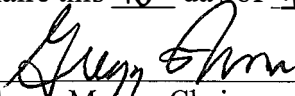
NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby proclaims September 2011 as Juror Appreciation Month and supports the following goals:

- Educate the public about jury duty and the importance of jury service, and
- Applaud the efforts of jurors who fulfill their civic duty, and
- Ensure that all jurors are treated with respect and that their service is not unduly burdensome.

BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors extends its sincere thanks and appreciation to all employers who pay employees their normal wages while allowing them to serve as jurors, preventing financial hardship and fostering community strength.

BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors honors the service and commitment of citizens who perform jury duty, who by participating in the judicial process aid those elected to serve the citizens of Eau Claire County by preserving the rule of law, the basis for a free society.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the County of Eau Claire to be affixed. Done at the Courthouse in the City of Eau Claire this 16 day of August, 2011.

  
\_\_\_\_\_  
Gregg Moore, Chair  
Eau Claire County Board of Supervisors

**APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM**



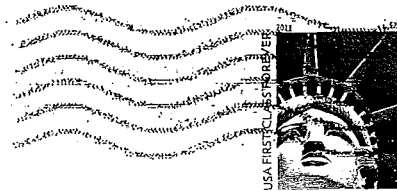
Thank you so much for  
the generous gift.  
I appreciate your  
thoughtfulness.  
He was a great guy !!

Believing  
in people like you  
gives us faith  
to go on believing.

Thank you  
for your encouragement.

*Family of Judy Kahan*

Peggy L Hahn  
612 W. Buckman St.  
Augusta, WI 54722  
EAU CLAIRE WI 547  
19 JUL 2011 PM 11



Eau Claire County Board of Supervisors  
721 Oxford Ave.  
Eau Claire, WI

54703



# *Town of Fairchild*

*Kim Schnell  
513208 County Road H  
Fairchild, WI 54741  
(715) 334-2105  
townfair@centurylink.net*

*July 28, 2011*

*Ms. Janet Loomis  
Eau Claire County Clerk  
Eau Claire County Courthouse  
721 Oxford Avenue  
Eau Claire, WI 54703*

*Dear Ms. Loomis:*

*The Town of Fairchild wishes to remain exempt from the Eau Claire County Library System for the year 2011-2012.*

*If you have any questions, please call me at the number listed above.*

*Sincerely,*

*Kim Schnell  
Clerk*



**RECEIVED**  
AUG - 1 2011  
**COUNTY CLERK**

# VILLAGE OF FAIRCHILD

331 OAK STREET, PO BOX 150  
FAIRCHILD, WISCONSIN 54741

PHONE: 715/334-3002  
FAX: 715/334-2008  
EMAIL: [fairville@centurytel.net](mailto:fairville@centurytel.net)

---

August 4<sup>th</sup>, 2011

Janet Loomis  
Eau Claire County Clerk  
Eau Claire County Courthouse  
721 Oxford Ave.  
Eau Claire, WI. 54703

Dear Ms. Loomis:

The Village of Fairchild wishes to remain exempt from the County Library System for the coming year. If you have any questions, feel free to call me at the Village Office.

Sincerely,



Doreen Kuberra  
Village Clerk

**RECEIVED**  
AUG - 5 2011  
**COUNTY CLERK**

PROCLAMATION

- PROCLAIMING NOVEMBER 12-18, 2011 AS COMMUNITY FOUNDATION WEEK, CELEBRATE PHILANTHROPY IN THE CHIPPEWA VALLEY -

WHEREAS, throughout our nation's history, individual Americans have voluntarily joined together to meet important needs in their communities; and

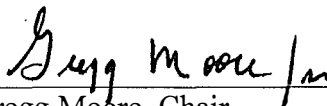
WHEREAS, this willingness to work together toward a common goal is a hallmark of the American character; and

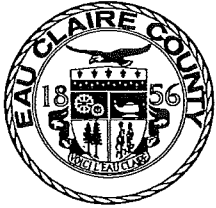
WHEREAS, today private voluntary associations across the country make substantial contributions to our nation's well-being in areas such as health care and social services, education and the arts, economic development and environment; and

WHEREAS, in recognition of Eau Claire County's charitable organizations and the concerned individuals who donate their time, talent and material resources to them, Eau Claire Community Foundation is participating in the National Community Foundation Week 2011 from November 12-18, 2011.

NOW, THEREFORE, I, Gregg Moore, Eau Claire County Board Chair, do hereby proclaim the week of November 12 through November 18, 2011 as "Community Foundation Week, Celebrate Philanthropy in the Chippewa Valley" and call upon the people of Eau Claire County to observe the week with appropriate programs, ceremonies and activities.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the County of Eau Claire to be affixed. Done at the Courthouse in the City of Eau Claire this 27<sup>th</sup> day of Oct., 2011.

  
\_\_\_\_\_  
Gregg Moore, Chair  
Eau Claire County Board of Supervisors



# OFFICE OF CORPORATION COUNSEL

EAU CLAIRE COUNTY  
EAU CLAIRE COUNTY COURTHOUSE

721 OXFORD AVENUE  
EAU CLAIRE, WI 54703  
(715) 839-4836  
FAX: (715) 839-6243



CORPORATION COUNSEL  
Keith R. Zehms

ASSISTANT  
CORPORATION COUNSEL  
Timothy J. Sullivan  
Nathan E. Novak  
Sharon G. McIlquham

# MEMO

**TO:** EAU CLAIRE COUNTY BOARD SUPERVISORS  
**FROM:** KEITH R. ZEHMS, CORPORATION COUNSEL *KZ*  
**DATE:** NOVEMBER 9, 2011  
**SUBJECT:** COMMITTEE OF THE WHOLE PROCEDURES

The following are the basic procedures for conducting the Committee of the Whole Meeting for the proposed 2012 budget:

1. Section 2.04.170 of the Code provides that the County Board Rules of Procedures apply except:
  - A. Members can speak from their seats no more than twice on an issue.
  - B. A vote by division of the house can be requested at any time.
  - C. There is no power to recess or postpone consideration of the matters before the Committee of the Whole.
2. Section 2.04.170 of the Code also provides the County Board shall resolve itself into a Committee of the Whole as the seventh order of business at the budget adoption meeting and that the First Vice Chair takes over as the Chair of the Committee of the Whole.
3. The motion to go into the Committee of the Whole is as follows: "I move we resolve into a Committee of the Whole to consider the 2012 County budget". The motion needs to be seconded and is debatable and adopted by a majority vote. At this time the Chair steps down and the First Vice Chair takes over as the Chair of the Committee of the Whole.
4. Debate can be limited during the Committee of the Whole by calling the previous question, which requires six (6) seconds per Section 2.04.240 of the Code.
5. Any resolution originating with the Committee of the Whole can be amended and all amendments that are adopted are incorporated into the resolution, which would be presented to the County Board.

**MEMO**

**Page 2**

6. If the Committee wishes to adjourn, one must do the following: MEMBER: "I move that the Committee rise". A second is required followed by a vote. The Committee Chair then reports: "The Committee of the Whole has had under consideration the proposed 2012 Eau Claire County budget and has come to no conclusion thereon and asks leave to sit again at \_\_\_\_\_". This should be seconded and voted on by the County Board. (Majority vote required).
  
7. When the Committee of the Whole has completed its business, it should be dissolved as follows: MEMBER: "I move that the Committee rise and report". (A second is necessary). The presiding officer of the assembly resumes the Chair. The Committee Chair returns to his or her place in the board room in front of the presiding officer and addresses the Chair as follows: COMMITTEE CHAIR: "Mr. Chair, the Committee of the Whole has had under consideration the proposed 2012 Eau Claire County budget and has directed me to report the same as follows". The Committee Chair reads the resolution and amendments and hands them to the Chair who has them read again. The Chair then puts the question on all of the amendments at one time, unless a member asks for a separate vote on one or more of the amendments. Amendments can be debated further and amended in the County Board meeting as can a main question. After amendments are handled, then the question is put on the resolution as amended.

For additional information see Robert's Rules of Order, pp. 63-65. Please note that if there is a conflict between Robert's and the County Code, the County Code provision prevails.

KRZ/jb

Cc: J. Thomas McCarty, County Administrator  
Janet Loomis, County Clerk

FORMS\CTYBRD.3A1..2011

**Update to the Eau Claire County Board of Supervisors on Silica Sand Mining  
January 17, 2012**

**Upcoming Board and Committee Meetings**

Groundwater Advisory Committee	January 18, 2012
Land Conservation Commission	January 23, 2012
Planning & Development Committee	January 24, 2012
Board of Health	January 25, 2012
Highway Committee	January 26, 2012

At all upcoming Committee, Commission and Board meetings respective staff will be presenting each body with information and options on silica sand mine regulatory changes and asking for direction.

P&D Land Conservation Division staff will work with the Groundwater Advisory Committee and Land Conservation Commission and seek guidance regarding groundwater protection measures that may be implemented. Staff will present the Committee and Commission with areas of the Stormwater and Erosion Control Ordinance and Wellhead Protection Ordinance that staff feels need bolstering. The Committee and Commission will direct staff to work on the areas they believe need to be addressed. Staff will then prepare more specific language to address those areas and bring recommendations back to the Committee and Commission.

Planning and Development Department staff will present the P&D Committee with a list of categories in the Zoning Ordinance that staff feels need to be addressed, primarily focusing on performance standards and best management practices rather than prescriptive measures. The Committee will provide direction to staff regarding areas they believe need to be addressed and staff will work on more specific language to be brought back to the Committee at their next meeting in February.

Health Department staff will work with the Board of Health primarily on air quality and groundwater issues, as those are the areas that fall within their purview. The Board of Health will provide guidance to Health Department staff based on a range of regulatory options presented by staff at their January 25<sup>th</sup> meeting. Staff will then recommend specific changes to the Board of Health at their February meeting.

The Highway Department is developing a model county highway use, reconstruction and maintenance agreement. They also intend on hiring a consultant to work on county highway access permitting on a case-by-case basis. The Department will seek guidance and direction from the Highway Committee in developing the model agreement and consulting services.

Staff is working with the Eau Claire Area Economic Development Corporation to estimate the tax and economic impact of silica sand mining in Eau Claire County.

**Moratorium Amendment**

The Committee on Administration and the Committee on Planning and Development held a joint meeting on January 10, 2012 to consider an amendment to the Moratorium Ordinance. The two Committees voted (Admin Comm. 4-1, P&D Comm. 3-2) to forward an amendment to the Board releasing the application of Hi Crush Proppants in the Town of Bridge Creek from the

moratorium. One of the purposes of the moratorium was to give towns, especially unzoned towns, time to consider zoning or other measures to regulate silica sand mining in their town. Since the Town of Bridge Creek was apparently not interested in zoning and would be adopting a licensing ordinance and an agreement with Hi Crush in the very near future the Committees reasoned the purpose was fulfilled in the Town of Bridge Creek and it would make sense to lift the moratorium for the Hi Crush application. However, since the Town of Otter Creek apparently supports the moratorium and was still working on possible measures regulating silica sand mining in their town, the Committees reasoned the moratorium should stay in place in the Town of Otter Creek and all other unincorporated areas of the County.

The proposed amendment will be introduced at the February 21, 2012 County Board meeting for first reading. Second reading and possible action is planned for March 6, 2012. The introduction of the ordinance amendment was intentionally delayed to allow the Board Chairman to send a letter to all County municipalities informing them of the proposed amendment and asking for their on-the-record response if they chose to respond.

### **Listening Session**

A listening session on silica sand mining in Eau Claire County was held at the Fall Creek Village Hall on Monday, January 16, 2012 from 6 P.M. until about 8:00 P.M. We estimate about 150 people attended the meeting. 24 individuals spoke and an additional 11 left comments. Marcus Evans (Highway); Mel Erickson, Rod Eslinger, Kelly Jacobs and Ronnie Williams (P&D); Nathan Novak (Corporation Counsel), and; Courtney Johnson and Ken Jain (Health Department) represented the County. The purpose of the meeting was to listen to concerns, opinions and questions regarding silica sand mining in the County. The speakers expressed concerns, offered opinions and asked questions about air and water quality, traffic, jobs, taxes, quality of life, agriculture and land conservation, health impacts, comprehensive plans, noise, dust, the moratorium, DNR regulation, county regulation, town regulation, property rights and future land use. Staff will prepare responses to the questions and concerns and forward them to meeting participants that provided their information. We also intend to put responses on the County website and refer to them on our Facebook page.

We intend to hold a second meeting later in February with a different format. Probably where staff makes presentations regarding what we have learned and options we may propose for dealing with silica sand mining. It's likely the meeting will be in Augusta.

Respectfully Submitted,

James M. Erickson, Director  
Department of Planning and Development





**SCOTT WALKER**  
**OFFICE OF THE GOVERNOR**  
**STATE OF WISCONSIN**

P.O. Box 7863  
MADISON, WI 53707

January 6, 2012

Ms. Janet K. Loomis  
Eau Claire County Clerk  
721 Oxford Avenue  
Eau Claire, WI 54703-5212

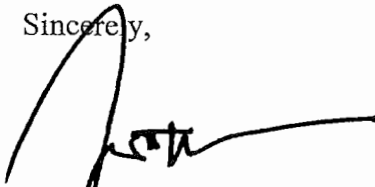
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Thank you again for sharing your resolution with me. I will keep your thoughts and ideas in mind. Please stay in touch as we work together to move Wisconsin forward.

Sincerely,



Scott Walker  
Governor

**RECEIVED**  
JAN 9 2012  
**COUNTY CLERK**

800 Wisconsin Street • Unit 88 • Bldg. D2, Suite 206 • Eau Claire, WI 54703-3612

*President*

Rich Vande Loo

*Vice President*

Kathleen Deery

*Secretary*

Mark Schmitt

*Treasurer*

Christopher Brooke

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William Westerlund

Larry Willkom

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Elizabeth Anderson,  
Director

Nancy Sprinkle,  
Assistant Director

Darla Eilen,  
Employment Specialist

Brooke Hoel,  
Employment Specialist

Mavis Christianson,  
Clerical Assistant

Donna Berry,  
Communication Specialist

Stewart Crenshaw,  
Technology Coordinator

February 8, 2012

Mr. Greg Moore, Chairman  
Eau Claire County Board  
721 Oxford Avenue  
Eau Claire WI 54703

Dear Mr. Moore and County Board Members:

On behalf of the many older job seekers, our Board of Directors and staff, we want to thank the county board for their financial support for 2012.

With the county's support our agency has been able to help older vulnerable job seekers who are facing many challenges in finding work. It has been difficult for many to find work due to the poor economy and has proven to be even more challenging for older adults in the workforce.

We are grateful for your support and we look forward to our continued partnership with Eau Claire County as we enter our 36<sup>th</sup> year of service.

Respectfully,



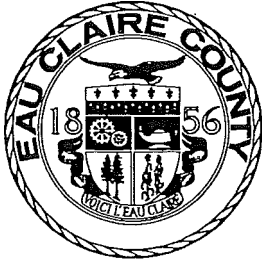
Liz Anderson  
Executive Director

Cc: Mr. Tom McCarty

**Received**  
**FEB 08 2012**  
**Eau Claire County**  
**Board of Supervisors**

# Eau Claire County Board of Supervisors

721 Oxford Avenue – Room 2570  
Eau Claire, WI 54703-5481



Voice: (715) 839-4835  
Fax: (715) 839-6243



**TO:** Eau Claire County Board of Supervisors  
Eau Claire County Department Heads

**FROM:** Committee on Finance & Budget

**DATE:** February 20, 2012

**SUBJECT:** EAU CLAIRE COUNTY 2013 BUDGET GUIDELINES

---

Over the last three years, the county has managed to maintain a stable budget, while attempting to minimize the negative impact on services, even though federal and state fiscal challenges have resulted in significant revenue losses for the county. While there continue to be fiscal “storm clouds” on the horizon, the Committee on Finance and Budget is committed to working with every department to draft a budget that will attempt to maintain a similar level of service while mitigating the effect of state and federal reductions.

Once again the committee is asking each department to present a budget proposal with zero increase in county tax levy. For departments that rely heavily on federal and state funding, assume no revenue increases and more likely decreases in federal and state revenues. We ask departments to base the budget on the departmental priorities as determined by the oversight committees.

Performance management continues to be a requirement for every program. The detail must be clear and transparent. Programs will be assessed on performance, effectiveness, affordability, and prioritized contribution to the county’s strategic goals.

Community Agencies must follow the same guidelines as the Departments.

**GUIDELINES:**

1. All Departments and agencies shall submit a proposed 2013 budget request for county levy funds using the same levy allocation as 2012.
2. Departments that rely on federal and state funding for programs should prepare a budget with no increase in the revenues received for state and federal sponsored programs, unless the department hears otherwise. When information on state and federal program allocations is released, budget proposals will need to be adjusted accordingly.
3. Programs should be uniquely identified and described with performance data. Please do not combine programs, or you will be asked to provide the committee with additional cost and performance information for each individual program. For those departments with budgets in excess of \$10 million, additional subprogram financial and program performance data shall be submitted. (See attached example.)
4. Departments and agencies may submit add-back requests for additional levy funding; however, due to unprecedented fiscal constraints, add-backs granted in previous years may be unlikely in 2013. Departments may see a reduction in levy allocations below the 2012 levels to fund higher priority programs.
5. Each program within a department must be prioritized by the department and oversight committee. Department heads should be prepared to consider additional cost reductions based on priorities; however, a reduction in a lower priority program should not have a negative (more costly) impact on a higher priority program.
6. Each department must rely on program priorities when considering budget adjustments. Oversight committees, the County Administrator, the Committee on Finance & Budget, and the county board will consider the following documents and information sources when allocating funds:
  - the department's Program Priority worksheet
  - the oversight committee's Program Priority worksheet
  - program performance outcomes provided by the department to the oversight committee
  - alignment of the program with the County Strategic Plan (2010)
  - results of budgetary public input sessions
  - results of the online budget survey instrument, and
  - other applicable information sources.

7. Cooperative, cost saving programs with other departments, outside agencies or other counties will continue to be given high priority. Innovative program proposals within existing funding, cost saving prevention programs based on performance management data, or programs that will generate revenue will be given high priority. Departments are encouraged to look for alternative funding and revenue streams for programs. Specific emphasis should be given to conservation and cost-saving operations
8. Avoid new position requests unless completely funded without adding new levy dollars.
9. Capital improvement plan (5-year plan) requests will be analyzed using all available revenue sources.
10. All departmental fund balances in excess of established fund balance formulas, law or code standards, or in excess of designated non-lapsing funds balances shall revert to the general fund.
11. County user fees shall be reviewed for potential increases commensurate with the increased cost of doing business. The review of fee schedules should include analysis of cost recovery for services. Departments and Committees should review all operations and determine whether user fees should be initiated for cost recovery of programs that primarily benefit the user versus the community at large. All user fee recommendations approved by oversight committees are due in the County Administrator's office by September 1, 2012.
12. All 2013 budget proposals shall be submitted electronically to the Finance Director, without exception, by Monday, August 20, 2012. All budget entries supporting these proposals need to be entered on SAGE/Alio by the deadline, as well. A separate budget package including all necessary budget worksheets will be available online to all departments and agencies. Community Agencies who choose to submit hard-copy proposals may do so, but must submit eight (8) packets of their proposals, again to the Finance Director by the deadline above.

**DHS Example of Breakdown of Programs for 2013 Budget Process**

	<b>Program #2</b>	<b>Program #2 Sub-Programs*</b>						
	Community Care & Treatment of Adults & Children with Mental Illness	Community Service Program	Coordinated Services Team	Intensive Case Mgmt	Crisis Mental Health Serv	211 Service	Mental Health Court	Medication Management Program
<b>Expenditures:</b>								
Personnel	\$ 2,605,390	\$ 740,000	\$ 650,000	\$ 490,000	\$ 415,000	\$ 35,000	\$ 150,000	\$ 125,390
Services & Supplies	\$ 62,500	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 5,000	\$ 7,500	\$ 10,000
Contracted	\$ 2,925,152	\$ 890,000	\$ 830,000	\$ 585,152	\$ 430,000	\$ 40,000	\$ 100,000	\$ 50,000
Overhead	\$ 96,125	\$ 30,000	\$ 20,000	\$ 10,000	\$ 10,000	\$ 6,125	\$ 10,000	\$ 10,000
<b>Total</b>	<b>\$ 5,689,167</b>	<b>\$ 1,670,000</b>	<b>\$ 1,510,000</b>	<b>\$ 1,095,152</b>	<b>\$ 865,000</b>	<b>\$ 86,125</b>	<b>\$ 267,500</b>	<b>\$ 195,390</b>
<b>Revenues:</b>								
State/Federal Grants	\$ 3,337,417	\$ 979,667	\$ 885,806	\$ 642,445	\$ 507,432	\$ 50,523	\$ 156,923	\$ 114,621
Basic County Allocation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Charges & Fees	\$ 314,988	\$ 120,000	\$ 60,000	\$ 40,000	\$ 30,000	\$ 30,000	\$ 14,988	\$ 20,000
Other Sources	\$ 243,500	\$ 100,000	\$ 60,000	\$ 40,000	\$ 40,000	\$ -	\$ 2,000	\$ 1,500
Property Tax Levy	\$ 1,793,262	\$ 470,333	\$ 504,194	\$ 372,707	\$ 287,568	\$ 5,602	\$ 93,589	\$ 59,269
<b>Total</b>	<b>\$ 5,689,167</b>	<b>\$ 1,670,000</b>	<b>\$ 1,510,000</b>	<b>\$ 1,095,152</b>	<b>\$ 865,000</b>	<b>\$ 86,125</b>	<b>\$ 267,500</b>	<b>\$ 195,390</b>
<b>FTE's</b>								
Administrative	35.12	10.31	9.32	6.76	5.34	0.53	1.65	1.21
Direct Staff	9.12	2.68	2.42	1.76	1.39	0.14	0.43	0.31
Case Counts	26.00	7.63	6.90	5.00	3.95	0.39	1.22	0.89
	427	125	113	82	65	6	20	15

\*The numbers presented under the sub-programs are for illustration purposes only, to show that they need to tie to the program total. In no way do they represent estimated costs, staff allocations, or caseloads for these sub-programs.

20 **\*\*\*Sub-Programs for Highway & Sheriff's Department must be presented in a similar format\*\*\***

Correspondence  
Received Re: Silica  
Sand Mining

# City of Augusta

145 West Lincoln Street  
P.O. Box 475  
Augusta, WI 54722

(715) 286-2555  
Fax: (715) 286-5606  
E-Mail: [augusta@centurytel.net](mailto:augusta@centurytel.net)

February 21, 2012

Gregg Moore  
428 E. Tyler Avenue  
Eau Claire, WI 54701

Lee Adams  
507 S. Stone Street  
Augusta, WI 54722

Re: Augusta Memorandum of Understanding

Gentlemen:

You may be aware that the City of Augusta has entered a memorandum of understanding with Hi-Crush Proppants, LLC, at our February meeting. I am enclosing a copy of the agreement with this letter. I am writing because I want the County Board to know that both Augusta and Bridge Creek have entered agreements with Hi-Crush, and that the city council was unanimous in its approval.

I am also writing to encourage the County Board to move the Hi-Crush project forward without further delay. The benefits resulting from taxable investments and job creation associated with the Hi-Crush proposal plays a significant economic impact on the City and we are satisfied that Hi-Crush has addressed our environmental concerns. We appreciate your support as well as that of your fellow board members.

If you have questions, feel free to contact me.

Thank you.

Sincerely,



Delton J. Thorson  
Attorney at Law  
P.O. Box 31  
Augusta, WI 54722

DJT/jh

Enclosure

**Received**  
**FEB 21 2012**  
**Eau Claire County**  
**Board of Supervisors**



Mr. Gregg Moore  
Eau Claire County Board Chair

707 W Perkins St  
Augusta, WI 54722

Feb. 8, 2012

Dear Chairman Moore:

I encourage the Eau Claire County Board, and yourself to grant Hi-Crush Poppants an exception to the moratorium on sand mining. I further urge that your decisions are based on objective research and beware of emotional hype.

The Town of Bridge Creek has in place a license and set of regulations to safe guard the residents of Bridge Creek.

I live in Augusta and have interest in a century farm in the Township. We do not have developable sand under our farm. For 149 years we have refused to have our land encumbered by others, except for roads and utilities. After much deliberation we are allowing Hi-Crush to cross out land with a conveyor. We came to this decision to help our neighbors, which have sand, to help with the economic engine of Eastern Eau Claire County, and to help provide more energy with in the United States until we can develop alternatives to oil and gas.

I sincerely encourage you and the County Board not to let this opportunity by pass Eastern Eau Claire County, and let this business development continue.

Sincerely

Robert Paddock

**Received**

**FEB 09 2012**

**Eau Claire County  
Board of Supervisors**

February 13, 2012

Dear Supervisor Steinhauer:

As a resident of the Town of Brunswick and Eau Claire County for 22 years, I urge you to vote on March 3, 2012 to **continue the Moratorium on Silica Sand Mining for a minimum of one year.**

The Wisconsin Department of Natural Resources assured us that no problems with ground water contamination and the environment would occur at the Kennecott Flambeau Copper Mine in Ladysmith, WI. Yet, in November 2011, the state DNR says 41 percent of 94 water samples at the old Flambeau **mine** near **Ladysmith** exceeded toxic standards for **copper** and zinc. The area looks "pretty", but environmental experts voice that "The reclamation at the Flambeau Mine site is grass over a grave."

We have sand, lots and lots of sand in the town of Brunswick. The WDNR stated recently that the particulate matter from the new sand mines in Chippewa County do not exceed their current standards controlling these emissions. As indicated by the recent data at the Flambeau mine, the WDNR has been wrong a few times before!

I am a health care professional. I have cared for hundreds of patients with respiratory related illnesses at astronomical costs to private citizens and public entities. The tobacco companies falsely informed us that there were no harmful effects from smoking. We now know differently. Coal dust particulate and asbestoes also cause major medical issues. Will silica particulate be next?

**GO SLOWLY!!! VOTE TO CONTINUE THE MORATORIUM.** In depth, scientific, analytical data is required--not just from WDNR, but from every available source worldwide. As we discover from Flambeau, the environment doesn't heal quickly!!!!

Contacting you by email would be much simpler. Eau Claire County should make email contact a requirement to be a Supervisor!!!

Sincerely yours,

Mary E. Carlson



24

**Received**

**FEB 15 2012**

**Eau Claire County  
Board of Supervisors**

To: All Supervisors, Eau Claire County Board

From: Dr. Daniel J. Hoy, Ph. D., Physical Chemistry, The Pennsylvania State University, 1970  
416 East Tyler Avenue, Eau Claire, WI 54701

Subject: Frac sand mining and health concerns

Summary: Frac sand is crystalline silica.

Crystalline silica causes cancer.

Crystalline silica causes silicosis.

Exposure of workers and the public to crystalline silica comes from air-borne crystalline silica in the dust generated from mineral sand mining and the processing of the sand to produce the commercial frac sand component.

Sources of information: CRYSTALLINE SILICA PRIMER, Special Publication, U. S. Dept. of the Interior and U. S. Bureau of Mines

Drilling Minerals, January, 2007. *The facts of frac*, Mark Zdunczyk, Senior Geologist and Director of Marketing, Mining Division, Continental Placer Inc., USA.

Crystalline silica dust causes cancer. The International Agency for Research on Cancer (IARC), an agency of the World Health Organization following a review of the available medical literature published through 1996 rated crystalline silica a Group 1A substance. A Group 1 substance is a cancer causing substance for which *sufficient evidence* of causing cancer in humans has been found. *Sufficient evidence in humans* is defined by the IARC to mean a causal relationship between exposure to crystalline silica and the development of human cancer. In 1996 the IARC upgraded crystalline silica from a Group 2A substance to Group 1A. A Group 2A substance *probably* causes cancer in humans. The Group 2A rating was given based on the medical literature available in 1987. Further medical science research between 1987 and 1996 established *sufficient evidence* to show exposure to crystalline silica causes cancer.

Crystalline silica dust causes silicosis, a noncancerous lung disease. Prolonged and excessive exposure to crystalline silica dust to workers following the invention of the pneumatic hammer drill in 1897, the introduction of sand blasting in 1904, and digging a tunnel in the 1930s through a ridge of nearly pure quartz (a form of crystalline silica) caused a significant increase in reported silicosis cases. The increase in silicosis from such dust exposure of workers led to dust-control standards which have evolved through the years.

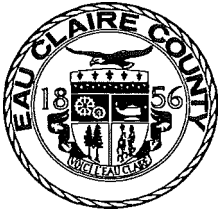
## HUMAN CONTACT BY *RESPIRABLE DUST*

Respirable dust particles are small enough to enter the gas-exchange region of human lungs. Dust particles of about 3.5 microns and smaller are of respirable size. The Silicosis and Silicate Disease Committee of the National Institute for Occupational Safety and Health states that particles less than 1 micron in size are the most troublesome and that particles of 0.5 to 0.7 microns are retained in the lung.

Measuring the particle sizes of crystalline silica in the mineral sand deposits to be mined for frac sand processing is essential to evaluate the potential for generating respirable dust. The mining operation itself will generate respirable dust as the mineral sands are dug and mineral sandstones are crushed. The transport and sand processing will also generate respirable dust. Measuring crystalline silica particle sizes yields critical information to evaluate the dangers of respirable dust causing silicosis and cancer in employees of sand mining operations and the public subjected to the dust.

The commercially valuable fractions (size ranges) of processed mineral sand used for frac drilling are much larger than respirable dust particles. The most desirable fraction has particles that range from 840 to 420 microns in size. These frac sand particles are 240 to 120 times larger than the largest respirable particles. Therefore the danger of handling the final product is very low. But protection of workers and the public from the particles smaller than the commercially valuable frac sand end product is a serious health issue for workers in the industry and the public.

Evaluation of health risks depends upon the results of analytical measurements taken on particle sizes of crystalline silica in mined mineral sands and the particles generated in handling and processing. Such information is crucial for governments and government agencies to make sound decisions on regulations to protect the public and industry employees.



County Of Eau Claire  
**OFFICE OF COUNTY CLERK**  
Courthouse  
721 Oxford Avenue  
Eau Claire, Wisconsin 54703  
Phone (715) 839-4803



**Janet K. Loomis**  
County Clerk

**To:** County Board Supervisors

**From:** Janet Loomis, County Clerk

**Date:** March 6, 2012

A petition containing approximately 334 signatures was received March 5, 2012 to be presented at the March 6 county board meeting. The petition from land owners, residents and/or taxpayers of Eau Claire County reads as follows:

**Prevention of the Exemption for Hi-Crush and High Country Silica Sand Mines  
Extension of the Existing Eau Claire County Moratorium for Two Years**

**We the undersigned would like to bring your attention to the following problem with recommendations:**

- 1) Deny the exemption being requested by Hi-Crush and, if applicable, High Country at this time.
- 2) An extension of the Eau Claire County Moratorium for at least two years on silica sand mining due to a lack of sufficient time to place sufficient protection of the land, resources and residents by ordinance and study. Decisions made by the Eau Claire County Board on protection of the county land, resources and residents may have impact on the aforementioned that most likely will not be recoverable. Enough time to research and place protective measures (four months' time by committee) is insufficient.

**The attached signatures stand in agreement with this petition.**

RECEIVED

MAR - 5 2012 @ Noon

COUNTY CLERK

**Petition**

**Prevention of the Exemption for Hi-Crush and High Country Silica Sand Mines  
Extension of the existing Eau Claire County Moratorium for two years**

A petition of Land owners, residents and/or Tax payers of Eau Claire County

Addressed to: The Eau Claire County Board  
Gregg Moore, Chairman et al.

**We the undersigned would like to bring your attention to the  
following problem with recommendations:**

- 1) Deny the exemption being requested by Hi-Crush and if applicable, High Country at this time;
- 2) An extension of the Eau Claire County Moratorium for at least two years on Silica Sand Mining due to a lack of sufficient time to place sufficient protection of the land, resources and residents by ordinance and study. Decisions made by the Eau Claire County Board on protection of the County land, resources and residents may have impact on the aforementioned that most likely will not be recoverable. Enough time to research and place protective measures (Four months' time by Committee) is insufficient.

The attached signatures stand in agreement with this Petition: 334 SIGNATURES

**RADCLIFFE LAW OFFICE, S.C.**

MARK A. RADCLIFFE

P.O. BOX 789  
131 MAIN ST.  
BLACK RIVER FALLS, WI 54615

Phone: (715) 284-1234

Fax: (715) 284-1552

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March 1, 2012

Honorable Gregg Moore  
County Board Chairperson  
Eau Claire County Board  
721 Oxford Ave  
Eau Claire, WI 54703

**Received**

**MAR -2 2012**

**Eau Claire County  
Board of Supervisors**

Re: High Country Sand, LLC

Dear Gregg:

I am sending this letter pursuant to corporation counsel's permission that I be able to contact you. I am sending a copy to Assistant Corporation Counsel Nathan Novak as well.

I wanted to reach out to you in anticipation of the upcoming County Board meeting scheduled for March 6<sup>th</sup>, 2012, during which amendments have been scheduled for discussion and action regarding the non metallic mining reclamation permits that are currently on file in Eau Claire County for operations in Bridge Creek and Otter Creek townships.

Given the February 27<sup>th</sup>, 2012 action by the Otter Creek town board, High Country Sand, LLC (HCS) is eager to begin working with both the township and the county on a development agreement that will satisfy all parties involved. To that effect, HCS proposes to dismiss the current legal action pending in Eau Claire County Circuit Court if the county board passes the amendment allowing it to proceed with its pending application.

As you may be aware, HCS's site in Otter Creek is an extraction site only, they will not be processing the sand there, therefore specific concerns about processing plants on this site will not be an issue. HCS would request the opportunity to address the board at the March 6<sup>th</sup>, 2012 meeting to address this and any other issue the board would like clarified.

In a phone conference on Tuesday with Attorney Nathan Novak, the registration and preservation of marketable mineral deposits pursuant to Wis. Stats. § 295.20 was discussed, including a registration's effects upon all future zoning and other changes to registered parcels. This essentially freezes current regulations in place for a registrant such as HCS. The landowner for the HCS site is in the process of this registration. I have added the relevant statutory and code language at the end of this letter. However, in a good faith attempt to begin the

process of working with Eau Claire County and Otter Creek Township, HCS wants to be able to sit down with both parties and, as stated above, work out a satisfactory development agreement during the conditional use permitting phase. In order to get to that point, the amendment needs to be passed allowing HCS's application to proceed.

When you and I spoke Tuesday morning you had mentioned that the County understood that the zoning changes you were potentially proposing were for future applicants. To that end, HCS believes that not passing the amendment on March 6<sup>th</sup> would do nothing more than delay the process. I am hopeful that you will speak to your fellow county board members about our good faith offer on how to proceed. I think in the end that all parties benefit from our good faith gesture to dismiss current legal proceedings, the township's good faith gesture in the vote they took on Monday and by the county board's good faith gesture in voting in favor of the amendment. I believe that the agreement we reach will be good for all involved.

Sincerely,



Mark A. Radcliffe  
Attorney at Law

*Wis. Stat. 295.20*

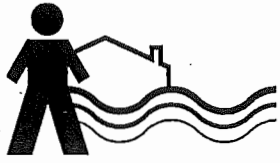
*(2) LIMITATION ON ZONING.*

*(a) A county, city, village or town may not by zoning, rezoning, granting a variance, or other official action or inaction, permit the erection of permanent structures upon, or otherwise permit the use of, any land, while a registration under this section is in effect for that land, in a manner that would permanently interfere with the present or future extraction of the nonmetallic mineral deposit that is located on the land.*

*NR 135.62 Relationship to planning and zoning.*

*(1) A county or municipality that has received notice of intent to register pursuant to s. NR 135.56 (3) may not, by zoning, granting a variance, or other official action or inaction, permit the erection of permanent structures on, or otherwise permit the use of any subsequently registered land containing a marketable nonmetallic mineral deposit in a manner that would permanently interfere with the present or future extraction of the nonmetallic mineral deposit. This limitation begins when notice of intent to register is received.*





**Eau Claire City-County Board of Health**

February 22, 2012

Ms. Gina McCarthy  
Assistant Administrator  
Office of Air and Radiation  
USEPA Headquarters  
Ariel Rios Building  
1200 Pennsylvania Avenue, N. W.  
**Mail Code:** 6101A  
Washington, DC 20460

**RE: Promulgation of Rules to Govern Exposure to Respirable Crystalline Silica**

Dear Ms. McCarthy,

The Eau Claire City-County Board of Health requests that your office conduct a review of the hazards to public health and the environment represented by respirable crystalline silica, a known human carcinogen, that is generated through industrial sand mining activity in much of Western Wisconsin. We ask you to consider adding the respirable crystalline silica fraction of PM<sub>10</sub> to the national ambient air quality standards.

Recently, the Wisconsin Department of Natural Resources (DNR) denied a citizen's petition to establish RCS as a hazardous air pollutant and to develop monitoring rules and an emission standard, citing time, resources, and statutory obstacles as the basis for the denial. The DNR has also stated that the absence of a federal regulatory requirement to monitor and enforce a specific RCS emission standard makes it highly unlikely that Wisconsin would unilaterally establish such a requirement. Establishing an emission standard at the federal level would greatly facilitate state DNR adoption of the same standard for Wisconsin.

The Clean Air Act requires EPA to set national ambient air quality standards (NAAQS) for particulate matter and five other pollutants considered harmful to public health and the environment (the other pollutants are ozone, nitrogen oxides, carbon monoxide, sulfur dioxide and lead). The law also requires EPA to periodically review the standards to ensure that they provide adequate health and environmental protection, and to update those standards as necessary.

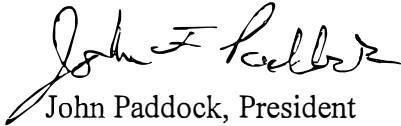
Although crystalline silica is widely used in industry and has long been recognized as a major occupational hazard, capable of causing disability and deaths among workers in several industries, it has now become a huge public concern in our state and community with respect to nonoccupational or ambient silica exposure.

**RE: Promulgation of Rules to Govern Exposure to Respirable Crystalline Silica**

We are aware of EPA's previous health issue assessment on crystalline and amorphous silica<sup>1</sup>, and we understand that ambient emissions of silica rarely are estimated or measured in air pollution studies of particulate matter. However, it is important that the science be sufficiently developed to the point where monitoring of ambient air and relating the fraction of silica exposure can be directly linked to known human health effects in the general population.

Thank you for protecting public health and the environment. We will appreciate a response from your office to our request.

Sincerely,



John Paddock, President  
Eau Claire City-County Board of Health

cc:

Mr. Gregg Moore, Chair, Eau Claire County Board of Supervisors  
Secretary Cathy Stepp, Wisconsin DNR  
U.S. Senator Ron Johnson  
U.S. Senator Herb Kohl  
U.S. Representative Ron Kind  
Wisconsin Western Region Health Officers

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<sup>1</sup> United States Office of Research and EPA/600/R-95/115, Environmental Protection Development November 1996  
Agency Washington, DC 20460, EPA Ambient Levels and Noncancer Health Effects of Inhaled Crystalline and Amorphous  
Silica: Health Issue Assessment <http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=12999#Download>

# TOWN OF LUDINGTON

Eau Claire County, Wisconsin  
S1590 State Road 27  
Augusta, WI 54722

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Received  
MAR 14 2012  
Eau Claire County  
Administration

March 8, 2012

Eau Claire County Board  
Mr. Greg Moore, County Board Chair  
Eau Claire County Courthouse  
721 Oxford Avenue  
Eau Claire, WI 54703

Dear Mr. Moore,

Regarding your letter of January 25, 2012, pertaining to the County moratorium on non-metallic sand mining, the Town of Ludington is concerned with your actions. We believe the Town has responsibility and authority for regulating non-metallic mining and subsequent processing actions, and we are in the process of developing definitive licensing regulations.

As we have repeatedly advised previously, the Town does not intend to seek zoning and intends to carry out all responsibilities provided by Wisconsin State Statutes. We are certain that you are aware Wisconsin State Statutes do not entertain our authority to impose a moratorium and recent court action clearly dictates unzoned Towns can govern actions which may impact safety, health, and property values within the Town. When we complete our necessary ordinances, we will apprise you of our ordinance so planning and development staff can correctly advise permit applicants.

Sincerely,



Randall Horlacher, Town Chairman

cc: Mel Erickson, Planning and Development  
Town Files

PROCLAMATION

-PROCLAIMING MARCH 26 THROUGH April 1, 2012  
"FAIR HOUSING WEEK" IN THE COUNTY OF EAU CLAIRE-

WHEREAS, the purpose of the federal Fair Housing Law is to make fair housing a reality for all, regardless of race, color, religion, national origin, age, sex, sexual orientation, ancestry, marital status, lawful source of income, handicap, or familial status; and

WHEREAS, the number of discrimination complaints continues to increase; a large portion of which involves families with children and persons with handicapping conditions; and

WHEREAS, there is a need to continue to reinforce the concepts of freedom of choice, equality, and an open housing market to prevent discriminatory practices from continuing; and

WHEREAS, promoting fair housing is the responsibility of everyone; and

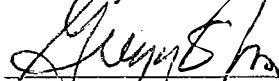
WHEREAS, it is the policy of the county to prohibit discrimination in housing, thereby assuring equal opportunity to all persons to live in decent, safe housing facilities.

NOW, THEREFORE, I, Gregg Moore, Chairperson of the Eau Claire County Board of Supervisors, do hereby proclaim the week of March 26 through April 1, 2012 as:

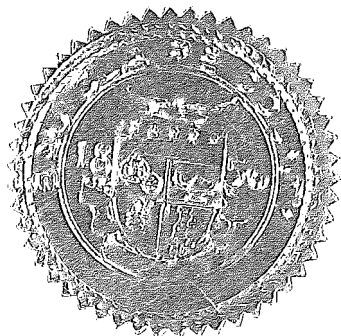
"FAIR HOUSING WEEK"

in Eau Claire County and urge all citizens to support the goals of Fair Housing Laws.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the County of Eau Claire to be affixed. Done at the Courthouse in the City of Eau Claire this 14th day of March, 2012.



Gregg Moore, Chairperson  
Eau Claire County Board of Supervisors



Proclamation

Proclaiming the Week of April 2-8, 2012, as  
“National Public Health Week in Eau Claire County”

WHEREAS the week of April 2-8, 2012 is National Public Health Week, and the theme is “A Healthier America Begins Today. Join the Movement”; and

WHEREAS, since 1995, the American Public Health Association, through its sponsorship of National Public Health Week, has educated the public, policy-makers, and public health professionals about issues important to improving the public’s health; and

WHEREAS, preventing diseases before they start is critical to helping people live longer, healthier lives while managing health related costs; and

WHEREAS, chronic diseases such as heart disease, cancer and diabetes are responsible for millions of premature deaths each year; and

WHEREAS, chronic diseases cause Americans to miss 2.5 billion days of work each year, resulting in lost productivity totaling more than \$1 trillion; and

WHEREAS, Americans are living 78 years on average but only 69 of these years are spent in good health.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby proclaims the week of April 2-8, 2012, as National Public Health Week in Eau Claire County and hereby encourage the residents of Eau Claire County to observe this month by helping our families, friends, neighbors, co-workers and leaders better understand the importance of public health to a successful health system in light of this year’s theme, “A Healthier America Begins Today. Join the Movement.”



\_\_\_\_\_  
Gregg Moore, Chair  
Eau Claire County Board of Supervisors

Dated this 20th day of March, 2012.

**PROCLAMATION**

Proclaiming the Month of April 2012 to:

**“Be Sure Underage Drinking is Not Happening in Your Home” month**

WHEREAS, Wisconsin has one of the highest rates of binge alcohol use among 12 – 20 year olds in the United States; and

WHEREAS, 58% of high school seniors in Eau Claire County have used alcohol in the past year; and

WHEREAS, Eau Claire County youth report drinking usually at their home or a friend’s home, typically on weekends; and

WHEREAS, gatherings of young people are often unsupervised; and

WHEREAS, alcohol consumption by youth has been shown to have an adverse effect on brain development, academic and athletic performance, and is a major cause of death from injuries among youth; and

WHEREAS, it is illegal to give alcohol to someone else’s underage child, even with parent permission; and


WHEREAS, adults who provide alcohol to those below the legal drinking age of 21 are placing those youth at risk for health, safety and legal problems; and

WHEREAS, the Reality Check 21 Partnership of Eau Claire County works with community members to reduce youth access to alcohol, and provides educational materials to raise awareness; and

WHEREAS, the Eau Claire City-County law enforcement agencies will rigorously enforce laws against selling or serving alcohol to underage youth.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby proclaims the month of April 2012 to “Be Sure Underage Drinking is Not Happening in Your Home” month and encourages parents to:

- Supervise gatherings of young people
- Join the Parents Connecting Directory to have closer contact with other parents
- Monitor your alcohol supply, and lock it up if possible
- Alert neighbors when parents will be out of town

  
\_\_\_\_\_  
Gregg Moore, Chair  
Eau Claire County Board of Supervisors

Dated this 7<sup>th</sup> day of April, 2012.

PROCLAMATION

National County Government Month - April 2012

"Healthy Counties, Healthy Families"

**WHEREAS**, the nation's 3,068 counties provide a variety of essential public services to communities serving more than 300 million Americans; and

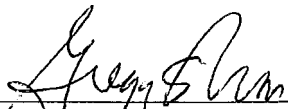
**WHEREAS**, Eau Claire County and all counties take seriously their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

**WHEREAS**, county governments are essential to America's healthcare system and are unique in their responsibility to both finance and deliver health services through public hospitals and clinics, local health departments, long-term care facilities, mental health services and substance abuse treatment, and coverage programs for the uninsured; and

**WHEREAS**, the National Association of Counties is the only national organization that represents county governments in the United States; and

**WHEREAS**, Eau Claire County and the National Association of Counties are working together to restore the partnership among all levels of government to better serve American communities.

**NOW, THEREFORE, BE IT RESOLVED THAT** I, Gregg Moore, Eau Claire County Board Chair, do hereby proclaim April 2012 as National County Government Month and encourage all County officials, employees, schools and residents to participate in county government celebration activities.



\_\_\_\_\_  
Gregg Moore, Chair  
Eau Claire County Board of Supervisors

Dated this 20th day of March, 2012.

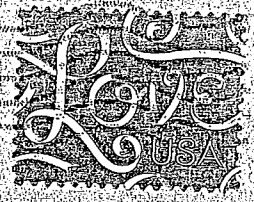
Eau Claire County Parks & Forest Staff

3/3/12

Thank you for all of the work you do to make Eau Claire such a great place to live. I had a wonderful time at Jones Ridge today, and was thinking about how lucky I am to live somewhere that has public lands as well prepared and cared for. I also ski, snow-shoe, & hike at Jones Creek and lunch my laptop on Lake Atkinson & Lake Eau Claire. Having all of these great opportunities is a great asset from my house is a great place to live. In a town that public employees don't always get credit for all of the great things they do, I wanted to let you know that you are the backbone of what makes Wisconsin such a great place to live. Thank you!  
Julia Kyle



Julia I. Kyle  
320 Lincoln Ave.  
Eau Claire, WI 54701



Eau Claire County Parks & Forest  
721 Oxford Ave  
Eau Claire WI  
54703



**SECTION 6**

**DISPOSITION FILE**

# DISPOSITION INDEX

## CARRIED OVER TO NEXT SESSION

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11-12/146 TO AMEND SECTION 9.40.030 C. OF THE CODE: DEFINITIONS; TO AMEND SECTION 9.40.100 C. 2. OF THE CODE: LICENSE--CONDITIONS FOR ISSUANCE; TO AMEND SECTION 9.40.100 C. 3. a., b., c., AND d. OF THE CODE: LICENSE--CONDITIONS FOR ISSUANCE; TO CREATE SECTION 9.40.100 C. 3. c. AND d. OF THE CODE: LICENSE---CONDITIONS FOR ISSUANCE; TO AMEND SECTION 9.40.100 C. 10. OF THE CODE: LICENSE--CONDITIONS FOR ISSUANCE; TO AMEND SECTION 9.40.110 C. 17. LICENSE--CONTENTS OF APPLICATION	40	6
11-12/144 TO AMEND SECTION 1.50.020 OF THE CODE: SCHEDULE OF DEPOSITS; TO AMEND SECTION 1.50.030 B. OF THE CODE: ISSUANCE OF CITATIONS; TO REPEAL AND RECREATE SECTION 4.35.160 OF THE CODE: STORM WATER MANAGEMENT AND EROSION CONTROL FEES; TO AMEND SECTION 17.05.010 OF THE CODE: AUTHORITY; TO AMEND SECTION 17.05.060 A. 8., 24., 25., 26., 27., 28., 32., 33., 35., 36., 38., 39., 43., 46., 47., 48., 55. OF THE CODE: DEFINITIONS; TO RENUMBER SECTION 17.05.060 A. 4. AND 5. TO 5. AND 7. OF THE CODE: DEFINITIONS; TO RENUMBER SECTION 17.05.060 A. 6. THROUGH 14. TO 8. THROUGH 16., PARAGRAPHS 15. THROUGH 21. TO 19. THROUGH 25. OF THE CODE: DEFINITIONS; TO AMEND SECTION 17.05.060 A. 22. a. OF THE CODE: DEFINITIONS; TO RENUMBER SECTION 17.05.060 A. 22. TO 26. OF THE CODE: DEFINITIONS; TO RENUMBER SECTION 17.05.060 A. 23. THROUGH 27. TO 28. THROUGH 32., PARAGRAPH 28. TO 32., PARAGRAPHS 28. THROUGH 35. TO 35. THROUGH 42., PARAGRAPHS 36. THROUGH 59. TO 44. THROUGH 67. OF THE CODE: DEFINITIONS; TO CREATE SECTION 17.05.060 A. 4., 6., 17., 18., 33., 34. AND 43. OF THE CODE: DEFINITIONS; TO REPEAL SECTION 17.05.070 C. 1. f. AND 2. AND 3. OF THE CODE: APPLICABILITY EXEMPTIONS; TO AMEND SECTION 17.05.070 OF THE CODE: APPLICABILITY EXEMPTIONS; TO AMEND SECTION 17.05.070 D. OF THE CODE: APPLICABILITY AND EXEMPTIONS; TO CREATE SECTION 17.05.070 D., F., G., H., I., AND J. OF THE CODE: APPLICABILITY AND EXEMPTIONS; TO AMEND SECTION 17.05.080 A., B., C., D. OF THE CODE: STORM WATER PERMIT PROCESSES, LAND DIVISIONS, AND ZONING; TO REPEAL SECTIONS 17.05.080 E. AND F. OF THE CODE: STORM WATER PERMIT PROCESSES, LAND DIVISIONS; TO AMEND SECTION 17.05.090 A. 3., 4., 6., 7., 8., 10. AND 11. OF THE CODE: STORM WATER PERMIT REQUIREMENTS; TO REPEAL SECTION 17.05.090 B. OF THE CODE: STORM WATER PERMIT REQUIREMENTS; TO RELETTER SECTION 17.05.090 C. TO B., D. TO C., AND E. TO D. OF THE CODE: STORM WATER PERMIT REQUIREMENTS; TO AMEND SECTION 17.05.090 B. 2., 3., AND 5. OF THE CODE: STORM WATER PERMIT REQUIREMENTS; TO		

AMEND SECTION 17.05.090 C. 1. AND 3., OF THE CODE: STORM WATER PERMIT REQUIREMENTS; TO AMEND SECTION 17.05.090 D. OF THE CODE: STORM WATER PERMIT REQUIREMENTS; TO AMEND SECTION 17.05.100 A. 3. AND 4. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO REPEAL SECTION 17.05.100 B. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO RELETTER SECTION 17.05.100 C. TO B., D. TO C. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO AMEND SECTION 17.05.100 B. 7., 8., 9., 11., 14., AND 17 OF THE CODE: EROSION CONTROL REQUIREMENTS; TO AMEND SECTION 17.05.100 C. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO AMEND SECTION 17.05.100 D. 1. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO AMEND SECTION 17.05.100 D. 2. a. AND b. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO REPEAL AND RECREATE SECTION 17.05.100 D. 2. c. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO CREATE SECTION 17.05.100 C. 3. AND E. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 B. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO REPEAL SECTION 17.05.110 E. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO RELETTER SECTION 17.05.110 C. TO B., D. TO C., F. TO D. AND G. TO E. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 B. 3., 6., 15., 16., 17., 18., AND 19. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 C. 1. c. AND 3. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO REPEAL SECTION 17.05.110 C. 4. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO RENUMBER SECTION 17.05.110 5. TO 4., 6. TO 5., AND 7. TO 6. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 C. 5. AND 6. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 D. 9. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 E. 4. c. AND 7., 8., 9., AND 12. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO RENUMBER SECTION 17.05.110 E. 13. TO 16 OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO CREATE SECTION 17.05.110 E. 13., 14., AND 15., AND F. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 17.05.120 OF THE CODE: TECHNICAL STANDARDS AND SPECIFICATIONS; TO AMEND SECTION 17.05.130 OF THE CODE: MAINTENANCE OF STORM WATER BMPS; TO AMEND SECTION 17.05.140 OF THE CODE: ILLICIT DISCHARGES; TO AMEND SECTION 17.05.150 A. AND B. 1. THROUGH 6. OF THE CODE: ENFORCEMENT; TO REPEAL SECTION 17.05.150 B. 7. OF THE CODE: ENFORCEMENT; TO AMEND SECTION 17.05.160 B. OF THE CODE: VALIDITY

PAGE# IN  
O.P. APP.

40 9

## PLACED ON FILE

### ORDINANCE

11-12/031

AMENDING THE FUTURE LAND USE MAP OF THE EAU CLAIRE COUNTY COMPREHENSIVE PLAN

5 2

**RESOLUTION**

PAGE # IN  
O.P. APP.

11-12/071

DIRECTING THAT THE JAIL STAFFING REVIEW BE DONE  
INDEPENDENTLY OF THE REST OF THE SHERIFF'S DEPARTMENT  
BUDGET REVIEW

25 4

**DEFEATED**

**RESOLUTION**

11-12/018

AUTHORIZING THE \$2 PER RACER FEE FOR THE WISCONSIN OFF  
ROAD SERIES (WORS) RACE EVENT AT LOWES CREEK COUNTY  
PARK TO BE USED FOR IMPROVED TRAIL SIGNAGE

3 1

Enrolled No.

RESOLUTION

File No. 11-12/018

-AUTHORIZING THE \$2 PER RACER FEE FOR THE WISCONSIN OFF ROAD SERIES (WORS) RACE EVENT AT LOWES CREEK COUNTY PARK TO BE USED FOR IMPROVED TRAIL SIGNAGE-

WHEREAS, WORS (Wisconsin Off Road Series) mountain bike races have been held at Lowes Creek County Park since 2005; and

WHEREAS, profits from the races are deposited into the county's general fund unless otherwise designated; and

WHEREAS, there is a need for additional bicycle trail signage as well as a large map at the east access to the park, which will benefit all trail users; and

WHEREAS, the profit from the 2011 race should fully cover the costs of the additional signage.

NOW, THEREFORE, BE IT RESOLVED, by the Eau Claire County Board of Supervisors, that the \$2/racer fee for the 2011 event shall be used for improved trail signage at the Lowes Creek County Park for the benefit of all trail users.

BE IT FURTHER RESOLVED that any remaining profits be deposited in the county's general fund.

DEFEATED: May 3, 2011

Janet K. Loomis  
County Clerk

-AMENDING THE FUTURE LAND USE MAP OF THE EAU CLAIRE COUNTY  
COMPREHENSIVE PLAN-

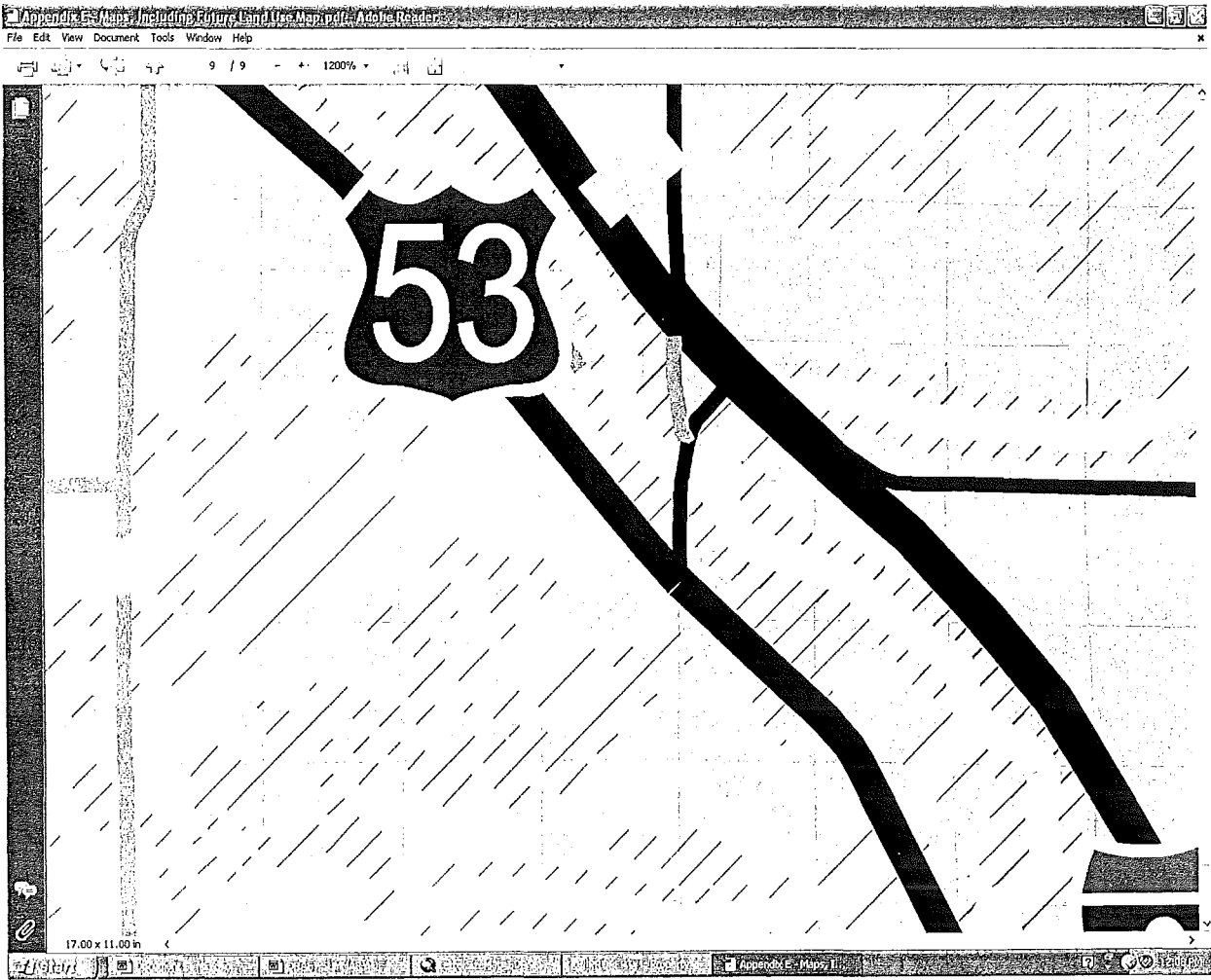
The County Board of Supervisors of the County of Eau Claire does ordain as follows:

**SECTION 1.** That the Future Land Use classification of the following described property be changed from Rural Lands to Rural Commercial on the Eau Claire County Future Land Use Map of the Eau Claire County Comprehensive Plan: Part of the NE ¼, NE ¼, Section 20, T26N, R8W, beginning in the northeast corner of said 40; thence west 778.4 feet; thence S38°28'30"W 628.28 feet to a point of the curve; thence along the curve whose chord bears S42°12'30"E 368.78 feet; thence S45°56'30"E 186.9 feet; thence N1°44'30"W 287.08 feet; thence N3°48'30"E 175.8 feet; thence N0°20'E along the east line of said 40 432.7 feet to the point of beginning.

**SECTION 2.** Where a certified survey map is required and may alter the above-described property description, the Future Land Use Map shall be automatically amended to reflect the property description of the certified survey map.

PLACED ON FILE: May 17, 2011

Janet K. Loomis  
County Clerk



-DIRECTING THAT THE JAIL STAFFING REVIEW BE DONE INDEPENDENTLY OF THE REST OF THE SHERIFF'S DEPARTMENT BUDGET REVIEW-

WHEREAS, in 2010 the county board made a policy decision to build a new jail facility; and

WHEREAS, construction of the new jail facility began in 2010 and is scheduled to be completed in May 2012 and fully operational in July 2012; and

WHEREAS, under the budget guidelines for the 2012 budget the additional jail staffing of 17 correctional officers as set forth in alternative C that would serve 260 secure and 162 Huber inmates is \$1,002,824; and

WHEREAS, in order to comply with the budget guidelines 12 deputy sheriff positions that provide patrol, process server, bailiff and detective services would have to be eliminated; and

WHEREAS, the sheriffs department currently has 26 authorized deputy sheriff positions that provide law enforcement field services (patrol, process server and detective); and

WHEREAS, other comparable counties consisting of Chippewa, Dunn, St. Croix, La Crosse, Marathon and Manitowoc employ on average 30 deputies providing patrol, process server and detective services; and

WHEREAS, the construction and the staffing of the new jail facility is a countywide priority which should be considered separately from the rest of the sheriff's department 2012 budget.

NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that it approves reviewing the issue of the jail staffing independently of the rest of the sheriff's department budget.

PLACED ON FILE: November 16, 2011

Janet K. Loomis  
County Clerk



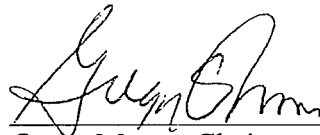
2  
3 - TO AMEND SECTION 4.15.010 A. OF THE CODE: FEES OF PROFESSIONAL  
4 EXAMINERS AND WITNESSES IN INVOLUNTARY COMMITMENT -  
5

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

8 SECTION 1. That Subsection A. of Section 4.15.010 of the code is amended to  
9 read:

- 10 1. Licensed physicians, including psychiatrists: ~~\$165.00~~ \$244.00;
- 11 2. Licensed psychologists: ~~\$110.00~~ \$150.00.

12  
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16 I certify that the foregoing correctly represents the  
17 action taken by the undersigned committee on  
18 February 14, 2012 by a vote of 5 for, 0 against.  
19

20  
21  
22 

23 \_\_\_\_\_  
24 Gregg Moore, Chair  
25 Committee on Administration

26 KRZ/yk

27 APPROVED BY  
28 CORPORATION COUNSEL  
29 AS TO FORM:  
30 \_\_\_\_\_

4 - TO AMEND SECTION 9.40.030 C. OF THE CODE: DEFINITIONS; TO AMEND  
5 SECTION 9.40.100 C. 2. OF THE CODE: LICENSE—CONDITIONS FOR ISSUANCE; TO  
6 AMEND SECTION 9.40.100 C. 3. a., b., c., and d. OF THE CODE: LICENSE—CONDITIONS  
7 FOR ISSUANCE; TO CREATE SECTION 9.40.100 C. 3. c. and d. OF THE CODE:  
8 LICENSE-CONDITIONS FOR ISSUANCE; TO AMEND SECTION 9.40.100 C. 10. OF THE  
9 CODE: LICENSE CONDITIONS FOR ISSUANCE; TO AMEND SECTION 9.40.110 C. 17.  
10 LICENSE—CONTENTS OF APPLICATION -

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

12 **SECTION 1.** That Subsection C. of Section 9.40.030 of the code be amended to read:

13 C. "Camping facility" means a licensed special event campground operated solely in  
14 conjunction with a licensed assembly.  
15

16 **SECTION 2.** That paragraph 2. of Subsection C. of Section 9.40.100 of the code be  
17 amended to read:

18 2. Potable water, meeting all federal and state requirements for purity,  
19 sufficient to provide drinking water for the maximum number of people to be assembled at the  
20 rate of at least one gallon per person per day, unless approved drinking water transport vehicles  
21 are available to transport and dispense an adequate supply of safe drinking water. One approved  
22 drinking water fountain or faucet shall be available for each 1,000 persons up to 10,000 with one  
23 additional for each additional 3,000 persons or fraction thereof. Single service drinking cups  
24 shall be available and dispensed in a sanitary manner at each water faucet that is not a water  
25 fountain for all faucets used for dispensing drinking water. Reuse of single service drinking cups  
26 is prohibited between persons,  
27  
28  
29  
30

31 **SECTION 3.** That subparagraphs a., b., c., and d. of paragraph 3. of Subsection C. of  
32 Section 9.40.100 be amended to read:

33 a. For events where alcohol is available 12 water closets and ~~4~~ 2  
34 urinals for each 200 males up to first 600 males with one water closet for each additional 600  
35 males or fraction and one urinal for each additional ~~500~~ 300 males or fraction.  
36

37 b. For events were alcohol is available 3 water closets for each  
38 ~~200~~ 150 females up to 600 with one water closet for each additional ~~275~~ 150 females or fraction.  
39

40 c. A sanitary means of disposing of waste matter deposited, ~~which is~~  
41 in compliance with all state and local laws and regulations.

42 d. The provision of portable handwash stations consisting either ~~of~~  
43 water under pressure, a wastewater storage tank, soap, and individual service towels, or hand  
44 sanitizer dispensers, shall be provided for each 5 water closets or urinals.  
45  
46

1           **SECTION 4.** That subparagraphs c. and d. of paragraph 3. of Subsection C. of Section  
2 9.40.100 of the code be created to read:

3  
4           c.       For events where alcohol is not available, 1 water closet and 1  
5 urinal for each 200 males up to 600 with one water closet for each additional 600 males or  
6 fraction and one urinal for each additional 500 males or fraction.

7           d.       For events where alcohol is not available, 2 water closets for each  
8 200 females up to 600 with one water closet for each additional 250 or fraction.

9  
10           **SECTION 5.** That paragraph 10. of Subsection C. of Section 9.40.100 of the code be  
11 amended to read:

12  
13           10.     Camping facilities. If camping facilities are operated in conjunction with  
14 an assembly ~~camping facilities must that~~ comply with all state and local requirements as set forth  
15 in the Wisconsin Administrative Code including, but not limited to, ~~HFSDHS~~ 178, ordinances of  
16 the county and board of health regulations. All camping facilities must be inspected, approved  
17 and licensed by the health department before the facilitiesies can be used for camping,

18           a.       All campsites must be developed at least 3 weeks prior to the  
19 assembly. Only those camping facilities fully developed and approved by the health department  
20 at a point 3 weeks prior to the date of the assembly will be issued a license.

21           b.       At least one uniformed security guard as provided in 9.40.100 B.  
22 11. must be provided for each camping facility between 6:00 a.m. and 3:00 p.m. and at least two  
23 uniformed security guards for every 500 sold campsites or fraction thereof from 3:00 p.m. to  
24 6:00 a.m.

25           c.       Campsite density must be approved at the time of application by  
26 the health department.

27  
28           **SECTION 6.** That paragraph 17. of Subsection C. of Section 9.40.110 of the code be  
29 amended to read:

30  
31           17.     The plans for camping facilities, if any, including all required facilities  
32 available and their location;

33           a.       ~~All campsites must be developed at least 3 weeks prior to the~~  
34 ~~assembly.~~

35           b.       ~~At least one uniformed security guard as provided in 9.40.100 B.~~  
36 ~~11. must be provided for each camping facility between 6:00 a.m. and 3:00 p.m. and at least two~~  
37 ~~uniformed security guards for every 500 sold campsites or fraction thereof from 3:00 p.m. to~~  
38 ~~6:00 a.m.~~

39           c.       ~~Campsite density must be approved at the time of application by~~  
40 ~~the health department.~~

41           d.       ~~Facilities available means only those camping facilities fully~~  
42 ~~developed and approved by the health department at a point 3 weeks prior to the date of the~~  
43 ~~assembly.~~

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I certify that the foregoing correctly represents the  
action taken by the undersigned committee on  
March 28, 2012 by a vote of 6 for, 0 against.

G. Leg Moore for John Paddock  
John Paddock, President  
City-County Board of Health

by  
S. Ramussen

CEJ:yk

ORDINANCE/11-12.146

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

4 - TO AMEND SECTION 1.50.020 OF THE CODE: SCHEDULE OF DEPOSITS;  
5 TO AMEND SECTION 1.50.030 B. OF THE CODE: ISSUANCE OF CITATIONS; TO  
6 REPEAL AND RECREATE SECTION 4.35.160 OF THE CODE: STORMWATER  
7 MANAGEMENT AND EROSION CONTROL FEES; TO AMEND SECTION 17.05.010  
8 OF THE CODE: AUTHORITY; TO AMEND SECTION 17.05.060 A. 8., 24., 25., 26., 27.,  
9 28., 32., 33., 35., 36., 38., 39., 43., 46., 47., 48., 55. OF THE CODE: DEFINITIONS; TO  
10 RENUMBER SECTION 17.05.060 A. 4. AND 5. TO 5. AND 7. OF THE CODE:  
11 DEFINITIONS; TO RENUMBER SECTION 17.05.060 A. 6. THROUGH 14. TO 8.  
12 THROUGH 16., PARAGRAPHS 15. THROUGH 21. TO 19. THROUGH 25 OF THE  
13 CODE: DEFINITIONS; TO AMEND SECTION 17.05.060 A. 22. a. OF THE CODE:  
14 DEFINITIONS; TO RENUMBER SECTION 17.05.060 A. 22. TO 26. OF THE CODE:  
15 DEFINITIONS; TO RENUMBER SECTION 17.05.060 A. 23. THROUGH 27. TO 28.  
16 THROUGH 32., PARAGRAPH 28. TO 32., PARAGRAPHS 28. THROUGH 35. TO 35.  
17 THROUGH 42., PARAGRAPHS 36. THROUGH 59. TO 44. THROUGH 67. OF THE  
18 CODE: DEFINITIONS; TO CREATE SECTION 17.05.060 A. 4., 6., 17., 18., 33., 34. AND  
19 43. OF THE CODE: DEFINITIONS; TO REPEAL SECTION 17.05.070 C. 1. f. AND 2.  
20 AND 3. OF THE CODE: APPLICABILITY EXEMPTIONS; TO AMEND SECTION  
21 17.05.070 OF THE CODE: APPLICABILITY EXEMPTIONS; TO AMEND SECTION  
22 17.05.070 D. OF THE CODE: APPLICABILITY AND EXEMPTIONS; TO CREATE  
23 SECTION 17.05.070 D., F., G., H., I., AND J. OF THE CODE: APPLICABILITY AND  
24 EXEMPTIONS; TO AMEND SECTION 17.05.080 A., B., C., D. OF THE CODE:  
25 STORMWATER PERMIT PROCESSES, LAND DIVISIONS, AND ZONING; TO  
26 REPEAL SECTIONS 17.05.080 E. AND F. OF THE CODE: STORMWATER PERMIT  
27 PROCESSES, LAND DIVISIONS; TO AMEND SECTION 17.05.090 A. 3., 4., 6., 7., 8.,  
28 10. AND 11. OF THE CODE: STORM WATER PERMIT REQUIREMENTS; TO  
29 REPEAL SECTION 17.05.090 B. OF THE CODE: STORM WATER PERMIT  
30 REQUIREMENTS; TO RELETTER SECTION 17.05.090 C. TO B., D. TO C., AND E. TO  
31 D. OF THE CODE: STORM WATER PERMIT REQUIREMENTS; TO AMEND  
32 SECTION 17.05.090 B. 2., 3., AND 5. OF THE CODE: STORM WATER PERMIT  
33 REQUIREMENTS; TO AMEND SECTION 17.05.090 C. 1. AND 3., OF THE CODE:  
34 STORM WATER PERMIT REQUIREMENTS; TO AMEND SECTION 17.05.090 D. OF  
35 THE CODE: STORM WATER PERMIT REQUIREMENTS; TO AMEND SECTION  
36 17.05.100 A. 3. AND 4. OF THE CODE: EROSION CONTROL PLAN  
37 REQUIREMENTS; TO REPEAL SECTION 17.05.100 B. OF THE CODE: EROSION  
38 CONTROL PLAN REQUIREMENTS; TO RELETTER SECTION 17.05.100 C. TO B., D.  
39 TO C. OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO AMEND  
40 SECTION 17.05.100 B. 7., 8., 9., 11., 14., AND 17 OF THE CODE: EROSION  
41 CONTROL REQUIREMENTS; TO AMEND SECTION 17.05.100 C. OF THE CODE:  
42 EROSION CONTROL PLAN REQUIREMENTS; TO AMEND SECTION 17.05.100 D. 1.  
43 OF THE CODE: EROSION CONTROL PLAN REQUIREMENTS; TO AMEND  
44 SECTION 17.05.100 D. 2. a. and b. OF THE CODE: EROSION CONTROL PLAN  
45 REQUIREMENTS; TO REPEAL AND RECREATE SECTION 17.05.100 D. 2. c. OF THE  
CODE: EROSION CONTROL PLAN REQUIREMENTS; TO CREATE SECTION

1 17.05.100 C. 3. AND E. OF THE CODE: EROSION CONTROL PLAN  
 2 REQUIREMENTS; TO AMEND SECTION 17.05.110 B. OF THE CODE: STORM  
 3 WATER MANAGEMENT PLAN REQUIREMENTS; TO REPEAL SECTION 17.05.110  
 4 E. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO  
 5 RELETTER SECTION 17.05.110 C. TO B., D. TO C., F. TO D. AND G. TO E. OF THE  
 6 CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND  
 7 SECTION 17.05.110 B. 3., 6., 15., 16., 17., 18., AND 19. OF THE CODE: STORM  
 8 WATER MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110  
 9 C. 1.c. and 3. OF THE CODE: STORM WATER MANAGEMENT PLAN  
 10 REQUIREMENTS; TO REPEAL SECTION 17.05.110 C.4. OF THE CODE: STORM  
 11 WATER MANAGEMENT PLAN REQUIREMENTS; TO RENUMBER SECTION  
 12 17.05.110 5. TO 4., 6. TO 5., AND 7. TO 6. OF THE CODE: STORM WATER  
 13 MANAGEMENT PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 C. 5. AND  
 14 6. OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO  
 15 AMEND SECTION 17.05.110 D. 9. OF THE CODE: STORM WATER MANAGEMENT  
 16 PLAN REQUIREMENTS; TO AMEND SECTION 17.05.110 E. 4. c. and 7., 8., 9., and 12.  
 17 OF THE CODE: STORM WATER MANAGEMENT PLAN REQUIREMENTS; TO  
 18 RENUMBER SECTION 17.05.110 E. 13. TO 16 OF THE CODE: STORM WATER  
 19 MANAGEMENT PLAN REQUIREMENTS; TO CREATE SECTION 17.05.110 E. 13.,  
 20 14., AND 15., AND F. OF THE CODE: STORM WATER MANAGEMENT PLAN  
 21 REQUIREMENTS; TO AMEND SECTION 17.05.120 OF THE CODE: TECHNICAL  
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 23 CODE: MAINTENANCE OF STORM WATER BMPS; TO AMEND SECTION 17.05.140  
 24 OF THE CODE: ILLICIT DISCHARGES; TO AMEND SECTION 17.05.150 A. AND B.  
 25 1. THROUGH 6. OF THE CODE: ENFORCEMENT; TO REPEAL SECTION 17.05.150  
 26 B. 7. OF THE CODE: ENFORCEMENT; TO AMEND SECTION 17.05.160 B. OF THE  
 27 CODE: VALIDITY-

28  
 29 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

30  
 31 **SECTION 1.** That Section 1.50.020 of the code be amended to read:

32			
33	16.30.520 A. 5, 7, 8	Forest use regulations	150.00
34	<u>Title 17</u>	<u>Land Conservation and Surveying</u>	<u>200.00</u>
35	Title 18	Zoning	
36		- Failure to acquire permits	75.00
37		- All other violations	100.00
38			

39 **SECTION 2.** That Subsection B. of Section 1.50.030 of the code be amended to read:

40		
41	Title 16 I., Parks and Forest	Director, parks and forest department
42		
43	<u>Title 17, Land Conservation and Surveying</u>	<u>LCD Supervisor or designee</u>
44		
45	Title 18, Zoning	Planning and development department director
46		

1           **SECTION 3.** That Section 4.35.160 of the code be repealed and recreated to read:

2  
3           4.35.160 Storm water management and erosion control fees. The following fee schedule  
4 shall apply:

- 5  
6           A.     Preliminary erosion control                     \$255.00  
7           B.     Small site construction erosion control       \$255.00  
8                     (Payment for preliminary erosion control for the same site will be subtracted)  
9           C.     Large site construction erosion control       \$255.00 + \$15/4,000 sq. ft. disturbance  
10                    (Payment for preliminary erosion control for the same site will be subtracted)  
11           D.     Subdivision plans                             \$570.00 + \$40/lot  
12           E.     Certified survey maps                         \$290.00  
13           F.     Final plat plans                                 \$290.00  
14           G.     Preliminary stormwater review               \$455.00  
15           H.     Final stormwater review                       \$455.00 + \$40/4,000 sq. ft. of  
16   impervious surface  
17                     (Payment for preliminary erosion control for the same site will be subtracted)  
18           I.     Permit amendment, extension, or transfer  
19                    1.       \$60.00 for small site erosion control.  
20                    2.       \$155.00 plus \$8/4,000 sq. ft. disturbed for large site erosion control.  
21                    3.       \$255.00 plus \$20/4,000 sq. ft. for stormwater.  
22           J.     Release request review                         \$60.00  
23           K.     Expedited review fee                             Double permit fee  
24           L.     Reinspection fee                                 \$125.00  
25

26           **SECTION 4.** That Section 17.05.010 of the code be amended to read:

27  
28           17.05.010 Authority

29           This ordinance is adopted by the county board under the authority granted by Wis. Stat. §§ 59.693,  
30 92.07(6) and 92.07(15) and Wis. Stat. ch. 236.

31  
32           **SECTION 5.** That paragraphs 8., 24., 25., 27., 28., 32., 33., 35., 36., 38., 39., 43., 46., 47.,  
33 48., and 55. of Subsection A. of Section 17.05.060 of the code be amended to read:

34  
35                    8.     “Design storm” means a hypothetical depth of rainfall that would occur for  
36 the stated return frequency (i.e. once every 2 years or 10 years), duration (i.e. 24-hours) and timing  
37 of distribution (~~i.e.~~ e.g. type II). All values are based on the historical rainfall records for the area.  
38 Design storms used in this ordinance are summarized in 17.05.120 A.

39                    24.    “Land disturbing activity” (or “disturbance”) means any man-made  
40 alteration of the land surface that may result in a change in the topography or existing vegetative or  
41 non-vegetative soil cover, or may expose soil and lead to an increase in soil erosion and movement  
42 of sediment. Land disturbing activity includes, but not limited to, clearing and grubbing for future  
43 land development, excavating, filling, grading, building construction or demolition, geothermal  
44 system installation, and pit trench dewatering.

1           25. ~~“MEP” means Maximum Extent Practicable or~~ “MEP” means an acceptable  
2 level of implementing best management practices to achieve a performance standard specified in  
3 this ordinance, as determined by the LCD. In determining MEP, the LCD shall take into account the  
4 best available technology, cost effectiveness and other competing issues such as human safety and  
5 welfare, endangered and threatened resources, historic properties, cultural resources, and  
6 geographic features. MEP allows flexibility in the way to meet the performance standards and may  
7 vary based on the performance standard and site conditions.

8           26. “Navigable Water(s)” or “Navigable” means all natural inland lakes,  
9 flowages, streams rivers, and other water within the unincorporated areas in accordance with Wis.  
10 Stat. § 281.31. has the meaning given in Chapter 18.19, Eau Claire County Shoreland Overlay  
11 District.

12           27. “Nonmetallic mining” has the meaning specified under Wis. Stat.  
13 ~~§ 295.11(3)-18.90.030.~~

14           28. “Off-site BMP” means best management practice(s) that are located outside  
15 of the boundaries of the site covered by a permit application due to current land disturbance or land  
16 development activities. Off-site BMPs address runoff from the permitted site and may be ~~are~~  
17 usually installed as part of a regional storm water management plan approved by a local  
18 government.

19           32. “Pollutant”, has the meaning as per defined in Wis. Stat. § 283.01 (13);  
20 ~~means any dredged spoil, solid waste, incinerator residue, sewage, garbage, refuse, oil, sewage~~  
21 ~~sludge, munitions, chemical wastes, biological materials, radioactive substance, heat, wrecked or~~  
22 ~~discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste~~  
23 ~~discharged into water.~~

24           33. “Pollution”, has the meaning as per defined in Stat. § 283.01 (14);  
25 ~~means man-made or man-induced alteration of the chemical, physical, biological or radiological~~  
26 ~~integrity of water.~~

27           35. “Preventive action limit” means a numerical value expressing the  
28 concentration of a substance in groundwater which is adopted under Wis. Stat. § 160.15 and Wis.  
29 Admin. Code ch. NR 140. has the meaning given in Wis. Admin. Code ch. NR 140.05 (17).

30           36. “Publicly funded development” means a land development, such as a public  
31 road or municipal building, that is being funded solely by a unit of government. It does not include  
32 new roads or other structures built with private funds, or a combination of public and private funds,  
33 and subsequently dedicated to a unit of government.

34           38. “Regional storm water management plan” means a planning document,  
35 adopted by a local unit of government, that coordinates storm water management activities for an  
36 entire drainage area or watershed, including future land development activities within the  
37 watershed. The plan may prescribe the use of BMPs for individual development sites and for  
38 selected points or phases within the watershed-drainage area to meet the goals and objectives of the  
39 plan.

40           39. “Regulatory agency” means a public agency that ~~the LCD recognizes as~~  
41 having has the legal authority to review and approve erosion control and storm water management  
42 plans and enforce their implementation, with requirements at least as restrictive as this ordinance.

43           43. “Shoreland(s)” means lands within the following distances from the ordinary  
44 high water mark of navigable waters: 1,000 feet from a lake, pond, or flowage; 300 feet from a river



1 or stream or to the landward side of the floodplain, whichever distance is greater has the meaning  
2 given in Chapter 18.19, Eau Claire County Shoreland Shoreland Overlay District.

3 46. "Steep Slope" means 20% or greater. For the purpose of application of these  
4 regulations, slope shall be measured over a horizontal distance of 50 feet parallel to the direction of  
5 the existing slope and within the proposed "land disturbing activity". Slopes shall be measured as  
6 the change in elevation over the horizontal distance between consecutive contour lines and  
7 expressed as a percent. Modeling software, where used, shall be adjusted to account for large areas  
8 with steep slopes.

9 47. "Storm drainage system" means a publicly-owned facility by which storm  
10 water is collected and/or conveyed, including but not limited to any roads with drainage systems,  
11 municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and  
12 detention basins, natural and human-made or altered drainage channels, reservoirs, and other  
13 drainage structures.

14 48. "Storm water" has the same meaning as includes all water as defined in the  
15 term "runoff" and may also include "process water".

16 55. "Warm season plantings" and wetland plantings" means seed or plant stock  
17 that are native to a prairie or wetland setting. These types of plantings usually take a couple of years  
18 to get established and require diligent removal of invasive species during this time. Upon maturity,  
19 warm season plants generally have a deep root system, which enhances infiltration.

20  
21 **SECTION 6.** That paragraphs 4. and 5. be renumbered to 5. and 7. of Subsection A. of  
22 Section 17.05.060 of the code.

23  
24 **SECTION 7.** That paragraphs 6. through 14. be renumbered to 8. through 16., paragraphs  
25 15. through 21. be renumbered to 19. through 25. of Subsection A. of Section 17.05.060 of the code.

26  
27 **SECTION 8.** That subparagraph a. of paragraph 22. of Subsection A. of Section 17.05.060  
28 of the code be amended to read:

29 27.a. "LCD" means the Land Conservation Division of the Eau Claire  
30 County Department of Planning & Development. The LCD supervisor supervises the daily  
31 activities of the Division, including the administration of this ordinance.

32  
33 **SECTION 9.** That paragraph 22. be renumbered to 26. of Subsection A. of Section  
34 17.05.060 of the code.

35  
36 **SECTION 10.** That paragraphs 23. through 27. be renumbered to 28. through 32.,  
37 paragraphs 28. through 35. be renumbered to 35. through 42., paragraphs 36. through 59. be  
38 renumbered to 44. through 67. of Subsection A. of Section 17.05.060 of the code.

39  
40 **SECTION 11.** That paragraphs 4., 6., 17., 18., 33., 34., 43., of Subsection A. of Section  
41 17.05.060 of the code be created to read:

42  
43 4. "Clean runoff" means that runoff which is derived from relatively  
44 uncontaminated sources which may include, but is not limited to: uncontaminated ground water,  
45 potable water source, roof drains, foundation drain and sump pump, air conditioning condensation,

1 springs, lawn watering, individual residential car washing, water main and hydrant flushing, and  
2 swimming pools if the water has been dechlorinated.

3 6. "Conservation Plan" means a plan outlining the planting, growing, and  
4 harvesting of agricultural crops and other associated land uses which meet the state's soil and water  
5 conservation standards contained within Wis. Admin. Code ch. ATCP 50 and Wis. Admin. Code  
6 ch. NR 151.

7 17. "Forest Management Plan" means a plan outlining the planting, growing, and  
8 harvesting of silvicultural products which meets the guidelines contained within the Wisconsin  
9 Department of Natural Resources publication PUB-FR-226 2003 entitled "Wisconsin Forest  
10 Management Guidelines.

11 18. "Groundwater" means any of the waters of the state, as defined in Wis. Stat.  
12 § 281.01 (18), occurring in a saturated subsurface geological formation of rock or soil.

13 33. "Nonresidential" means any commercial, industrial or institutional activity.

14 34. "Nutrient Management Plan" means a plan that meets all requirements of  
15 Wis. Admin. Code § ATCP 50.04 (3) and is either:

16 a. A plan required under Wis. Admin. Code §§ ATCP 50.04 (3) or  
17 50.62 (5) (f); or

18 b. A farm nutrient plan prepared or approved, for a landowner, by a  
19 qualified nutrient management planner.

20 43. "Process Water" or "Process Wastewater" includes any water used in  
21 noncontact cooling water (NCCW), mine dewatering, scrubber water, dust suppression, wash water,  
22 flotation process wastewater, wet process water, or any other water conveyed or used on site.

23  
24 **SECTION 12.** That subparagraph f. of paragraph 1. and paragraphs 2. and 3. of Subsection  
25 C. of 17.05.070 be repealed.

26  
27 **SECTION 13.** That Section 17.05.070 of the code be amended to read:

28  
29 17.05.070 Applicability and Exemptions

30 A. Construction Site Erosion Control. Unless otherwise exempted under C. below, an  
31 erosion control permit, the requirements of which are outlined in ~~under~~ 17.05.100 shall be required  
32 and all erosion control ~~and other~~ provisions of this ordinance shall apply to all proposed land  
33 disturbing activity that meets any of the following:

34 1. Involves the grading, removal of protective ground cover or vegetation,  
35 excavation, land filling or other land disturbing activity which affects an area of 4,000 square feet or  
36 more; or

37 2. Involves excavation or filling, or a combination of excavation and filling,  
38 which affects 400 cubic yards or more of soil, sand or other excavation or fill material; or

39 3. Involves the laying, repairing, replacing, or enlarging of an underground  
40 utility, pipe or other facility, or the disturbance of road ditch, grass swale or other open channel for  
41 a distance of 300 feet or more; or

42 4. Involves the construction of any new public or private road or access lane or  
43 drives; or

44 5. Disturbance of a 20% or greater slope. For the purpose of applying these  
45 regulations, the definition of "steep slope" shall be used. ~~Slopes shall be measured as the change in~~

1 elevation over the horizontal distance between consecutive contour lines and expressed as a percent.  
2 The most restrictive slope for the site shall apply.

3 6. Is a land disturbing activity, regardless of size, that the LCD determines is  
4 likely to cause an adverse impact to an environmentally sensitive area or other property, or may  
5 violate any other erosion control standard set forth in this ordinance.

6 B. Storm Water Management. Unless otherwise exempted ~~in this ordinance under~~  
7 17.05.070 C., a storm water permit, the requirements of which are outlined in ~~under 17.05.080~~, shall  
8 be required and all storm water management and other provisions of this ordinance shall apply to all  
9 proposed land development activity that ~~meet any of the following requires:~~

10 1. ~~Is a A~~ subdivision plat; or

11 2. ~~Is a A~~ certified survey map; or

12 3. ~~Any~~ other land development activity that may ultimately result in the  
13 addition of 0.5 acres or greater of impervious surfaces, including smaller individual sites that are  
14 part of a common plan of development that may be constructed at different times; or

15 34. ~~Is a A~~ land development activity, regardless of size, that the LCD determines  
16 is likely to cause an adverse impact to an environmentally sensitive area or other property. ~~For~~  
17 ~~purposes of this section, a~~Adverse impacts ~~shall include~~ may result from causing chronic wetness  
18 on other property due to reoccurring discharges of storm water, co-mingling of process water and  
19 storm water at the site or violating any other storm water management standard set forth in this  
20 ordinanceChapter.

21 C. Applicability Exemptions.

22 1. Exempt From All Requirements. Qualification for an exemption under this  
23 chapter is subject to approval by the LCD and may require a more complete applicability review, as  
24 identified under each item, before an exemption is granted. The following activities shall be exempt  
25 from all of the requirements of this ordinance:

26 a. Land disturbing activities directly involved in the planting, growing  
27 and harvesting of any plant grown for human or livestock consumption and pasturing or yarding of  
28 livestock, including sod farms and tree nurseries. This exemption typically does not exempt  
29 agricultural facility construction projects unless otherwise specifically exempted under 17.05.070  
30 C.1. To recognize an exemption under this paragraph, the LCD may require the applicant to  
31 provide a copy of the conservation plan and/or nutrient management plan for the property.

32 b. Land development and land disturbing activities exempted by state or  
33 federal law, including highway construction and other projects conducted by a state agency, as  
34 defined under Wis. Stat. § 227.01 (1), or under a memorandum of understanding entered into under  
35 Wis. Stat. § 281.33 (2). To recognize an exemption under this paragraph, the LCD may require;  
36 documentation of the person(s) and regulatory agency charged with enforcing erosion control and  
37 storm water management for the project.

38 i. Documentation of the person(s) and regulatory agency  
39 charged with enforcing erosion control and storm water management for the project and;

40 ii. Documentation relating to the project as outlined under  
41 17.05.070 C.1.f.

42 c. Land disturbing activity directly involved in the installation and  
43 maintenance of private on-site waste disposal systems, as regulated under ~~this Chapter~~ 8.12.

44 d. Any proposal that is designed and/or certified by the Eau Claire  
45 County Land Conservation Division as part of a soil conservation or water pollution control project.

1 e. Storm water discharges from silviculture activities, including tree  
2 nursery operation, tree harvesting operation, reforestation, tree thinning, prescribed burning, and  
3 pest and fire control, ~~are not regulated under this chapter.~~ Clearing and grubbing of an area of a  
4 construction site is not a silviculture activity. To recognize an exemption under this paragraph,  
5 the LCD may require that the applicant provide a copy of the forest management plan for the  
6 property.

7 f. Other project sites that LCD determines are either partially or  
8 completely exempt following completion of the release request review process under 17.05.070 D.  
9

10 **SECTION 14.** That Subsection D. of Section 17.05.070 of the code be amended to read:

11 ~~D.E.~~ Prohibited Land-Disturbing Activities.

- 12 1. Land development or land disturbance activities on 30% slopes and greater,  
13 unless:  
14 a. exempted in 17.05.070.C.; or  
15 b. for activities that require public improvements; or  
16 c. to correct a pre-existing erosion problem.

17 2. No activity permitted under this ordinance shall cause contamination  
18 resulting in a public health hazard or other violation under Chapter 8.  
19

20  
21 **SECTION 15.** That Subsections D., F., G., H., I., and J. of Section 17.05.070 be created to  
22 read:

23  
24 D. Release Request Process.

25 1. Applicability. To ensure that all requirements of this ordinance are fulfilled,  
26 applicants may utilize the formal release request process as outlined herein to allow for LCD  
27 determination of exemption applicability in either of the following circumstances:

28 a. If another regulatory agency is enforcing erosion control and storm  
29 water management provisions that the LCD determines are at least as restrictive as those contained  
30 in this ordinance, the applicant may request an exemption from any or all provisions of this  
31 ordinance in accordance with the release request process outlined herein. Note that General Permit  
32 Coverage under the Wisconsin Department of Natural Resources WPDES Permitting process under  
33 Wis. Admin. Code ch. NR 216 is not considered to be at least as restrictive as this ordinance.

34 b. Through this release request process the LCD may exempt a site or a  
35 portion of a site from meeting certain technical requirements of this ordinance if the LCD  
36 determines that one of the following applies:

37 i. Off-Site BMP(s). The requirement has been satisfied through  
38 the use of off-site BMP(s). Off-site BMPs could be installed beyond the boundaries of the property  
39 covered by the application as part of a regional storm water management plan or through other legal  
40 arrangements. However, to be eligible for this exemption, the off-site BMP(s) must treat runoff  
41 from the site covered by the application; or

42 ii. Site conditions. It is impracticable to meet the requirement  
43 due to site conditions such as slopes, soils, proximity to structures, or desirable trees, limited site  
44 dimensions, surrounding land uses, the potential for groundwater contamination, public health or  
45 safety problems, or other factors beyond the control of the applicant. No site shall be entitled to an  
46 exemption under this paragraph due solely to the size of the proposed land development activity in

1 relation to the parcel size. However, the LCD shall give special consideration in granting  
2 exemptions under this paragraph for the following sites:

- 3 - Redevelopment sites.
- 4 - In-fill development areas less than 5 acres.
- 5 - Highway projects where limited public right-of-way land is available  
6 for the installation of storm water BMPs.
- 7 - Land Developments with less than 10% of the site planned to be  
8 impervious surfaces and the total cumulative area of all impervious  
9 areas is less than 1 acre using the final build-out condition.
- 10 - Areas where the infiltration rate of the soil is less than 0.6 inches/hour  
11 measured at the bottom of the infiltration system.
- 12 - Infiltration areas during periods when the soil on the site is frozen.
- 13 - Sites that offset their impacts by using land protection options such as  
14 those outlined in 17.05.110 C.3.h.

15 2. Release Request Requirements. Applicants must submit a formal release  
16 request using a form provided by the LCD for that purpose. Based upon the scope of the release  
17 request the LCD may require the applicants to submit documentation relating to the project,  
18 including any or all of the following:

- 19 a. A copy of the proposed plans certified as “approved” by a regulatory  
20 agency. Said plans shall also be signed, sealed, and dated by a professional engineer licensed in  
21 State of Wisconsin in accordance with the Wis. Admin. Code Rules of the Examining Board of  
22 Architect, Professional Engineers, Designers, and Land Surveyors, stating that the design of all best  
23 management practices comply with this ordinance and all applicable standards.
- 24 b. Contact information for the applicant or for person(s) representing the  
25 applicant and charged with overseeing the implementation of the approved plans, including  
26 certifying construction.
- 27 c. A copy of the permit issued by the regulatory agency and contact  
28 information for the person(s) charged with permit enforcement duties.
- 29 d. A copy of design summaries, as-built documents, and construction  
30 certification pursuant to 17.05.090 C. for all storm water BMPs constructed as part of the project.
- 31 e. A copy of a recorded maintenance agreement in accordance with  
32 17.05.130 for all storm water management facilities constructed as part of the project.
- 33 f. An exemption under the technical release request process outlined in  
34 17.05.070 D.1.b. may only be granted by the LCD upon the applicant’s submission of the following  
35 items to the LCD, which shall constitute a complete application:
  - 36 i. A written request describing the provisions of this subsection  
37 for which an exception is being requested and an explanation of why;
  - 38 ii. A site plan in accordance with 17.05.110 B., including the  
39 delineation of the area and size (in acres) to which the exemption would apply and any other storm  
40 water BMPs required to meet the purpose of this ordinance or as recommended in a regional storm  
41 water management plan;
  - 42 iii. The necessary technical documentation to demonstrate that the  
43 site meets one or more of the criteria for which an exemption is being applied, including

1 documentation of the applicable provisions of any regional storm water management plan that may  
2 be involved;

- 3 iv. For off-site BMP(s) under 17.05.070 D. 1. b. i.:
- 4 - Documentation that the necessary BMP(s) have been properly
- 5 installed, including as-built plans, construction certification,
- 6 and design summaries in accordance with 17.05.090 C.;
- 7 - A copy of the recorded maintenance agreement in accordance
- 8 with 17.05.130, and any other easements or legal arrangement
- 9 that may be involved to ensure the long-term maintenance of
- 10 the off-site BMP(s).
- 11 - Documentation of payment of any applicable fees that may be
- 12 required by a unit of government charged with implementing a
- 13 regional stormwater management plan.

14 g. Other items that the LCD determines are necessary to ensure  
15 compliance equal to the requirements of this ordinance.

16 3. Formal Release Request Fee. For those sites that are exempted under this  
17 subsection, and are not publicly funded, the applicant shall pay a release request review fee to the  
18 LCD. The LCD shall publish a fee schedule for this purpose, to be updated as needed to reflect  
19 current release request review costs.

20 4. Appeal. If the applicant does not agree with any determination of the LCD  
21 under 17.07.070 D., the applicant may appeal the decision pursuant to the procedures in 17.05.150  
22 C.

#### 23 F. Protective Areas.

24 1. Definitions. "Protective area" means an area of land that commences at the  
25 top of the channel of lakes, streams, and rivers, or at the delineated boundary of wetlands, and that  
26 is the greatest of the following widths, as measured horizontally from the top of the channel or  
27 delineated wetland boundary to the closest impervious surface. However, for purposes of this  
28 Chapter, "protective area" does not include any area of land adjacent to any stream enclosed within  
29 a pipe or culvert, such that runoff cannot enter the enclosure at this location. Land disturbance and  
30 land development activities are prohibited in the following areas unless otherwise stated:

##### 31 a. Surface Waters.

32 i. 75 feet for outstanding resource waters and exceptional  
33 resource waters.

34 ii. 50 feet for perennial and intermittent streams identified on the  
35 Eau Claire County GIS system. If there is a discrepancy between the Eau Claire County GIS  
36 system and the applicable United States Geological Survey 7.5-minute series topographic map, the  
37 more stringent stream identification shall apply.

38 iii. 50 feet for lakes.

39 iv. 10 feet for concentrated flow channels with drainage areas  
40 greater than 130 acres.

41 b. Wetlands. For determinations of the extent of the protective area  
42 adjacent to wetlands shall be made on the basis of the sensitivity and runoff susceptibility of the  
43 wetland in accordance with the standards and criteria in Wis. Admin. Code ch. NR 103.

1 i. 75 feet for wetlands in areas of special natural resource  
2 interest as specified in Wis. Admin. Code ch. NR103.  
3 ii. 50 feet for highly susceptible wetlands, as determined by  
4 LCD. Highly susceptible wetlands include the following types: fens, sedge meadows, bogs, low  
5 prairies, conifer swamps, shrub swamps, other forested wetlands, fresh wet meadows, shallow  
6 marshes, deep marshes, and seasonally flooded basins. Wetland boundary delineations shall be  
7 made in accordance with Wis. Admin. Code ch. NR 103 and performed by a certified wetland  
8 delineator. This paragraph does not apply to wetlands that have been completely filled in  
9 accordance with all applicable state and federal regulations. The protective area for wetlands that  
10 have been partially filled in accordance with all applicable state and federal regulations. The  
11 protective area for wetlands that have been partially filled in accordance with all applicable state  
12 and federal regulations shall be measured from the wetland boundary delineation after fill has been  
13 placed.

14 iii. For less susceptible wetlands, 10 percent of the average  
15 wetland width, but no less than 10 feet nor more than 30 feet. Less susceptible wetlands include  
16 degraded wetlands dominated by invasive species such as reed canary grass.

17 2. Groundwater protection.

18 a. Infiltration systems designed in accordance with 17.05.110 C.3. shall,  
19 to the extent technically and economically feasible, minimize the level of pollutants infiltrating to  
20 groundwater and shall maintain compliance with the preventive action limit at a point of standards  
21 application in accordance with Wis. Adm. Code ch. NR 140. However, if site-specific information  
22 indicates that compliance with a preventive action limit is not achievable, the infiltration BMP may  
23 not be installed or shall be modified to prevent infiltration to the maximum extent practicable.

24 b. The discharge from BMPs shall remain below the enforcement  
25 standard at the point of application of those standards.

26 c. No storm water BMP shall be installed that meets the definition of an  
27 injection well under Wis. Admin. Code ch. NR 812.

28 d. All storm water BMPs shall comply with the provision of any  
29 applicable wellhead protection plan for a community water supply under Wis. Admin. Code ch. NR  
30 811 and Chapter 18.55.

31 e. No subsurface drainage shall occur unless the requirements of  
32 17.05.110 C.5.d.iii. are met.

33 3. Requirements. The following requirements shall be met for all land  
34 development activity located within a protective area:

35 a. Impervious surfaces shall be kept out of the protective area, except for  
36 boathouses and walkways authorized under Shoreland and Floodplain Zoning in Chapters 18.19 and  
37 18.20. The erosion control plan shall contain a written site-specific explanation for any parts of the  
38 protective area that are disturbed during construction.

39 b. Where land disturbing activity occurs within a protective area, and  
40 where no impervious surface is present, adequate sod or self-sustaining vegetative cover of 70% or  
41 greater shall be established and maintained. The adequate sod or self-sustaining vegetative cover  
42 shall be sufficient to provide for bank stability, maintenance of fish habitat, and filtering of  
43 pollutants from upgradient overland flow areas under sheet flow conditions. Non-vegetative  
44 materials, such as rock riprap, may be employed on the bank as necessary to prevent erosion, such  
45 as on steep slopes or where high velocity flows occur.

1 c. No BMPs shall be located in the protective areas.

2 4. Protective Area Exemptions. The protective area requirements of 17.05.070  
3 F. may be exempted in accordance with application under the release request requirements outlined  
4 17.05.070 D. for the following activities:

5 a. Structures that cross or access surface waters such as boat landings,  
6 bridges, and culverts;

7 b. Structures constructed or placed on property in a shoreland setback  
8 area in accordance with Wis. Stat. § 59.692(1v) and Chapter 18.19; and

9 c. Sites where runoff does not enter the surface water, except to the  
10 extent that vegetative ground cover is necessary to maintain bank stability.

11 G. Fees.

12 1. Application and review fees under this ordinance shall be in accordance with  
13 the following:

14 a. All fees shall be established by the LCD and approved by the county  
15 board through the annual budget process.

16 b. Fee amounts shall not exceed actual and direct LCD costs of  
17 administering this ordinance.

18 c. The fee schedule in 4.35.160 shall be available for review and public  
19 distribution.

20 d. A double permit fee shall be charged by the LCD if land development  
21 activity or land disturbing activity requiring approval under 17.05.070 A. or 17.05.070 B.  
22 commences prior to obtaining an erosion control or storm water permit. Such double fee shall not  
23 release the responsible party from full compliance with this chapter nor from prosecution for  
24 violation of this chapter.

25 e. Any overpayment of required fees will be refunded to the applicant at  
26 the time of final permit approval.

27 H. Application Review Processes. In addition to an electronic copy, 5 hard copies of  
28 the application materials shall be submitted to the LCD. The following additional requirements  
29 apply for review of applications under this ordinance:

30 1. Preliminary Storm Water Review Letter and Certification of Compliance.  
31 Upon submittal of a complete application under 17.05.080 B or a final plat or CSM under 17.05.080  
32 D., the applicant is authorizing the LCD to enter upon the subject site to obtain information needed  
33 to administer this ordinance and the following procedures shall apply:

34 a. The LCD shall have 30 working days from the date the LCD receives  
35 the application to issue a review letter to the applicable review authorities and the applicant based  
36 on the requirements of this ordinance.

37 b. If within the 30 working days, the LCD determines that the  
38 application is not complete or requests additional information from the applicant or another source  
39 (such as another regulatory agency), the LCD shall have 30 working days from the date additional  
40 information is received to issue a review letter. The LCD shall inform the applicant and the  
41 applicable review authorities when additional information is requested from another source.

42 c. If the LCD does not notify the applicant of missing information or  
43 issue a review letter within the 30 working days, the applicant may continue pursuing other  
44 applicable approvals or deed recording without the preliminary storm water review letter or  
45 certification of compliance.



1 d. If within the 30 working days, the LCD notifies the applicable review  
2 authorities that the application under 17.05.080 B.3. is not complete, information has been  
3 requested from another source, or recommended changes or objections to the application need to be  
4 addressed before other approvals can proceed, then the applicable review authorities may:

5 i. At the request of the applicant, grant an extension to the  
6 review period, if needed to allow more time for the LCD review process to be completed or to  
7 address LCD recommendations, requirements, or objections to the application; or

8 ii. Disapprove the application, plat, or CSM.

9 e. An extension may be approved by written mutual consent.

10 2. Final Storm Water Permit. Upon submittal of a complete stormwater permit  
11 application under 17.05.080 C., or release request application under 17.05.070 D., the applicant is  
12 authorizing the LCD to enter upon the subject site to obtain information needed to administer this  
13 ordinance and the following procedures shall apply:

14 a. Within 30 working days from the date the LCD receives the  
15 application, the LCD shall inform the applicant whether the application materials are approved or  
16 disapproved based on the requirements of this ordinance.

17 b. If all requirements of this ordinance have been met through the  
18 application, the LCD shall approve the application and issue a permit. If all requirements of this  
19 ordinance have not been met, the LCD shall state in writing the reasons for disapproval.

20 c. If within the 30 working days, the LCD determines that the  
21 application is not complete or requests additional information from the applicant or another source  
22 (such as another regulatory agency), the LCD shall have 30 working days from the date the  
23 additional information is received to review and act on the application. The LCD shall inform the  
24 applicant when additional information is requested from another source.

25 d. Failure of the LCD to inform the applicant of missing information or  
26 of a decision within 30 working days shall be deemed to mean approval of the application and the  
27 applicant may proceed as if a permit had been issued.

28 e. An extension beyond the 30 working days may be approved by  
29 written mutual consent.

30 3. Preliminary Erosion Control Review Letter. Upon submittal of a complete  
31 application under 17.05.100 C., the applicant is authorizing the LCD to enter upon the subject site  
32 to obtain information needed to administer this ordinance and the following procedures shall apply:

33 a. The LCD shall have 30 working days from the date the LCD receives  
34 the application to issue a review letter to the applicable review authorities and the applicant based  
35 on the requirements of this ordinance.

36 b. If within the 30 working days, the LCD determines that the  
37 application is not complete or requests additional information from the applicant or another source  
38 (such as another regulatory agency), the LCD shall have 30 working days from the date additional  
39 information is received to issue a review letter. The LCD shall inform the applicant and the  
40 applicable review authorities when additional information is requested from another source.

41 c. If the LCD does not notify the applicant of missing information or  
42 issue a review letter within the 30 working days, the applicant may continue pursuing other  
43 applicable approvals or deed recording without the preliminary storm water review letter or  
44 certification of compliance.

1 d. If within the 30 working days, the LCD notifies the applicable review  
2 authorities that the application under 17.05.100 C. is not complete, information has been requested  
3 from another source, or recommended changes or objections to the application need to be addressed  
4 before other approvals can proceed, then the applicable review authorities may:

5 i. At the request of the applicant, grant an extension to the  
6 review period, if needed to allow more time for the LCD review process to be completed or to  
7 address LCD recommendations, requirements, or objections to the application; or

8 ii. Disapprove the application.

9 e. An extension may be approved by written mutual consent.

10 f. Application and issuance of a preliminary erosion control review  
11 letter for a project that is reviewed in conjunction with a stormwater permit application for the same  
12 site will follow the procedures as outlined in 17.05.070 H.1. Issuance of a preliminary storm water  
13 plan review letter will encompass issuance of the preliminary erosion control review letter and a  
14 separate notification will not be issued for the erosion control portion.

15 4. Final erosion control permit. Upon submittal of a complete application, under  
16 either large site or small site requirements outlined in 17.05.100 D. or as part of a release request  
17 application under 17.05.070 D., the applicant is authorizing the LCD to enter upon the subject site  
18 to obtain information needed to administer this ordinance and the following procedures shall apply:

19 a. Within 30 working days from the date the LCD receives the  
20 application, the LCD shall inform the applicant whether the application materials are approved or  
21 disapproved.

22 b. If all requirements of this ordinance have been met through the  
23 application, the LCD shall approve the application and issue a permit. If all requirements of this  
24 ordinance have not been met, the LCD shall state in writing the reasons for disapproval.

25 c. If within the 30 working days, the LCD determines that the  
26 application is not complete or requests additional information from the applicant or another source  
27 (such as another regulatory agency), the LCD shall have 30 working days from the date the  
28 additional information is received to review and act on the application. The LCD shall inform the  
29 applicant when additional information is requested from another source.

30 d. Failure of the LCD to inform the applicant of missing information or  
31 of a decision within 30 working days shall be deemed to mean approval of the application and the  
32 applicant may proceed as if a permit had been issued.

33 e. An extension beyond the 30 working days may be approved by  
34 written mutual consent from representatives of both the LCD and the applicant.

35 f. Application and permit issuance of a Final Erosion Control Plan  
36 reviewed in conjunction with a Stormwater Permit application for the same site will follow the  
37 procedures as outlined in 17.05.070 H.2. Approval of the Final Stormwater Plan will encompass  
38 approval of the Final Erosion Control Plan and a separate notification will not be issued for the  
39 Erosion control portion.

40 I. Permit Issuance, Duration, Amendments, Transfer, and Termination.

41 1. Permit issuance. The LCD shall issue a permit to the applicant, under the  
42 procedures outlined in 17.05.070 H., after verifying that all applicable conditions of this ordinance  
43 and possibly other related permits have been met, including the submittal of contact information for  
44 all responsible parties, and the submittal of the financial assurance under 17.05.070 B. The LCD  
45 may delay issuance of a storm water permit if the LCD determines that the proposed construction

1 timelines and best management practices will not comply with the erosion control plan requirements  
2 under 17.05.100 or the purposes of the ordinance under 17.05.030, including proposed late season  
3 new road construction with grass swales.

4 2. Permit duration. The LCD shall establish an expiration date for all erosion  
5 control and storm water permits not to exceed a period of two (2) years unless the LCD grants an  
6 extension. All applicants shall submit a written request for the permit extension and shall pay the  
7 corresponding fee.

8 3. Permit amendments. The LCD may amend any terms of a storm water  
9 permit, including extending the permit expiration date, if the LCD determines it is necessary to  
10 ensure compliance with this ordinance. The applicant shall request an amendment to a storm water  
11 permit at least two weeks before permit expiration on a form provided by the LCD control or storm  
12 water management measures as a condition of granting a permit amendment.

13 4. Permit transfer. The LCD may transfer a storm water permit issued under  
14 this ordinance to a new applicant upon a written request from the applicant and payment of the  
15 corresponding fee. The permit transfer shall not take effect until the LCD verifies in writing that  
16 the new applicant has satisfied all conditions of this ordinance, including an updated list of  
17 responsible parties and, where required, the submittal of a new financial assurance under 17.05.090  
18 B.

19 5. Permit termination. The LCD shall issue a permit termination letter to the  
20 permit holder upon releasing the financial assurance under 17.05.090 B., which shall serve as  
21 documentation that all conditions of this ordinance have been satisfied and the permit has been  
22 terminated. A copy of this letter shall also be sent to the Wisconsin Department of Natural  
23 Resources and may also serve as the "Notice of Termination" under Wis. Admin. Code ch. NR  
24 216.55.

25 J. Supporting proprietary information (for the plan reviewer only). Proprietary  
26 information includes any required information under this ordinance which the applicant considers to  
27 be a trade secret, copyrighted, or otherwise confidential. Such information shall be discussed with  
28 the LCD prior to application submittal for a determination and, where appropriate, to make other  
29 legal arrangements for meeting all requirements under this ordinance. Ultimate Responsibility for  
30 determination of proprietary status will remain with the LCD in accordance with public records and  
31 open meetings law as outlined in Subchapter II and Subchapter IV of Wis. Statutes.

32  
33 **SECTION 16.** That Subsections A., B., C., and D. of Section 17.05.080 of the code be  
34 amended to read:

35  
36 17.05.080 Storm Water Permit Processes, Land Divisions and Zoning

37 A. Permit Required. A storm water permit ~~under sub. (e)~~ shall be obtained before any  
38 person commences a land disturbing or land development activity, pursuant to the applicability and  
39 exemption provisions of 17.05.070. Based upon the scope of the project, a preliminary review letter  
40 under ~~sub. (b) below~~ 17.05.080 B. may be required. ~~and~~ Certification of compliance under sub. (d)  
41 below 17.05.080 B. will also be may be required as part of the permit process.

42 B. Preliminary Storm Water Review Letter.

43 1. Purpose and Intent. A preliminary storm water review letter is prepared by  
44 the LCD to ensure that early site-planning for any new development accounts for compliance with

1 this ordinance. A preliminary storm water review will help resolve spatial and soils issues early in  
2 the site-planning phase, preventing a conflict with other permit requirements or the recording of  
3 land divisions. This will also assist the applicant in obtaining other permits or zoning approvals  
4 prior to finalizing detailed construction plans. A storm water permit is required prior to the start of  
5 any proposed land disturbing or land development activity on applicable projects under 17.05.080  
6 B. 2.

7 2. Applicability and Requirements.

8 a. A preliminary storm water review letter from the LCD is required  
9 prior to the approval of a preliminary plat by the county zoning administrator and shall also be  
10 required prior to approval of a certified survey map, site plan, conditional use permit, zoning permit  
11 or zoning amendment by the county committee on planning and development or county zoning  
12 administrator for any proposed land disturbing or land development activity that: ~~meets one or more~~  
13 ~~of the following:~~

14 i. ~~Disturbs a total land surface area of 1 acre or more;~~

15 ii. Is a subdivision plat; or

16 iii. Ultimately results in the addition of 0.5 acres or greater of  
17 impervious surfaces, including smaller individual sites that are part of a common plan of  
18 development; or

19 iii.iv. Constitutes ~~Other~~ land disturbing or land development  
20 activities, as determined by the LCD under 17.05.070 A. 6. or 17.05.070 B. 3. above.

21 b. All additional project approvals described in 17.05.080 B. 2. a. sub. A.  
22 ~~above~~ shall be subject to their ~~recommendations~~, requirements or objections contained in a  
23 preliminary review letter from the LCD, which may include requiring certification of compliance  
24 under 17.05.080 D. below.

25 3. Preliminary Review Letter Application.

26 a. To request a preliminary review letter, the applicant shall submit a  
27 complete application to the LCD, which shall include all of the following:

28 i. A completed and signed application on a form provided by the  
29 LCD for that purpose;

30 ii. The application fee, unless exempted under 17.05.070 C. E.  
31 ~~below~~;

32 iii. A site plan map in accordance with 17.05.110 ~~C.B.~~, which may  
33 be in a preliminary stage as prepared for zoning amendments and certified survey maps;

34 iv. A preliminary erosion control review in accordance with  
35 17.05.100 D.

36 v. A preliminary storm water management review in accordance  
37 with 17.05.110 E.F. ~~for those sites that propose to add a new road or add 0.5 acres or greater of~~  
38 ~~impervious surfaces, including smaller individual sites that are part of a common plan of~~  
39 ~~development; and~~

40 vi. A preliminary maintenance agreement for all storm water  
41 ~~BMP's~~ BMPs proposed for the site.

42 b. The LCD may waive the requirement for a preliminary erosion  
43 control or preliminary storm water management review, as required under ~~sub. A~~ 17.05.080 B. 2. a.  
44 ~~above~~, if the LCD determines that it is not necessary to ensure compliance with this ordinance based

1 on the site map submitted. However, all items required for a storm water permit as outlined in  
2 17.05.080 C. shall still apply.

3 c. The LCD may require map items listed under 17.05.080 B. 3 ~~above~~ to  
4 be submitted in a digital form, if available, including georeferencing map data to the public land  
5 survey system in accordance with county mapping standards.

6 d. Review procedures for a preliminary review letter application shall be  
7 in accordance with 17.05.080 F. 1 ~~sub. F. 1.~~ ~~below~~.

8 C. Final Storm Water Permit Application

9 1. To request a storm water permit under this ordinance, the applicant shall  
10 submit a complete application, which shall include all of the following:

11 a. A completed and signed application on a form provided by the LCD  
12 for that purpose;

13 b. The applicable fee(s) in accordance with 17.05.070 G., ~~unless~~  
14 ~~exempted under E.~~ ~~below~~;

15 c. A site plan map in accordance with 17.05.110 B.C. For subdivisions,  
16 all stormwater ~~BMP's~~ BMPs shall be located on out lots;

17 d. A final erosion control plan in accordance with 17.05.100 E.

18 e. A final storm water management plan in accordance with 17.05.110  
19 ~~GF.~~ for those land development activities that meet any of the applicability criteria of 17.05.070 B.,  
20 and the documentation required under 17.05.070 D.1. b. i. ~~17.05.110 E. 2. D.~~ related to a off-site  
21 ~~BMP's~~ BMPs, if applicable;

22 f. A maintenance agreement in accordance with 17.05.130; and

23 g. A financial assurance, in accordance with 17.05.090 B.C..

24 h. Abandonment and site reclamation plans for site in accordance with  
25 17.05.110 G.14.

26 i. Emergency action plan in accordance with 17.05.110 F.13.

27 2. The LCD may require map items listed under 17.05.080 B. 1 ~~above~~ to be  
28 submitted in a digital form, if available, including georeferencing map data to the public land survey  
29 system in accordance with county mapping standards.

30 3. Review procedures for a storm water permit application shall be in  
31 accordance with 17.05.080 F. ~~below~~.

32 D. Certification of Compliance for Final Plat or CSM.

33 1. Applicability. The LCD shall certify compliance with this section prior to the  
34 county zoning administrator approving any final plat, and prior to the recording of any certified  
35 survey map with the Eau Claire County Register of Deeds that meets one of the following:

36 a. The site ~~plan~~ may ultimately result in the addition of 0.5 acres or  
37 greater of impervious surfaces, including smaller individual sites that are part of a common plan of  
38 development; or

39 b. Is a subdivision plat; or

40 c. Other land development activities as ~~determined~~ identified by the  
41 LCD under 17.05.080 B.2.b. ~~above~~.

42 2. Review Items. To obtain certification of compliance, the applicant shall  
43 submit a final plat or CSM to the LCD for review. The LCD shall review submittals for compliance  
44 with all of the following items based on preliminary or final site plans and storm water management  
45 plans:

- a. Location and size of drainage easements and other areas set aside for storm water management, and the associated language describing use restrictions;
- b. Setback requirements from wells, structures, steep slopes, wetlands, road right of- ways and other items related to the location of storm water management facilities;
- c. Location of access drives and associated easements and use restrictions to ensure adequate access to storm water management facilities for future maintenance;
- d. Utility easements as they may affect the grading and erosion control plans;
- e. The final maintenance agreement in accordance with 17.05.130 for all storm water ~~BMP's~~BMPs; and
- f. Groundwater elevation as it impacts stormwater and erosion control options at the site;
- fg. Other items that the LCD determines are necessary to achieve compliance with this ordinance.

3. Review Process. Review procedures for certification of compliance for final plat or CSM shall be as described in sub. F. 1. below

**SECTION 17.** That Subsections E. and F. of Section 17.05.080 of the code be repealed.

**SECTION 18.** That paragraphs 3., 4., 6., 7., 8., 10.,and 11. of Subsection A. of Section 17.05.090 of the code be amended to read:

3. Plan Modifications. The LCD shall be notified of any modifications proposed to be made to the approved plans. The LCD may require proposed changes to be submitted for review prior to incorporation into the approved plans or prior to implementation. ~~Any~~No modifications may be made during plan implementation without prior approval by both the project engineer under 17.05.090 A. 6. below and the LCD representative are subject to enforcement action.

4. Notification. The LCD shall be notified at least ~~5~~five working days before commencing any work in conjunction with approved plans. The LCD shall also be notified of proposed plan modifications under 17.05.090 A. 3. ~~above~~, and within 1 working day of completing construction of a storm water BMP. The LCD may require additional notification according to a schedule established by the LCD so that practice installations can be inspected during construction.

6. Project Engineer/Landscape Architect. The permit holder shall provide an engineer licensed in the state of Wisconsin to be responsible for achieving compliance with approved construction plans, including the implementation of the approved inspection plan and verification of construction in accordance with 17.05.090 CD, below. If warm season or wetland plantings are involved, the permit holder shall also provide a landscape architect or other qualified professional to oversee and verify the planting process and its successful establishment in accordance with 17.05.090 C.,

7. Inspection Log. ~~A DNR inspection log is acceptable.~~ The permit holder shall provide a qualified professional to conduct inspections and maintain an inspection log for the site. All best management practices shall be inspected within 24 hours after each rain event of 0.5 inch or more that results in runoff, or at least once each week. The inspection log shall include the

1 name of the inspector, the date and time of inspection, a description of the present phase of  
2 construction, the findings of the inspection, including an assessment of the condition of erosion and  
3 sediment control measures and the installation of storm water management BMPs, and any action  
4 needed or taken to comply with this ordinance. The inspection log shall also include a record of  
5 BMP maintenance and repairs conducted under 17.05.090 A. 8. and 9. below. A DNR inspection  
6 log is acceptable.

7 a. \_\_\_\_ The permit holder shall maintain a copy of the inspection log at the  
8 construction site or via the Internet, and shall notify the LCD of the method of availability upon  
9 permit issuance.

10 i. \_\_\_\_ If the inspection log is maintained on site, ~~the~~ LCD  
11 representative may view or obtain a copy at any time during normal business hours until permit  
12 termination under 17.05.070 I. 5.B. below.

13 ii. \_\_\_\_ If the inspection log is made available via the Internet, the  
14 permit holder shall notify the LCD of the appropriate Internet address and any applicable access  
15 codes, and shall maintain the availability of the log until permit termination under 17.05.070 I. 5.B.  
16 below.

17 b. \_\_\_\_ Any environmental monitoring data, required by the monitoring plan  
18 developed under 17.05.100 D. 3. a. v. or as part of any other permitting requirements, shall be  
19 attached as a component of the inspection log for the life of the permit.

20 8. BMP Maintenance. The permit holder shall maintain and repair all best  
21 management practices within 24 hours of inspection, or upon notification by the LCD, unless the  
22 LCD approves a longer period due to weather conditions. All BMP maintenance shall be in  
23 accordance with approved plans and applicable technical standards until the site is stabilized and a  
24 permit termination letter is issued under 17.05.070 I. 5.B. below. The permit holder, upon approval  
25 by the LCD, shall remove all temporary erosion control practices such as silt fence, ditch checks,  
26 ~~sediment traps~~, etc. The permit holder, in accordance with approved plans and applicable technical  
27 standards, shall maintain permanent storm water management practices in accordance with  
28 17.05.130 until maintenance responsibility is transferred to another party or unit of government  
29 pursuant to the recorded maintenance agreement.

30 10. Emergency Work. The permit holder authorizes the LCD, in accordance with  
31 the enforcement procedures under 17.05.150, to perform any work or operations necessary to bring  
32 erosion control or storm water management practices into conformance with the approved plans and  
33 consents to charging such costs against the financial assurance pursuant to 17.05.090 B.C. below or  
34 to a special assessment or charge against the property as authorized under sub ch. VII of Wis. Stat.  
35 ch. 66.

36 11. Permit Display. The permit holder shall display the storm water permit in a  
37 manner that can be seen from the nearest public road and shall protect it from  
38 damage from weather and construction activities until permit termination under 17.05.070 I. 5.  
39 B. below.

40  
41 **SECTION 19.** That Subsection B. of Section 17.05.090 of the code be repealed.

42  
43 **SECTION 20.** That Subsection C. be relettered to B.. Subsection D. be relettered to C.,  
44 Subsection E. be relettered to D. of Section 17.05.090 of the code:  
45

1           **SECTION 21.** That paragraphs 2., 3., and 5., of Subsection B. of Section 17.05.090 of the  
2 code be amended to read:

3  
4           2.       Type and Authority. The LCD shall determine the acceptable type and form  
5 of financial assurance, which may include cash, bank check, a bond, an escrow account or  
6 irrevocable letter of credit. The LCD shall, upon written notice to the permit holder, be authorized  
7 to use the funds to complete activities required in the approved plans or this ordinance if the permit  
8 holder or other responsible party defaults or does not properly implement the requirements.

9           3.       Amount. The amount of the financial assurance shall be 125% of the amount  
10 provided under 17.05.110 ~~F. 12. i. G. 12. i.~~ for the completion of the approved erosion control and  
11 storm water management plans.

12           5.       Conditions for Release. The LCD shall release the financial assurance, and  
13 issue a termination letter in accordance with 17.05.070 I. 5. B. 5. above, only after determining full  
14 compliance with the permit and this ordinance, including the following:

- 15           a.       Accepting an “as-built” survey certified pursuant to 17.05.090 C. 1.D.  
16 ~~1. below~~,  
17           b.       Accepting verification of construction pursuant to 17.05.090 C. 2.D.  
18 ~~2. below~~;  
19           c.       Completing a satisfactory final inspection pursuant to 17.05.090 D.E.  
20 ~~below~~;  
21           d.       Receiving a copy of the recorded maintenance agreement pursuant to  
22 ~~17.05.130 of this ordinance.~~  
23           e.       Removal of ~~BMP's~~ BMPs have been verified under 17.05.100 C. 16.  
24 ~~Section 17.05.100.C.16.~~

25  
26           **SECTION 22.** That paragraphs 1., and 3., of Subsection C. of Section 17.05.090 of the  
27 code be amended to read:

28  
29           1.       As-built Survey. To ensure compliance with this ordinance and to serve as a  
30 basis for the engineering verification under 17.05.090 C. 2. below, an as-built survey shall be  
31 completed in accordance with LCD standards and certified as accurate by a registered land surveyor  
32 or an engineer licensed in the State of Wisconsin. As-built plans shall be submitted to the LCD for  
33 all storm water management BMPs, bridges and culverts pursuant to 17.05.110 C. 6. c.D. 6. d.  
34 ~~below~~, and other permanent best management practices or practice components as deemed  
35 necessary by the LCD to ensure its long-term maintenance. The LCD may require a digital  
36 submittal of the as-built survey, in accordance with LCD standards.

37           3.       Design Summaries. Any changes noted in the as-built survey or final design  
38 data compared to the design summaries approved with the final storm water  
39 management plans shall be documented and resubmitted to the LCD as part of the verification under  
40 17.05.090 C. 2 above.

41  
42           **SECTION 23.** That Subsection D. of Section 17.05.090 of the code be amended to read:

43  
44           D.       Final Inspection.



1           1. After completion of construction, the LCD shall conduct a final inspection of  
2 all permitted sites to determine compliance with the approved plans and other applicable ordinance  
3 requirements, including ensuring the site is stabilized.

4           2. If, upon inspection, the LCD determines that any of the applicable  
5 requirements have not been met, the LCD shall notify the permit holder what changes would be  
6 necessary to meet the requirements.

7           3. At the request of the permit holder, the LCD shall provide a notification of  
8 noncompliance or a report of final inspection in written or electronic form.

9  
10           **SECTION 24.** That paragraphs 3., and 4., of Subsection A. of Section 17.05.100 of the  
11 code be amended to read:

12  
13           17.05.100 Erosion Control Plan Requirements

14           A. General Erosion Control Plan Requirements and Performance Standards. An erosion  
15 control plan shall describe how the permit holder and other responsible party will minimize, to the  
16 maximum extent practicable, soil erosion and the transport of sediment from land disturbing  
17 activities to waters of the state or other property. To meet this requirement, the following  
18 performance standards shall apply:

19           3. Erosion and sediment control BMPs may be used alone or in combination to  
20 meet the 80% sediment reduction goal. Plans that comply with the guiding principles ~~described in~~  
21 ~~B. below and the specific erosion control plan requirements described in C. below~~ shall be  
22 determined by the LCD as meeting the 80% sediment reduction goal. An erosion control plan shall,  
23 to the maximum extent practicable, adhere to the following:

24           a. Propose grading that best fits the terrain of the site, avoiding steep  
25 slopes, wetlands, floodplains, and environmental corridors;

26           b. Minimize, through project phasing and construction sequencing, the  
27 time the disturbed soil surface is exposed to erosive forces.

28           c. Minimize soil compaction, the loss of trees, and other natural  
29 vegetation and the size of the disturbed area at any one time;

30           d. Locate erosion control BMPs upstream from where runoff leaves the  
31 site or enters waters of the state and outside of wetlands, floodplains, primary or secondary  
32 environmental corridors, or isolated natural areas.

33           e. Emphasize the use of BMPs that prevent soil detachment and  
34 transport over those aimed to reduce soil deposition (sedimentation) or repair erosion damage.

35           4. The LCD may recognize other methods for determining compliance with the  
36 80% sediment reduction goals as they are standardized, including any methods that may come from  
37 the procedures under sub ch. V. of Wis. Admin. Code ch. NR 151, ~~Wis. Adm. Code.~~

38  
39           **SECTION 25.** That Subsection B. of Section 17.05.100 of the code be repealed.

40  
41           **SECTION 26.** That Subsection C. be relettered to B., and Subsection D. be relettered to C.  
42 of Section 17.05.100 of the code.

43  
44           **SECTION 27.** That paragraphs 7., 8., 9., 11., 14., and 17. of/and Subsection B. of Section  
45 17.05.100 be amended to read:

1  
2 B. Specific Erosion Control Plan Requirements. The following applicable  
3 minimum requirements shall be addressed in erosion control plans to the maximum extent  
4 practicable. The LCD may establish more stringent erosion and sediment control requirements than  
5 the minimums set forth in this section if the LCD determines that an added level of protection is  
6 needed to protect an environmentally sensitive area or other property, ~~or to address a change made~~  
7 ~~during plan implementation.~~

8 7. Outlet Protection. Protect outlets from erosion during site dewatering and  
9 storm water conveyance, including velocity dissipation at pipe outfalls or open channels entering or  
10 leaving a permitted site storm water management facility.

11 8. Overland Flow. Trap sediment in overland flow before discharge from the  
12 site using BMPs such as silt fence, vegetative filter strips, temporary sediment ponds, etc.

13 9. Site Dewatering. Treat pumped water to remove sediment prior to discharge  
14 from the site, using BMPs such as sediment basins and portable sediment tanks. Discharge of  
15 pumped water to waters of the state shall not be permitted, unless otherwise approved by LCD and  
16 can demonstrate compliance with the requirements of 17.05.140.

17 11. Topsoil Application. Save existing topsoil and reapply a minimum of 4  
18 inches to all disturbed areas for final stabilization, unless otherwise approved by the LCD, such as  
19 for temporary seeding or storm water infiltration BMPs. If adequate topsoil does not exist on the  
20 site to meet this requirement, it shall be imported or a topsoil substitute such as compost may be  
21 used, upon approval by the LCD. No topsoil shall be removed from the site until the site is  
22 stabilized per standards 17.05.120 and the approved erosion control plan.

23 14. Final Site Stabilization. For nonmetallic mining operations, final  
24 stabilization will be completed in accordance with Chapter 18.90 and a reclamation plan shall be  
25 submitted with the erosion control plan. For all other areas the following final site stabilization  
26 items shall be addressed in the erosion control plan:

27 a. All previous cropland areas or otherwise exposed soil surfaces where  
28 land disturbing activities will not be occurring under the proposed grading plans, shall be stabilized  
29 within 30 days of permit issuance.

30 b. Stabilize all other disturbed areas within 7 days of final grading and  
31 topsoil application.

32 c. Large sites permitted under 17.05.100 D. 2, shall be treated in stages  
33 or phases as final grading is completed in each stage or phase.

34 d. Any soil erosion that occurs after final grading or the application of  
35 stabilization measures must be repaired and the stabilization work redone.

36 17. Site Drainage. Site drainage plans shall comply with the provisions of  
37 17.05.110 C.D. 6.

38  
39 **SECTION 28.** That Subsection C. of Subsection 17.05.100 of the code be amended to read:

40  
41 C. Preliminary Erosion Control Plan Contents. Preliminary erosion and sediment  
42 control plans shall be required for sites that either require a preliminary stormwater review letter  
43 under 17.05.080 B. or for sites with over one acre of proposed land disturbance, and shall contain  
44 the following items:

45 1. A site map in accordance with 17.05.110 B.C.

1           2.       A brief narrative describing the proposed land disturbing activity,  
2 construction timeline and sequencing, and a general review of the major erosion and sediment  
3 control BMPs proposed to be used to minimize off-site impacts during the construction phase and to  
4 stabilize the site following construction.

5           3.       Delineation of the following items on the map under 17.05.100 B. par. 1  
6 ~~above~~:

- 7                   a.       The area and size (in acres) of the proposed land disturbance;  
8                   b.       The woodland and wetland areas, and the size (in acres) of each that  
9 is proposed to be lost during construction and a general description of the current vegetation types  
10 and tree sizes;  
11                   c.       The general location of major BMPs referenced under 17.05.100 B.  
12 ~~described in 1 above~~.

13  
14           **SECTION 29.** That paragraph 1. of/and Subsection D. of Section 17.05.100 of the code be  
15 amended to read:

16  
17           D.       Final Erosion Control Plan Contents. The following shall be the minimum  
18 requirements for items to be included in a final erosion and sediment control plan:

- 19                   1.       Small Site. Sites Less than One Acre of Total Land Disturbance.  
20                   a.       A sequence describing the proposed land disturbing activity,  
21 construction timeline and sequencing, temporary BMPs to be used to minimize off-site impacts  
22 during the construction phase, and proposed methods to stabilize the site following construction in  
23 accordance with the requirements of this ordinance;  
24                   b.       A survey map or scaled site plan drawing of sufficient clarity showing  
25 a north arrow, the location of proposed land disturbance, direction of flow for runoff entering and  
26 leaving the disturbed area, upslope drainage area (if known), proposed BMPs, existing and  
27 proposed slopes, ground cover, buildings, roads, access drives, property boundaries, drainage ways,  
28 water bodies, trees, culverts, utilities and other structures within 50 feet of the proposed land  
29 disturbance;  
30                   c.       The name, address and daytime phone number of the person(s)  
31 charged with installing and maintaining all best management practices;  
32                   d.       For underground utility installations, the plans must delineate where  
33 utilities will be installed, show the location of the open cut and the topography in the area, and list  
34 the total lineal feet to be installed and the lineal feet that will be done by open cut; ~~and~~  
35                   e.       For land disturbance activities to occur within the groundwater table  
36 provide additional information as outlined in 17.05.100 E. 3; and  
37                   ef.      All o~~Other~~ information determined to be necessary by the LCD to  
38 ensure compliance with the requirements of this chapter.

39  
40           **SECTION 30.** That subparagraphs a., and b., of/and paragraph 2. of Subsection D. of  
41 Section 17.05.100 be amended to read:

- 42  
43                   2.       Large Site. Sites One Acre or Greater in of~~Total~~ Land Disturbance.  
44                   a.       A site map in accordance with ~~section~~ 17.05.110 BC.

- 1                   b.     A map at a scale of 1 inch equals no more than 100 feet (unless  
2 otherwise noted), delineating and labeling the following applicable items:
- 3                   i.     North arrow, graphic scale, draft date, name and contact  
4 information for project engineer or planner and designation of source documents for all map  
5 features.
- 6                   ii.    Proposed site topography at contour intervals not to exceed 2  
7 feet, proposed percent slope for all open channels and side slopes and all proposed runoff discharge  
8 points from the site;
- 9                   iii.   Proposed building envelopes, and other land area to be  
10 disturbed and size in acres;
- 11                  iv.    General location and description of trees and other vegetative  
12 cover types;
- 13                  v.     ~~Temporary~~ Access drive location including the and specified  
14 surface material and minimum depth;
- 15                  vi.    Temporary flow diversion devices for upslope upgradient, or  
16 roof clean runoff, as defined in 17.05.060, or exposed bedrock that is capable of diverting a 25 year,  
17 24 hour storm, where practicable, until the site is stabilized;
- 18                  vii.   Temporary sediment trapping devices for site perimeter and  
19 inlets to culverts and storm drains;
- 20                  viii.   Temporary settling basin or other BMP to be used for site  
21 dewatering during utility or other subsurface work;
- 22                  ix.     ~~Temporary~~ Soil stockpile sites indicating setbacks from  
23 nearby water resources or environmental corridors and the proposed erosion protection methods;
- 24                  x.     Detailed drawings and cross-sections for any sediment traps,  
25 basins or other major cut or fill areas requested by the LCD, showing side slopes and elevations;
- 26                  xi.    Final stabilization measures for open channels and erosion  
27 protection for pipe and channel inlets, outlets and emergency spillways;
- 28                  xii.   Location of proposed utilities, including: standard cross-  
29 section for buried utilities, associated easements, labeling the type of utility and notes on erosion  
30 control and restoration plans;
- 31                  xiii.   Final site stabilization procedures instructions for all other  
32 disturbed areas, showing areas to be stabilized in acres, depth of applied topsoil, seed types, rates  
33 and methodology, fertilizer, sod or erosion matting specifications, maintenance requirements until  
34 plants are well established, and other BMPs used to stabilize the site. For nonmetallic mining  
35 operations, final stabilization shall be completed in accordance with Chapter 18.90 and a  
36 reclamation plan shall be submitted with erosion control plan for reference;
- 37                  xiv.   Detailed construction notes clearly explaining all necessary  
38 procedures to be followed to properly implement the plan, including estimated starting date of  
39 grading, timing and sequence of construction or demolition, any construction stages or phases,  
40 utility installation, dewatering plans, refuse disposal, inspection requirements, and the installation,  
41 use, and maintenance of best management practices proposed in the plan;
- 42                  xv.    Location of geologic and soil evaluations with surface  
43 elevations and unique references to supplemental ~~soil evaluations~~ report forms in accordance with  
44 17.05.120 D.E. below. Also show estimated seasonal water table depths and soil textures down to

1 planned excavation depths, which may be on a separate map with sufficient references to the  
2 proposed site plan.

3 ~~xvi. Other items specified by the LCD as necessary to ensure~~  
4 ~~compliance with this ordinance.~~

5 xvi. For land disturbance activities planned to occur within the  
6 groundwater table, provide additional information as outlined in 17.05.100 E. 3.

7  
8 **SECTION 31.** That subparagraph c. of paragraph 2. of Subsection D. of Section 17.05.100  
9 of the code be repealed and recreated to read:

10 c. A narrative summary of the erosion control plan, briefly explaining  
11 the overall plan, and, any unique information that led to the selection of BMPs and how the plan  
12 meets the guiding principles under 17.05.100 A.3. and specific requirements under 17.05.100 B.

13 d. Summary of design data for any structural BMP such as sediment  
14 basins or sediment traps. A professional engineer, licensed in the State of Wisconsin, shall sign,  
15 seal, and date a statement, in accordance with the WI Admin. Code Rules of the Examining Board  
16 of Architect, Professional Engineers, Designers, and Land Surveyors, approving all designs and  
17 certifying that they have read the requirements of this ordinance, and that, to the best of their  
18 knowledge, the submitted plans comply with the requirements of this ordinance.

19 e. Open channel design and stabilization data to support the selected  
20 BMPs for stabilization;

21 f. Estimated time soil stockpiles, or other temporary practices, will exist  
22 to support the selected BMPs for erosion control;

23 g. For land disturbance activities to occur within the groundwater table,  
24 provide additional information as outlined in 17.05.100 E.3.

25 h. Other items specified by the LCD as necessary to ensure compliance  
26 with this ordinance.

27  
28 **SECTION 32.** That paragraph 3. of Subsection C. and Subsection E. of Section 17.05.100  
29 of the code be created to read:

30  
31 3. Additional Plan Requirements for land disturbance at or below groundwater  
32 table elevation.

33 a. Data from a minimum one year groundwater assessment, with  
34 groundwater monitoring data collected at least once a month, and hydrogeological study including:

35 i. Groundwater elevation and flow characteristic information to  
36 help characterize seasonal groundwater fluctuations.

37 ii. Initial Soil/Geological borings, to a total depth of at least 10  
38 feet below the intended depth of activity, incorporating the minimum monitoring components as  
39 identified by LCD.

40 iii. A minimum of at least three nested monitoring wells installed  
41 onsite with a monitoring protocol to be designed by a professional hydrogeologist incorporating the  
42 minimum groundwater monitoring components as identified by LCD.

43 iv. The groundwater monitoring plan shall be designed and  
44 implemented by an independent, credentialed, third party employing the skills of a professional with  
45 expertise in the area of hydrogeology and groundwater.

1 v. Professional recommendations for monitoring needed while  
2 covered under a stormwater or erosion control permit as well as for long term monitoring needs  
3 shall be included in the final report.

4 b. Impacts from Dewatering Activities. The following shall be  
5 included with the application:

6 i. Groundwater elevation data collected during dewatering  
7 activities. Includes minimum of monthly monitoring required and submitted for LCD review.

8 ii. Permitted activities shall not result in negative impacts to  
9 Groundwater Quality as specified in Wis. Admin. Code ch. NR140 and as outlined within Chapter  
10 8.12.

11 iii. Plan and map that quantifies and outlines holding and/or  
12 utilization of water removed as part of the dewatering process.

13 c. Identify procedures and practices that would restrict surface  
14 stormwater and other contaminants from entering the exposed groundwater table.

15 d. Final report shall be submitted as part of the final application.

16 E. Erosion Control Permit Administration.

17 1. Issuance, Duration, Amendments, Transfer, and Termination. Procedures for  
18 erosion control permits are outlined in 17.05.070 H. and 17.05.070 I.

19 2. Other permits. Compliance with the erosion control provisions of this  
20 ordinance does not relieve the permit holder, or other responsible party, from the responsibility to  
21 comply with other applicable federal, state, and local laws and regulations. The LCD may require  
22 the applicant to obtain other permits and plan approval prior to issuing an erosion control permit.

23 3. Approved Plans. All best management practices shall be installed and  
24 maintained in accordance with approved plans and construction schedules.

25 4. Plan Modifications. The LCD shall be notified of any modifications  
26 proposed to be made to the approved plans. Any modifications made during plan implementation  
27 without prior approval by LCD are subject to enforcement action.

28 5. LCD Access. The LCD or its designee shall be permitted access to the site  
29 for the purpose of inspecting the property for compliance with the approved plans and other permit  
30 requirements.

31 6. BMP Maintenance. The permit holder shall maintain and repair all best  
32 management practices outlined in their erosion control plan in a timely fashion as long as the  
33 practice is necessary.

34 7. Other Repairs. The permit holder shall be responsible for any damage to  
35 adjoining properties, municipal facilities, or drainage ways caused by erosion, siltation, runoff, or  
36 equipment tracking. The LCD may order immediate repairs or clean-up within road right-of-ways  
37 or other public lands if the LCD determines that such damage is caused by activities regulated by a  
38 permit under this ordinance. With the approval of the landowner, the LCD may also order repairs  
39 or clean-up on other affected property.

40 8. Permit Display. The permit holder shall display the erosion control permit in  
41 a manner that can be seen from the nearest public road and shall protect it from damage from  
42 weather and construction activities until permit termination under 17.05.070 I.5.

43 9. Other Requirements. The LCD may include other permit requirements that  
44 the LCD determines are necessary to ensure compliance with this ordinance.

45

1           **SECTION 33.** That Subsection B. of Section 17.05.110 of the code be amended to read:

2  
3           **B2.** Guiding Principles for Storm Water Management. To satisfy the  
4 requirements of ~~this section~~ 17.05.110, a storm water management plan shall, to the maximum  
5 extent practicable, adhere to the following guiding principles:

- 6                   a1. Preserve natural watershed boundaries and drainage patterns;  
7                   b2. Reserve adequately sized areas for storm water infiltration, detention  
8 and treatment early in the site planning process;  
9                   c3. Locate storm water BMPs prior to runoff leaving the site or entering  
10 waters of the state, and outside of wetlands, floodplains, primary or secondary  
11 environmental corridors or isolated natural areas;  
12                   d4. Minimize soil compaction and maintain pre-development  
13 groundwater recharge areas;  
14                   e5. Minimize impervious surfaces and have them drain to vegetated areas  
15 for pollutant filtering and infiltration;  
16                   f6. Emphasize vegetated swales, warm season and wetland plantings, and  
17 low flow velocities for storm water conveyance, treatment and infiltration, especially for  
18 transportation related projects  
19                   g7. Allow for different storm water management strategies for cleaner  
20 runoff as defined in 17.05.060, (i.e. roofs) versus more polluted runoff (i.e. heavily used streets and  
21 parking lots);  
22                   h8. Provide for emergency overflow in all storm water BMP designs;  
23                   i9. Distribute storm water bioretention and infiltration BMPs throughout  
24 the site plan for large land developments;

25  
26           **SECTION 34.** That Subsection E. of Section 17.05.110 of the code be repealed.

27  
28           **SECTION 35.** That Subsection C. be relettered to B., Subsection D. be relettered to C.,  
29 Subsection F. be relettered to D., Subsection G. be relettered to E. of Section 17.05.110 of the code.

30  
31           **SECTION 36.** That paragraphs 3., 6., 15., 16., 17., 18., and 19. of Subsection B. of Section  
32 17.05.110 of the code be amended to read:

33  
34           3. Location map (smaller scale) showing the site location within a public land  
35 survey section or subdivision and drainage area contributing to the site, oriented the same as par. 4  
36 below;

37           6. Name and complete contact information for the applicant, landowner,  
38 developer, project engineer and excavator;

39           15. Locations of all available soil or geologic borings or soil profile evaluations  
40 with unique references to supplemental data report forms;

41           16. Location and descriptive notes for existing and proposed structures within 50  
42 feet of the property boundaries and their proposed use; including, but not limited to buildings and  
43 foundations, roads, parking areas, fence lines, access lanes, culverts (include size and type), above  
44 ground utilities and retaining walls;

1 17. Location and descriptive notes for other known existing site features  
2 including, but not limited to rock outcrops or other karst features, tile drains, buried utilities, dumps,  
3 landfills, manure or other waste storage facilities;

4 18. Boundaries and descriptive notes for all applicable setbacks and for  
5 “protective areas”, as specified in ~~17.05.110 D. 4.~~ 17.05.070 F. of this ordinance;

6 19. Location and descriptive notes for any existing or proposed easements, right-  
7 of-ways, vision corners or other known site restrictions. Road right-of ways and building setbacks  
8 shall be in compliance with all applicable administrative codes, adopted plans and ordinances, and  
9 state and federal law;

10  
11 **SECTION 37.** That subparagraph c. of paragraph 1., and paragraph 3. of Subsection C. of  
12 Section 17.05.110 of the code be amended to read:

13  
14 C. Specific Storm Water Management Plan Requirements and Performance  
15 Standards. All storm water management plans and associated BMPs shall meet the following  
16 minimum requirements to the maximum extent practicable. It is highly recommended that the  
17 applicant meet with the LCD prior to preparing a storm water management plan to determine the  
18 applicability of these requirements early in the site planning process.

19 1. Peak Discharge.

20 a. Minimum requirement. To minimize downstream bank erosion and  
21 the failure of downstream conveyance systems, the calculated post development peak storm water  
22 discharge rate shall not exceed the calculated predevelopment discharge rates for the 2-year, 10-  
23 year, 25-year, and 100-year, 24-hour design storms. Modeling requirements for this provision are  
24 further described in 17.05.120 below.

25 b. Release Rate Per Acre. The LCD may establish a maximum  
26 allowable release rate on a per acre basis based on site conditions and/or proximity to exceptional  
27 water resources or environmentally sensitive areas.

28 c. Peak Discharge Exemptions. Certain sites or portions of sites may be  
29 exempted from the peak discharge requirements of this subsection in accordance with 17.05.070  
30 C.17.05.110 E.

31 3. Infiltration. BMPs shall be designed, installed, and maintained to infiltrate  
32 runoff in accordance with the following requirements, except as otherwise provided herein-e.  
33 through h. below.

34 a. Residential. For residential developments no more than 1% of the  
35 project site is required as an effective infiltration area and one of the following shall be met:

36 i. Infiltrate sufficient runoff volume so that the post-  
37 development infiltration volume shall be at least 90% of the pre-development infiltration volume,  
38 based on an average annual rainfall. ~~However, when designing appropriate infiltration systems to~~  
39 ~~meet this requirement, no more than 1% of the project site is required as an effective infiltration~~  
40 ~~area.~~

41 ii. Infiltrate 25% of the post-development runoff volume from  
42 the 2-year, 24-hour design storm with a type II distribution. Separate runoff curve numbers for  
43 pervious and impervious surfaces shall be used to calculate runoff volumes, not composite curve  
44 numbers, as prescribed in 17.05.120. ~~However, when designing appropriate infiltration systems to~~



1 meet this requirement, no more than 1% of the project site is required as an effective infiltration  
2 area.

3 b. ~~Nonresidential.~~ Nonresidential development,  
4 (including commercial, industrial and institutional development), no more than 2% of the project  
5 site is required as an effective infiltration area and one of the following shall be met:

6 i. Infiltrate sufficient runoff volume so that the post-  
7 development infiltration volume shall be at least 60% of the pre-development infiltration volume,  
8 based on an average annual rainfall. ~~However, when designing appropriate infiltration systems to~~  
9 ~~meet this requirement, no more than 2% of the project site is required as an effective infiltration~~  
10 ~~area.~~

11 ii. Infiltrate 10% of the post-development runoff volume from  
12 the 2-year, 24-hour design storm. Separate curve numbers for pervious and impervious surfaces  
13 shall be used to calculate runoff volumes, not composite curve numbers, as defined in TR-55.  
14 ~~However, when designing appropriate infiltration systems to meet this requirement, no more than~~  
15 ~~2% of the project site is required as an effective infiltration area.~~

16 c. Modeling. Refer to 17.05.120 A. for details on calculating runoff  
17 volumes and pre-development conditions.

18 d. Pretreatment. Pretreatment shall be required before infiltrating  
19 parking lot and road runoff from ~~commercial, industrial and institutional~~ nonresidential areas as  
20 identified in 17.05.110 C. 3. b. The pretreatment shall be designed to protect the infiltration system  
21 from clogging prior to scheduled maintenance and to protect groundwater quality in accordance  
22 with ~~sub. H below~~ 17.05.110 C. 3. h. Pretreatment options may include, but are not limited to,  
23 oil/grease separators, separator plates, sedimentation or bioretention basins, filtration swales or filter  
24 strips. All designs shall comply with the technical standards in 17.05.120 B.

25 e. Infiltration Exclusions. Infiltration of runoff shall not be credited  
26 toward meeting the requirements of this subsection for the following land uses:

27 i. Infiltration of rRunoff from outdoor material storage and  
28 loading docks for tier 1 and tier 2 industrial facilities, as identified in Wis. Admin. Code ch. NR 216  
29 (2).

30 ii. Infiltration of rRunoff from fueling and vehicle maintenance  
31 areas, not including rooftops and canopies.

32 iii. Infiltration of runoff within 1000 feet upgradient or within  
34 100 feet downgradient of karst features or other direct conduit to groundwater.

35 iv. Infiltration of runoff from any area except ~~rooftops~~ for  
36 infiltration of runoff derived from areas contributing clean runoff as defined in 17.05.060, into  
37 locations with less than 3 feet separation distance from the top of the filtering layer to the elevation  
38 of seasonal high groundwater or the top of bedrock.

39 v. Infiltration of runoff from ~~nonresidential~~ industrial,  
40 ~~commercial and institutional~~ parking lots, and roads, and residential arterial roads with less than 5  
41 feet separation distance from top of the filtering layer to the elevation of seasonal high groundwater  
42 or the top of bedrock.

43 vi. Areas within 400 feet of a community water system well as  
44 specified in ~~s. Wis. Admin. § NR 216.47(4)~~ NR 811.16(4), Wis. Adm. Code, or within 100 feet of a  
45 private well as specified in ~~s. Wis. Admin. § NR 812.08(4)~~, Wis. Adm. Code, for runoff infiltrated

1 from commercial, industrial and institutional nonresidential land uses or regional devices for  
2 residential development, not including ~~roof top~~ infiltration of runoff derived from areas contributing  
3 clean runoff as defined in 17.05.060.

4 vii. Areas where contaminants of concern, as defined in ~~s.~~ Wis.  
5 Admin. § NR720.03(2), Wis. Adm. Code are present in the soil through which infiltration will  
6 occur.

7 f. Infiltration Exemptions. The infiltration requirements of this  
8 ~~subsection 17.05 110 C. 3.~~ do not apply to frozen soil conditions and may be exempted through the  
9 release request process outlined in 17.05.070 D. if soils have a measured infiltration rate of less than  
10 0.6 inches per hour and the LCD determines it would be impracticable to modify existing soil  
11 conditions. Other sites may be exempted in accordance with release request process outlined  
12 in 17.05.110.D.E.

13 g. Alternate runoff uses. Where storage and reuse of runoff are  
14 employed, such as to support green roofs, landscape watering, toilet flushing, laundry or irrigation,  
15 such alternate uses shall be given equal credit toward the infiltration volume required by this  
16 section. Such activities must also comply with all other local, state, and federal laws.

17 h. ~~Groundwater protection.~~

18 i. ~~Infiltration systems designed in accordance with this~~  
19 ~~subsection shall, to the extent technically and economically feasible, minimize the level of~~  
20 ~~pollutants infiltrating to groundwater and shall maintain compliance with the preventive action~~

21 ~~limit at a point of standards application in accordance with Chapter NR140 Wis. Adm. Code.~~  
22 ~~However, if site specific information indicates that compliance with a preventive action limit is not~~  
23 ~~achievable, the infiltration BMP may not be installed or shall be modified to prevent infiltration to~~  
24 ~~the maximum extent practicable.~~

25 ~~ii. The discharge from BMPs shall remain below the~~  
26 ~~enforcement standard at the point of standards application.~~

27 ~~iii. No storm water BMP shall be installed that meets the~~  
28 ~~definition of an injection well under Wis. Admin. Code ch. NR 812.~~

29 ~~iv. All storm water BMPs shall comply with the provisions of~~  
30 ~~any applicable wellhead protection plan for a community water supply under Wis. Admin. Code ch.~~  
31 ~~NR 811.~~

32 h. Permanent Land Protection. Sites may choose to offset their impacts to  
33 the ecosystem, groundwater recharge/infiltration capabilities, watershed hydrologic patterns, and  
34 landscape by permanently protecting lands within the drainage area, as identified on the site map  
35 submitted under 17.05.110 B.3.

36 i. Permanent land protections may utilize the Eau Claire County  
37 Stewardship program outlined in Chapter 17.02.100, a land trust, or other similar program for  
38 permanent land protection options.

39 ii. Such land protections are subject to LCD approval if those  
40 areas are accounted for within the calculations and determinations in 17.05.110 E.12.c. for  
41 considering post development runoff volumes and peak flow rates, or as part of a regional storm  
42 water management plan.  
43

1                                   iii. Consideration of land protections on receiving lands  
2 downgradient from the proposed land development activity, but within the same watershed, may  
3 also be given consideration due to the increased ability of those permanently protected lands to  
4 absorb emergency overflow in accordance with 17.05.110 A.2.h.

5  
6       **SECTION 38.** That paragraph 4. of Subsection C. of Section 17.05.110 of the code be  
7 repealed.

8  
9       **SECTION 39.** That paragraph 5. be renumbered to 4., paragraph 6. be renumbered to 5.,  
10 paragraph 7. be renumbered to 6. of Subsection C. of Section 17.05.110 of the code:

11  
12       **SECTION 40.** That paragraphs 5., and 6., of Subsection C. of Section 17.05.110 of the  
13 code be amended to read:

14  
15               56.     Site Drainage. Measures shall be implemented to ensure proper site drainage,  
16 prevent property damage and protect public health and safety, including the following minimum  
17 requirements:

18                   a.     Drainage easement.

19                               i. ~~\_\_\_\_\_~~ Perpetual drainage easements or other deed restrictions shall  
20 be recorded on the property to preserve major storm water flow paths and permanent storm water  
21 BMP locations.

22                               ii. ~~\_\_\_\_\_~~ Covenants in these areas shall not allow buildings or other  
23 structures and shall prevent any grading, filling or other activities that interrupt or obstruct flows in  
24 any way. Covenants shall also specify maintenance responsibilities and authorities in accordance  
25 with 17.05.130.

26                   b.     Site grading. Site grading shall:

27                               i. ~~\_\_\_\_\_~~ ~~e~~Ensure positive flows away from all buildings, roads,  
28 driveways, ditches and septic systems;

29                               ii. ~~\_\_\_\_\_~~ ~~b~~Be coordinated with the general storm water drainage  
30 patterns for the area; ~~and~~

31                               iii. ~~\_\_\_\_\_~~ ~~m~~Minimize adverse impacts on adjacent properties.

32                   c.     Bridges and cross-culverts.

33                               i. ~~\_\_\_\_\_~~ All new or modified bridges and crossculverts shall comply  
34 with applicable design standards and regulations, facilitate fish passage and prevent increased  
35 flooding or channel erosion upstream or downstream from the structure.

36                               ii. ~~\_\_\_\_\_~~ Design flow depths at the road centerline for all crossings  
37 shall not exceed six (6) inches during the peak flows generated by the 100-year, 24-hour design  
38 storm, using planned land use conditions for the entire contributing watershed area.

39                               iii. ~~\_\_\_\_\_~~ All predevelopment runoff storage areas within the flow path  
40 upstream of bridges and cross-culverts shall be preserved and designated as drainage easements,  
41 unless compensatory storage is provided and accounted for in modeling.

42                               iv. ~~\_\_\_\_\_~~ As-built documentation shall be submitted in accordance  
43 with 17.05.090 for all new or  
44 modified structures that are located within a mapped floodplain or that the LCD determines to be  
45 necessary to maintain floodplain modeling for the applicable watershed.

1 d. Subsurface drainage.  
2 i. \_\_\_\_\_ Basement floor surfaces shall be built one (1) foot above the  
3 seasonal high water table elevation, as documented in the submitted soil evaluations, and shall  
4 avoid hydric soils as much as possible.  
5 ii. \_\_\_\_\_ The LCD shall be notified of any drain tiles that are uncovered  
6 during construction, which the LCD may require to be restored or connected to other drainage  
7 systems.  
8 iii. \_\_\_\_\_ No discharge of groundwater from tile lines, sump pumps or  
9 other means shall be allowed onto another persons land or any public space without the written  
10 approval of the owner or unit of government. Drainage activity on or near agricultural lands must  
11 comply with requirements of the Natural Resources Conservation Service.

12 e. Open channels.  
13 i. \_\_\_\_\_ All open channel drainage systems shall at a minimum be  
14 designed to carry the peak flows from a 25-year, 24-hour design storm using planned land use for  
15 the entire contributing watershed area.  
16 ii. \_\_\_\_\_ Side slopes shall be no steeper than 3:1 unless otherwise  
17 approved by the LCD for unique site conditions.  
18 iii. \_\_\_\_\_ Open channels that carry runoff from more than 130 acres  
19 shall at a minimum be designed to carry the peak flows from a 25-year, 24-hour design storm.  
20 f. Storm sewers. All storm sewers shall be designed in accordance with  
21 applicable community technical standards and specifications as well as any agreements or contracts  
22 that may be in effect.

23 g. Structure protection and safety. Flows generated by the 100-year, 24-  
24 hour design storm under planned land use conditions may exceed the design capacity of conveyance  
25 systems, but shall not come in contact with any buildings. For buildings designed for human  
26 occupation on a regular basis, the following additional requirements shall apply:  
27 i. The lowest elevation of the structure that is exposed to the  
28 ground surface shall be a minimum of ~~two~~ (2) feet above the maximum water elevation produced by  
29 the 100-year, 24 hour design storm, including flows through any storm water BMP that may  
30 temporarily or permanently store water at a depth of greater than one (1) foot; and  
31 ii. The structure shall be setback at least 50 feet from any storm  
32 water BMP that may temporarily or permanently store water at a depth of greater than one (1) foot.  
33 Setback distance shall be measured from the closest edge of water at the elevation produced by the  
34 100-year, 24-hour design storm.

35 76. Additional Requirements. The LCD may establish more stringent  
36 requirements than the minimums set forth in this section, such as addressing thermal impacts of  
37 storm water or chronic wetness conditions, if the LCD determines that an added level of protection  
38 is needed to protect:

39 a. ~~An old water stream,~~ outstanding resource water resource\* (ORW)  
40 ~~or exceptional resource water resource\*\*, (ERW), as listed below~~ identified under Wis. Stat.  
41 § 281.15;  
42 Portion within ORW/ERW Classifications:

- 43
- 44 i. ~~Beaver Creek (Ludington/Seymour Townships) All~~
- 45 ii. ~~Clear Creek All~~

- ~~iii. Creek 15-2 T27N R7W All~~
- ~~iv. Creek 16-12 T27N R7W All~~
- ~~v. Darrow Creek All~~
- ~~vii. Hay Creek (Bridge Creek Township, T25N R6W South of Highway 12/27)~~
- ~~vii. Sevenmile Creek All~~
- ~~viii. Lowes Creek From Highway 37/85 upstream~~
- b. A cold water stream;
- ~~bc.~~ An environmentally sensitive area;
- ~~ed.~~ A downstream property;
- ~~de.~~ Public health or safety.

**SECTION 41.** That paragraph 9. of Subsection D. of Section 17.05.110 of the code be amended to read:

~~9. Support documentation for the plan reviewer, including:~~

9a. A preliminary plan narrative describing site drainage, ultimate receiving water body for off-site discharges, major site restrictions, and how the preliminary storm water management plan will meet the requirements of this ordinance and other objectives identified by the project engineer;

10b. Summary of watershed, subwatershed and land use data in acres and the preliminary results of any hydrology calculations;

11e. Soil profile evaluation data in accordance with BMP technical standards;

12d. Proposed ownership and maintenance responsibilities for all proposed storm water BMPs.

**SECTION 42.** That subparagraph c. of paragraph 4., paragraphs 7., 8., 9., and 12. of Subsection E. of Section 17.05.110 of the code be amended to read:

c. Detailed cross-sections and profiles of each BMP showing all critical design features, side slopes, structures, soil profiles and applicable elevations, including seasonal high water table and depth to bedrock if within 5 feet of the proposed BMP;

d. Detailed drawings or material specifications for inlets or outlets.

7. Location, dimensions and surfacing material or soils data of proposed access lanes and delineation of easements needed to allow future maintenance of all storm water BMPs in accordance with 17.05.130-B, below. The minimum width of any access easement shall be 15 feet;

8. Location of geologic borings, soil borings and soil profile evaluations with surface elevations and unique references to supplemental data sheets, as needed to determine feasibility of any proposed storm water BMP and to comply with applicable technical standards;

9. Detailed construction notes explaining all necessary procedures to be followed to properly implement the plan, including planting and landscaping specifications, timing, phasing, and sequencing of construction and any temporary measures needed to protect BMPs during the construction phase;

12. Support documentation summarized in accordance with LCD standards, including but not limited to:

1 a. A narrative summary of the storm water management plan, briefly  
2 explaining any unique information that led to the selection of BMP's, how the proposed plan meets  
3 the guiding principles under 17.05.110 A. 2.b.-above, and the specific storm water planning  
4 requirements under 17.05.110 C.d.-above.

5 b. Maps of existing and proposed watersheds, subwatersheds, Tc/Tt flow  
6 paths, soil types, hydrologic soil groups, land uses/cover type and accompanying runoff curve  
7 numbers within the site and draining into the site from adjacent properties, with unique references  
8 to hydrology data summaries and a description of the ultimate receiving water body(s) for off-site  
9 discharges;

10 c. Pre-development and post-development hydrology and pollutant  
11 loading (if applicable) data for each watershed, such as peak flows and runoff volumes, as needed to  
12 meet the requirements of this ordinance. All major assumptions used in developing input parameters  
13 shall be clearly stated and cross-referenced to the maps under 17.05.110 E. 12. b.-above;

14 d. Impervious surface maps and calculations of runoff volumes and  
15 effective infiltration areas, in accordance with 17.05.110 C. 3.D.3.-above.

16 e. Hydraulic and hydrologic data summaries for all existing and  
17 proposed pipes, open channels, grade stabilization structures and other storm water conveyance  
18 systems, and the necessary documentation to demonstrate compliance with the site drainage  
19 requirements under 17.05.110 C. 5.D.6.-above.

20 f. BMP design data for each proposed BMP, showing how it complies  
21 with applicable technical standards and the requirements of this ordinance;

22 g. Soil and geologic evaluation reports, following the standards in  
23 17.05.120 DE., with matching references to map features showing their location and elevations;

24  
25 h. A cover sheet stamped and signed by a professional engineer  
26 registered in the State of Wisconsin indicating that all plans and supporting  
27 documentation have been reviewed and approved by the engineer and certifying that they have read  
28 the requirements of this ordinance and that, to the best of their knowledge, the submitted plans  
29 comply with the requirements

30 i. Cost estimates for the installation of proposed storm water BMPs,  
31 which shall serve as a basis for the financial assurance under 17.05.090 C.-above. The applicant  
32 may use average costs for BMP installations in the county rather than specific estimates, upon  
33 approval by the LCD.

34 j. For sites where changes are proposed in storm water flow paths, or  
35 where proposed storm water discharges may otherwise have a significant negative impact on  
36 downstream property owner(s), the LCD may require the applicant to submit written authorization  
37 or complete other legal arrangements with the affected property owner(s); ~~and~~

38  
39 **SECTION 43.** That paragraph 13. be renumbered to 16. of Subsection E. of Section  
40 17.05.110 of the code.

41 ~~13~~16. Other items deemed necessary by the LCD to ensure compliance with the  
42 requirements of this ordinance.

43  
44 **SECTION 44.** That paragraphs 13., 14., and 15., of Subsection E., and Subsection F. of  
45 Section 17.05.110 of the code be created to read:

1  
2 13. Any and all environmental monitoring data collected by applicant in relation to  
3 the proposed site and associated activity, including well monitoring data as outlined in the plan  
4 required under 17.05.100 D.3.a.v., as collected for compilation of the application as well as  
5 continued monitoring for the life of the permit.

6 14. Plan for abandonment of stormwater structures and intended site reclamation at  
7 the end of life of the proposed activity, where applicable. Such activity shall be reflected in the  
8 maintenance agreement as required under 17.05.130.

9 15. Emergency action plan for use in rain events that exceed the design storm,  
10 failure of BMPs, equipment malfunctions, and for other unforeseen circumstances that could have  
11 significant adverse impacts.

12  
13 **SECTION 45.** That Section 17.05.120 of the code be amended to read:

14  
15 17.05.120 Technical Standards and Specifications

16 A. Hydrologic and Hydraulic Computations.

17 1. Models.

18 a. All computations of runoff volumes and peak flow rates used in the  
19 development of erosion control and storm water management plans in accordance with this  
20 ordinance shall be based on United States Department of Agriculture - Natural Resources  
21 Conservation Service (NRCS) methodology.

22 b. Models such as WinSLAMM, P8 or other LCD approved models may  
23 be used to evaluate the efficiency of the design in reducing total suspended solids to meet the  
24 requirements of this ordinance Chapter.

25 c. Models such as RECARGA or other LCD approved models may be  
26 used to evaluate the efficiency of the design in meeting the infiltration requirements of this  
27 ordinaneeChapter.

28 d. HydroCAD and other similar modeling software may be used only if  
29 the components incorporated therein comply with all other requirements outlined in 17.05.120.

30  
31 2. Rainfall depths. To determine compliance with this ordinance, the following  
32 design storm rainfall depths shall be used, which are derived from NRCS publications and  
33 extrapolated for Eau Claire County:

34

Design Storm	1 year 24 hour	2 year 24 hour	10 year 24 hour	25 year 24 hour	100 year 24 hour
Rainfall Depth	2.4	2.8	4.2	4.7	6.0

35 3. Runoff curve numbers. All computations of pre-development conditions as  
36 specified in this ordinance shall use those NRCS runoff curve numbers assigned for a "good"  
37 hydrologic condition for each land cover type. For lands where the predevelopment land use was  
38 cropland, the following NRCS curve number values shall be used as maximums:

Soil Hydrologic Group	A	B	C	D
NRCS Runoff Curve Number	56	70	79	83

1           4.     Average annual rainfalls. All modeling involving average annual rainfall or  
2 runoff volumes shall use rainfall data from the Minneapolis area between March 13 and November  
3 4, 1959 as the typical annual rainfall pattern for Eau Claire County.

4           5.     Rainfall distribution. All peak flow calculations shall use Type II rainfall  
5 distribution patterns, as defined in NRCS methodologies.

6           6.     Other methods.

7           a.     All velocity and peak flow computations for open channels and storm  
8 sewer pipe flows shall be based on Manning's Formula.

9           b.     Flow routing, culvert design, weir and orifice flow and other related  
10 hydraulic computations used to design storm water management facilities shall be based on  
11 standard applicable engineering formulas.

12          c.     Any design data or methodology proposed to be used for hydrologic  
13 or hydraulic computations other than those prescribed in this ordinance shall be approved by  
14 the LCD.

15          d.     Revisions or updates to the rainfall depths and distribution prescribed  
16 above may be allowed upon approval by the applicable regulatory agencies and the LCD.

17     B.     Best Management Practice (BMP) Design Standards.

18           1.     The design, installation and maintenance of all BMPs used to meet the  
19 requirements of this ordinance shall comply with the technical standards identified, developed or  
20 disseminated by the Wisconsin Department of Natural Resources under subchapter V of Wis.  
21 Admin. Code ch. NR 151, Wis. Adm. Code.

22           2.     Where BMP standards have not been identified or developed under 1. above,  
23 the LCD may approve the use of other available standards, such as those from other states or the  
24 ~~USDA-Natural Resources Conservation Service~~ NRCS.

25     C.     Construction Specifications. The construction or installation of all BMPs and BMP  
26 components shall comply with all applicable manufacturers and industry standards and  
27 specifications, including but not limited to those published by ASTM and the ~~USDA-Natural~~  
28 ~~Resources Conservation Service~~ (NRCS).

29     D.     Soil and Geologic Evaluations.

30           1.     All soil profile evaluations and forms submitted for review by the LCD under  
31 the provisions of this ordinance shall be completed in accordance with Wis. Admin. Code ch.  
32 ~~Comm-85 SPS 385~~ and any applicable standards under ~~B. above~~ 17.05.120 B.

33           2.     Where there are no specific standards for the number, location or depth of  
34 soil profile evaluations for a proposed BMP, the LCD shall determine the minimum requirements  
35 based on the design of the BMP and the likely variability of the on-site soils.

36     E.     Availability. Copies of all technical references made in this section shall be  
37 available for review and distribution through the LCD office during normal business hours. Fees  
38 may be charged for hard copies of these items.

39     F.     Future Revisions or Updates. The technical references in this section are  
40 made a part of this ordinance and shall be updated periodically in order to keep current with field  
41 experiences, research, technological advances and the development of related technical standards by  
42 other agencies and units of government. Any future revisions of the documents incorporated herein  
43 are also made part of this ordinance unless otherwise acted upon by the LCD.



1 SECTION 46. That Section 17.05.130 of the code be amended to read:

2  
3 17.05.130 Maintenance of Storm Water BMPs

4 A. Maintenance Agreement Required. A maintenance agreement shall be  
5 required for all permanent storm water BMPs installed to comply with the requirements of this  
6 ordinance. The maintenance agreement shall be independent of all other restrictions or covenants  
7 and shall comply with all provisions of ~~this section~~ 17.05.130.

8 B. Agreement Provisions. The maintenance agreement shall, at a minimum,  
9 contain the following information and provisions:

10 1. Ownership.

11 a. Identification of the owner(s) of the land parcel(s) where the storm  
12 water BMP(s) is located.

13 b. Ownership shall be the same as those assigned maintenance  
14 responsibilities under ~~6. below~~ 17.05.130 B. 6., unless otherwise designated in a regional storm  
15 water management plan and approved by the applicable unit(s) of government.

16 c. All storm water BMPs that collect runoff from more than one lot shall  
17 be located on outlots.

18 d. For all privately owned outlots, ownership shall be by proportional  
19 undividable interest for all properties that are within the control of the applicant and drain to the  
20 BMP; ~~However~~, the applicant may combine ownership of more than one BMP within the site;

21 2. Location. A legal description and survey map of the storm water BMP  
22 location(s), showing associated drainage or access easements required to maintain the BMP;

23 3. Design.

24 a. Detailed drawings of each storm water BMP and a general description  
25 of its purpose and design, including but not limited to BMP dimensions and elevations, inlet and  
26 outlet designs and elevations and the drainage area served by the BMP.

27 b. ~~If Where possible, use as-built survey information; Note: As-~~  
28 ~~recording. In this case, use design information. however, in order to meet the application~~  
29 requirements, recording will likely require utilization of plan design information at the time of  
30 recording.

31 c. See 17.05.130 C. 3. below for details on recording procedures.

32 4. Maintenance plan. A description of all long term maintenance activities that  
33 will likely be required for each BMP included in the agreement, and an estimated time interval  
34 between each activity;

35 5. Access.

36 a. Authorization for vehicle access, including a minimum 15-foot wide  
37 access easement dedicated to the local municipality and connecting to a public road right-of-way, to  
38 allow for future BMP maintenance work.

39 b. The access easement shall be of adequate soil conditions or surfacing  
40 to withstand loads produced by standard construction equipment;

41 c. ~~and~~ The access easement shall not include any area where  
42 channelized flow of runoff occurs or where storm water may pond to a depth greater than six (6)  
43 inches during a 100-year, 24-hour design storm.

44 6. Maintenance responsibility.

1 a. Identification of the person(s), organization, municipality or other  
2 entity responsible for long-term maintenance of the storm water BMP and Access Easement.

3 b. The assignment of maintenance responsibilities for a privately owned  
4 storm water BMP and its access shall, at a minimum, include all properties that are within the  
5 control of the applicant and drain to the BMP.

6 ~~c. However,~~ The applicant may combine the maintenance  
7 responsibilities of more than one BMP within the site;

8 7. Inspections.

9 a. Authorization for access to the property by representatives of the local  
10 municipality or their designee and Eau Claire County to conduct inspections of the BMP, monitor  
11 its performance and maintenance, and notify the designated entity when maintenance or repair  
12 activities are necessary.

13 b. A statement shall also be included that says, upon written notification  
14 by the local municipality or their designee, that the entity under 6. above shall, at their own cost and  
15 within a reasonable time period, have a BMP inspection conducted by a qualified professional, file a  
16 report and complete any maintenance or repair work recommended in the report;

17 c. Reinspection Fee. A fee may be assessed when it is necessary for an  
18 LCD inspector to make a reinspection due to required activities in the initial inspection report not  
19 being completed.

20 8. Municipal maintenance. Authorization for the local municipality or their  
21 designee to carry out any maintenance activities and associated inspections if:

22 a. ~~The~~ entity identified under 6 above does not perform the required  
23 activity within the specified time period in the notification; or

24 b. ~~If the local municipality does not accept~~ determines that the work  
25 conducted under 17.05.130 B. 7 by the designated entity does not adequately address the issues  
26 outlined in the inspection report;

27 9. Special assessment. A statement that the applicable local unit of government  
28 may exercise their statutory authority to levy and collect a special assessment or charge pursuant to  
29 sub ch. VII of Wis. Stat. ch. 66, or Wis. Stat. § 60.0627; for towns, for any services carried out  
30 relating to 17.05.130 B. 7, or 17.05.130 B. 8, ~~above~~;

31 10. Binding agreement. A statement confirming that the entire agreement shall  
32 remain binding on all subsequent owners of the property upon which the storm water BMP is  
33 located and that the restrictions shall run with the land and on any other property which is subject to  
34 maintenance responsibility in the agreement.

35 11. Agreement modifications. Sole authorization for the unit of government  
36 named under 17.05.130 B. 7, ~~9~~, ~~above~~ to modify the provisions of the agreement upon 30-day  
37 notice to the current owner(s) and other parties responsible for maintenance of the storm water  
38 BMP. Any changes made to the agreement shall maintain the minimum items listed in 17.05.130 ~~this~~  
39 ~~subsection~~ and ensure the long-term maintenance of the BMP;

40 12. Other. Other information as determined to be necessary by the LCD to ensure  
41 compliance with this ordinance.

42 C. Agreement Form, Approval and Recording.

43 1. Form. The LCD shall provide the applicant with sample maintenance  
44 agreement forms that comply with the requirements of ~~this section~~ 17.05.130.

1           2.       Approval. The LCD shall review and approve the form and content of all  
2 maintenance agreements proposed under this ordinance and ensure compliance with all provisions  
3 of 17.05.130~~this section~~. If the agreement does not comply, the LCD shall notify the applicant what  
4 changes are needed in order to comply, in accordance with the plan review procedures in 17.05.070  
5 H.17.05.080 F. above.

6           3.       Recording.

7           a.       Upon LCD approval certification of compliance with under 17.05.130  
8 C. 1. and 2. above by the LCD, the maintenance agreement shall be recorded at the Eau Claire  
9 County Register of Deeds referencing any plat, certified survey or other ownership transfer device  
10 pertaining to land which contains the subject storm water BMP or is subject to maintenance  
11 responsibility in the approved agreement.

12           b.       For new land divisions, the recording of the maintenance agreement  
13 shall occur simultaneously with the recording of the land division.

14           c.       ~~However, n~~No storm water BMP maintenance agreement shall be  
15 recorded prior to LCD approval.

16           d.       The LCD may require that the county zoning Administrator or the  
17 LCD record the agreement.

18           e.       Applicant is responsible for any and all applicable recording fees.

19           4.       Copy. The permit holder shall provide a copy of the recorded agreement,  
20 including evidence of the actual recording(s), to the LCD as a condition of release of the financial  
21 assurance under 17.05.090 B.C. above.

22           D.       Maintenance Responsibilities Prior to a Maintenance Agreement. The  
23 permit holder and other responsible party shall be responsible for the maintenance of all storm water  
24 BMPs prior to permit termination under 17.05.070 I. 5.B.

25  
26           **SECTION 47.** That Section 17.05.140 of the code be amended to read:

27  
28           17.05.140 Illicit Discharges

29           A.       Prohibitions.

30           1.       Discharges.

31           a.       Except for storm water and other discharges specifically exempted  
32 under 17.05.140 B. below, no discharge, spilling or dumping of substances or materials shall be  
33 allowed into receiving water bodies or onto driveways, sidewalks, parking lots, or other areas that  
34 drain into the storm drainage system.

35           b.       No discharges shall be in violation of Chapter 8.12, or any other local,  
36 state, or federal law.

37           2.       Connections. The construction, use, maintenance or continued existence of  
38 illicit connections to the storm drainage system is prohibited. This prohibition expressly includes,  
39 without limitation, illicit connections made prior to the adoption of this ordinance, regardless of  
40 whether the connection was permissible under law or whether the practice was applicable or  
41 prevailing at the time of connection.

42           B.       Exemptions. The following activities are exempt from the provisions of this section  
43 unless found to have an adverse impact on the storm water or design functionality of any proposed  
44 BMP:

1 1. Discharges authorized by a permit issued by the Wisconsin Department of  
2 Natural Resources.

3 2. Discharges resulting from fire fighting activities.

4 3. Discharges from clean runoff as defined in 17.05.060. uncontaminated  
5 ~~ground water, potable water source, roof drains, foundation drain and sump pump, air conditioning~~  
6 ~~condensation, springs, lawn watering, individual residential car washing, water main and hydrant~~  
7 ~~flushing and swimming pools if the water has been dechlorinated.~~

8 C. Notice of Violation. Whenever the LCD ~~finds~~ discovers a violation under 17.05.140  
9 ~~of this section~~, the LCD may order compliance by written notice of violation to the responsible  
10 party. Such notice may require without limitation:

11 1. The elimination of illicit connections or discharges;

12 2. That violating discharges, practices, or operations shall cease and desist;

13 3. The abatement or remediation of storm water pollution or contaminated  
14 hazards and the restoration of any affected property;

15 4. Any responsible party that fails to comply with a notice of violation under  
16 this section, shall be subject to further enforcement action under the provisions of 17.05.150 ~~below~~.

17  
18 **SECTION 48.** That Subsection A. and paragraphs 1. through 6. of Subsection B. of Section  
19 17.05.150 of the code be amended to read:

20  
21 17.05.150 Enforcement

22 A. Prohibited Practices. Not complying with any requirement of this ordinance shall be  
23 deemed a violation, and shall subject the responsible party to enforcement action under  
24 17.05.150 ~~this section~~. Prohibited practices shall include but are not limited to the following:

25 1. Commencing any land disturbing or land development activity prior to:

26 a. Obtaining an erosion control or storm water permit;

27 b. Notifying the LCD a minimum of 5 working days in advance for sites  
28 that have obtained a ~~storm water~~ permit; or

29 c. Installing those BMPs that were identified in the approved plans to  
30 have been installed prior to any other land disturbing or land development activity.

31 2. Failing to apply for a LCD preliminary storm water review letter in  
32 accordance with ~~subsection-17.05.080~~ of this ordinance.

33 3. Failing to obtain LCD certification of compliance for a final plat or certified  
34 survey map in accordance with ~~subsection-17.05.080 D.~~ of this ordinance.

35 4. Failing to comply with all permit conditions, including erosion control or  
36 storm water management requirements and approved plans in accordance with this ordinance.

37 5. Failing to maintain BMPs until permit termination.

38 6. Failing to comply with any notice of violation.

39 B. Violations.

40 1. Written Notice. The LCD shall notify the permit holder of any violation in  
41 writing, and copy any other known responsible party involved in the violation.

42 a. \_\_\_\_\_ The written notice shall be sent by certified mail to the permit holder  
43 or applicant.

44 b. \_\_\_\_\_ The notice shall describe the violation, by certified mail to the permit  
45 holder of applicant.

1                   c. The notice shall describe the violation, remedial action(s) needed and  
2 a schedule for all remedial action to be completed.

3                   d. Any enforcement measures shall continue until compliance is achieved or  
4 as ordered by the court.

5                   e.2. Enforcement Methods. The LCD is authorized to use the following methods  
6 of enforcement in any combination thereof against any applicant or responsible party that is found  
7 to be in violation of any provision of this ordinance:

8                   a.1. Forfeiture. Any violator shall be subject to a forfeiture of not less than  
9 \$100 or more than \$1000 plus the cost of prosecution for each violation. Each day that a violation  
10 exists shall constitute a separate offense.

11                   b.2. Stop Work Order. Any violator is subject to an order to stop all work  
12 except that which is needed as a corrective action to bring the site into compliance.

13                   c.3. Permit Revocation. The LCD may revoke a permit issued under this  
14 ordinance. Upon loss of the permit, all construction shall cease and the site shall be stabilized, with  
15 any costs incurred by the county to be charged against the financial assurance.

16                   d.4. Injunction. The county, or any person affected by activities regulated  
17 under this ordinance, may enforce the provisions of this ordinance by a temporary restraining order,  
18 injunction and other such relief as a court may order.

19                   e.5. Declared nuisances. Any land disturbing or land development activity  
20 carried out in violation of the provisions of this ordinance is hereby declared to be a nuisance per se,  
21 and the county may apply to any court of competent jurisdiction to restrain or abate such nuisance.

22                   f.6. Emergency Action. The LCD may enter upon the property and take  
23 any necessary emergency action if the LCD determines that the site in violation is an  
24 immediate threat to public health, safety, welfare, the environment or downstream property, or if  
25 the permit holder or other violator refuses to take the corrective action as ordered by the LCD. Any  
26 cost incurred by the LCD as a result of this action shall be billed to the permit holder or other  
27 responsible party or subtracted from the financial assurance. The LCD shall provide reasonable  
28 notice to the permit holder and other responsible party after exercising this authority.

29  
30                   **SECTION 49.** That paragraph 7. of Subsection B. of Section 17.05.150 of the code be  
31 repealed.

32  
33                   **SECTION 50.** That Subsection B. of Section 17.05.160 of the code be amended to read:

34  
35                   B. Declaration of severability. All provisions of this Chapter are hereby declared to be  
36 severable. If any provisions of this Chapter shall be ~~The several sections, subsections and~~  
37 paragraphs of this ordinance are hereby declared to be severable. If any section, subsection, or  
38 paragraph, or subparagraph of this ordinance shall be declared by a decision of a court of competent  
39 jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the  
40 ordinanceChapter, or of the section of which the invalid portion or paragraph may be a part.

I certify that the foregoing correctly represents the action taken by the undersigned committee on March 26, 2012 by a vote of 8 for, 0 against.

Dan Walters / m  
Dan Walters, Chair  
Land Conservation Commission

KRZ:yk

ORDINANCE/11-12.144

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM