



## AGENDA

Eau Claire County Board of Supervisors  
Tuesday, July 18, 2023, at 7 pm  
Eau Claire County Government Center  
721 Oxford Ave • Eau Claire, WI 54703  
County Board Room 1277

Join from meeting link:

<https://eauclairecounty.webex.com/eauclairecounty/j.php?MTID=m8ab50b5522ad1a3bf388af19b001a085>

Join from meeting number:

Meeting number: 2591 867 7870 Password: uiGSEH3DJ23

Join from phone: 415-655-0001 Access Code: 2591 867 7870

Watch live on our website: <https://www.eauclairecounty.gov/our-government/county-board/meeting-agendas-minutes>

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

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

1. Call to Order
2. Honoring of the Flag and Moment of Reflection by: Supervisor Robin Leary
3. Call of the Roll
4. Election of Board Officers: County Board Chair
5. Approval of the Journal of Proceedings from June 20, 2023 *Page 1*
6. **PUBLIC COMMENTS**
7. **REPORTS TO THE COUNTY BOARD UNDER 2.04.320**

### **Oral Reports**

- Extension/Fair Presentation by Jason Hausler – Assistant Dean, Kristen Bruder – Area Extension Director, and Meg Mueller – Fair Coordinator
- Overview of File 23-24/010, an ordinance to Repeal Title 18 Zoning and Title 20 Shoreland Protection Overlay District of the Code: to create Title 18 of the Code: Land Use and Development of the County Code by Rod Eslinger, Director of Planning & Development
- Open Meetings/Open Records Overview by Sharon McIlquham, Corporation Counsel *Page 4*
- Preliminary Review of the 2024 Budget based on department requests and latest revenue assumptions by Norb Kirk, Director of Finance

## Written Reports

- Reports from the Finance Department
  - 2023 Contingency Fund *Page 21*
  - June 2023 Vouchers over \$10,000

### 8. PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

- 2022 Eau Claire County Land Conservation Annual Report *Page 22*

### 9. FIRST READING OF ORDINANCES BY COMMITTEES

### 10. FIRST READING OF ORDINANCES AND RESOLUTIONS BY MEMBERS

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

#### Committee on Administration

##### File No.

23-24/012 (2)	Ordinance: Amending 2.04.101 B (Rule 1), 2.04.130 C (Rule 13), and 2.04.310 (Rule 31) of the code: Attendance at meetings <i>Page 38</i>
23-24/023 (1)	Resolution: Approving the Eau Claire County Opioid Task Force to expend funding for Community Sharps Disposal Containers, Lock Bags, and Lock Boxes <i>Page 42</i>
23-24/024 (1)	Resolution: Approving the Eau Claire County Opioid Task Force to expend funding for Narcan and Fentanyl test strips <i>Page 45</i>
23-24/026 (1)	Resolution: Designating fifteen thousand dollars (\$15,000) of previously allocated American Rescue Plan Act (ARPA) Funds designated to be used for the expansion of broadband services for the purpose of program manager services of Dave Hayden to continue the expansion of broadband in the Town of Fairchild and the Village of Fairchild and assist with completion of the public service commission grant project which will provide fiber service to twenty-four (24) residences, one (1) business and three anchor institutions in the Town of Fairchild and the Village of Fairchild through the fiber connect project <i>Page 26</i>

*PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters, remote access, or other auxiliary aids. Contact the clerk of the committee or Administration for assistance (715-839-5106). For additional information on ADA requests, contact the County ADA Coordinator at 839-6945, (FAX) 839-1669 or 839-4735, TTY: use Relay (711) or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.*

### **Committee on Parks & Forest**

**File No.**

23-24/021 (1)

Resolution: Granting the renaming of the Mathy/Ayres donated property to Red Flint Recreation Area and naming the Lake, Fred Ayres Lake. Refer recommendation and monitoring to Parks and Forest Department for budgeting the property to be managed by the Eau Claire County Parks and Forest Department  
*Page 50*

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

**File No.**

23-24/017 (2)

Ordinance: Amending the 1982 Official Zoning District Boundary Map for the Town of Union *Page 52*

23-24/010 (2)

Ordinance: To repeal title 18 Zoning and Title 20 Shoreland Protection Overlay District of the Code: to Create Title 18 of the Code: Land Use and Development of the county code (<https://tinyurl.com/mr3f6kr2>) *Page 70*

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

**File No.**

23-24/020 (1)

Authorizing a Transfer from the 2023 Contingency Fund in the Amount of \$33,500 to Reimburse the Aging and Disability Resource Center for the Unbudgeted Rent Required to Continue in the Fall Creek Kitchen Pending the Move into the New Kitchen *Page 79*

## **12. APPOINTMENTS**

- Local Emergency Planning Committee
  - Jamie Burkhardt (reappointment)
  - Sarah Seifert (new appointment)
- Broadband Committee
  - Brian Barres (new appointment)
- EMS Study Committee
  - Joe Alf (Township Fire/EMS Representative)
  - Jake Brunette (Assistant Corporation Counsel)
  - Tyler Esh (Emergency Management Director)
  - Rod Eslinger (Director of Planning & Development)
  - Supervisor Allen Myren
  - Supervisor Todd Meyer
  - Supervisor Dane Zook

## **13. ANNOUNCEMENTS**

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

**Tuesday, June 20, 2023**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, June 20th, 2023, and was called to order by Chair Nick Smiar at 7:00 p.m.

The Board honored the flag with the pledge of allegiance. Moment of Reflection was given by Supervisor Katherine Schneider

Roll Call: 28 Present: Supervisors Todd Meyer, Amanda Babb, Joe Knight, Stella Pagonis, Larry Hoekstra, Dane Zook, Steve Chilson, Cory Sisk, Allen Myren, Nancy Coffey, Nathan Otto, Brett Geboy, Connie Russell, Judy Gatlin, Nick Smiar, Thomas Vue, James A. Dunning, Gerald "Jerry" Wilkie, John Folstad, Mark Beckfield, Katherine Schneider, Robin J. Leary, Heather DeLuka, Jodi Lepsch, Tami Schraufnagel, Kyle Johnson, Kimberly Cronk, Missy Christopherson  
1 Absent: Supervisor David Hirsch

**JOURNAL OF PROCEEDINGS (May 16, 2023)**

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

**PUBLIC COMMENTS**

Oral comments were made by: Leroy Britten, James Engal, Dori Pulse, Scott Bolstad, Trudy Grill, Lori Treinen, Peggy Holm, Harry Hertel, Christena O'Brien, Howard Ludwigson, Michele Skinner, Robert Carr, Mary Catherine Partlow, William Partlow in response to completion of Sheriff's Office Investigation of Eau Claire County Department of Human Services

**REPORTS TO THE COUNTY BOARD UNDER 2.04.320**

**Oral Reports**

- Strategic Implementation Plan and Parks Master Plan overview by Chris Silewski, Ayres (<https://tinyurl.com/mr2ka8s7>)
- Update and Report on Follow-up Activities to Occur in Response to Completion of Sheriff's Office Investigation of Eau Claire County Department of Human Services by von Briesen & Roper, s.c. Attorneys Mindy Dale and Victoria Seltun.
- County Administrator Updates by Kathryn Schauf, County Administrator

**Written Reports**

- Reports from the Finance Department
  - 2023 Contingency Fund
  - May 2023 Vouchers over \$10,000
- Township Fire Department, Inc. Special Rescue Division Water Rescue Summary – 2022

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

- Rezoning request from owner, Kenneth & Constance Lewis Trust; and applicant, Pete Gartmann, Real Land Surveying for the Town of Union
- Rezoning request from owner, Dale Rodman; and applicant, Real Land Surveying – Jeremy Skaw for the Town of Pleasant Valley

**FIRST READING OF ORDINANCES BY COMMITTEES**

**Committee on Planning & Development**

**Ordinance 23-24/010:** TO REPEAL TITLE 18 ZONING AND TITLE 20 SHORELAND PROTECTION OVERLAY DISTRICT OF THE CODE: TO CREATE TITLE 18 OF THE CODE: LAND USE AND DEVELOPMENT OF THE COUNTY CODE

The ordinance was referred to a future meeting of the county board.

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

**Committees on Administration, Human Resources and Finance and Budget**

**Resolution 23-24/008:** ABOLISHING 1.0 (FTE) MAINTENANCE TECHNICIAN POSITION AND CREATING 1.0 (FTE) MAINTENANCE TECHNICIAN LEAD IN THE EAU CLAIRE COUNTY FACILITIES DEPARTMENT

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

**Committees on Administration and Judiciary and Law Enforcement**

**Ordinance 23-24/003:** TO AMEND SECTION 2.04.445 A. OF THE CODE: COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

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

**Committee on Administration**

**Ordinance 23-24/012:** AMENDING 2.04.101 B (RULE 1), 2.04.130 C (RULE 13), AND 2.04.310 (RULE 31) OF THE CODE: ATTENDANCE AT MEETINGS

On a motion by Supervisor Leary, seconded by Supervisor Schraufnagel, action on said ordinance was postponed to a future meeting of the county board.

**Resolution 23-24/019:** AUTHORIZING THE CREATION OF A SPECIAL COMMITTEE TO EXPLORE COUNTYWIDE EMERGENCY MEDICAL SERVICES

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

**Resolution 23-24/022:** EXTENDING THE EXISTENCE OF THE SELECT COMMITTEE, HIGHWAY BUILDING COMMITTEE

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

**Committee on Planning & Development**

**Ordinance 23-24/013:** AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF PLEASANT VALLEY

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

**Committee on Parks & Forest**

**Resolution 23-24/018:** WITHDRAWAL OF APPROXIMATELY 9.94 ACRES (MORE OR LESS) FROM COUNTY FOREST LAW, DIRECTING THE PARKS AND FOREST DIRECTOR TO MAKE APPLICATION TO THE DEPARTMENT OF NATURAL RESOURCES FOR WITHDRAWAL OF

SAID COUNTY LAND FROM THE COUNTY FOREST LAW

On a motion by Supervisor Christopherson, seconded by Supervisor Meyer, with Supervisor Johnson abstaining, the resolution was adopted unanimously via roll call vote.

### **Committee on Finance & Budget**

**Resolution 23-24/002:** AUTHORIZING THE EAU CLAIRE COUNTY TREASURER'S OFFICE TO COMMENCE IN REM TAX LIEN FORECLOSURE ACTION PURSUANT TO WIS STAT. 75.521 TO ACQUIRE THE REAL PROPERTY SET FORTH IN EXHIBIT

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

### **APPOINTMENTS**

- Conduct Inquiry Board (*on a motion by Supervisor Pagonis, seconded by Supervisor Babb, the appointments to the Conduct Inquiry Board were postponed from the May 16, 2023*)
  - William Gabler
  - Gregg Moore
  - Carol Craig
  - Thomas Hoff
  - Steven Anderson
  - Alternate: Joshua Christianson

On a motion by Supervisor Otto, seconded by Supervisor Leary, the appointments were approved unanimously via voice vote.

- Human Services Board
  - Kathy Clark (Reappointment)

On a motion by Supervisor Schneider, seconded by Supervisor Otto, the appointment was approved unanimously via voice vote.

- Sustainability Advisory Committee
  - Jeni Thorpe (New appointment)
- Broadband Committee
  - Rozanne Traczek (New appointment)
- Board of Land Use Appeals
  - Gary Eslinger (reappointment)
  - Randall Stutzman (reappointment)

On a motion by Supervisor Gatlin, seconded by Supervisor Russell, the appointments were approved unanimously via voice vote.

### **Closed Session – Postponed to Special Meeting, June 26<sup>th</sup>, 2023**

The Board Chair will entertain a motion to go into closed session pursuant to Wis. Stat. 19.85(1)(f) to discuss the Sheriff's Office completed investigation of the Eau Claire Department of Human Services and related matters.

The Board adjourned at 11:00p.m.

Respectfully submitted,

Sue McDonald  
County Clerk

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# Overview of Open Meetings and Open Records for Local Government Officials

Prepared by Corporation Counsel Sharon McIlquham  
JULY 2023

# Open Meetings Law, Wis. Stat. Sec. 19.81

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In recognition of the fact that a representative government of the American type is dependent upon an informed electorate, it is declared to be the policy of this state that **the public is entitled to the fullest and most complete information regarding the affairs of government as is compatible with the conduct of governmental business.**



The County Board and its committees, commissions, and boards are “governmental bodies”

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All meetings must provide adequate public notice (Minimum of 24 hours) and must be held in a public place that is open and reasonably accessible to all members of the public.

# Meeting Definition

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A meeting occurs whenever:

- Members convene for the purpose of conducting governmental business
- The number of members present is sufficient to determine the body's course of action

# Meetings are presumed open

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Meetings begin in open session:

- Citizens have right to attend and observe the business being conducted
- Allows for recording, filming, or photographing the meeting
- By motion, may go into closed session for specific statutory purposes pursuant to Wis. Stat. Sec. 19.85 – some exemptions include: deliberations about quasi-judicial hearings; public employee discipline and employment decisions; conferring with legal counsel about litigation strategy

# Public Records Law, Wis. Stat. Sec. 19.31

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The public records law “shall be construed in every instance with a **presumption of complete public access, consistent with the conduct of governmental business.**

The denial of public access generally is contrary to public interest, and only in an exceptional case may be denied.

# Government must produce records upon request

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“Record” is “any material on which written, drawn, printed, spoken, visual or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, which **has been created by or is being kept by an authority.**”

Wis. Stat. Sec. 19.32(2)

# Not a Record

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- Drafts, notes, and preliminary documents
- Published material available for sale or at library
- Purely personal property
- Material with limited access rights, such as copyrights or patents

# May be “records”

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- Emails, text messages, and documents on private accounts
- Content determines whether it is a “record,” not the medium, format, or location
- Personal materials (address, SS#, etc.) on the same private accounts are not subject to disclosure

# Sufficient Request

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- Request may be in writing or made orally
- “Magic words” are not required
- Must be reasonably specific as to time and subject matter
- Must reasonably describe the information or records requested



# Response

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- Response must be made as soon as practicable, without delay. May charge for copies and staff time to compile records if the request is voluminous
- Records must be provided if they exist. Do not need to create a record
- Deny or partial denial if there is no record or it falls into an exception to disclosure
- Respond that there are no records
- If County Board member receives an open record request, please forward the request and contact Corporation Counsel's office for assistance

# Recap Open Records/Open Meetings

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Wisconsin public records law presumes records are open.

Business/meeting should be held open session. However, there are limited specific exemptions where closed session may be appropriate

Adequate notice of meeting date/time/location is required

Agendas must be posted and be specific enough to give the public notice as to what business will be discussed

County email (and possibly personal email if used for county business) is subject to open records requests

In order for records not to be released, must meet an exception under the law



**Eau Claire**  
C O U N T Y

# Avoid Walking Quorums

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Walking quorum - A series of gatherings or contacts (phone calls, conference calls, emails, chat rooms) among members

Tips to avoid walking quorums:

- if sending emails to several supervisors or committee members, use BCC to avoid creating a walking quorum with responses
- Do NOT use reply all when corresponding with other supervisors or committee members

# Avoid Negative Quorums

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**Negative Quorum** - A gathering of less than a quorum can determine the parent body's course of action, such as when enough members are present to block passage of an action.

**Negative quorum** can consist of a sufficient number of members to determine a governmental body's course of action if the group votes as a block.

Example: If enough members are present to block action by the body on an issue that requires a super-majority, then there is a negative quorum

# Social Gatherings and Chance Meetings

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## Are Permissible When:

- Meeting /encounter is not an attempt to circumvent public meetings law
- Business of the board/committee does not get discussed or acted upon
- If a quorum or more is present – the body will be presumed to have held a meeting and will incur the responsibility of proving that it did not meet to engage in governmental business. Notice of social event indicating no business will be conducted is recommended

# Resource Information

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Wisconsin Department of Justice – Office of Open Government

- <https://www.doj.state.wi.us/office-open-government/open-government-law-and-compliance-guides>

# QUESTIONS

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**TO: Honorable Eau Claire County Board of Supervisors**  
**FROM: Finance Department**  
**DATE: July 18, 2023**  
**SUBJECT: 2023 Contingency Fund**

Pursuant to Section 4.04 of the County Code of General Ordinances, the following is the status of the 2023 Contingency Fund as of July 18, 2023:

January 1, 2023	2023 Contingency Fund / Budget Allocation	\$300,000
Balance Available		<u><u>\$300,000</u></u>



# 2022 Annual Report



**EAU CLAIRE COUNTY**  
LAND CONSERVATION



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## WELCOME

Eau Claire County is a diverse landscape in West-central Wisconsin with river systems at its center. "Eau Claire" is the singular form of the original French name, "Eaux Claires", meaning "Clear Waters". With partially glaciated and partially Driftless Area terrain, the County holds a balance of urban and rural uses that lends itself well to a variety of cropping systems and development opportunities.

The Eau Claire County Land Conservation Division (LCD) of the Department of Planning and Development (P&D) has a strong enforcement role throughout the County but is also looked to for technical assistance and expert guidance in matters related to natural resource conservation and preservation. The main program and service areas within LCD can be compiled into three categories:

- Land Preservation
- Land Conservation Planning
- Water Quality Protection

### Land Conservation Division Staff Members

Chad Berge	Land Conservation Manager
Holly Weigand	Administrative Specialist
Heidi Pederson	Administrative Specialist
Zachary Mohr	Conservation Technician
Christina Rauh	Environmental Engineer
Tim Wucherer	Conservation Technician-Agronomist

(Not pictured below is Greg Leonard, former Land Conservation Manager)

### Land Conservation Commission Members

Robin Leary	Chair
Tami Schraufnagel	Vice Chair
Heather DeLuka	County Board Member
Missy Christopherson	County Board Member
Jodi Lepsch	County Board Member
Glory Adams	Citizen Representative
Ricky Strauch	Farmer Representative
Dean Solie	FSA Representative



From left to right: Heidi Pederson, Tim Wucherer, Holly Weigand, Chad Berge, Zachary Mohr, Christina Rauh



## LAND PRESERVATION

The Land Preservation Program is designed to protect Eau Claire County's land and water resources, specifically for the purpose of reducing soil losses or preserving unique and valuable land resources. Habitat improvements for fish and wildlife as well as public recreational opportunities are also taken into consideration.

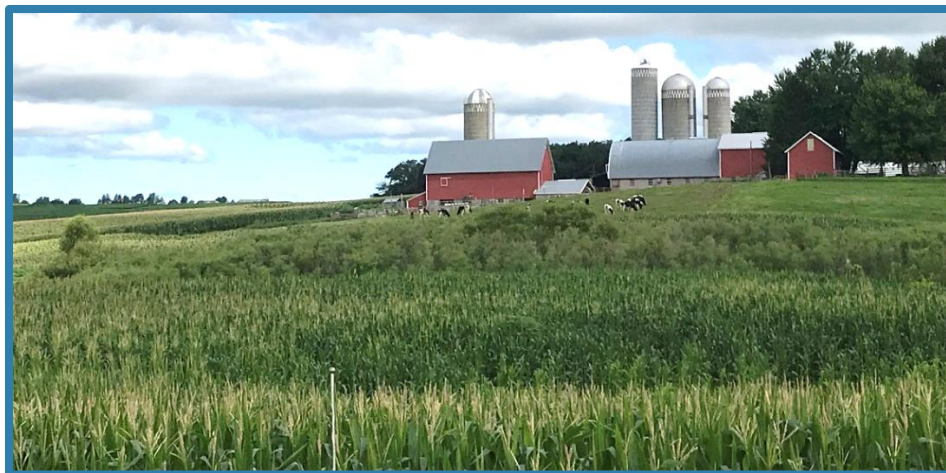
### Farmland Preservation Program (FPP)

Landowners who participate in the Farmland Preservation Program (FPP) are eligible to claim an income tax credit if they meet soil and water conservation standards. FPP participants with land zoned AP-Agricultural Preservation receive an income tax credit of \$7.50 per acre. Landowners within the Golden Triangle Ag Enterprise Area who sign a 15-year Farmland Preservation Agreement are eligible to receive additional income tax credits.

LCD staff meet with FPP participants once every four years to conduct a status review and determine compliance with the State Agricultural Performance Standards & Prohibitions within Wisconsin Administrative Code NR 151. Most landowners are in full compliance with the performance standards, and the remaining are cooperatively working with staff to meet these standards. There are now a total of 238 participants and 44,760 acres enrolled in FPP in Eau Claire County. Since the Farmland Preservation Tax Credit inception in 1977, the program has returned nearly \$10 million in income tax credits to landowners in Eau Claire County.

### Golden Triangle Agricultural Enterprise Area (AEA)

In 2016, Eau Claire County farmers designated the Golden Triangle Agricultural Enterprise Area (AEA). Since then, staff have worked with landowners to sign voluntary 15-year Farmland Preservation Agreements in these areas. There are currently 7,618 acres in a Farmland Preservation Agreement, which represents over 30% of the total land located in the Golden Triangle AEA.



## Land Stewardship Program

The Eau Claire County Land Stewardship Program is a framework for the protection and preservation of land tracts within Eau Claire County that meet the following priorities: significant ecological value; recreation and public access; strong community support; good value for county residents; sustains resource base; and quality of life.

In 2017 the Land Stewardship Subcommittee completed its *Stewardship Vision 2150* visioning document. The purpose of this document is to provide a longer-range view of County landscape and population trends to influence current policies aimed at preserving important landscape features. It addresses the “what to protect” and “methods to protect it” questions. To strengthen its partnerships, in 2020 the Subcommittee completed a Memorandum of Understanding (MOU) with Landmark Conservancy to further the efforts of both organizations.



### **Land Stewardship Subcommittee Members:**

Rick Koziel	Chair, Citizen Member
Dave Carlson	Vice Chair, Citizen Member
Joe Knight	County Board Member/Parks & Forest Committee
Dave Dressel	Citizen Member
Tony Brooks	Citizen Member
Heather DeLuka	County Board Member/Land Conservation Commission
Larry Jolivette	Citizen Member

## Tree and Shrub Program

Since the LCD tree sale program began in 1982, a total of 1,107,145 trees have been sold. In 2019, native forbs were added to the sale and continue to be popular with landowners, with 2,712 native forbs sold since then. The program is low-cost to the county; all costs associated with the program are covered by revenue generated by sales. Thank you to all landowners who participate in this program. Planting trees helps to conserve our soil and water resources in Eau Claire County.

## Venison Donation Program

LCD coordinates a venison donation program during Wisconsin’s gun deer season in November. In 2022, Mike’s Star Market of Eau Claire processed 46 deer which resulted in 1,750 pounds of venison that was donated to local food pantries. Due to state Chronic Wasting Disease (CWD) testing guidelines, 26 of the donated deer were also tested for CWD, with none of the deer testing positive for CWD.

## Wildlife Damage Abatement Claims Program (WDACP)

The Wildlife Damage Abatement and Claims Program (WDACP) is a state program that provides damage prevention assistance and partial compensation to farmers when wild deer, elk, bear, geese, and turkeys damage their agricultural crops. Shooting permits may be issued to farmers for removal of nuisance wildlife to protect their crops. In 2022, LCD staff administered this program in Eau Claire County by responding to 6 requests for crop damage resulting from wildlife.

## LAND CONSERVATION PLANNING

The Planning category is comprised of Land Conservation Division administration ensuring implementation of its comprehensive Land and Water Resource Management Plan. It includes other priority areas that address other soil and water conservation needs as identified by the Land Conservation Commission. This category also provides a framework for assessing and building on current mandated programs based on need.

### Land and Water Resource Management (LWRM) Plan

Eau Claire County's Land and Water Resource Management (LWRM) 10-year plan was up for renewal this year. The LCD staff worked to update the plan with current Land Conservation Division activities, as directed by the Land Conservation Commission, while also ensuring consistency with the Eau Claire County Comprehensive Plan and the Eau Claire County Board Strategic Plan. The plan sets the framework for the LCD's goals through 2032. The updated plan was reviewed and approved by the Wisconsin Land and Water Conservation Board in December of 2022. Future reporting will be tied to the annual work plan. The full plan can be accessed through the LCD website at: [Eau Claire County Land & Water Resource Management Plan](#)

### Conservation Reserve Enhancement Program (CREP)

The Conservation Reserve Enhancement Program (CREP) is a joint effort between federal, state, and county governments to balance working agriculture and the protection of Wisconsin's soil and water resources. Participating landowners are paid to voluntarily install filter strips along waterways or to return portions of continually flooded fields to wetlands during a contracted period.

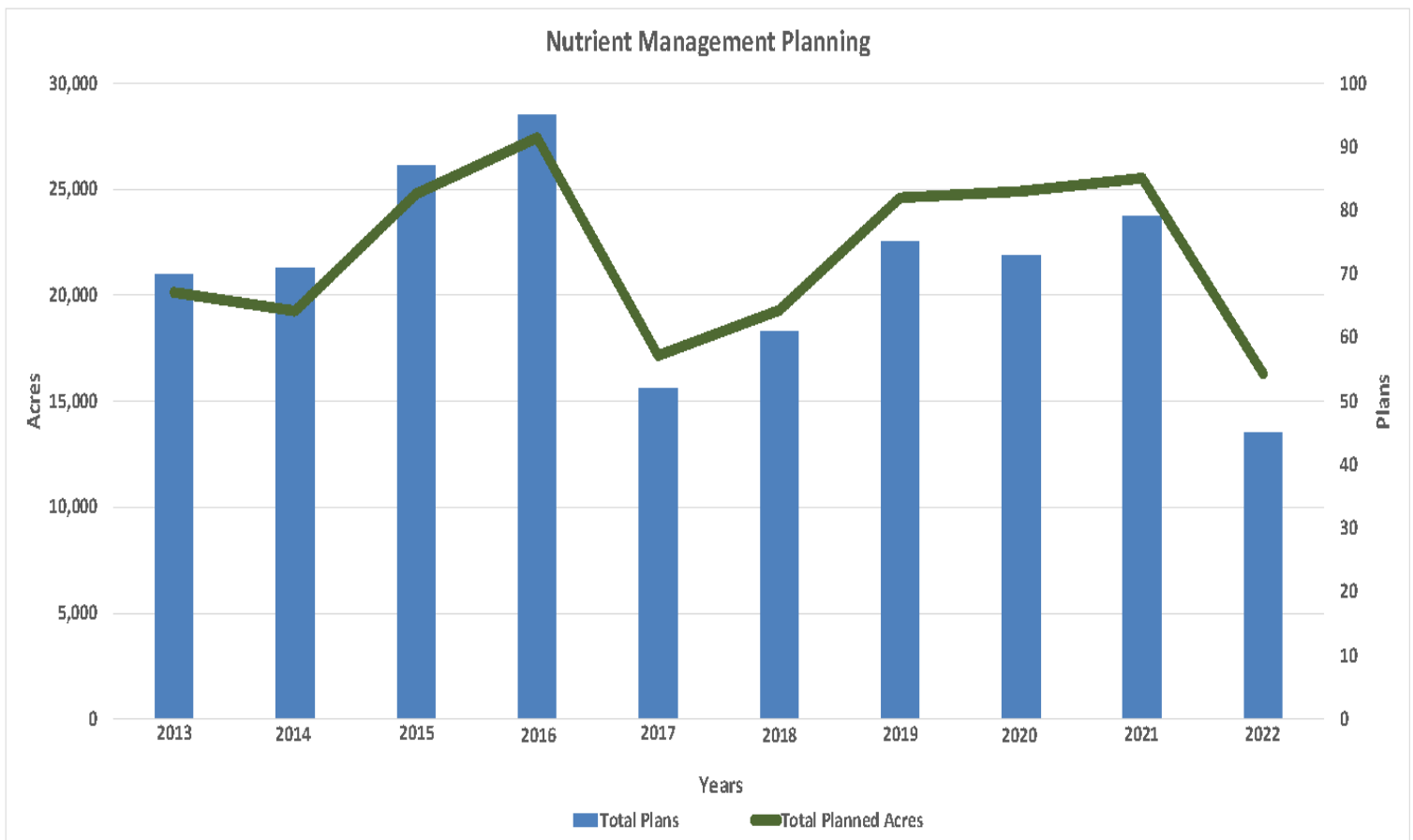
LCD has assisted with the implementation of CREP in Eau Claire County since February 19, 2002. In 2022, there was one CREP reenrollment within the County.



## Nutrient Management Planning and Annual Update Workshops

With the help of the University of Wisconsin-Madison Division of Extension, LCD staff annually host eight workshops to teach farmers how to develop and update their own Nutrient Management Plans. These plans help producers to manage livestock manure, commercial fertilizer, and other nutrient sources to balance nutrient applications. This is critical to prevent soil and nutrients from running off into nearby streams and to prevent nutrient and bacteria leaching from manure into the groundwater.

These training workshops provide LCD staff an opportunity to discuss other conservation related topics with farmers, such as the State’s Agricultural Performance Standards, or the need to properly close unused wells and manure storage structures. Farmers have the option to develop their Nutrient Management Plan with or without use of the SnapPlus computer program, and farmers without livestock are also invited to develop and update their Nutrient Management Plan. Thirty-seven farmers participated in the nutrient management workshops.

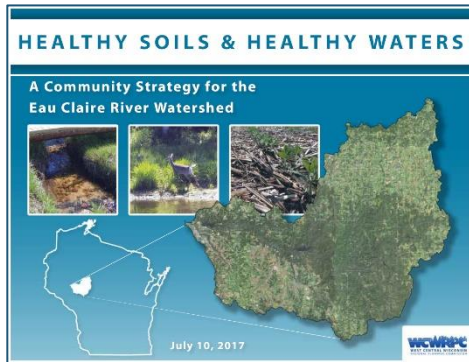


*\*Dip in numbers for year 2017 and year 2022 due to staffing turnaround/shortage*



## WATER QUALITY PROTECTION

The Water Quality Protection category is designed to protect the County's water resources by reducing the inputs of nutrients and sediments resulting from storm water runoff from construction sites and agricultural activities. Much of this category is mandated through the state agriculture and urban non-point pollution statutes and has been strongly supported by County residents in annual surveys completed as part of the Eau Claire County Budget process.



### Eau Claire River Watershed – 9 Key Element Plan

In 2017, the 9-Key Element plan for the Eau Claire River watershed, *Healthy Soils & Healthy Waters: A Community Strategy for the Eau Claire River Watershed*, was approved by both the Environmental Protection Agency and the Wisconsin Department of Natural Resources (DNR). The 9-Key Element plan guides conservation efforts and provides new opportunities for grant funding sources to pursue in the watershed. Many partners were involved in this effort and continue to meet monthly to collaborate on implementation activities and explore additional opportunities in the watershed.

### Large Scale Targeted Runoff Management (TRM) Grant

With the approval of the 9-Key Element plan, Eau Claire County is eligible for grant dollars through the Department of Natural Resources' Targeted Runoff Management program (TRM). Eau Claire and Clark County Land Conservation staff partnered together to secure a multi-year Large Scale TRM grant in 2018. The grant provided dollars in Eau Claire County to install conservation practices in the Fall Creek Watershed that reduces soil erosion and nutrient loss to the Fall Creek Pond.

The funding for the TRM grant and Demonstration Farm expired on December 31, 2022, and the decision was made to not continue with either project. Below is a summary of the outcomes from the grant:

- 3-year Demonstration Farm – 41.8 acres
- Manure Storage Closure – 1 closure
- Waterway System – 3.5 acres
- Cover Crops – 162 acres
- \$83,741 in additional County Funding throughout grant cycle





## Water Quality Trading

Eau Claire County signed a Water Quality Trading (WQT) agreement with the City of Augusta in 2019. The City's wastewater treatment plant cannot currently meet its permitted effluent limits for phosphorus, which is discharged into Bridge Creek. WQT allows the City to take credit for phosphorus reductions resulting from conservation practices installed elsewhere in the watershed.

LCD staff identified the Erdman and Hi Crush Augusta properties located on Diamond Valley Creek and determined that both properties were eligible for WQT. Soil tests showed that the proposed project would produce 211 pounds of phosphorus credits per year for the City of Augusta, creating enough credits to maintain compliance with their Wisconsin Pollution Discharge Elimination System (WPEDS) permit. In 2021 staff worked with the property owners to sign WQT Agreements, applied for permits, and finished engineering the Best Management Practices.

Due to the presence of endangered Wood Turtles within the project vicinity, a Wisconsin Department of Natural Resources Incidental Take Permit (IT) was issued. The IT permit restricted the timing of the project and the practices that could be installed in 2021. In the fall of 2021, the upland BMPs were installed, along with 466 feet of streambank stabilization and 12 in-stream boulders. The remaining streambank stabilization and in-stream fish habitat were installed in May of 2022.

In 2022 the remaining practices were installed, wrapping up the project. The project resulted in reducing phosphorus pollution by 477 pounds per year, generating a phosphorus credit of 211 pounds per year. The LCD will conduct a yearly site inspection through June 2043 to verify the landowners are meeting the conditions of the agreement and that the installed BMPs are functioning as designed. The following is a summary of the installed BMPs:

- 1,311' streambank protection
- In-stream habitat
- Random Boulder Placement
- Rock Deflectors
- Bank Placed Boulders
- 2,710' Fence
- 1,161' Grassed Waterway
- 1,865' Subsurface Drain
- 160 square feet Heavy Use Area Protection Concrete
- 2 Stream Crossings
- Cattle Watering Ramp
- 1,120' Trails & Walkways
- 1 Watering Facility
- 1,120' Trails & Walkways
- 1 Watering Facility
- 60' Livestock Pipeline
- Seeding & Mulching



### Lake Rehabilitation

LCD staff work with the local lake associations and lake districts to focus on lake rehabilitation projects. The Lake Eau Claire Association, in partnership with the Lake Eau Claire District and the Fall Creek Pond District are managing sediment through the mechanical dredging of sediment traps. Additionally, the Lake Altoona District is doing work to identify better sediment management strategies for the lake. Thank you to the Eau Claire County Board of Supervisors for their support of local lakes and for funding efforts through the County Lake Rehabilitation Program.



### No-Till Drill Rental Program

LCD gratefully accepted donations and grant funds which allowed for the purchase of the County's No-Till Drill in 2020. This piece of planting equipment is available for farmers to rent in the County. No-till planting provides countless benefits to our landscape by improving the health of the soil. This results in reduced levels of soil loss, reductions in nutrient runoff, and increased profitability to the farmer.



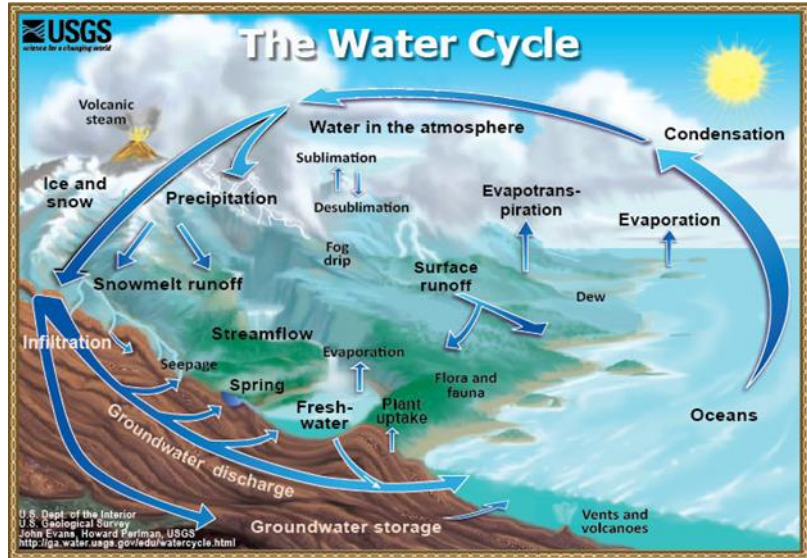
A total of 28 renters used the drill to plant over 605 acres of cover crops in Eau Claire County. Fees collected by farmers to rent the drill will be used to cover anticipated equipment maintenance and program expenses in the future.

In its first 3 years of existence, the No-Till Drill Rental program has helped Eau Claire County farmers prevent nearly 3.3 million pounds of sediment from being deposited into our streams, rivers, and lakes. The associated phosphorous reductions have prevented over 840,000 pounds of algae growth!

**Groundwater Advisory Committee**

LCD and Eau Claire City-County Health Department staff work closely with the Groundwater Advisory Committee to:

1. Monitor state and federal regulation of groundwater,
2. Oversee the development and implementation of a county-wide groundwater management plan, and
3. Perform other tasks as directed by the Planning & Development Committee.



The *State of the Groundwater in Eau Claire County Report* was completed in 2018 and contains priority recommendations related to groundwater quantity, groundwater quality, and education goals. The Groundwater Advisory Committee is working towards meeting the goals outlined in the report.

Additionally, Eau Claire County continues to offer cost-share funds to help landowners properly abandon unused wells. In 2022, this program provided \$2,489.43 to close five wells in Eau Claire County. Closing unused wells seals the connection between the land surface and the aquifer which water is pulled from, eliminating the possibility of contaminating the groundwater.



**Groundwater Advisory Committee Members:**

- |                  |                                   |
|------------------|-----------------------------------|
| Nancy Coffey     | Chair/County Board member         |
| Jim Dunning      | Vice Chair/County Board member    |
| Jodi Lepsch      | County Board member               |
| Mary Kenosian    | Citizen member                    |
| Glory Adams      | Citizen member                    |
| Anna Mares       | DNR representative/citizen member |
| Mark Kaeding     | Board of Health member            |
| Dr. Sarah Vitale | Citizen member                    |
| Sham Anderson    | Town's Association member         |

**Tri-County Groundwater Level Monitoring Pilot Study**

Chippewa, Dunn, and Eau Claire Counties partnered in 2015 to form the Tri-County Groundwater Level Monitoring Pilot Study. The goal of the study is to install a network of groundwater elevation detection devices in the three-county area to gather new data on groundwater levels and fluctuations. Six WellIntel monitoring devices were deployed in Eau Claire County in 2016 and have been collecting groundwater data since. LCD staff continue to maintain the WellIntel devices deployed in the County.



## Municipal Separate Storm Sewer System (MS4)

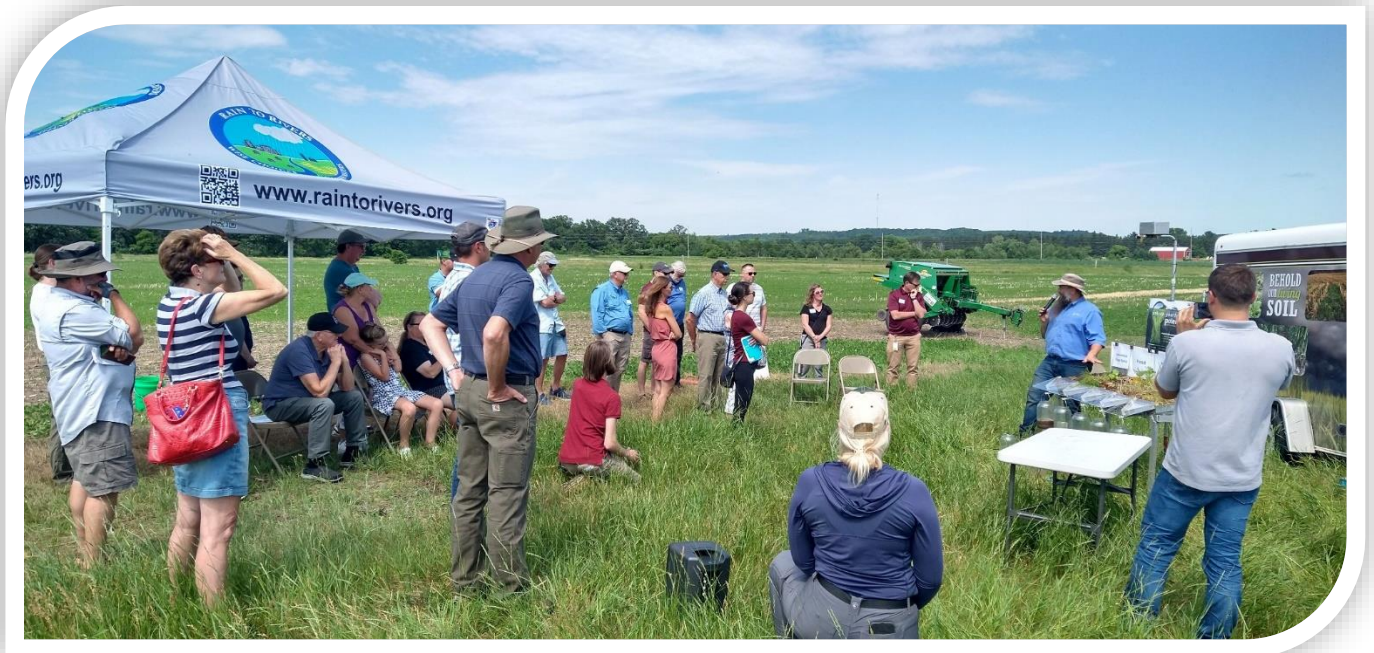
The Eau Claire County population is greater than 10,000 individuals which requires the County to comply with NR 216 and implementing a DNR Municipal Separate Storm Sewer System (MS4) permit. The MS4 permit requires municipalities to reduce polluted stormwater runoff by implementing stormwater management programs with best management practices. The programs are accomplished by LCD and Highway Department staff in various ways.

- Rain to Rivers of Western Wisconsin is a stormwater education non-profit that Eau Claire County partners with to provide public involvement, education, and outreach activities.
- LCD staff work with Highway Department staff to prevent illicit discharges to storm sewer systems and to implement pollution prevention practices at municipally owned transportation, maintenance areas and yards. In addition, Eau Claire County worked with local governments to finalize intergovernmental agreements that further detail the process for implementation of stormwater and erosion control management within their jurisdiction and for their municipal projects.
- LCD staff administer Erosion Control (17.05) & Stormwater Management (17.06) Ordinances to manage construction and post-construction site discharges. In 2022, the LCD reviewed and approved 30 erosion control permits and 9 stormwater permits.
- LCD staff provide erosion control technical assistance to Land Use and Building Inspection staff for construction of one- & two-family residences within the county.



## EDUCATIONAL ACTIVITIES AND EVENTS

- Nutrient Management Workshops provide farmer education on nutrient management and conservation topics to the rural community. LCD staff, in partnership with UW-Extension and Department of Agriculture, hosted 8 workshops in 2022.
- Staff performed monthly on-air conservation updates on WAXX Radio with Bob Bosold and Jill Welke to provide relevant press releases throughout the year.
- LCD staff, in partnership with the Eau Claire River Watershed Coalition, hosted a Bus Tour for locally elected officials. The tour highlighted conservation practices throughout the county, with visits to the Demonstration Farm to discuss cover crops and the no-till drill; a local farmer's no-till fields; and Lake Altoona to discuss the sedimentation problems in the County's waterways and impoundments.



## CONSERVATION AWARD WINNERS

Congratulations to the following 2022 Conservation Award Winners!

### 2022 Conservation Farmer: Gordon & Joyce Waller



Gordon & Joyce purchased an 80-acre farm back in 1995. They do not farm the land, but they do rent it to a local farmer who has been operating the land for the past 27 years. Gordon has also been working on conservation practices such as contour strips, maintaining grassed waterways, installing grass filter strips along Bear's Grass Creek, and protecting head lanes with field borders. He is also known in the community as a bee farmer, taking care of 200-300 hives a year. Over the years he has been teaching his grandson the art of raising and caring for bees as well.

### 2022 Water Quality Leadership: Michele Skinner

Michele began her role with the Lake District in July 2021. In her short time as chair she has reinvigorated the Lake Altoona community, took lead in directing the clean out of the sediment trap, solidified funding and permitting to clean the plugged south shore channel, collaborated with the Health Department and Parks & Forest to develop solutions to reduce algae issues, assisted with the application of a DNR grant for additional surveying equipment, collaborated with Lake Eau Claire for an ARPA grant, and collaborated with the LCD to host a "Think Tank" meeting that opened new partnerships with the WI DNR and USACOE.



### 2022 Special Recognition: Greg Leonard



Greg's conservation career began in 1979 when he graduated from UW Steven's Point in Wildlife Conservation & Wildlife Biology with a minor in Resource Management. Greg has worked for Fish and Wildlife Service, Minnesota DNR assisting with Pheasant Stamp funding, DNR in Vernon County, Trempealeau County, Dunn County Land Conservation, and Eau Claire County. Greg started at Eau Claire County back in 2011 and just recently retired this year, where he was the Land Conservation Manager for the past 5 years.

## 2022 Special Recognition: Wildlands School Founders

Wildlands School was prompted by experiences teaching students in a format where everyone worked together as a research team on actual issues affecting our local environment. For a decade, the Augusta School courses and summer science program focused on environmental science research, including research projects on streams, lakes, forests, and grasslands, and developed partnerships with the Wisconsin DNR, Eau Claire County Conservation Department, and many local and regional outdoor groups. The founding teachers were Paul Tweed, Jeff Hadorn, and Liz Seubert who took what they knew was possible and made it reality. Wildland School came from people who care about students and believe that in order to help young people be stewards of our natural world, they have to learn to love it firsthand, be treated like people, be out in the real natural world, experience it, get wet, get cold, get tired, and work together as a team.



## The Dollars and Cents

2022 Conservation Funding Sources	Dollar Amount
DATCP Land & Water Resource Management Grant (BOND)	\$11,250.00
DATCP Nutrient Management Grant (SEG)	no funding allocated
County Cost Share	\$2,365.00
Landowner Funds	\$11,565.00
DNR Large Scale Targeted Resource Management (TRM)	\$14,110.05
DATCP Local Assistance Grant	\$171,295.00
MDV and Other Grant Fund Sources with Partners	\$9,403.17
Farmland Preservation Tax Credits to local farmers	\$353,293.00

**For every \$1 of local tax levy, Land Conservation Division programs directly return nearly \$4 to the Eau Claire County economy.**

Conservation Projects Installed	Quantity
Stream Crossing	1
Well abandonments	4
Acres of nutrient management planning	16,291

**THANK YOU to our many partners.  
Without your help, we could not do  
the work that we do!**





FACT SHEET  
TO FILE NO. 23-24/012

This ordinance relates to Sections 2.04.010 B, 2.04.130 C, and 2.04.310 B of the code regarding meeting attendance.

Circumstances may arise in which a county board supervisor is unable to attend a meeting in person, but the supervisor may still wish to participate in the meeting in a meaningful way. Over the last three years, due to the global pandemic of COVID-19, remote meetings have become accessible and commonplace.

At present, the county board chair has the authority to approve remote participation for a supervisor with an illness or an approved accommodation under the Americans with Disabilities Act.

There are circumstances that may arise that may hinder a supervisor from attending a meeting in person. That circumstance may be a family constraint or a personal limitation that temporarily inhibits a supervisor from attending in person.

Given the advancement in video conferencing technology, which is installed in the county board room, as well as multiple meeting rooms, and the fact that the county supervisors have individual personal tablets to access the meetings, these facts would allow the county to permit a more flexible code for remote appearances. Under the current code provision, severe weather does not qualify as either a pandemic or a crisis, but merely a dangerous situation for travel. Most recently a county board meeting was cancelled due to severe weather.

The county code continues to require diligent committee service, and the revisions are constructed to prevent any violation with the open meetings law. This amendment allows a supervisor to appear remotely for two county board meetings per year, as well as two committee meetings per year, based on their own judgment, but maintains a requirement of a quorum with a physical presence, as monitored by the clerk and the chair. Any additional remote participation requires approval from the chair, either the county board chair or the committee chair. This amendment further allows the entire board to meet remotely based on an exigent circumstance as identified by the county board chair.

Fiscal Impact: \$0

Respectfully submitted:  
Tami Schraufnagel, District 26  
Stella Pagonis, District 4

## Report from Committee on Administration

For File No. 23-24/012

On Tuesday, May 9, 2023, the Committee on Administration reviewed and acted on File No. 23-24/012: AMENDING 2.04.010 B (RULE 1), 2.04.130 C (RULE 13), and 2.04.310 B (RULE 31) OF THE CODE: ATTENDANCE AT MEETINGS

Action: 2 aye, 2 noes. Motion failed at Committee level.

Respectfully submitted,

Samantha Kraegenbrink  
Assistant to the County Administrator

2  
3 AMENDING 2.04.010 B (RULE 1), 2.04.130 C (RULE 13), and 2.04.310 B (RULE 31) OF  
4 THE CODE: ATTENDANCE AT MEETINGS5  
6 2.04.010  
7

8 B. All meetings shall be held in the county board of supervisors' chambers at the  
9 courthouse unless otherwise ordered by the board. All members of the board shall attend  
10 meetings in person. An individual supervisor may appear remotely and participate in two county  
11 board meetings in a given year, based on the supervisor's discretion. The supervisor is required  
12 to inform the county board chair and the county clerk of their intent to participate remotely as  
13 soon as the supervisor determines the need to appear remotely. Any additional need for remote  
14 participation within a year shall require approval by the chair. The clerk shall track remote  
15 appearances which shall be reflected in the minutes. The chair ~~has~~ maintains the authority to  
16 approve remote participation by electronic means for individual members ~~for specific meetings,~~  
17 ~~and remote participation by electronic means~~ for longer defined periods of time for those  
18 members with a known disability or illness or incapacitation ~~that prevents~~ preventing in person  
19 attendance at the meeting. Supervisors may also participate in meetings remotely as an approved  
20 accommodation under the Americans with Disabilities Act as determined by the Eau Claire  
21 County Human Resources Department.  
22

23 “Participation” or “participate” includes the right to speak and vote on an agenda item.  
24 Each meeting notice shall contain access information for any board member, staff, or a member  
25 of the public to view the open sessions of the meeting remotely. The chair shall have the  
26 authority to allow an individual to speak remotely during public comments or on an agenda item  
27 and determine which individuals may remotely attend a closed session of the board.  
28

29 Notwithstanding the above, the chair of the county board in response to a pandemic, ~~or~~  
30 crisis, or other exigent circumstance, such as severe weather, and for finite and specific time  
31 period, shall have the authority to authorize meetings to be held remotely either at another  
32 location or by electronic means that includes ~~the~~ participation of members by videoconference or  
33 by teleconference.  
34  
35

36 2.04.130 (Rule 13 – Diligent Committee Service)  
37

38 C. ~~The chair of Eau Claire County~~ Members of standing committees, boards or  
39 commissions may ~~approve remote participation~~ participate in ~~the~~ meetings by electronic means  
40 ~~for individual members~~ for specific meetings, and remote participation by electronic means for  
41 longer defined periods of time for members with a known disability or illness or incapacitation  
42 ~~that prevents~~ preventing in person attendance at the meeting. Supervisors may participate  
43 remotely for two meetings per year with notification to the committee chair and committee clerk,  
44 as long as a quorum of committee members is physically present, as determined by the  
45 committee chair and the committee clerk. Diligent committee service continues to be the primary  
46 expectation. Supervisors may also participate in Eau Claire County standing committee, board or  
47 commission meetings remotely as an approved accommodation under the Americans with  
48 Disabilities Act as determined by the Eau Claire County Human Resources Department.  
49 “Participation or “participate” includes the right to speak and vote on an agenda item. The  
50 committee clerk shall track remote appearances which shall be reflected in the committee  
51 minutes.

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2.040.310 (Rule 31 Committee meetings)

B. No standing committee meeting shall be held without ~~the majority~~ a quorum of the committee members in physical attendance physically present, except ~~in~~ cases of extreme emergency or other exigent circumstances, as approved by the committee chair. an individual member may participate remotely for two meetings per year based on the supervisor's discretion. Other committees, commissions, boards and councils may meet via telephone conference call, phone using a speaker phone or videoconference ~~ing~~ at the discretion of the chair, ~~but only if all available county board members are in physical attendance at the meeting site~~. so long as a quorum of the committee members is physically present. Notwithstanding the above, if the chair of the county board authorizes meetings to be held remotely under section 2.04.010 B the chair of the committee may convene the meeting remotely by electronic means that include attendance of all members by videoconference or teleconference.

ADOPTED

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Committee on Administration

VOTE: \_\_\_\_\_ AYE \_\_\_\_\_ NAY

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023

Reviewed by Finance Dept.  
for Fiscal Impact  
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**APPROVED**  
By Sharon McIlquham at 4:04 pm, May 11, 2023

Fact Sheet

File No. 23-24/023

The Opioid Task Force is tasked with recommending uses of the settlement funds for community assessment and opioid abatement purposes such as: enhancing addiction treatment, evaluating, and implementing community-based prevention, and increasing adoption of best practices.

Reducing the overall amount of opioids in the community is essential to begin addressing the root of the opioid crisis. Providing no-questions-asked disposal options for both licit and illicit opioids and related paraphernalia is one way to begin the reduction of overall quantity. Individuals can simply place unused or unwanted opioids in receptacles that are routinely emptied. Lock boxes and lock bags provide a method to keep medications safely stored at home and out of the hands of children, pets, or others. The Eau Claire City-County Health Department has received some funding from the state for the past several years to purchase medication lock boxes and lock bags, however the demand exceeds what the supply is each year, and funding is not guaranteed each year. This proposal recommends purchasing additional lock boxes and lock bags to reach more county residents, as well as providing additional locations for sharps disposal.

In fall of 2022, a group of Eau Claire city and county department representatives came together to identify options for disposal of sharps for community members, and identified there is a gap for the public to safely dispose of sharps. The county has several medication disposal containers throughout the community for community members to dispose of expired and unused medications but does not have community drop-box options for sharps. Input from the community and experiences of staff supported this as a need. All departments participating in the work group have had staff encounter sharps in public locations such as parks, or have had multiple questions/inquiries from the community about found sharps and questions related to how and where to dispose of sharps.

To address this need, the team created a plan that includes efforts to 1) Educate both the public and staff in city and county agencies about disposing of sharps safely, and 2) Place 8 outdoor sharps containers in public areas with 24/7 access in the community (Big Falls Park, Harstad Park, Owen Park, Altoona City Hall, Eau Claire County Government Center, Village of Fairchild, EC bike trail at Galloway and Dewey St., Augusta City Hall).

On June 21, 2023, on a vote to 8 yes, 0 no, 3 absent, the Task Force voted to recommend eight sharps disposal containers for initial set up and one year of funding for no more than a cost of \$45,000 and one-hundred lock bags and three-hundred lock boxes for no more than \$12,000 for one year of funding.

Fiscal Impact: \$57,000 from the account dedicated to the Opioid Settlement

Respectfully submitted by,

Samantha Kraegenbrink – Assistant to the County Administrator

4 APPROVING THE EAU CLAIRE COUNTY OPIOID TASK FORCE TO EXPEND FUNDING  
5 FOR COMMUNITY SHARPS DISPOSAL CONTAINERS, LOCK BAGS, AND LOCK  
6 BOXES

7 WHEREAS on September 20, 2022, the Eau Claire County Board of Supervisors authorized  
8 the creation of the Opioid Task Force, and,  
9

10 WHEREAS the task force is tasked with recommending uses of the settlement funds for  
11 community assessment and opioid abatement purposes such as expanding addiction treatment  
12 workforce, increasing adoption of clinical best practices, and improving enforcement of mental  
13 health parity and consumer protection laws at the state level; and,  
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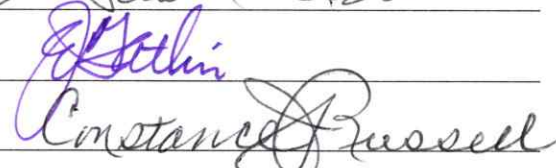

15 WHEREAS in fall of 2022, a group of Eau Claire city and county department  
16 representatives came together to identify options for disposal of sharps for community members, and  
17 identified there is a gap for the public to safely dispose of sharps. The county has several medication  
18 disposal containers throughout the community for community members to dispose of expired and  
19 unused medications but does not have community drop-box options for sharps. Input from the  
20 community and experiences of staff supported this as a need; and,  
21

22 WHEREAS to address this need, the team created a plan that includes efforts to 1) Educate  
23 both the public and staff in city and county agencies about disposing of sharps safely, and 2) Place 8  
24 outdoor sharps containers in public areas with 24/7 access in the community (Big Falls Park, Harstad  
25 Park, Owen Park, Altoona City Hall, Eau Claire County Government Center, Village of Fairchild,  
26 EC bike trail at Galloway and Dewey St., Augusta City Hall); and,  
27

28 WHEREAS the Opioid Task Force is recommending to the Eau Claire County Board of  
29 Supervisors to support purchasing eight sharps disposal containers for initial set up and one year of  
30 funding for no more than a cost of \$45,000 and one-hundred lock bags and three-hundred lock boxes  
31 for no more than \$12,000 for one year of funding to come from the allocated Opioid Settlement  
32 Funding.  
33

34 NOW THEREFORE BE IT RESOLVED; that the Eau Claire County Board of  
35 Supervisors hereby approves the purchase of eight sharps disposal containers for initial set up  
36 and one year of funding for no more than a cost of \$45,000 and one-hundred lock bags and three-  
37 hundred lock boxes for no more than \$12,000 for one year of funding to come from the allocated  
38 Opioid Settlement Funding.  
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40 ADOPTED:  
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Vote: 4 AYE and 0 NO

Dated this 11 day of July, 2023.

SK

Reviewed by Finance Dept.  
for Fiscal Impact

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**APPROVED**  
By Sharon McIlquham at 2:26 pm, Jul 13, 2023

Fact Sheet

File No. 23-24/024

The Opioid Task Force is tasked with recommending uses of the settlement funds for community assessment and opioid abatement purposes such as: enhancing addiction treatment, evaluating, and implementing community-based prevention, and increasing adoption of best practices.

Currently the Eau Claire City-Health Department provides both Narcan and Fentanyl test strips to agencies and community members free of charge through grant funding. Naloxone/Narcan is a fast-acting opioid antagonist that can safely reverse the oftentimes fatal effects of an opioid overdose. Fentanyl test strips can identify the presence of fentanyl in drugs. By ensuring first responders, community agencies, organizations, and citizens have access to and education about the proper administration of naloxone and use of fentanyl test strips, opioid overdose fatalities can be reduced.

This funding would provide additional harm reduction materials to the community and ensure that these tools are available if grant funding ends, with materials going to organizations and community members based on request. Funding will be used to directly purchase Narcan®/naloxone, and fentanyl test strip supplies.

On June 21, 2023, on a vote to 8 yes, 0 no, 3 absent, the Task Force voted to recommend an additional one-year supply of two hundred and fifty Narcan units (2 doses/unit), and two hundred and fifty Fentanyl test strips for no more than \$22,000.

Fiscal Impact: \$22,000 from the account dedicated to the Opioid Settlement

Respectfully submitted by,

Samantha Kraegenbrink – Assistant to the County Administrator





1 Enrolled No.

2 RESOLUTION

3 File No. 23-24/024

4 APPROVING THE EAU CLAIRE COUNTY OPIOID TASK FORCE TO EXPEND FUNDING  
5 FOR NARCAN AND FENTANYL TEST STRIPS

6 WHEREAS on September 20, 2022, the Eau Claire County Board of Supervisors authorized  
7 the creation of the Opioid Task Force, and,  
8

9 WHEREAS the task force is tasked with recommending uses of the settlement funds for  
10 community assessment and opioid abatement purposes such as expanding addiction treatment  
11 workforce, increasing adoption of clinical best practices, and improving enforcement of mental  
12 health parity and consumer protection laws at the state level; and,  
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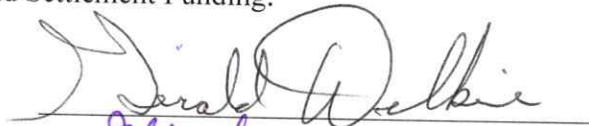
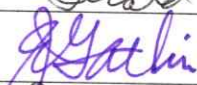
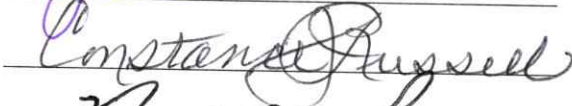

14 WHEREAS currently the Eau Claire City-Health Department provides both Narcan and  
15 Fentanyl test strips to agencies and community members free of charge through grant funding.  
16 Naloxone/Narcan is a fast- acting opioid antagonist that can safely reverse the oftentimes fatal  
17 effects of an opioid overdose. Fentanyl test strips can identify the presence of fentanyl in drugs. By  
18 ensuring first responders, community agencies, organizations, and citizens have access to and  
19 education about the proper administration of naloxone and use of fentanyl test strips, opioid  
20 overdose fatalities can be reduced; and,  
21

22 WHEREAS This funding would provide additional harm reduction materials to the  
23 community and ensure that these tools are available if grant funding ends, with materials going to  
24 organizations and community members based on request. Funding will be used to directly purchase  
25 Narcan®/naloxone, and fentanyl test strip supplies; and,  
26

27 WHEREAS the Opioid Task Force is recommending to the Eau Claire County Board of  
28 Supervisors to support purchasing an additional one-year supply of two hundred and fifty Narcan  
29 units (2 doses/unit), and two hundred and fifty Fentanyl test strips for no more than \$22,000 to come  
30 from the allocated Opioid Settlement Funding.  
31

32 NOW THEREFORE BE IT RESOLVED; that the Eau Claire County Board of  
33 Supervisors hereby approves the purchase of an additional one-year supply of two hundred and  
34 fifty Narcan units (2 doses/unit), and two hundred and fifty Fentanyl test strips for no more than  
35 \$22,000 to come from the allocated Opioid Settlement Funding.  
36

37 ADOPTED:

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42 Reviewed by Finance Dept.  
43 for Fiscal Impact  
44  
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47 Committee on Administration  
48 Vote: 4 AYE and 8 NO  
49

50 Dated this 11 day of July, 2023.

**APPROVED**

By Sharon McIlquham at 2:27 pm, Jul 13, 2023

FACT SHEET  
TO FILE NO. 23-24/026

Resolution 21-22/054, approved by the Eau Claire County Board on September 21, 2021, designated a minimum of Two Hundred Fifty Thousand dollars (\$250,000) of funding received through the American Rescue Plan Act of 2021 to be used for Broadband Administration, (\$30,000), Third party ARPA Administration, (\$70,000), and Project Manager, (\$150,000). Dave Hayden has already completed work to assist with this project through a consultant services contract, however the funding previously allocated through the contract for the consultant services has already been expended. Additional consulting services are necessary to complete the Public Service Commission Grant and to continue with the completion of the Fiber Connect Project. It is estimated the amount of time required to complete the consulting services for this project is estimated to be 200 hours, to be completed at a rate of \$75 per hour, with the total costs of \$15,000. At this time, approximately \$50,000 of funds are not obligated of the original \$250,000 allocated to expanding broadband connectivity though out the county. This resolution designates Fifteen Thousand Dollars (\$15,000) of previously allocated ARPA funds designated to be used for the purpose of project manager services to continue the expansion of broadband in the Town of Fairchild and the Village of Fairchild and assist with completion of the Public Service Commission Grant Project which will provide fiber service to twenty-four (24) residences, one (1) business, and three anchor institutions in the Town of Fairchild and the Village of Fairchild through the Fiber Connect Project.

Fiscal Impact: \$15,000 (from ARPA funds designated for project manager services costs under File 21-22/054)

Respectfully Submitted,

Sharon L.G. McIlquham  
Corporation Counsel  
Eau Claire County, Wisconsin

2  
3 DESIGNATING FIFTEEN THOUSAND DOLLARS (\$15,000) OF PREVIOUSLY  
4 ALLOCATED AMERICAN RESCUE PLAN ACT (ARPA) FUNDS DESIGNATED TO BE  
5 USED FOR THE EXPANSION OF BROADBAND SERVICES FOR THE PURPOSE OF  
6 PROGRAM MANAGER SERVICES OF DAVE HAYDEN TO CONTINUE THE EXPANSION  
7 OF BROADBAND IN THE TOWN OF FAIRCHILD AND THE VILLAGE OF FAIRCHILD  
8 AND ASSIST WITH COMPLETION OF THE PUBLIC SERVICE COMMISSION GRANT  
9 PROJECT WHICH WILL PROVIDE FIBER SERVICE TO TWENTY-FOUR (24)  
10 RESIDENCES, ONE (1) BUSINESS, AND THREE ANCHOR INSTITUTIONS IN THE TOWN  
11 OF FAIRCHILD AND THE VILLAGE OF FAIRCHILD THROUGH THE FIBER CONNECT  
12 PROJECT

13  
14 WHEREAS, in Resolution 21-22/054, the Eau Claire County Board of Supervisors  
15 designated a minimum of Two Hundred Fifty Thousand dollars (\$250,000) of funding received  
16 through the American Rescue Plan Act of 2021 to be used as funding for Broadband  
17 Administration, (\$30,000), Third party ARPA Administration, (\$70,000), and Project Manager,  
18 (\$150,000); and

19  
20 WHEREAS, Dave Hayden has already completed work to assist with this project through  
21 a consultant services contract, however the funding previously allocated through the contract for  
22 the consultant services has already been expended; and

23  
24 WHEREAS, additional consulting services are necessary to complete the Public Service  
25 Commission Grant and to continue with the completion of the Fiber Connect Project; and

26  
27 WHEREAS, it is estimated the amount of time required to complete the consulting services  
28 for this project is estimated to be 200 hours, to be completed at a rate of \$75 per hour, with the  
29 total costs of \$15,000; and

30  
31 WHEREAS, at this time, approximately \$50,000 of funds are not obligated of the original  
32 \$250,000 allocated to expanding broadband connectivity though out the county. The \$15,000 of  
33 funds would cover the costs of the additional project manager and consultant services necessary  
34 to complete the Public Service Commission Grant and continue with the completion of the Fiber  
35 Connect Project; and

36  
37 WHEREAS, the Broadband Committee is recommending the additional funding be  
38 designated in order to continue their mission of providing expanded broadband connectivity to  
39 more rural areas of Eau Claire County.

40  
41 THEREFORE BE IT RESOLVED, the Eau Claire County Board of Supervisors designates  
42 Fifteen Thousand Dollars (\$15,000) out of the Two Hundred Fifty Thousand dollars (\$250,000)  
43 of the funding received through the American Rescue Plan Act of 2021 to be used as for program  
44 manager and consulting services costs in order to complete the Public Service Commission and  
45 to continue with the completion of the Fiber Connect Project; and

46  
47 BE IT FURTHER RESOLVED, that the Eau Claire County Board of Supervisors  
48 approves the continuation of the consulting services contract in order to complete the estimated  
49 200 hours of consulting work to be completed at a rate of \$75 per hour; and



1 BE IT FURTHER RESOLVED, that the additional \$15,000 of funding will be used to  
2 provide fiber service to 24 residences, one business, and three anchor institutions in the Town of  
3 Fairchild and the Village of Fairchild.  
4

5  
6 ADOPTED:  
7

8  
9  
10 *Deval Wilkie*  
11 *J. Gethin*  
12 *Constance Russell*  
13  
14  
15  
16  
17  
18  
19  
20  
21

22 Committee on Administration

23  
24 Dated this 11 day of July, 2023.

25  
26 Vote: 4 Aye 0 Nay

Reviewed by Finance Dept.  
for Fiscal Impact

**APPROVED**  
By Sharon McIlquham at 2:28 pm, Jul 13, 2023

FACT SHEET

TO FILE NO. 23-24/021

Mathy Construction Company, Taylor Creek LLC, and Eau Claire Sand and Gravel Company has donated approximately 243 acres of land adjacent to the Chippewa River in the town of Brunswick. The Land Stewardship Committee authorized by the Land Conservation Commission was tasked with producing recommendations for future use and management of the donated property. The Land Stewardship Committee was represented by community members, the Donors, and Eau Claire County representatives.

The recommendations for future use of the property include use or development from “minimal” to “moderate.” At this time, the property has walk-in access only, no viable parking lot, and is restricted by being contained within the Flood Plain. Until these conditions are corrected the property would likely be maintained within the “minimal” development plan.

The plan recommends future budgeting for the Hydrologic and Hydraulic (H&H) study to identify possible building and parking sites.

The Land Conservation Commission approved the Parks and Forest Department as the department that should manage and budget said property.

The recommendations in their entirety are contained the in attached Exhibit A.

Fiscal Impact: 0 . 00

Respectfully Submitted,

Chauncey Ellefsen



1 Enrolled No.

2 RESOLUTION

3 File No. 23-24/021

4 GRANTING THE RENAMING OF THE MATHY/AYRES DONATED PROPERTY TO RED  
5 FLINT RECREATION AREA AND NAMING THE LAKE, FRED AYRES LAKE. REFER  
6 RECOMMENDATIONS AND MONITORING TO PARKS AND FOREST DEPARTMENT  
7 FOR BUDGETING. THE PROPERTY IS TO BE MANAGED BY THE EAU CLAIRE  
8 COUNTY PARKS AND FOREST DEPARTMENT.

9 WHEREAS, Eau Claire County accepted a land donation from Taylor Creek  
10 Development, Eau Claire Sand and Gravel, and Mathy Construction LLC.; and

11  
12 WHEREAS, the Land Stewardship Committee was tasked with providing  
13 recommendations for the use and management of said donated land; and

14  
15 WHEREAS, the Land Stewardship Committee produced a written plan containing  
16 recommendations and restrictions, see Exhibit A; and

17  
18 WHEREAS, the plan recommends that the property should have a development plan  
19 from minimalist to moderate dependent on public access and results of a Hydrologic and  
20 Hydraulic study; and

21  
22 WHEREAS, the Parks and Forest Department shall be responsible for management and  
23 budgeting of the subject land;

24  
25 WHEREAS, the Donors and Land Stewardship Committee recommends renaming the  
26 donated property Red Flint Recreation Area and rename the Lake, Fred Ayres Lake.

27  
28 NOW, THEREFORE, BE IT RESOLVED, by the Eau Claire County Board of  
29 Supervisors that it hereby approves referring the recommendation plan listed in Exhibit A to the  
30 Parks and Forest Department.

31  
32 BE IT FURTHER RESOLVED that the Parks and Forest Department shall be responsible  
33 for budgeting and management of the donated property.

34  
35 BE IT FURTHER RESOLVED that the property shall be named Red Flint Recreation  
36 Area and the Lake be named Fred Ayres Lake.

37  
38 ADOPTED

39  
40  
41  
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46  
47 Reviewed by Finance Dept.  
48 for Fiscal Impact  
49 -----

50  
51  
52  
Missy Chutzke  
Tom M  
Dane Zook  
Jodi Dupson  
Committee on Parks and Forest

VOTE: 4 AYE 0 NAY

CE/yk

**APPROVED**

By Sharon McIlquham at 2:28 pm, Jul 13, 2023

**FACT SHEET**  
**File No. 23-24/017**

**RE:** Rezone 4.56 acres +/- from A-2 to RH for the purpose of complying with minimum lot size requirements in order to sell the property.

**Legal Description and Location:** Part of the SW ¼ of the SW ¼, Section 11, T27N, R10W, Town of Union, Eau Claire County, Wisconsin, being part of Lot 1, Certified Survey Map 1028 recorded in Volume 5 of Certified Survey Maps, pages 257-258

**Size of area to be rezoned:** 4.56 acres +/-

**ADJACENT ZONING & LAND USES:**

LOCATION	ZONING	LAND USE(S)
Subject	A-2	Existing outbuilding; Open fields
North	City of EC R-1	Woodlands
East	City of EC R-1	Golf Course
South	A-2	Single-family residence; Agricultural fields
West	A-2	Single-family residences

**LAND USE PLANS:** The Eau Claire County and Town of Union Comprehensive Plan Future Land Use Maps both include this property in the Rural Residential (RR) planning area.

**Eau Claire County Rural Residential (RR) Intent and Description:** *The primary intent of this classification is to identify areas suitable for future non-farm residential development. Rural Residential areas include lands that are delineated as existing residential properties or vacant platted areas. In addition, some undeveloped land has been designated for RR development where subdivision expansion is likely to occur. These additional areas tend to be adjacent to existing rural subdivisions or where local roads and utilities exist to efficiently and economically serve the area.*

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

**Town Board Action:** The Union Town Board considered the rezoning petition on Tuesday, June 13, 2023, and recommended approval of the rezoning (5-0 vote).

**Committee Action:** The Eau Claire County Committee on Planning & Development held a public hearing on Tuesday, June 27, 2023 regarding the proposed rezoning. On a vote of 4 in favor and 0 against, the Committee recommends approval of the rezoning to the County Board. The committee considered the applicant's testimony as well as the Town Board's and staff's recommendations in their deliberations.

**Fiscal Impact:** None

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



Matt Michels, AICP  
Senior Planner

4 -AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF  
5 UNION-

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



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

9 A parcel of land being located in the southwest ¼ of the southwest ¼, Section 11,  
10 Township 27 North, Range 10 West, Town of Union, Eau Claire County,  
11 Wisconsin and being more particularly described as follows:  
12

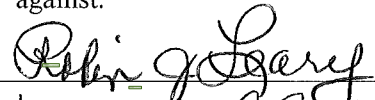
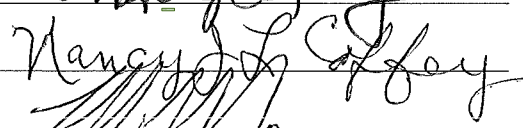
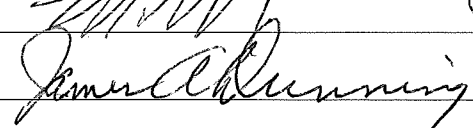
13 Commencing at the south one quarter corner of said Section 11;  
14 Thence N88°43'14"W, along the south line of the southwest ¼ at a distance of  
15 1753.25 feet to the point of beginning;  
16 Thence N00°19'31"E, at a distance of 274.97 feet,  
17 Thence N89°51'42"E, at a distance of 272.54 feet;  
18 Thence N00°11'01"E, at a distance of 242.93 feet,  
19 Thence N45°37'05"W, at a distance of 214.52 feet,  
20 Thence N88°45'36"W, at a distance of 276.26 feet,  
21 Thence S00°22'42"W, at a distance of 392.52 feet,  
22 Thence S78°58'51"E at a distance of 4.06 feet;  
23 Thence S2°56'49"E at a distance of 278.55 feet;  
24 Thence S88°43'14"E, at a distance of 138.95 feet, to the point of beginning, and  
25 being subject to existing easements  
26

27 Said described parcel of land containing 4.56 acres +/-, of land and is subject to the  
28 easements and restrictions of record to be reclassified from the A-2 Agriculture-  
29 Residential District to the RH – Rural Homes District.  
30

31 **SECTION 2.** Where a certified survey map is required and may alter the above described property  
32 description, the official zoning district map for the town shall be automatically amended to reflect the  
33 property description of the certified survey map.  
34

35 ENACTED:

36 I hereby certify that the foregoing correctly represents the action  
37 taken by the undersigned Committee on June 27, 2023 by a vote  
38 of  for,  against.

39  
40   
41 \_\_\_\_\_  
42   
43 \_\_\_\_\_  
44   
45 \_\_\_\_\_

46 Reviewed by Finance Dept.  
47 for Fiscal Impact  
48

49 \_\_\_\_\_  
50 Planning and Development Committee

51 Dated this 27 day of June, 2023.

52 **APPROVED**  
53 By Sharon McIlquham at 2:30 pm, Jul 13, 2023  
54

hw





# EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

**REZONE NUMBER:** RZN-0005-23      **COMPUTER NUMBER:** 022103109040

**PUBLIC HEARING DATE:** June 27, 2023

**STAFF CONTACT:** Matt Michels, AICP, Senior Planner

**OWNER:** Kenneth A. & Constance L. Lewis Trust

**AGENT:** Pete Gartmann, RLS, 1356 International Dr, Eau Claire, WI 54701

**REQUEST:** Rezone 4.56 acres +/- from A-2 to RH for the purpose of complying with minimum lot size requirements in order to sell the property.

**LOCATION:** North side of Folsom St. approximately one-quarter mile east of Kane Rd.

**LEGAL DESCRIPTION:** Part of the SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 11, T27N, R10W, Town of Union, Eau Claire County (complete legal description attached)

**RECOMMENDATION**      Approval based on the findings on Page 3 of this report.

## BACKGROUND

### SITE CHARACTERISTICS:

- There is an existing outbuilding on the southern portion of the property.
- The property has no environmentally sensitive areas.
- The property borders the Wild Ridge Golf Course, which is in the City of Eau Claire.

### CURRENT ZONING:

A-2 Agriculture-Residential District. The A-2 District is established to “A. Provide an area for limited residential and hobby farm development in a rural atmosphere; and B. Preserve the county's natural resources and open space.” Minimum lot size in the A-2 District is five (5) acres.

### REQUESTED ZONING DISTRICT:

RH Rural Homes District. The RH Rural Homes District is established to “provide for suburban large-lot development with individual on-site water and sewage disposal facilities.”

### ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE(S)
Subject	A-2	Existing outbuilding; Open fields
North	City of EC R-1	Woodlands
East	City of EC R-1	Golf Course
South	A-2	Single-family residence; Agricultural fields
West	A-2	Single-family residences

**COMPREHENSIVE PLAN:**

The Eau Claire County and Town of Union Comprehensive Plan Future Land Use Maps both include this property in the Rural Residential (RR) planning area, consistent with this rezone request. Following is a description of the intent of the applicable County and Town comprehensive plan future land use category and applicable policies:

**Eau Claire County:**

- **Rural Residential Intent and Description:** *“The primary intent of this classification is to identify areas suitable for future non-farm residential development. Rural Residential areas include lands that are delineated as existing residential properties or vacant platted areas. In addition, some undeveloped land has been designated for RR development where subdivision expansion is likely to occur. These additional areas tend to be adjacent to existing rural subdivisions or where local roads and utilities exist to efficiently and economically serve the area.”*
  
- **Applicable Policies:** The following policies are applicable to this rezoning petition.
  1. *The preferred housing density is one (1) unit per two (2) acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per two (2) acres to one (1) unit per 10 acres.*
  - ...
  3. *For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RR areas: RH Rural Homes District and the R-1-L Single Family Residential*

**Town of Union:**

**Rural Residential (RR) Comprehensive Plan Intent and Description:** *The primary intent of this classification is to identify areas suitable for future non-farm residential development. Rural Residential areas include lands that are delineated as existing residential properties or vacant platted areas. In addition, some undeveloped land has been designated for RR development where subdivision expansion is likely to occur. These additional areas tend to be adjacent to existing rural subdivisions or where local roads and utilities exist to efficiently and economically serve the area.*

- **Applicable Policies:** The following policies are applicable to this rezoning petition.
  1. *The preferred housing density is one (1) unit per two (2) acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per two (2) acres to one (1) unit per 10 acres.*
  - ...
  3. *The following Eau Claire County Zoning Districts will be considered for approval within RR areas: RH Rural Homes District and the R-1-L Single Family Residential Large Lot (with approved conservation subdivisions).*

**Comprehensive Plan Summary**

The proposed RH zoning district is consistent with the intent and description and the applicable policies of the Eau Claire County Comprehensive Plan.

**FARMLAND PRESERVATION PLAN:**

The property is not included in the Farmland Preservation Plan Map as A-2 is not a certified farmland preservation zoning district.

## **ANALYSIS**

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

The primary purpose of the zoning ordinance is to:

- Separate incompatible land uses from one another
- Maintain public health and safety
- Protect and conserve natural resources
- Prevent overcrowding
- Preserve property values
- Maintain the general welfare of the citizens

The rezoning petition has been evaluated for consistency with the purpose of the RH zoning district and the uses allowed in the district. The request is substantially consistent with the purpose of the zoning ordinance based on the following findings:

## **CONCLUSION**

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

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

### Public Input:

The public hearing before the P&D Committee has been noticed consistent with state statute and county policy. No correspondence in favor or against has been received, to date.

Town Board Action: The Town Union Board will hold a public hearing regarding the proposed rezoning on June 13, 2023.

## **FINDINGS**

### Findings In Favor:

1. The Town of Union and Eau Claire County Comprehensive Plans both designate the property Rural Residential, which allows RH zoning.
2. The lot is already existing, and no new lots are intended to be created with this rezoning. The lot configuration, with limited roadway frontage (<160 ft, or just over the required 150' per RH lot), would likely limit any future divisions of the property.
3. There are several RH zoned properties near the subject property.

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the petition to rezone 4.56 acres +/- of land from A-2 (Agricultural Residential) to RH (Rural Homes) District for the purpose of complying with minimum lot size requirements in order to sell the property.



**Department of Planning and Development**

Eau Claire County Courthouse  
721 Oxford Avenue, Room 3344  
Eau Claire, Wisconsin 54703  
715-839-4741

Application Accepted:	05/17/2023
Accepted By:	Matt Michels
Receipt Number:	73719
Town Hearing Date:	5/13/2023
Scheduled Hearing Date:	06/27/2023
Application No:	RZN-0005-23
Application Status:	Applied

**Rezoning Petition**

**RECEIVED**

**Owner/Applicant Name(s):**

**Owner:** KENNETH A & CONSTANCE L LEWIS TRUST  
**Applicant:** RLS/Pete Gartmann, 1356 International Dr, Eau Claire, WI 54701  
**Telephone:** (715) 514-4116      **Email:** pgratmann@rlswi.com

**MAY 17 2023**  
**COUNTY CLERK**

**Site Address(es):**

No Address Available

**Property Description:**

Sec 11 Twn 27 Rge 10  
Town of Union

**Zoning District(s):**

**Lot Area(s) - Acres:**

**Overlay District(s):**

4.64  
4.64  
4.64

**PIN** 1802222710113309002      **Legal (partial)** PRT SW-SW BNG PRT OF LOT 1 CSM 1028 (VOL 5 P 257 #664606) DESC AS FOL: BEG S

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

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



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

**Office Use Only**

Application Accepted:	5/17/23
Accepted By:	mm
Application Number:	R2N-0005-23; 41781
Town Hearing Date:	6/13/23 (?)
Scheduled Hearing Date:	6/27/23

**REZONING APPLICATION**

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

Existing Zoning District: A-2	Proposed Zoning District(s): RH
Acres to be rezoned: 4.5	

Property Owner Name: Lewis Trust, Kenneth and Constance	Phone# 715-590-4214
Mailing Address: 4110 W Folsom St Eau Claire WI 54703	
Email Address:	

Agent Name: RLS / Pete Gartmann	Phone# 715-514-4116
Mailing Address: 1356 International Drive Eau Claire WI 54701	
Email Address: pgartmann@rlswi.com	

**SITE INFORMATION**

Site Address: 4110 W Folsom St Eau Claire WI 54703	
Property Description: SW ¼ SW ¼ Sec. 11, T27 N, R10 W, Town of Union	
Zoning District:	Code Section(s):
Overlay District: Check Applicable	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining
Computer #(s): or PIN #(s):	022103109040
	10822-2-271011-330-9002

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

<input type="checkbox"/> Complete attached information sheet	<input type="checkbox"/> Confirmed with the Town their submittal deadline and process.
<input type="checkbox"/> Provide legal description of property to be rezoned	<input type="checkbox"/> Provide \$620.00 application fee (non-refundable), (\$545.00 application processing fee and \$75.00 mapping surcharge fee). Send application to <a href="mailto:landuse@co.eau-claire.wi.us">landuse@co.eau-claire.wi.us</a> or to the address above.

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

Owner/Agent Signature:  Date: 5-15-2023

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

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

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

Describe the reason(s) for your rezoning request:

To MAKE the Existing Lot to conform to the Zoning CODE!

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

Next to City of Eau Claire Res. Zoning Adjacent

## REZONING APPLICATION CHECKLIST

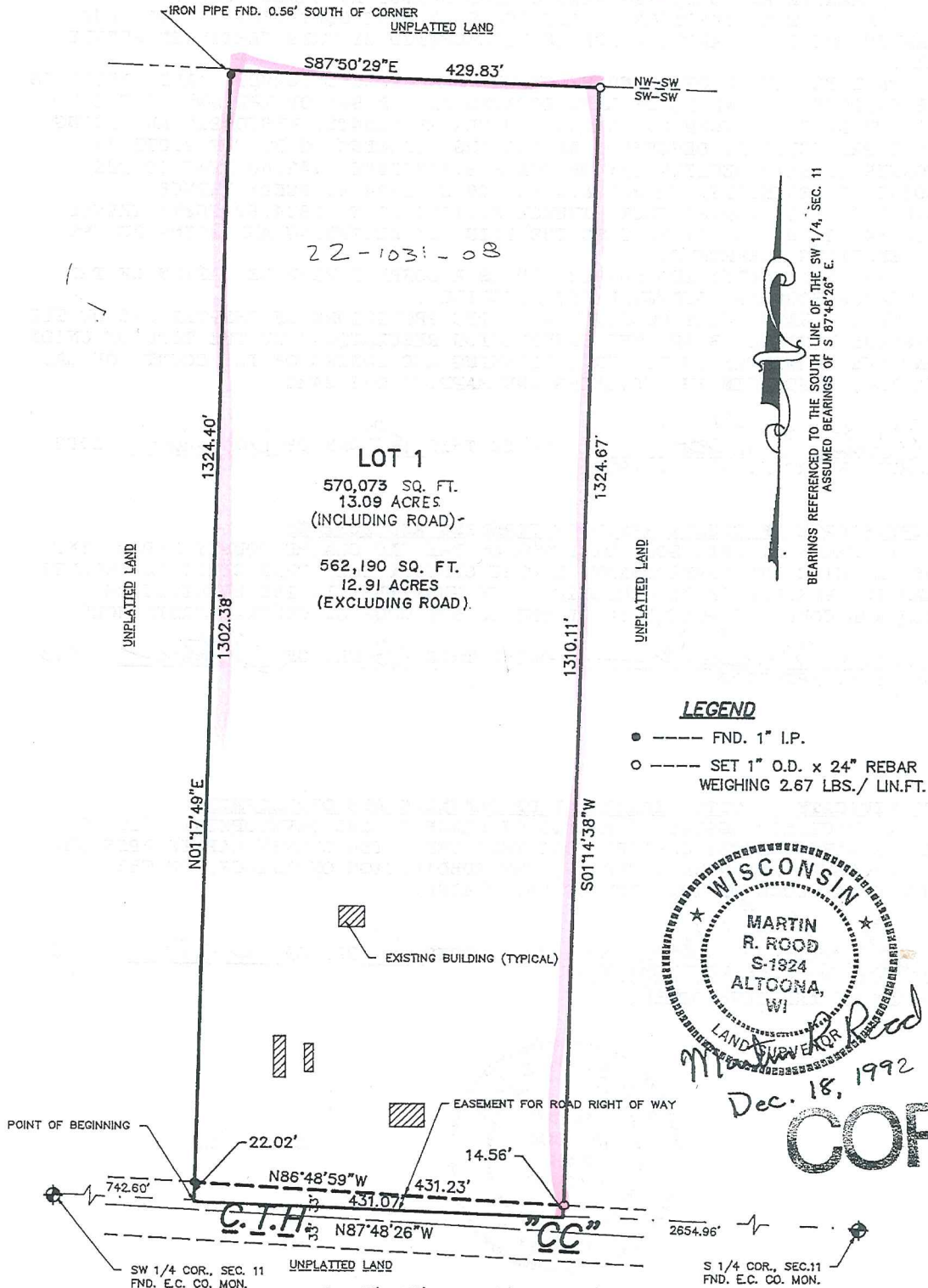
Applications are due by Tuesday at 12:00 PM three weeks prior to the Committee on Planning and Development meeting. The application must include the items listed below. After a preliminary review, additional information may be needed. A hearing will not be scheduled until the application is deemed complete.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

### Required Application Items:

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

REC 4-21-94  
 CSM VS P 257-258  
 DOC # 664600

**CERTIFIED SURVEY MAP**  
 PART OF THE SW 1/4 OF THE SW 1/4, SEC. 11, T27N, R10W,  
 TOWN OF UNION, EAU CLAIRE COUNTY, WISCONSIN





**CERTIFIED SURVEY MAP**  
OF PART OF THE SW $\frac{1}{4}$  OF THE SW $\frac{1}{4}$ , SECTION 11, T27N, R10W,  
TOWN OF UNION, EAU CLAIRE COUNTY, WISCONSIN

**SURVEYOR'S CERTIFICATE:**

I, MARTIN R. ROOD, REGISTERED LAND SURVEYOR, HEREBY CERTIFY:  
THAT BY THE DIRECTION OF RAY LEWIS, I HAVE SURVEYED, DIVIDED AND  
MAPPED THE LAND PARCEL WHICH IS REPRESENTED BY THIS CERTIFIED SURVEY  
MAP.

THAT THE EXTERIOR BOUNDARY OF THE LAND PARCEL SURVEYED AND MAPPED IS  
AS FOLLOWS: A PARCEL OF LAND LOCATED IN THE SW $\frac{1}{4}$  OF THE SW $\frac{1}{4}$ , SECTION  
11, T27N, R10W, TOWN OF UNION, EAU CLAIRE COUNTY, WISCONSIN AND BEING  
MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST  
CORNER OF SAID SECTION 11; THENCE S.87°48'26"E. 742.60 FEET TO THE  
POINT OF BEGINNING; THENCE N.01°17'49"E. 1324.40 FEET; THENCE  
S.87°50'29"E. 429.83 FEET; THENCE S.01°14'38"W. 1324.67 FEET; THENCE  
N.87°48'26"W. 431.07 FEET TO THE POINT OF BEGINNING AND BEING SUBJECT  
TO EXISTING EASEMENTS.

THAT THIS CERTIFIED SURVEY MAP IS A CORRECT REPRESENTATION OF THE  
EXTERIOR BOUNDARY SURVEYED AND DESCRIBED.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE  
WISCONSIN STATUTES AND THE SUBDIVISION REGULATIONS OF THE TOWN OF UNION  
AND THE COMMITTEE ON RESOURCE PLANNING AND ZONING OF THE COUNTY OF EAU  
CLAIRE, WISCONSIN IN SURVEYING AND MAPPING THE SAME.

Martin R. Rood DATED THIS 18<sup>th</sup> DAY OF December, 1992  
MARTIN R. ROOD, R.L.S. 1924

**CERTIFICATE OF COUNTY RESOURCE PLANNING AND ZONING:**

I, JAMES M. ERICKSON, DIRECTOR OF THE EAU CLAIRE COUNTY DEPARTMENT  
OF PLANNING AND DEVELOPMENT, HEREBY CERTIFY THAT THIS CERTIFIED SURVEY  
MAP IS APPROVED OF AS COMPLYING WITH SUBTITLE II, THE SUBDIVISION  
CONTROL CODE, OF TITLE 18 OF THE COUNTY CODE OF GENERAL ORDINANCES.

James M. Erickson DATED THIS 18<sup>th</sup> DAY OF October, 1993  
JAMES M. ERICKSON

**CERTIFICATE OF CITY DEPARTMENT OF PLANNING AND DEVELOPMENT:**

I, MICHAEL HUGGINS, DIRECTOR OF PLANNING AND DEVELOPMENT, CITY OF  
EAU CLAIRE, HEREBY CERTIFY THAT THIS CERTIFIED SURVEY MAP IS APPROVED  
OF AS COMPLYING WITH TITLE 17, THE SUBDIVISION ORDINANCE, OF THE  
MUNICIPAL CODE OF THE CITY OF EAU CLAIRE.

Michael W. Huggins DATED THIS 15 DAY OF Oct., 1993  
MICHAEL W. HUGGINS, DIRECTOR  
PLANNING AND DEVELOPMENT



SHEET 2 OF 2

SURVEY DESCRIPTION

LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 11, TOWNSHIP 27 NORTH, RANGE 10 WEST, TOWN OF UNION, EAU CLAIRE, WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

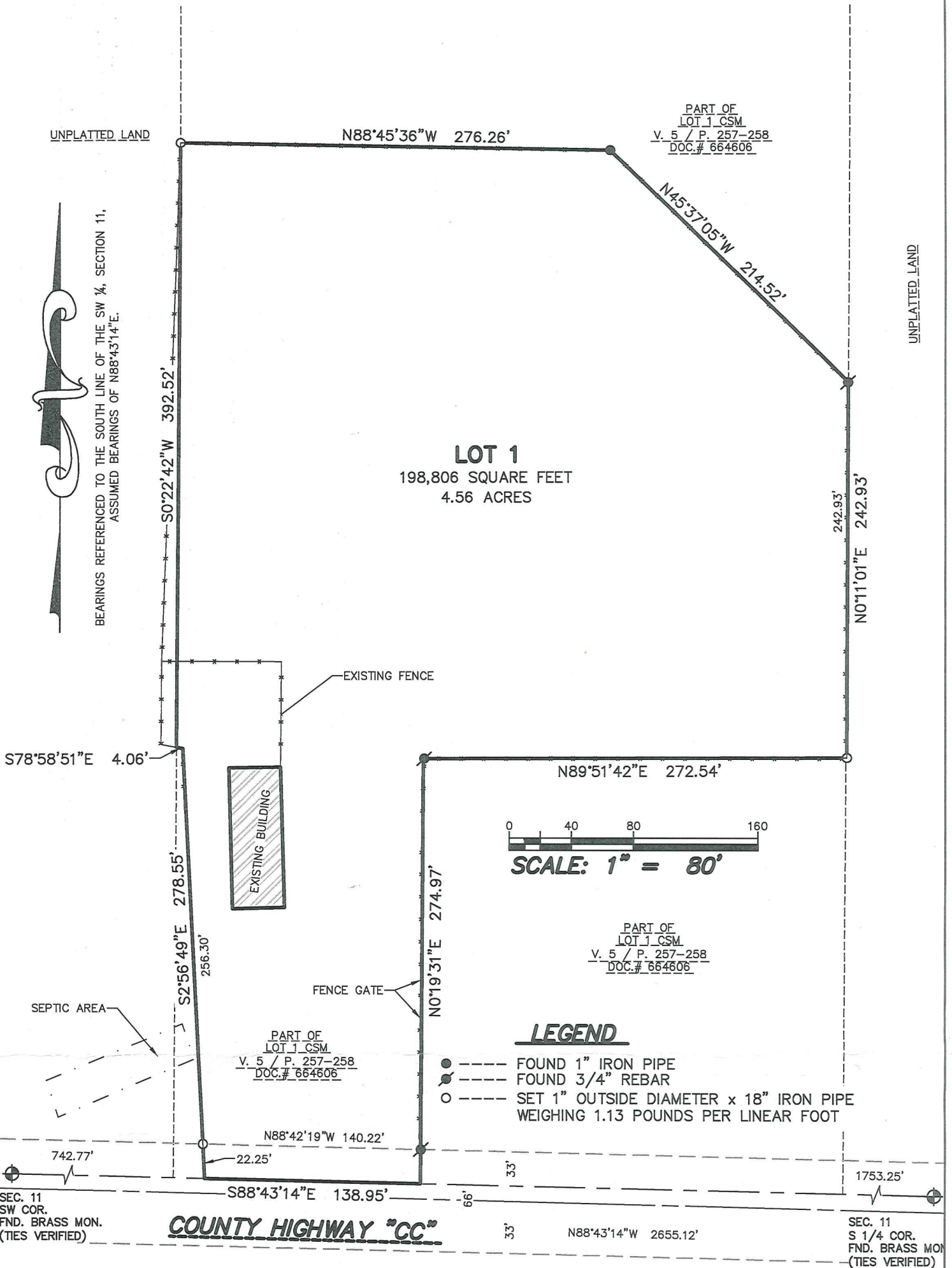
COMMENCING AT THE SOUTH ONE QUARTER CORNER OF SAID SECTION 11; THENCE N88°43'14"W, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4, AT A DISTANCE OF 1753.25 FEET TO THE POINT OF BEGINNING; THENCE N00°19'31"E, AT A DISTANCE OF 274.97 FEET; THENCE N89°51'42"E, AT A DISTANCE OF 272.54 FEET; THENCE N00°11'01"E, AT A DISTANCE OF 242.93 FEET, THENCE N45°37'05"W, AT A DISTANCE OF 214.52 FEET; THENCE N88°45'36"W, AT A DISTANCE OF 276.26 FEET; THENCE S00°22'42"W, AT A DISTANCE OF 392.52 FEET; THENCE S78°58'51"E AT A DISTANCE OF 4.06 FEET; THENCE S2°56'49"E AT A DISTANCE OF 278.55 FEET; THENCE S88°43'14"E, AT A DISTANCE OF 138.95 FEET, TO THE POINT OF BEGINNING, AND BEING SUBJECT TO EXISTING EASEMENTS

# REAL LAND SURVEYING

Web: rlswi.com  
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 REAL LAND SURVEYING LLC



1356 INTERNATIONAL DRIVE  
 EAU CLAIRE, WI 54701  
 (715) 514-4116

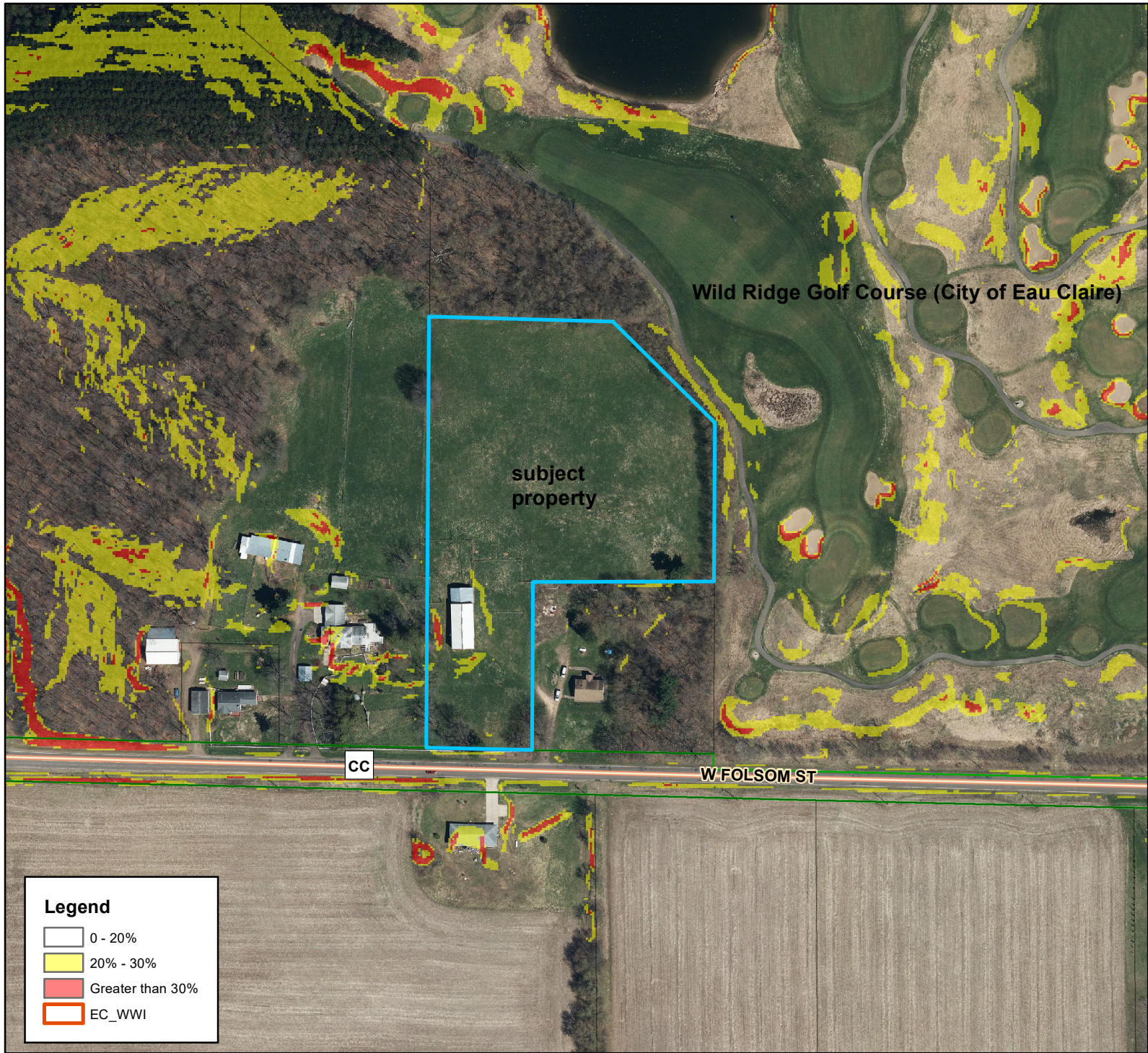


**RE-ZONE SKETCH**  
 IN THE SOUTHWEST ¼ OF THE SOUTHWEST ¼,  
 SECTION 11, TOWNSHIP 27 NORTH, RANGE 10 WEST,  
 TOWN OF UNION, EAU CLAIRE COUNTY, WISCONSIN  
 BEING PART OF LOT 1 CSM, V. 5, P. 257-258, DOC.# 664606

FIELDWORK  
 COMPLETION  
 DATE: 04/05/2023

CADD No. 23103 MOS  
 FOR: LEWIS TRUST

# LEWIS TRUST REZONE AERIAL MAP



**Parcel Mapping Notes:**

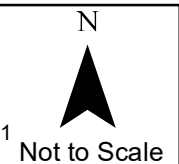
The horizontal datum is based on the Eau Claire County Coordinate System NAD\_1983\_HARN\_Adj\_WI\_EauClaire\_Feet

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

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



This map was produced on May 25, 2023 by the Eau Claire County Department of Planning and Development and is for reference purposes only.



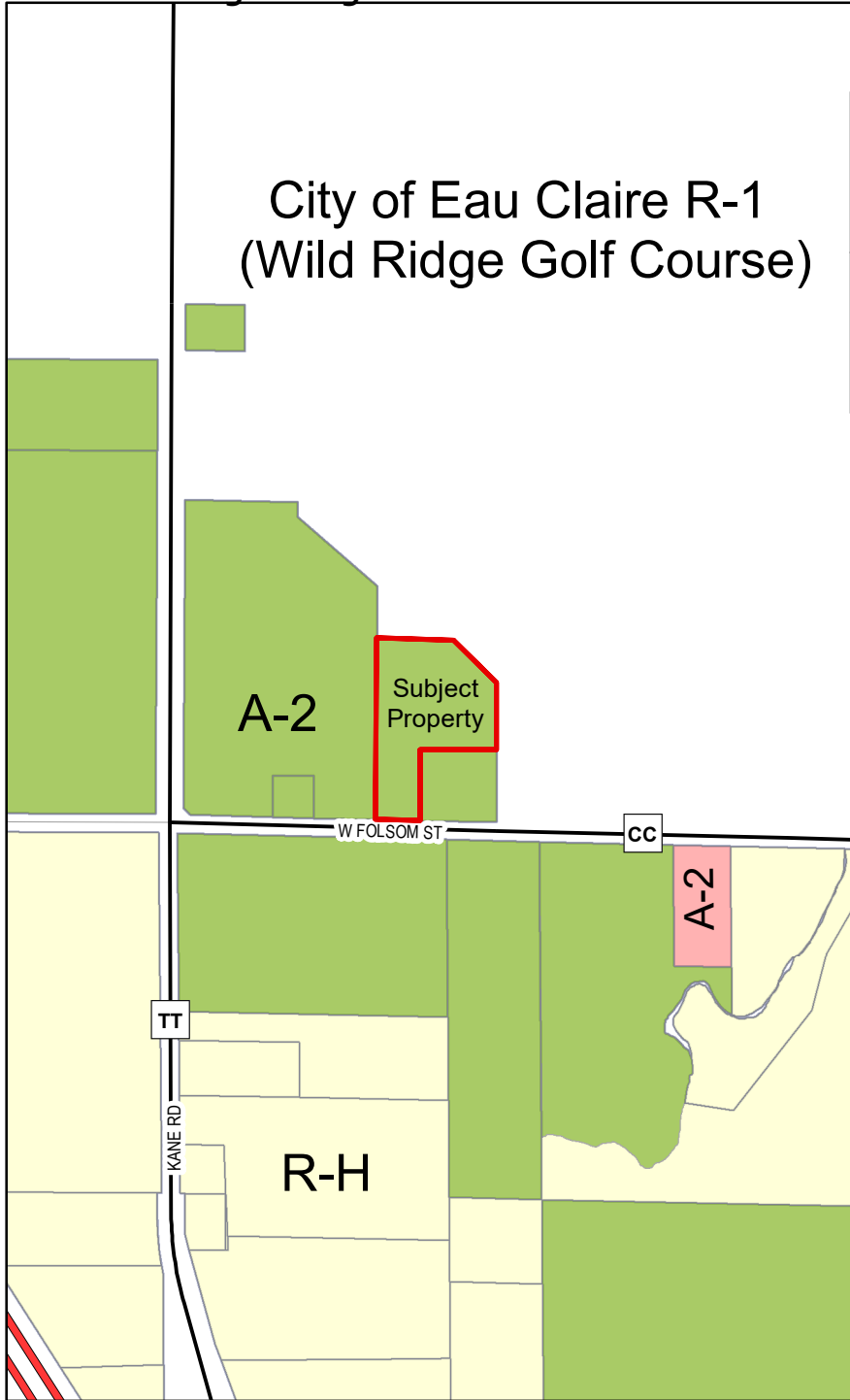


# Lewis Trust Rezoning: RZN-0005-23

## Existing Zoning

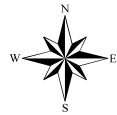
1 inch = 666.666667 feet

### City of Eau Claire R-1 (Wild Ridge Golf Course)



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

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

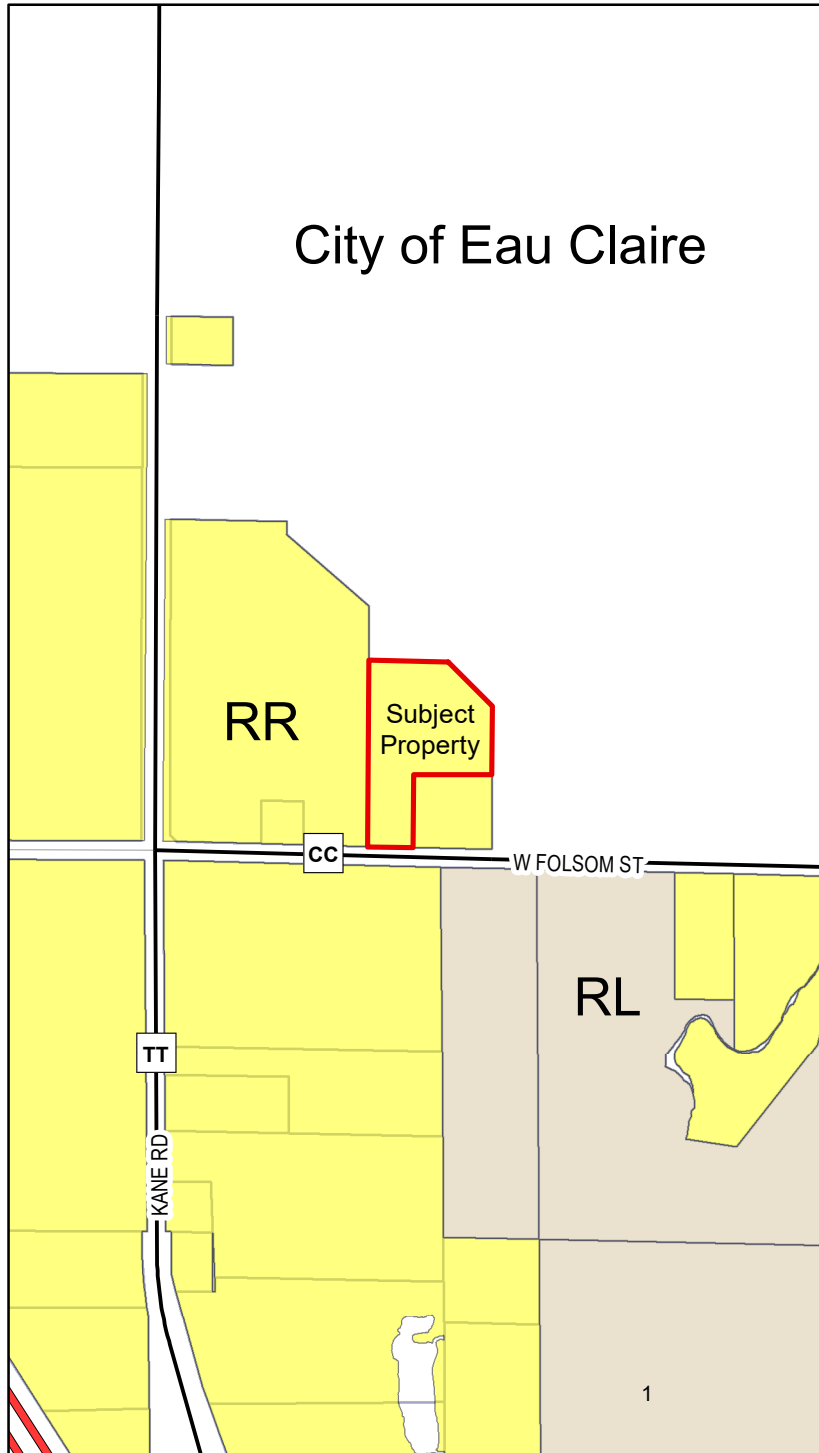


**Parcel Mapping Notes:**  
 The horizontal datum is based on the Eau Claire County Coordinate System NAD\_1983\_HARN\_Adj\_WI\_EauClaire\_Feet  
 This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.  
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## Future Land Use

1 inch = 667 feet

### City of Eau Claire



**RE: Lewis Rezone**

Pete Gartmann <pgartmann@rlswi.com>

Wed 6/14/2023 8:08 AM

To:Town Of Union Chair <meyerjennifer@wwt.net>;Matt Michels <Matt.Michels@eauclairecounty.gov>

WARNING!! This email originated outside Eau Claire County. Do not click any links or attachments unless you know the sender.



-----Original Message-----

From: Town Of Union Chair <meyerjennifer@wwt.net>

Sent: Tuesday, June 13, 2023 9:45 PM

To: Pete Gartmann <pgartmann@rlswi.com>; Matt Michels <Matt.Michels@eauclairecounty.gov>

Subject: Lewis Rezone

Hello

Town Of Union Board approved the Lewis Rezone 5 - 0.

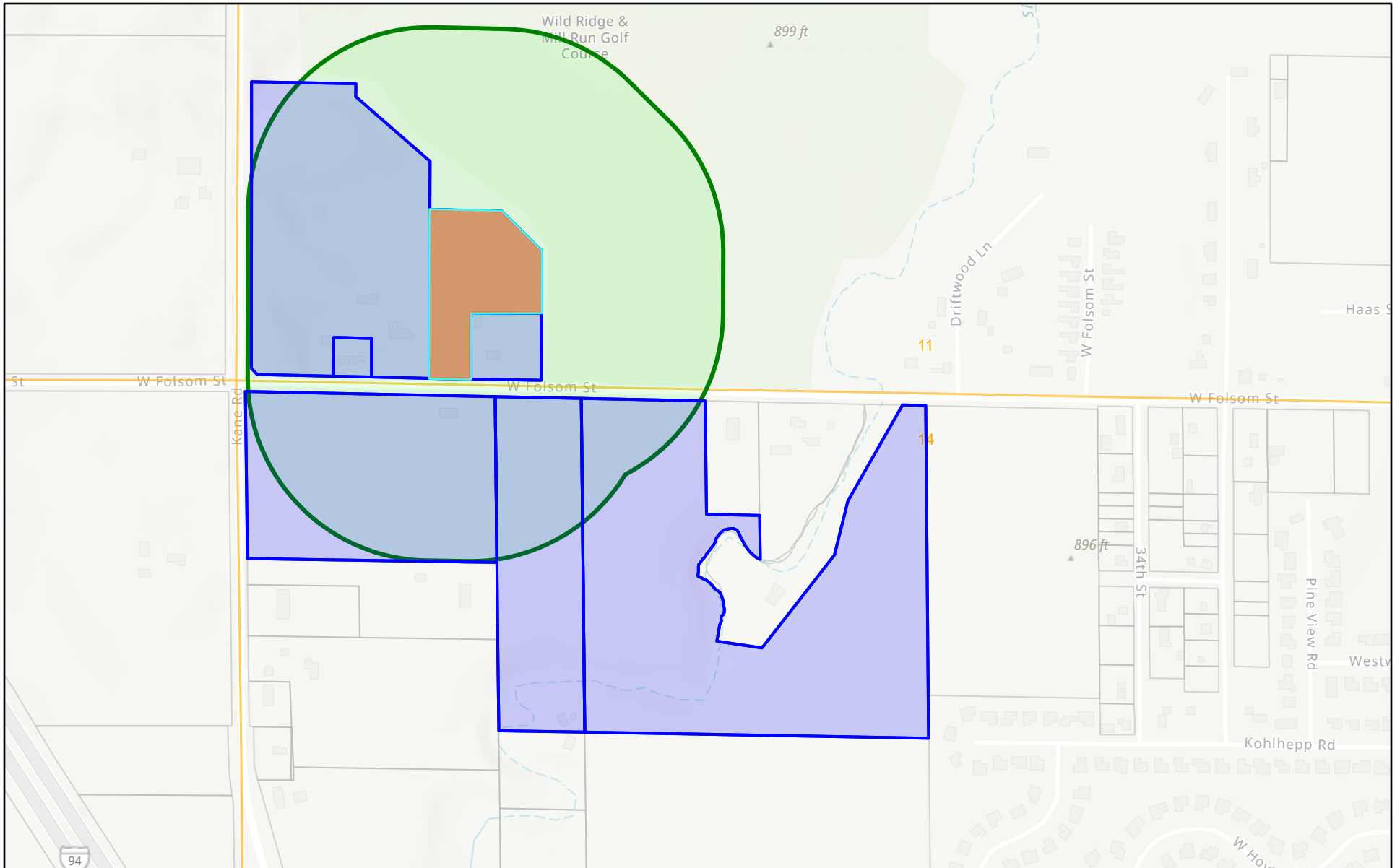
Thank you

Sent from my iPhone




Jennifer Meyer

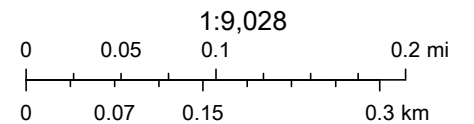
Town of Union Chair

# Public Notification



5/17/2023, 1:01:05 PM

-  County Boundary
-  Tax Parcel
-  Section



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Eau Claire County, WI

FirstName LastName	Address	City State Zip
JUDITH BECHARD	3719 W FOLSOM ST	EAU CLAIRE WI 54703-3811
ROBERT BROWN	2719 KANE RD	EAU CLAIRE WI 54703-9615
WILD MILL LLC	3905 KANE RD	EAU CLAIRE WI 54703-3822



**FACT SHEET  
TO FILE NO. 23-24/010**

Ordinance 23-24/010, is an ordinance to repeal and recreate Title 18, Zoning of the County Code and to repeal Title 20 of the County Code, Shoreland Protection Overlay District. Title 18 will be renamed the “Land Use and Development Ordinance”, which will consist of the general zoning, subdivision, nonmetallic mining reclamation, and several resources specific overlays: wellhead protection, shoreland and floodplain. This ordinance is considered a comprehensive revision, which means it’s a complete rewrite of the existing zoning ordinance which changes numerous zoning provisions and adds zoning districts. The existing zoning ordinance was adopted by the County Board in 1982 and is in effect in the following towns: Brunswick, Clear Creek, Drammen, Lincoln, Otter Creek, Pleasant Valley, Seymour, Union, and Washington.

The update process started in the winter of 2018 and featured meetings with stakeholder committees, the Towns, and the public in the spring of 2019. We met again with the stakeholders’ groups from October to December 2019; this included two public input sessions. The final phase of the process included agency review and input from the Wisconsin Department of Natural Resources, Department of Agricultural, Trade and Consumer Protection and the Eau Claire County Corporation Counsel’s office from January 2020 to March 2023. The final phase was impacted by COVID along with the departure of the lead staff on the project in January of 2022.

Upon adoption of the County Board in July of 2023, pursuant to section 59.69 5. (d.), each Town under county zoning will need to adopt the revised code by resolution within one year of the adoption date to continue with county zoning. The existing code will remain in effect until the towns file their adopting resolution with the county. If the town board fails to approve the resolution adopting the revision within a year neither the existing ordinance nor the revision will be in force in that town.

The outcome of the revision is to update the ordinance to ensure consistency with current state laws and legal standards, to consider policy adjustments in response to feedback from stakeholders across the county, and to make it easier for all users to understand and apply the ordinance.

Attached is a summary of the changes made in the Title 18 Revision for your reference.

**EAU CLAIRE COUNTY TOWNS ASSOICATION UNIT**

On May 10, 2023, staff presented an update on the comprehensive revision to Title 18 to the town officials at their quarterly meeting. Towns will follow the adoption procedures outlined in Wis. Stats. 59.59 5. (d).

**EAU CLAIRE CITY-COUNTY BOARD OF HEALTH ACTION**

On May 17, 2023, the Eau Claire County Board of Health unanimously supported the adoption of the comprehensive revision to Title 18.

**EAU CLAIRE COUNTY GROUNDWATER ADVISIORY COMMITTEE**

On May 25, 2023, the Eau Claire County Groundwater Advisory Committee voted unanimously to support the comprehensive revisions to Title 18.

**COMMITTEE ON PLANNING AND DEVELOPMENT ACTION**

On May 23, 2023, the Eau Claire County Committee on Planning and Development voted unanimously to recommend approval of Ordinance 23-24/010, a comprehensive revision to Title 18 to the County Board.

Neither positive nor negative fiscal impacts are anticipated as a result of the adoption of this ordinance.

Respectfully submitted,



Rodney J. Eslinger  
Planning and Development Director

RE



# EAU CLAIRE COUNTY LAND USE AND DEVELOPMENT ORDINANCE SUMMARY

May 4, 2023

## ABOUT THIS PROJECT

Eau Claire County has been working to update its zoning and subdivision ordinances (Title 18). The zoning ordinance regulates the use and improvement of land in the Towns of Brunswick, Clear Creek, Drammen, Lincoln, Otter Creek, Pleasant Valley, Seymour, Union and Washington. The subdivision ordinance regulates the division of land throughout the County. Title 18 includes several other ordinances that regulate certain uses (mining reclamation, airports) or protect specific resources (groundwater, floodplains, shorelands) throughout the county. The goals of this update are to make the ordinance consistent with current state laws and legal standards, to consider policy adjustments in response to feedback from stakeholders across the county, and to make it easier for all users to understand and apply the ordinance.

## LEADERSHIP

This process is coordinated by the County's Planning & Development Department, at the direction of the County Board. The County contracted with a team of consultants led by MSA Professional Services, Inc. An Oversight Committee and several subcommittees were formed to help identify issues with the current ordinance and review proposed changes. The Planning & Development Committee provided input at critical points in the process.

## PROJECT SCHEDULE AND STAKEHOLDER INVOLVEMENT

Phase 1 – Current Code Review and Issue Identification – December 2018 to May 2019

- Oversight Committee and Subcommittees
- Eau Claire County Planning & Development Committee
- Eau Claire County Board
- Town Cluster Meetings (Urban, Rural)
- Public Meeting

Phase 2 – Drafting and Editing – May 2019 to October 2019

Phase 3 – Revised Code Local Stakeholder Review – October 2019 to December 2019

- Oversight Committee
- Eau Claire County Planning & Development Committee
- Town Cluster Meetings (Urban, Rural)
- Public Meeting

Phase 4 – Revised Code Institutional Stakeholder Review and Final Editing – January 2020 to March 2023

- Eau Claire County Corporation Counsel
- Wisconsin Department of Natural Resources (Floodplain Ordinance, Shoreland Ordinance)
- Department of Agriculture, Trade and Consumer Protection (Farmland Preservation Certification)

Phase 5 – Adoption – 2023

- Public Hearing at Eau Claire County Planning & Development Committee (May 9)
- County Board Introduction and Vote on Adoption (May 16, June 20)
- Town Board Adoptions (Summer to Fall)



**TITLE 18 UPDATE - SUMMARY OF CHANGES**

Non-Policy Changes

The code has been changed in the following ways that do not directly affect land use or land division rights:

- Reorganized – similar content is consolidated. Section 18.30 (the “junk drawer” of the current code) is distributed to more appropriate sections.
- Streamlined and reformatted – whenever possible, long blocks of text have been replaced with lists or tables to make the code easier to read.
- Unclear wording revised – where the old text was hard to interpret, it was revised.
- Expired content revised – out-of-date references and policies that have been nullified by other local code changes have been eliminated.

Examples:

Existing Section 18.50.30	Rewritten
<p>A. Removal. It is the express policy of Eau Claire County and this ordinance that mobile service support structures be removed once they are no longer in use and not a functional part of providing mobile service and that it is the mobile service support structure owner’s responsibility to remove such mobile service support structures and restore the site to its original condition or a condition approved by the Eau Claire County Planning and Development Department. This restoration shall include removal of any subsurface structure or foundation, including concrete, used to support the mobile service support structure down to three feet below the surface. After a mobile service support structure is no longer being used for mobile service that is in operation, the mobile service support structure owner shall have one hundred eighty (180) days to effect removal and restoration unless weather prohibits such efforts. Permittee shall record a document with the Eau Claire County Register of Deeds showing the existence of any subsurface structure remaining below grade. Such recording shall accurately set forth the location and describe the remaining structure.</p>	<p>A. <b>Removal.</b> Within 180 days after the use of a mobile service support structure ceases, the structure’s owner must:</p> <ol style="list-style-type: none"> <li>1. Remove the structure and all subsurface structure or foundation materials to a depth of at least 3 feet below the ground surface,</li> <li>2. Restore the site to its original condition, or the condition required by the structure’s land use permit, and</li> <li>3. Record a document with the Eau Claire County Register of Deeds identifying and describing all subsurface materials remaining below the ground surface, if any.</li> </ol>
<ul style="list-style-type: none"> <li>- 181 words</li> <li>- No white space</li> <li>- Passive voice</li> </ul>	<ul style="list-style-type: none"> <li>- 86 words</li> <li>- White space</li> <li>- Active voice</li> </ul>

18.01.030 Relation to the land use plan. It is the policy of the county that the enactment, amendment and administration of this subtitle shall be accomplished with due consideration of the purposes and goals of the County Land Use Plan adopted on January 16, 1979, as amended from time to time, and other land use plans adopted by the county, such as a farmland preservation plan. The board recognizes that the Land Use Plan and its amendments is a guide for the future development of the county and is the basis for the enactment of this subtitle. (Ord. 126-16 Sec.3(part), 1982).

**18.05 Consistency with Comprehensive Plan**

A. It is the policy of the county that the enactment, amendment, and administration of this title shall be accomplished with due consideration of the purposes and goals of the Eau Claire County Comprehensive Plan adopted on April 20, 2010, as amended from time to time, and other land use plans adopted by the county, such as a farmland preservation plan.

B. The board recognizes that the comprehensive plan and its amendments is a guide for the future development of the county and is the basis for the enactment of this title.

OLD – lists of uses in each district

NEW – One table for all uses

<p><b>18.09.010 Permitted principal uses.</b> The following principal uses are permitted in the R-1-M district:</p> <p>A. Single-family housing;</p> <p>B. Parks and playgrounds. (Ord. 126-69 Sec.10(part), 1983; Ord. 126-16 Sec.3(part), 1982).</p>
<p><b>18.09.015 Permitted principal structures.</b> The following principal structures are permitted in the R-1-M district:</p> <p>A. Single-family dwellings;</p> <p>B. Park and playground related structures. (Ord. 138-68, Sec. 17, 1994; Ord. 129-74 Sec.18, 1986; Ord. 126-69 Sec.10(part), 1983; Ord. 126-16 Sec.3(part), 1982).</p>
<p><b>18.09.020 Permitted accessory uses.</b> The following accessory uses are permitted in the R-1-M district:</p> <p>A. Private storage of motor vehicles;</p> <p>B. Home occupations, as defined in Chapter 18.23;</p> <p>C. Private recreational uses, including but not limited to swimming, tennis, horticulture and playground activities.</p> <p>D. Beekeeping subject to Chapter 8.25. (Ord. 160-005, Sec. 4, 2016; Ord. 126-69 Sec.10(part), 1983; Ord. 126-16 Sec.3(part), 1982).</p>
<p><b>18.09.025 Permitted accessory structures.</b> The following accessory structures are permitted in the R-1-M district:</p> <p>A. Private garages;</p> <p>B. Private recreational structures as allowed in Chapter 18.30;</p> <p>C. Noncommercial greenhouses, storage sheds and play-houses. (Ord. 126-69 Sec.10(part), 1983; Ord. 126-16 Sec.3(part), 1982).</p>
<p><b>18.09.030 Conditional uses.</b> The following conditional uses may be allowed in the R-1-M district, and are subject to the provisions of Chapter 18.21:</p> <p>A. Planned unit developments;</p> <p>B. Two-family housing;</p> <p>C. Governmental and religious uses;</p> <p>D. Public recreational uses, including golfing, swimming and archery;</p> <p>E. Public and private schools;</p> <p>F. Cemeteries;</p> <p>G. Hospitals and nursing home related uses;</p> <p>H. Nursery schools and day care centers.</p> <p>(Ord. 138-68, Sec. 18, 1994; Ord. 135-92, Sec.14, 1992; Ord. 134-36 sec 6, 1990; Ord. 126-69 Sec.10(part), 1983; Ord. 126-16 Sec.3(part), 1982).</p>

RESIDENTIAL	A-P	A-1	A-2	A-3	A-R	AC-R	RH	R-L	R-1	R-2	R-3	C-1	C-2	C-3	I-L	I-1	F-1	F-2
<i>Residences:</i>																		
Caretaker Residence*													A	A	A	A		
Dwelling, Accessory*			A	A		A	A	A	A									A
Dwelling, Multiple-Family												P	C	C				
Dwelling, Single-Family*			P	P	P	P	P	P	P	P	P	C	P					P
Dwelling, Two-Family			C		P	C	C	C	C	P	C		C					
Farm Residences, up to 2 Dwelling Units	P	P																
Farm Residences, more than 2 Dwelling Units	P	C																
Modular Home*			P	P	P	P	P	P	P	P	C	P		C				P
Manufactured Home Community												C						
Manufactured Home	P	P	P	P	P	P						C					P	P
Tiny House*			P	P	P	P	P	P	P	P								
<i>Group Living:</i>																		
Community-Based Residential Facility									P	P	P							
Community Living Arrangement (8 or fewer persons)			P	P	P	P	P	P	P	P	P							
Community Living Arrangement (9-15 persons)									C	C	P							
Community Living Arrangement (> 15 persons)									C	C	C							
Continuing Care Retirement Community												P	P	C				
Residential Care Apartment Complex												P	C	C				
Residential Care Facility												C	P	P	P	P		
Rooming & Boarding House												P	P	P				
Single-family, two-family and multifamily housing without public water and sewer service.												C						

Policy Changes

The code has been updated in many ways that MAY affect how people use or divide land. Most of these changes are very minor, but a few may be of interest to property owners.

General categories of policy changes

- Eliminating inconsistencies wherever state law has changed
- Increased flexibility for County staff to approve things not clearly addressed in the ordinance
- Replacing vague, subjective standards with language that is more easily interpreted and enforced
- Additions to implement ideas in the towns’ and county’s comprehensive plans
- Changes to address public comments and requests during this process

Specific policy changes

Noteworthy policy changes are presented here within the outline of the revised code.

I. Introduction (no policy content)

The Introduction now clarifies that this is a “parcel based” code, and that zoning districts follow parcel boundaries and each parcel may have only one district.

II. Zoning Districts

- The A-P District had included a Transfer of Development Rights option. This is deleted.
- The Agricultural-Conservation Residential (AC-R) District is added to enable scattered rural housing on marginal farmland while providing more explicit protections for surrounding ag activities. AC-R parcels have a

minimum size of 1.5 acres, minimum width of 150' and minimum side setback of 50' to mitigate well contamination risks and reduce conflicts with ag uses. Up to 3 parcels and a cumulative total of 5 acres may be zoned AC-R per government protracted quarter-quarter section. (18.18)

- The Light Industrial (I-L) District is created to provide more flexibility for the siting of uses such as light manufacturing or assembly that can be compatible with nearby residential or commercial use. The unused "Sewered Industrial" (I-2) district is removed. (18.27)
- The Planned Unit Development (PUD) District replaces the current Planned Unit Development chapter, treating this customized zoning tool as a district rather than as a conditional use, and providing a more specific process for how the rules will be established each time it is used. (18.31, 18.107)
- A Use Table is added to make it easier to determine where and how any particular uses is permitted in the county. Most of the policy changes involve the addition of uses not previously described in the ordinance. (18.32)
- Non-commercial alternative energy systems are separated into solar and wind energy (permitted in all districts) and biofuels and methane digesters (permitted only in the A-P and Industrial districts). (18.32)
- Lot coverage standards are added for the residential, commercial and industrial districts, primarily to prevent excessive lot coverage (and excessive stormwater runoff) on small lots. (Each zoning district)

### III. Use Regulations

- Larger accessory structures allowed by right in the residential districts, increased from 1,200 SF now to a sliding scale of 1,600 SF for lots under 1 acre to 2,400 SF for lots over 5 acres. (18.41.010)
- Accessory Dwelling Units are now allowed to be rented, may be used year-round, and the maximum size is increased to the lesser of either 1,200 square feet or the area of the principal dwelling unit. (18.47.010)
- "Short-Term Rentals" (e.g. Air BnB) are listed as a permitted use in all districts. The ordinance requires a Land Use Permit and also references other applicable regulation by the State and County. (18.52)
- The raising of poultry or bees is identified as a permitted accessory use in the residential districts, subject to the requirements of Title 8. (18.41.050)
- Limits on the use of camping units on undeveloped property are revised from 90 cumulative days to 90 consecutive days. (18.43)
- Wind energy regulations are simplified and solar energy regulations added to require a conditional use permit and identify limits on conditions established in state statutes. (18.55, 18.56)

### IV. Development Standards

- Road setbacks are reduced to match Highway Department requirements (18.71.030)
- The landscaping and tree preservation standards are consolidated and expanded, applicable to the commercial and industrial districts (C-1, C-2, C-3, I-L, and I-H), multiple-family residential uses in the R-3 district, and off-street parking areas with 6+ spaces. Standards address minimum plant size at the time of planting, minimum planting amounts, and requirements for installation and maintenance. (18.74)
- Sign ordinance changes include elimination of any rules related to the content of the sign, roof signs are not allowed, greater flexibility with monument signs (18.78)

### V. Subdivision Regulations

- Design standards for new roads are still provided, but the Town must now approve their use with each project to ensure that the County is not regulating the design of town infrastructure. (18.86.020)
- A conservation subdivision ordinance is provided (18.87).
- If lots are to be smaller than 1.5 acres and either public sanitary sewer or public water supply is not feasible, the development of shared drinking water systems and/or shared wastewater treatment systems is required.

(18.88.020)

- VI. Procedures
  - A Certificate of Compliance is formalized, to certify that a building or premises and the proposed use conforms to the provisions of Title 18. (18.104)
  - The rezoning process is clarified to include a town board recommendation. (18.106.010)
- VII. Submittal Requirements (no noteworthy changes)
- VIII. Nonconformities and Vested Rights
  - Nonconforming structures can be repaired/restored more readily, per state law. (18.134)
  - Nonconforming uses are regulated in greater detail, establishing triggers for bringing fences & screening, landscaping, and parking and loading spaces into compliance with the ordinance. (18.135)
- IX. Agencies (no noteworthy changes)
- X. Enforcement
  - The time requirements for enforcement notification and action are loosened to reflect actual practices
- XI. Definitions and Rules of Interpretation
  - It is clarified that a “lot of record” may include multiple tax parcels, provided none of those parcels were created by plat or certified survey map. (Definitions)
  - A definition is added for “Lot, Buildable” that requires frontage on a public street. (Definitions)
- XII. Legal Provisions (no noteworthy changes)
- XIII. Airport Overlay (no noteworthy changes)
- XIV. Floodplain Overlay
  - Updated to use the DNR model ordinance
- XV. Groundwater Overlay (no noteworthy changes)
- XVI. Shoreland Overlay (no noteworthy changes)

To: Eau Claire City-Planning and Development Committee  
 From: Ben Bublitz, Land Use Manager  
 Date: 5/23/2023  
 Re: Title 18 Comprehensive Update Draft Amendments

---

Below you will find proposed amendments to the current Title 18 Comprehensive Code update draft. These amendments have been identified by staff as areas of concern or inconsistency with codes administered in other program areas. If the Planning and Development Committee concurs with the proposed changes, they will be forwarded to the County Board with the Title 18 draft as needed amendments. Areas to be removed have a strikethrough while the proposed new text is bold.

**18.200.090 General standards applicable to all Floodplain Districts.**

F. Public or Private Campgrounds. Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

1. The campground is approved by the ~~Department of Health Services~~ **Eau Claire City-County Health Department**

**MANUFACTURED HOME COMMUNITIES**

**18.48.030 Permitted & prohibited uses.**

A. Permitted Uses. The following uses are permitted within manufactured home communities:

- ~~6. Non-motorized recreational units that are used for permanent single family residential use if:
 
  - a. The unit is a minimum of 12 feet by 35 feet, and
  - b. The unit is registered as a recreational unit under state or federal law, and
  - c. A copy of the serial number and unit model is provided to the department at the time of permit application.~~

**18.48.040 Development standards for manufactured home communities.**

3. Interior Streets.
  - a. Interior streets shall meet the paving requirements of Chapter 18.77.
  - b. Interior streets shall meet the following width standards:

<b>2-Way Street</b>	
On-street parking, both sides	32 feet
On-street parking, one side	25 feet
On-street parking prohibited	<del>18 feet</del> 24 feet
<b>1-Way Street</b>	
On-street parking, one side	22 feet
On-street parking prohibited	<del>14 feet</del> 18 feet

18.32 USE TABLE

Use Category	A-P	A-1	A-2	A-3	A-R	AC-R	RHR-L	R-1	R-2	R-3	C-1	C-2	C-3	I-L	I-1	F-1	F-2
Apiculture (Beekeeping)	P	P	P	P	P	P	A	A	A	A							
Keeping of Poultry*	P	P	P	P	<del>P</del>	<del>P</del>	A	A	A	A							<del>P</del>

SUBTITLE V SUBDIVISION REGULATIONS

18.89 REQUIRED IMPROVEMENTS

18.89.020 Water supply & sanitary sewer facilities.

D. Alternative Options for Water Supply and Sewage Disposal Systems. When a connection to a public water system and/or public sanitary sewer facility are not feasible, the subdivider shall submit an alternative plan for supplying drinking water and disposing of residential wastewater. **When individual lots are proposed to be less than 1 acre in size, the applicant is encouraged to consider strategies to reduce the potential for well contamination.**

1. ~~When individual lots are proposed to be less than 1.5 acres in size, the plan must include strategies to reduce the potential for well contamination. Options include, but may not be limited to:~~
  - a. ~~installation of a community or shared drinking water system; and/or~~
  - b. ~~clustered or community wastewater treatment systems.~~
2. ~~When shared or community wastewater disposal systems are utilized as the alternative option, individual lots may be serviced by individual wells.~~
3. ~~Plans including shared or community drinking water systems and/or clustered or community wastewater disposal systems shall identify a method to ensure sustained operation and maintenance of the systems.~~

18.86 PROCEDURES

18.86.030 Preliminary plats

G. Approval criteria.

1. Approval, conditional approval, or disapproval of a preliminary plat shall be based on compliance with:
  - a. ~~1.~~ Wis. Stat. Ch. 236;
  - b. ~~2.~~ Subtitle V, Subdivision Regulations;
  - c. ~~3.~~ Title 18;
  - d. ~~4.~~ Eau Claire County code of general ordinances; and
  - e. ~~5.~~ applicable town and municipal ordinances and official maps; and
  - f. ~~6.~~ resolution or non-resolution of objections by objecting agencies.
2. If any groundwater within the proposed development is found by the Eau Claire City-County Health Department to be substantially at risk of being contaminated in excess of Wis. Admin. Code NR 140 health standards from an identified contamination source or any proposed septic system, the committee may:
  - a. disapprove the preliminary plat or
  - b. conditionally approve the preliminary plat, subject to application of one or more of the following conditions:
    - i. ~~a.~~ Installation of a common or shared well system for the affected area,
    - ii. ~~b.~~ Installation of a buffer zone or green area to provide additional protection,
    - iii. ~~c.~~ Relocation of proposed sanitary systems and wells,
    - iv. ~~d.~~ Remedy by State-approved treatment:
      - (a). Water treatment systems may be subject to approval by the DNR and the Wisconsin Department of Commerce.
      - (b). Treatment for removal of nitrates from individual 12 wells is at the option of the property owner/developer.
    - v. Modification of the proposed subdivision.



18.85 GENERAL PROVISIONS

18.85.030 Land suitability.

A. Criteria for Determination of Suitability for Proposed Use.

1. As part of the review of certified survey maps and preliminary plats, the committee, town board, and department will determine whether the land is suitable for the proposed use, based on the following factors:

a. Contiguous Buildable Area.

i. All Lots 1 acre and greater in lot area shall have a minimum contiguous buildable area of at least one-half (1/2) of an acre;

ii. All Lots smaller than 1 acre in lot area shall have contiguous buildable area ~~equal to the minimum~~ **of at least 55 percent of the** lot area required by the zoning district.

## FACT SHEET

Nutrition programs are required by both state and federal statutes. The Eau Claire County Aging and Disability Resource Center has well utilized nutrition programs, with both home delivered meals and congregate meals. The majority of the funding for the nutrition program comes from the federal Older Americans Act grant. Recipients of meals make donations, which is a second source of revenue. In 2022 and 2023, American Rescue Plan Act funds were used to supplement the nutrition program, and no county tax levy was used.

In 2022, more than 96,000 meals were delivered to home-bound individuals in Eau Claire County, by more than 160 volunteer drivers. An additional 5,000 congregate meals were served. There are four congregate meal sites.

Currently a commercial kitchen in Fall Creek is used to make, package, and distribute the meals. The cost to rent the facility is \$6,600 per month. An additional \$100 is needed to have internet access.

The county board made a decision to include a commercial kitchen for the ADRC nutrition program in the new highway facility. The expectation was that the kitchen could move from the Fall Creek facility to the new highway facility in January 2023. The ADRC budgeted two months of rent and internet in the 2023 budget to cover January and February.

Due to the delays in completing the facility, the ADRC has had to pay rent to the Fall Creek facility pending the move. The non-budgeted amount is \$33,500 (\$6,700 for five months). The non-budgeted amount came from the department's grant allocation which potentially will be from the fund balance.

Now that the move is complete the ADRC seeks reimbursement from the county contingency fund to replenish the fund balance. Due to the increase in the cost of food, there is concern that the OAA funding and donations will not be sufficient. The cost per meal in 2019 was under \$3 per meal. Currently the cost per meal exceeds \$4 per meal. The recommended donation request has increased commensurately.

For these reasons, the ADRC requests respectfully to be reimbursed in the amount of \$33,500 from the county contingency fund.

AUTHORIZING A TRANSFER FROM THE 2023 CONTINGENCY FUND IN THE AMOUNT OF \$33,500 TO REIMBURSE THE AGING AND DISABILITY RESOURCE CENTER FOR THE UNBUDGETED RENT REQUIRED TO CONTINUE IN THE FALL CREEK KITCHEN PENDING THE MOVE INTO THE NEW KITCHEN.

WHEREAS, the nutrition program for the Aging and Disability Resource Center (ADRC) anticipated moving into the new kitchen facility in January 2023;

WHEREAS, the ADRC budgeted for rent and internet services in the Fall Creek kitchen for January and February of 2023 in the amount of \$6,700 per month;

WHEREAS, due to the delay in the completion of the new Highway/ADRC kitchen facility, the ADRC was required to maintain a month-to-month lease with the Fall Creek facility for an additional \$6,700 per month for the months of March, April, May, June, and July for a total of \$33,500;

WHEREAS, the ADRC has paid the rent each month from the department’s nutrition and transportation allocations;

WHEREAS, the expectation for the 2024 budget is that to fulfill the obligation for Meals on Wheels and congregate meals the ADRC will require both fund balance and additional county levy;

WHEREAS, the recommended donation per meal has increased in 2023 to \$5 per meal for Meals on Wheels and \$6 for congregate meals;

WHEREAS, in 2022, the ADRC served over 96,000 Meals on Wheels to county residents as well as more than 5000 congregate meals at senior centers.

NOW THEREFORE BE IT RESOLVED by the Eau Claire County Board of Supervisors that the Aging and Disability Resource Center shall be reimbursed in the amount of \$33,500 from the county contingency fund.

ADOPTED

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Aging and Disability Resource Center Board

VOTE: 10 AYE 0 NAY

Enrolled No.

RESOLUTION

File No. 23-24/020

Wane Zook  
John Foltz  
James A. Cunningham  
Robin J. Gary  
Committee on Finance & Budget

VOTE: 5 AYE 0 NAY  
July 13, 2023

Reviewed by Finance Dept.  
for Fiscal Impact  
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**APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM**