

Resolution Concerning Newspaper Publication of Legal Notices

TO THE HONORABLE SUPERVISORS OF THE COUNTY BOARD OF THE COUNTY OF POLK:

Ladies and Gentlemen:

WHEREAS, Wisconsin Statutes Sections 59.14 and 985.02 requires Polk County to publish its legal notices, consisting of certain public notices, meetings notices, ordinances and proceedings in statutorily qualified newspapers that are likely to give notice in the area or to the persons affected by County business; and

WHEREAS, while state law allows a county board of supervisors to designate only one official qualified newspaper, a county with the population size of Polk County is neither required to designate an official newspaper nor required to seek bids for the publication of legal notices; and

WHEREAS, under Wisconsin Statute Section 985.05(2), a county that designates an official newspaper must publish all of its legal notices in that one designated newspaper; and

WHEREAS, under Wisconsin Statute Section 985.08(5), a county may only publish its legal notices in newspapers that qualify under Section 985.03; and

WHEREAS, in adopting Resolution No. ~~31-05~~³¹⁻⁰⁹, the Polk County Board of Supervisors designated the *Inter-County Leader* as the official newspaper and designated the *Tri County Advertiser* and the *Indianhead Advertiser* as secondary newspapers; and

WHEREAS, the three designations contained in Resolution ~~31-05~~³¹⁻⁰⁹ are conflicting to the extent that the County and its personnel, namely the County Clerk, are prevented from complying with state law requirements when causing any legal notice of the County to be published; and

WHEREAS, on legal opinion, the Corporation Counsel has recommended to lift the designation so that the County may publish its legal notices in compliance with state law.

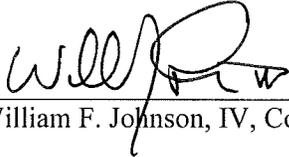
NOW, THEREFORE, BE IT RESOLVED that, the Polk County Board of Supervisors repeals Resolution No. ~~31-05~~.

³¹⁻⁰⁹
BE IT FURTHER RESOLVED that the Polk County Board of Supervisors directs that the legal notices of the County be published in newspapers qualified pursuant to Wisconsin Section 985.03 without designation as "official newspaper" as may be made under Section 985.05(1).

BE IT FURTHER RESOLVED that the County Clerk shall require, as a condition to publication of any legal notice of the County, that any publisher of a qualified newspaper shall file with the County Clerk a certificate as required under Section 985.03(2).

Funding Source/ Funding Amount: Not Applicable
Date Finance Committee Advised: Not Applicable
Finance Committee Recommendation: Not Applicable
Effective Date: Upon Passage
Date Submitted to the Polk County Board: March 19, 2013

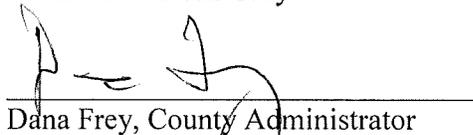
Submitted By:



William F. Johnson, IV, County Board Chairperson

Review By County Administrator:

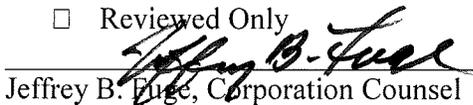
- ~~Approved as to Form~~
- Recommended
- Not Recommended
- Reviewed Only



Dana Frey, County Administrator

Review By Corporation Counsel:

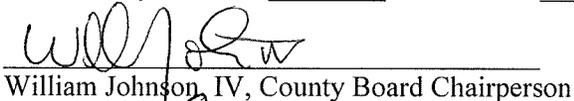
- Approved as to Form
- Recommended
- Not Recommended
- Reviewed Only



Jeffrey B. Fuge, Corporation Counsel

County Board Action:

At its regular business meeting on March 19, 2013, the Polk County Board of Supervisors adopted the above resolution, Resolution 14-13; Resolution Concerning Newspaper Publication of Legal Notices; by a vote of _____ in favor and _____, against. *by unanimous voice vote*



William Johnson, IV, County Board Chairperson

Attest: 
Carole Wondra, Polk County Clerk

OFFICE OF
POLK COUNTY CLERK

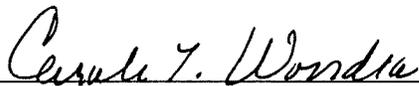
CAROLE T. WONDRA

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(715) 485-9226 FAX (715) 485-9104
E-mail Address: carole.wondra@co.polk.wi.us.

Attached hereto and incorporated herein is a true, accurate and complete copy of
Resolution No. 14-13:

Resolution Concerning Newspaper Publication of Legal Notices

adopted by the Polk County Board of supervisors at its regular business meeting, held
after giving proper advance notice, on March 19, 2013.



Carole T. Wondra
Polk County Clerk

Dated: 3-21-13