

Polk County Board of Supervisors
Polk County Government Center
100 Polk County Plaza, Balsam Lake, WI
County Board Room
Tuesday, June 17, 2014
Regular Business Meeting, 6:00 p.m.

Open Session

1. Call to Order
2. Evidence of Proper Notice
3. Roll Call
4. Pledge of Allegiance
5. Time of Reflection
6. Consent Agenda
 - A. Consideration of noticed agenda for June 17, 2014 meeting;
 - B. Consideration/corrections to the published minutes of May 20, 2014 County Board Meetings
7. Public Comments - 3 minutes per person- not to exceed 30 minutes total
8. Time for Committee Q&A (if any)
9. Presentation of WCWRPC by Lynn Nelson, Executive Director
10. Chairman's Report, Wm. Johnson
11. County Administrator's Report, Dana Frey
 - A. Reporting Items:
 1. New website rollout
 2. "Spotlight on" feature: June's topic is Veterans' Services
 3. 2013 audit preliminary results and 2014 budget process
 4. Tax forfeit land sales
 - B. Action on Matters Advanced by County Administrator
 1. Receipt and Confirmation of Administrator's Appointments:
 - A. Lake District Boards of Commissioners of Polk County on Nomination from The CDRE Committee
 - B. Bill Alleva, Dr. Dave Markert, and Erica Kamish to the new Board of Health and Human Services Board.
- 12. Proposed Resolutions and Ordinances**
 - A. Resolution 18-14: Resolution to Amend 2014 Budget to Incorporate Fund Carry-forwards and to Confirm Zoning Reorganization.
 - B. Resolution 19-14: Resolution Regarding the Implementation of a 161 Agreement Between Polk County and the St. Croix Chippewa Indians of Wisconsin
 - C. Resolution 20-14: Resolution to Grant a Zoning District Change and to Amend Zoning District Map for the Town of Luck
13. Conduct Annual Employee Evaluation of the County Administrator.

Closed Session

Closed Session: Pursuant to Wisconsin Statute Sections 19.36(10)(d) and 19.85 (1)(c) the County Board may convene in closed session for the purpose of deliberating on and formulating the evaluation of the performance of the County Administrator.

Following said closed session, the County Board will reconvene in open session to consider and act on any matter noticed herein, including reconvening in closed session as herein noticed.

14. Supervisor's Reports

15. Adjourn

This meeting is open to the public according to Wisconsin State Statute 19.83. Persons with disabilities wishing to attend and/or participate are asked to notify the County Clerk's office (715-485-9226) at least 24 hours in advance of the scheduled meeting time so all reasonable accommodations can be made.

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Resolution No. 18 -14

Resolution to Amend 2014 Budget to Incorporate Fund Carry-forwards and to Confirm Zoning Reorganization

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

Lady and Gentlemen:

1 WHEREAS, events occur after the adoption of the annual budget that affect various program activities
2 and their appropriations for a given budget year, and

3 WHEREAS, the annual budget resolution provides for restricted, committed and assigned fund
4 carryovers, and

5 WHEREAS, some of the programs, projects, and activities that were planned for the 2013 budget year did
6 not take place, were not completed, or are on-going and it is appropriate and necessary to carry-over the
7 appropriation for same into the next budget year, and

8 WHEREAS, the Finance Manager has compiled a list designating those programs, projects, activities, and
9 corresponding such 2013 funds that should be carried forward and re-appropriated in the 2014 budget,
10 and

11 WHEREAS Wisconsin statutes and county policies authorize and require that the county board take
12 official action to authorize the designation, carry-over, and re-appropriation of funds, and

13 WHEREAS, the 2014 budget incorporated a restructuring of the Land Information department to reduce
14 costs and improve customer service, and

15 WHEREAS, it has been determined that state statutes require the County Board to adopt additional
16 language to authorize this restructuring.

17 NOW, THEREFORE, BE IT RESOLVED that the following appropriations from the General Fund that
18 were unexpended on December 31, 2013, be assigned and reappropriated for the year ending December
19 31, 2014, and that the 2014 budget be amended accordingly:

20 Buildings, Parks, and Recycling: \$16,997.00 in the Recycling Equipment Replacement line item
21 for equipment purchases delayed from 2013 to 2014.

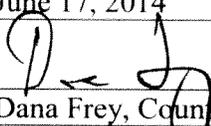
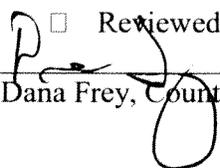
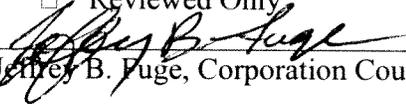
22 Employee Relations: \$5,147.00 in the Wellness line item for incentives tied to the County's self-
23 funded health insurance program delayed from 2013 to 2014.

24 BE IT FURTHER RESOLVED that the Finance Manager is directed to record such information in the
25 official books of the County for the year ended December 31, 2013 and for the year ending December 31,
26 2014 as may be required.

27 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors creates and establishes a
28 second county office of Zoning Administrator, in addition to the one county office of Zoning
29 Administrator already established, both designated pursuant to Section 59.69(10)(b) 1., to administer
30 under the supervision of the Land Information Director those ordinances whose administration is

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31 committed, assigned or designated by the Polk County Board of Supervisors for administration by and
32 through the Land Information Department or the Land Information Department – Division of Zoning.

Funding Source/ Funding Amount:	Carry over in the amount of \$45,157 specified from the 2013 budget to the 2014 budget and amends the 2014 annual budget as stated.
Date Reviewed as to Appropriations:	June 12, 2014/ General Government Committee
Committee Recommendation as To Appropriation:	Pending at time of resolution distribution, June 5, 2014.
Effective Date:	Upon Two-Thirds Majority Passage and Publication pursuant to Wisconsin Statute Section 65.90(5)(a).
Dated Submitted To County Board	June 17, 2014
Submitted By:	 Dana Frey, County Administrator
Review By County Administrator: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only  Dana Frey, County Administrator	Review By Corporation Counsel: <input checked="" type="checkbox"/> Approved as to Form <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only  Jeffrey B. Fuge, Corporation Counsel

Acknowledgement of County Board Action

Mark As Appropriate:

At its regular business meeting on June 17, 2014 the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. ____ -14: Resolution to Amend 2014 Budget to Incorporate Fund Carry-forwards and to Confirm Zoning Reorganization, as follows:

- Adopted by a vote of _____ in favor and _____ against.
- Defeated by a vote of _____ in favor and _____ against.
- Action Deferred by Procedural Action, as follows: _____

SIGNED BY:

William F. Johnson, IV, County Board Chairperson

Attest: _____
Carole T. Wondra, County Clerk

Certification of Publication

Notice of the changes to the 2014 Budget as caused by Resolution No. ____-14:
Resolution to Amend 2014 Budget to Incorporate Fund Carry-forwards and to Confirm Zoning
Reorganization, was published in the Inter-County Leader on the _____ day of _____,
2014.

Dated this _____ day of _____, 2014.

SIGNED BY: _____

Carole T. Wondra, County Clerk

Resolution No. 19 -14

Resolution Regarding the Implementation of a 161 Agreement Between Polk County and the St. Croix Chippewa Indians of Wisconsin

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

Ladies and Gentlemen:

WHEREAS, 1983 Wisconsin Act 161 (hereinafter "the Act") became effective March 23, 1984; and

WHEREAS, the Act allows County Human Services to work with Tribes in a collaborative manner regarding Native American Children who are placed out of the home pursuant to Tribal and State laws governing child welfare services; and

WHEREAS, many Native American children live in Polk County; and

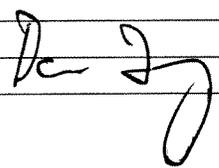
WHEREAS, the St. Croix Chippewa Indians of Wisconsin are a sovereign government and that maintains a Tribal Court and has an Indian Child Welfare Department; and

WHEREAS, it is important that families, who have children placed out of their home pursuant to a Circuit Court or a Tribal Court Order, are provided due process and receive appropriate services for purposes of reunification and/or other appropriate permanency goals; and

WHEREAS the Indian Child Welfare Act, which has been codified into Wisconsin Statutes, illustrates the strong public policy interest in protecting the cultural integrity of the child welfare system for Native American Children.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 66.0301, Wis. Stats., that the Polk County Board of Supervisors approves the implementation of the attached 161 Agreement between Polk County and the St. Croix Chippewa Indians of Wisconsin.

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors directs the Program Manager of the Polk County Human Services Department and the County Board Chairperson to sign the Agreement.

Funding Source/ Funding Amount:	
Date Reviewed as to Appropriations:	
Committee Recommendation as To Appropriation:	
Effective Date:	
Dated Submitted To County Board	
Submitted By:	

BI

<p>Review By County Administrator:</p> <p><input type="checkbox"/> Recommended</p> <p><input type="checkbox"/> Not Recommended</p> <p><input type="checkbox"/> Reviewed Only</p> <p>_____</p> <p>Dana Frey, County Administrator</p>	<p>Review By Corporation Counsel:</p> <p><input checked="" type="checkbox"/> Approved as to Form</p> <p><input checked="" type="checkbox"/> Recommended</p> <p><input type="checkbox"/> Not Recommended</p> <p><input type="checkbox"/> Reviewed Only</p> <p>_____</p> <p>Jeffrey B. Fuge, Corporation Counsel</p>
<p>Acknowledgement of County Board Action</p>	
<p>Mark As Appropriate:</p> <p>At its regular business meeting on _____, ____, 2014, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. ____ - ____: Resolution to <Insert Title></p> <p>_____</p> <p>_____, as follows:</p> <p><input type="checkbox"/> Adopted by a vote of _____ in favor and _____ against.</p> <p><input type="checkbox"/> Adopted by majority voice vote.</p> <p><input type="checkbox"/> Defeated by a vote of _____ in favor and _____ against.</p> <p><input type="checkbox"/> Defeated by majority voice vote</p> <p><input type="checkbox"/> Action Deferred by Procedural Action, as follows: _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>SIGNED BY:</p> <p>_____</p> <p>William F. Johnson, IV, County Board Chairperson</p> <p>Attest: _____</p> <p>Carole T. Wondra, County Clerk</p>	

B2

AGREEMENT

THIS AGREEMENT, made and entered into this _____ and ending on December 31, 2014, by and between **POLK COUNTY HUMAN SERVICES**, (hereinafter referred to as "the **COUNTY**"), and the **ST. CROIX CHIPPEWA INDIANS OF WISCONSIN** (hereinafter referred to as "the **TRIBE**").

WITNESSETH:

- 1) **Purpose.** It is the purpose of this agreement to clarify relationships between the Tribe and the County in providing for the health, safety, and welfare of Indian children residing in Polk County; to provide and improve systems for services, referral and mutual assistance between the Tribe and County; and to establish procedures and standards under which the parties shall implement the provisions of 1983 Wisconsin Act 161. Delinquency cases as defined in ss. 938.12 are not provided for under this agreement.
- 2) **Definitions.** As used in this agreement, the following terms shall have the meanings specified herein:
 - a) "Minor" or "Child": A person who is under the age of eighteen (18) years and who is a member of, or is eligible for membership in the Tribe, or who is the child of a member of the Tribe, or who is an American Indian child domiciled within the boundaries of the Tribe's Reservation, and who meets the residency requirements within Polk County.
 - b) "Child-in-Need-of-Care": means any child in need of care as defined in sec. 602.01 of the Tribal Children's Code.
 - c) "Child Custody Proceeding": means any proceeding as defined in 25 U.S.C. sec. 1903, and any proceeding involving a child under the age of ten who is alleged to have committed an act, which if committed by an adult would be deemed a crime.
 - d) "Foster Care": A person and/or residence licensed as a foster home by the Tribe, the State of Wisconsin, or a County agency.
 - e) "Tribe": Unless stated otherwise in this agreement, said term shall refer to the St. Croix Chippewa Indians of Wisconsin and all its agencies, employees, agents and representatives.
 - f) "Tribal Court": The Court set up and maintained by the St. Croix Chippewa Indians of Wisconsin.
 - g) "County": Unless stated otherwise in this agreement, said term shall refer to Polk County and all its agencies, employees, agents and representatives.
- 3) **Preventive Services.** It is mutually understood and agreed that Tribe's ICW Department and County Human Services staff shall meet quarterly, on a day and time to be determined, for the following purposes:

- a) Identify families who may be in need of services by the parties to this agreement;
 - b) Review the case status of families who are being provided services by either Tribal or County staff;
 - c) Coordinate services provided to Tribal families living in Polk County by either Tribal or County staff, in order to assure that all appropriate services are in fact being provided, to identify the primary service provider, and to establish a case plan for provision of services;
 - d) Review and revise, as appropriate, any established case plan for Tribal families;
 - e) Review adherence to and compliance with this agreement and review new cases;
 - f) Minutes must be kept; the Polk County Department of Human Services and Tribe's Indian Child Welfare Department shall jointly provide input to their respective governments; the Tribe may attend the Polk County public hearings on the Human Services budget and attend the Human Services Board meeting with follow-up at the budget presentation meeting. Polk County Department of Human Services may participate in an annual program report to the Tribal Governing Board.
 - g) Perform any and all other functions mutually agreed upon by the social services staff of the parties.
- 4) **Protective Services Investigations.** It is mutually understood and agreed by the parties hereto that the following procedures shall be exclusively utilized in the investigation of matters concerning the possible existence of child abuse and/or neglect involving a child residing on the Tribe's Reservation:
- a) **24-Hour Availability.** The County shall provide 24 hour availability of staff for conducting emergency investigations as the Tribe currently does not have a 24 hour ICW Department. In the event of emergency placements, the Tribe's Indian Child Welfare Department shall be contacted by the County as soon as possible following such placement. Investigations shall then be conducted jointly pursuant to section 4.b.
 - b) **Joint Investigation.** It shall be the priority of the parties to conduct joint protective services investigations, unless such investigation is not practicable after diligent attempts to contact the other party compatible with the nature and time constraints of appropriate investigation. Joint investigations shall not be required where the Tribe investigates a complaint of neglect under provision 4(g) of this agreement which does not meet the definition of neglect contained in Sec. 48.981(1)(d), Wis. Stats. When the Tribe investigates a complaint, the Tribe shall provide the County with all case worker summaries related to the investigation as soon as possible after completion. The County shall provide written findings to the other party within sixty (60) days of investigation by the WISACWIS electronic reporting document and send a copy to the Tribe.

B4

- c) Child Welfare Complaint Received by County. Upon receipt of a child welfare complaint of suspected child abuse or neglect, indicating that a child may be a "minor-in-need-of-care", the County shall immediately contact the Tribe. The parties shall thereafter determine the mechanism by which an investigation in accordance with sec. 48.981, Wis. Stats., shall proceed.
 - d) Immediate Danger: Unavailability. If either party cannot be contacted after all reasonable efforts have been made, and the party is in receipt of information which gives cause to believe that a child may be in immediate danger, the County shall proceed to investigate under the provisions of sec. 48.981, Wis. Stats., and the Tribe shall continue to investigate under the Tribe's Children's Code. Notice of cause to believe that the child is in immediate danger shall be conveyed to the other party as soon as practicable, and shall in no event be conveyed more than 24 hours thereafter, excluding weekends and holidays. The investigating party or parties shall, within five working days of referral, provide to the other party, written findings, including the intake form and protective plan.
 - e) Non-Emergency; Unavailability. If either party cannot be contacted after all reasonable efforts have been made, and the party is in receipt of intake information which gives cause to believe that a child may be a "child-in-need-of-care", that party shall proceed to investigate the child's circumstances. The written initial intake findings of such an investigation shall be conveyed to the other party as soon as practicable, and shall in no event be conveyed more than 72 hours thereafter, excluding weekends and holidays.
 - f) Abuse or Neglect Complaint Received by Tribe. The Tribe shall immediately, upon receipt of complaint, inform the County of all complaints alleging abuse or neglect of a child. The parties shall thereafter determine the mechanism by which an investigation in accordance with sec. 48.981, Wis. Stats., shall proceed.
 - g) Child Welfare Complaint Received by Tribe. The Tribe may request the assistance of the County in investigation of any child welfare cases. When the matter being investigated does not meet the statutory definition of abuse or neglect, the parties acknowledge that tribal customs govern the determination.
- 5) **Standards for Conducting Protective Services Investigations.** It is mutually understood and agreed by the parties that the actions of the County under Section 4, above, are subject to the requirements of sec. 48.981, Wis. Stats., and the State/County contract. The County shall complete a WISACWIS electronic reporting form on all cases reported or referred to it by the Tribe.
- i) It is further mutually understood and agreed that the actions of the Tribe under Section 4, above, are subject to the provisions of the St. Croix Tribal Court Code and the Tribal Children's Court Code. The Tribe further agrees to assist the County in complying with the applicable state law.

B5

6) **Tribal Court Orders.** It shall be agreed that the Tribal Court order for each case will specify the following (said orders shall be issued within ten (10) calendar days of removal of child):

- a) Continued placement of the child in his or her home would be contrary to the welfare of the child.
- b) Reasonable efforts to prevent the removal of the child from the home were made or that reasonable or active efforts were not possible prior to the removal of the child from his or her home and must be made no later than sixty (60) days from the date of the child's removal from home.
- c) At Tribal Court Judicial Status Review hearings, which shall occur at least once every 12 months, the Tribal Court shall make findings that reasonable efforts were made to achieve the goal of the child's permanency plan, unless the return of the child to the home is not the goal of the permanency plan because any of the circumstances specified in Wis. Stat. 48.355 (2d)(b) 1.-5., or comparable St. Croix Children's Code section apply.
- d) The Tribal Court shall forward to the Agency Designee of Polk County Human Services copies of petition, court notice, court order and pre-dispositional report. Indian Child Welfare Department shall forward to the County copies of the permanency plan, and independent living plan.
- e) All findings in Tribal Court Orders must be specific to the child and document with specificity upon what information those findings are made.

7) **Emergency Placement by County.** In the event that a protective services investigation is performed by the County under the circumstances specified in Section 4, above, and further, that such investigation reveals that a child is in immediate danger from his or her surroundings, the County may remove said child and place him or her temporarily in accordance with the placement provisions of the Indian Child Welfare Act, 25 U.S.C. Sec. 1915(b):

- a) a member of the Indian child's extended family; or
- b) a foster home licensed, approved, or specified by the Indian child's Tribe; or
- c) an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or
- d) an institution for children approved by an Indian Tribe or operated by an Indian Organization which has a program suitable to meet the Indian child's needs.
- e) The County further agrees to inform the Tribe of any such emergency placement no more than 24 hours thereafter, excluding weekends and holidays.

8) **Placements by Tribe.**

- a) Other than emergency placements made by the County as discussed above, all placements shall be made by the Tribe.
- b) The Tribe may place with one of the following:
 - i) A member of the child's family; or,
 - ii) A foster home licensed by the Tribe
- c) The following placement options may only be made with the express consent of the County's Program Manager or designee:
 - i) A foster home licensed by the County

- ii) A foster home licensed by a private agency ("treatment" foster homes);
- iii) A licensed group home;
- iv) A facility licensed to provide institutional care;
- d) The Tribe agrees to contact the Dept. of Health & Family Services Interstate Compact Office on the placement of children in cases where children are referred for tribal placement across state lines. The Tribe will work cooperatively with the County to assure Tribal children are afforded the protection through the compact.
- e) The County recognizes the Tribe's sovereignty and agrees to accept the Tribe's judgment as to the appropriateness of placement and availability of resources in cases where the compact is employed.

9) **Requisites of Tribal Monitoring of Out-of-Home Placements.** In monitoring and providing services to children who have been placed elsewhere than the home of their parent or "relative", the Tribe shall appoint a case manager and shall establish and carry out the following procedures:

- a) **Permanency Plan.** A permanency plan for each child in out-of-home placement shall be established which conforms to the provisions of sec. 48.38(4), Wis. Stats. The Tribe shall provide a copy of said plan to the County within sixty (60) days after the child's removal from home, if the permanency plan is not included in the pre-dispositional report.

- i) A Judicial hearing shall be held every year and a judicial status review or an administrative review shall be held within every six months of the judicial hearing. The conduct of the judicial review or administrative review shall conform to the provisions Tribe's Children's Code and Wisconsin Statutes relating to permanency planning. The County shall be provided a copy of the original petition upon which the case is based at the same time it is filed with the Tribal Court. The Tribal Court will furnish the County with any notice of hearing which is issued and a copy of any order resulting from said hearing with the statutory provisions related to permanency planning.

- ii) In the case of a child who has been in foster care under the responsibility of the State for 15 of the most recent 22 months, or, if a court of competent jurisdiction has determined a child to be an abandoned infant (as defined under the Tribe's law) or has made a determination that the parent has committed murder of another child of the parent, committed voluntary manslaughter of another child of the parent, aided or abetted, attempted, conspired or solicited to commit such a murder or such a voluntary manslaughter, or committed a felony assault that has resulted in serious bodily injury to the child or to another child of the parent, the Tribe shall file a petition to terminate the parental rights of the child's parents unless--

- (1) the child is being cared for by a relative;
- (2) the Tribe has documented in the court report a compelling reason for determining that filing such a petition is not in the best interests of the child; or
- (3) the Tribe or such other agency as is primarily responsible for providing services to the child and the family has not provided to the family of the child,

consistent with the time period in the child's permanency plan, such services necessary for the safe return of the child to the child's home, if reasonable efforts are required by the court order or permanency plan.

- b) In all out of home placements a face to face contact with the child by the case worker shall take place every thirty days. Whenever a Tribal ICW worker makes contacts the worker's contacts shall be documented and sent to Polk County for input into WISACWIS. The Tribe shall provide this service for tribal children placed in a tribal licensed facility.

10) **Notice to County of Tribal Placements.**

- a) The Tribe further agrees to notify the County's Department of Human Services within 48 hours of making any out-of-home placement of a child, and to provide written notice of such placement within five (5) days thereafter.
- b) When the Tribe provides the Tribal Court with notice of change in placement a copy of said notice shall be sent to the County.
- c) The Tribe will similarly notify the County of the termination of any out-of-home placement. Included in the written notice, when a non-relative placement is made or terminated by an order of the Tribal Court, shall be a copy of the Court's order.

11) **Funding for Out-of-Home Placements Made by Tribe.** Payment by the County for the care and support of Indian children placed by the Tribe in homes other than those of the parent or custodian shall be made in the following circumstances:

- a) Placement with Relative. The Tribal agency shall make Kinship Care payments for children placed by the Tribe with a relative of said children.
- b) Placement in Foster Home. The County shall make foster care payments for children placed by the Tribe in the licensed foster home, when such placement is pursuant to an order of the Tribal Court in a "child-in-need-of-care" proceeding.
- c) Financial Eligibility. Payment by the County pursuant to this section shall apply only to those children placed by the Tribe who do not have the financial resources with which to pay for such care, and who meet the eligibility criteria of federal and Wisconsin law. The Tribal Court may determine the financial ability of the child's parent or other legally responsible person to contribute to the child's support. The Tribe may refer collections of child support to the County. Polk County shall receive a copy of the court order.
- d) Documentation Required for Payment. No funds will be expended by the County for the care of children placed by the Tribe for which case and permanency plans have not been provided within the time periods specified herein, above, or for which a copy of a required order of the Tribal Court is not provided.

B8

- e) In an emergency out of home placement by the Tribe, to reimburse the foster parents a Polk County juvenile intake worker must make a written determination, with copies to the Tribe, that the out of home placement meets the standards set forth in Wis. Stat. 48.205 or 938.205.
- 12) **Financial Limitations on Funding.** It is mutually understood and agreed that payment for placement under section 11, above, is subject to the following conditions.
- a) Foster Care Payment. Payment by the County for placement of a child by the Tribe in a foster home pursuant to this Agreement is contingent upon available federal, state and County funds. Payment is also contingent upon the child being a resident of the County. The County will inform the Tribe of the status of all funds available for tribal foster placement at the outset of each year, and no less frequently than once each quarter thereafter.
- b) Group Home and Institutional Foster Care. It is further understood by the parties to this agreement that payment will be made by the County for placements made by the Tribe in a group home or institution only upon mutual consent of the Tribe and County to such placement.
-
- c) ~~County Fund Limit.~~ It is further understood that the County commits no funds for out-of-home placement payments other than those that would be available were the out-of-home placement made by the Circuit Court.
- 13) **Amount of Financial Support Available to Caretakers.** The parties understand and agree that any and all payments made by the County under this Agreement, shall be in the amount determined by Wisconsin payment guidelines, as such are established from time to time and also as determined by supplemental and exceptional guidelines as determined by the County worker.
- 14) **Procedural Requisites for Tribal Out-of-Home Placements.** It is mutually understood and agreed that out-of-home placements made by the Tribe, and for which the County is providing financial support, shall be subject to the following administrative prerequisites:
- a) Case Record. The Tribe shall establish a case record.
- b) Dispositional Report. The Tribe's ICW Department shall file with the Tribal Court a written report, a copy of which shall also be provide to the County, supporting the following findings to be made by the Tribal Court:
- i) That the child required to be placed is a "minor-in-need-of-care";
- ii) Continued placement of the child in his or her home would be contrary to the welfare of the child.
- iii) Reasonable efforts to prevent the removal of the child from the home were made, or were not possible. If reasonable efforts were not possible, the Report needs to provide the specific circumstances that made such efforts not possible.
- iv) Reasonable efforts were made to achieve the goal of the child's permanency plan.

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15) **Information Cooperation and Consultation.** It is further mutually agreed that the following types of information will be provided by each party to the other, as circumstances arise:

- a) Licensed Foster Homes. The parties shall furnish to each other a complete list of all licensed foster homes, and a copy of the license issued to each foster home, a copy of the foster home application, the foster home study, and criminal background checks, and shall update such listing as is necessary in order to maintain its currency.
- b) Indian Child Welfare Act Notices. The County shall furnish all notices of the Polk County Court to the Tribe which are required by the provisions of the Indian Child Welfare Act, 25 U.S.C. Sec. 1912.
- c) License Revocation. The parties shall furnish to each other written notice of any revocation of a license issued to a foster home, and the effective date of such revocation.

16) **Confidentiality.** It is mutually understood and agreed that all information concerning child custody proceedings shall be kept confidential, and that such information shall be revealed, to the extent not prohibited by applicable Tribal, federal or Wisconsin law, only to those persons who require such information in order to exercise rights secured by the Indian Child Welfare Act or recognized by this agreement.

17) **Contact Persons.** All notices or contacts required by this agreement to be provided to the Tribe shall be directed to the Director of the Tribe's Indian Child Welfare Department. All notices or contacts required under this agreement to be provided to the County shall be directed to the Agency Designee of the County's Health and Human Services.

- a) Indian Child Welfare Director
24663 Angeline Avenue
Webster, WI 54893
(715) 349-2195
- b) Polk County Human Services Department
Attn: Program Director
100 Polk County Plaza
Balsam Lake, WI 54810
(715) 485-8400

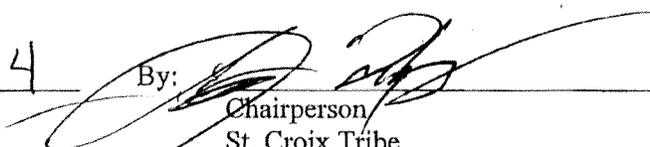
18) **Full Faith and Credit.** Pursuant to 25 U.S.C. § 1911(d), The County accords full faith and credit to public acts, records and judicial proceedings of any other entity.

19) **Jurisdiction and Resulting Responsibilities.** It is mutually understood that the Tribe has exclusive court jurisdiction of all child custody proceedings, pursuant to its resumption of said jurisdiction under the procedure established in the Indian Child Welfare Act, 25 U.S.C. Sec. 1918. The County recognizes the Tribe's sovereignty and agrees to accept the Tribe's judgment as to the appropriateness of placement, subject to availability of resources. The County will afford full faith and credit to Tribal Court Orders.

20) Modification and Term Agreement.

- a) Modification. This agreement may be modified as mutually agreed upon by the parties, and such modification may be initiated by either party.
- b) Term. The term of this agreement shall be for one (1) year, which shall begin on January 1, 2014 and ending on December 31, 2014. The agreement may be extended thereafter by mutual agreement of the parties for a term not exceeding one (1) year at a time.

ST. CROIX CHIPPEWA INDIANS OF WISCONSIN

Dated: 5-6-14 By: 
 Chairperson
 St. Croix Tribe

POLK COUNTY

Dated: _____ By: _____
 William F. Johnson, IV. Chairperson
 Polk County Board of Supervisors

INDIAN CHILD WELFARE DEPARTMENT

Dated: May 6, 2014 By: 
 Director

POLK COUNTY HUMAN SERVICES

Dated: _____ By: _____
 Kay Confer
 Program Manager

ACKNOWLEDGED AND REVIEWED:

 Indian Child Welfare, Consultant
 Division of Safety and Permanent
 Wisconsin Department of Children and Families

RESOLUTION 20-14



Resolution to Grant a Zoning District Change and to Amend Zoning District Map for the Town of Luck

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

WHEREAS, Todd & Cherrise Miller have petitioned the Polk County Board of Supervisors requesting that a parcel of real estate be rezoned Commercial District, thereby removing said parcel from the Agricultural District; and

WHEREAS, the Town Board of Luck has not objected to said District Change; and

WHEREAS, a public hearing was held on Wednesday, June 4, 2014, at 9:30am, at the Polk County Government Center by the Conservation, Development, Recreation & Education Committee of the Polk County Board of Supervisors as required by the provisions of Wisconsin Statute Section 59.69 (5) (c) regarding said District Change; and

WHEREAS, at said public hearing objections were not filed with regard to said proposed Zoning District Change; and

WHEREAS, the Conservation, Development, Recreation & Education Committee of the Polk County Board of Supervisors has reviewed said proposed Zoning District Change, and has recommended that the Polk County Board of Supervisors grant said proposed change.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors grants the proposed zoning change.

BE IT FURTHER RESOLVED that, pursuant to Wisconsin Statute Section 59.69(5)(e), the Polk County Board of Supervisors does hereby amend the Polk County Comprehensive Land Use Ordinance to provide that the following described parcel of real estate be removed from the Agricultural District and be rezoned in the Commercial District:

All that part of Lot 2 of CSM #6328, in Section 4/T36N/R17W described as follows: Commencing at a point where the west line of Lot 2 of CSM #6328 intersects the right-of-way of State Hwy 35, thence South on said west line of Lot 2 of CSM #6328 a distance of 478 feet, thence Northeasterly 677 feet to a point on the line between the NW ¼ of the SE ¼ and the NE ¼ of the SE ¼ of Section 4/T36N/R17W that is 339 feet south of the north line of Lot 2 of CSM #6328, thence Northeasterly to a point on the north line of Lot 2 of CSM #6328 that is 373.54 feet east of the northwest corner of Lot 2 of CSM #6328, thence Westerly along the north line of Lot 2 of CSM #6328 a distance of 373.54 feet to the right-of-way of State Hwy 35, thence Southwesterly along said right-of-way to the point of commencement and that part of Lot 1 of CSM #6328 identified as access easement for Lot 2 of CSM #6328, Town of Luck, County of Polk, State of Wisconsin.

BE IT FURTHER RESOLVED that said district change to be recorded on the Zoning District map of the Town of Luck, which is on file in the office of the Polk County Zoning Administrator pursuant to Section II (2) of the Polk County Comprehensive Land Use Ordinance.

Funding Amount & Source:	Not applicable
Finance Committee Recommendation:	Not applicable
Effective Date:	Upon Passage & Publication

Submitted & sponsored by the Conservation, Development, Recreation & Education Committee:

William Johnson
Graig Wondra
James A. Edgell
Dale Wood
L.H. Cant

C1

Review By County Administrator:

- Recommended
- Not Recommended
- Reviewed Only

Dana Frey
Dana Frey, County Administrator

Review By Corporation Counsel:

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

Jeffrey B. Fuge
Jeffrey B. Fuge, Corporation Counsel

At its regular business meeting on _____, the Polk County Board of Supervisors adopted the above-entitled resolution, Resolution ____-14: Resolution to Grant a Zoning District Change and to Amend Zoning District Map for the Town of Clayton, by a simple majority vote of ___ in favor and ___ against.

Dated this _____ day of _____, 2014 at Polk County Wisconsin.

William Johnson, IV, County Board Chairperson

Attest: _____
Carole Wondra, Polk County Clerk

POLK COUNTY BOARD OF SUPERVISORS
Minutes from Tuesday, June 17, 2014
Polk County Government Center – County Board Room
Balsam Lake, WI 54810

Chairman Johnson called the regular June 17, 2014 meeting of the Polk County Board of Supervisors to order at 6:00 p.m.

Chairman Johnson recognized the County Clerk for purposes of receiving evidence of proper notice. The County Clerk stated that the notice of meeting, was properly posted in three public buildings, published in a legal newspaper in accordance with Wisconsin Statute Section 985.02 and posted on the county website the week of June 9, 2014. In addition, the Office of County Clerk distributed on June 6, 2014, copies of such notice of meeting and proposed resolutions to supervisors in accordance with Article 3, Section 2 of the County Board Rules of Order. The County Board received the verbal opinion of Corporation Counsel that the advance written meeting notice, posted and published as described by the clerk satisfied the applicable provisions of Wisconsin Open Meetings Law and the applicable procedural provisions of the Polk County Board Rules of Order.

Chairman Johnson recognized the County Clerk for purposes of taking roll call. Roll call was taken with all 15 members present. Chairman Johnson led the pledge of Allegiance. Chair asked for volunteers for the Time of Reflection, Supr. Bonneprise volunteered.

Chairman Johnson called to the floor the approval of the Consent Agenda as published. Motion (Luke/Jepsen) to approve the Consent Agenda, as published. Chairman Johnson called for the vote on the motion to approve the Consent Agenda. Motion to approve the Consent Agenda carried, by unanimous voice vote.

Time was given for public comment.
Time was given for Committee Q&A.

WCWRPC representatives Lynn Nelson, Executive Director and Levi Wagner, Lending Specialist gave a brief presentation on West Central Wisconsin Regional Planning Commission.

Chairman's Report was given by Chairman Johnson.

Administrator's Report was presented by Administrator Frey. It began with the announcement that Emil (Moe) Norby, from the Polk County Highway Department, was selected by a committee to receive a Gladfelter Award for innovation. This award will be presented during a ceremony in Madison on July 9th for his development of the use of cheese brine on highways. Also updated the board on the rollout of the new county website, the recent and upcoming land sales of tax forfeited properties, work on the 2014 budget, and information on the recently completed audit.

June 17, 2014

Chairman Johnson called for a motion to approve the Administrators appointments to the Lake Districts as recommended by the CDRE committee as follows:

District	Supervisor/Appointee	Lake District
1	Johnson	Largon lake
2	Schmidt	Bone Lake
3	Johansen	Big Butternut Lake
4	Hallberg	Antler Lake
5	Johnson	Pipe Lake
6	Sample	Big Round Lake
7	Cedric Solland	Blake Lake
8	Edgell	Half Moon Lake
9	Carl Holmgren	Balsam Lake
10	Sample	Long Lake
11	Luke	Apple River Flowage
12	Nelson	Amery Lakes
13	Pat Mahoney	White Ash Lake
14	Bonneprise	Church Pine, Round, Big Lake
15	Demulling	Cedar Lake

and the appointments of Bill Alleva, Dr. Dave Markert and Erica Kamish to the Health and Human Services Board. Motion (Jepsen/Nelson) to approve said appointments. Motion to approve the appointments carried, by unanimous voice vote.

Chairman Johnson called to the floor, Resolution No. 18-14, Resolution to Amend 2014 Budget to Incorporate Fund Carry-forwards and to Confirm Zoning Reorganization. Motion (O’Connell/Schmidt) to approve Resolution 18-14. Administrator Frey addressed the resolution. Motion to approve Resolution 18-14 carried, by unanimous voice vote. Resolution adopted.

Chairman Johnson called to the floor, Resolution No.19-14, Resolution Regarding the Implementation of a 161 Agreement Between Polk County and the St. Croix Chippewa Indians of Wisconsin. Motion (Jepsen/Schmidt) to approve Resolution 19-14. Administrator Frey and Corporation Counsel Fuge addressed the resolution. Motion to approve Resolution 19-14 carried, by unanimous voice vote. Resolution adopted.

Chairman Johnson called to the floor, Resolution No.20-14, Resolution to Grant a Zoning District Change and to Amend Zoning District Map for the Town of Luck. Motion (Johansen/O’Connell) to approve Resolution 20-14. Supr. O’Connell addressed the resolution, with information that CDRE recommended the Resolution for approval by the full County Board. Motion to approve Resolution 20-14 carried, by unanimous voice vote. Resolution adopted.

June 17, 2014

Chairman called for a 10 minute recess.
Chairman declared meeting back in session 7:10 p.m.

Chairman Johnson declared the meeting would remain in open session, unless needed, in order to complete the review of the Administrator's annual job evaluation. Administrator Frey offered a brief overview of his 2013 Goals and his proposed Actions for 2104-2015. Chairman Johnson informed the board that the Administrative committee recommended approval of the Administrators Annual Evaluation, as Administrator Frey had satisfactorily performed the duties and responsibilities of his office for the contract year July 2013-June 2014. **Motion (Demulling/Nelson) to approve Administrator Frey's Annual Employee Evaluation. Motion carried, by unanimous voice vote.**

Supervisors Reports were offered.

Motion (Demulling/Nelson) to adjourn. Motion carried, by unanimous voice vote.
Chairman Johnson declared meeting adjourned 7:55 p.m.

Respectfully submitted,

Carole T. Wondra
Polk County Clerk

June 17, 2014