Polk County Board of Supervisors

100 Polk County Plaza, Balsam Lake, Wisconsin
Polk County Government Center, County Board Room

Tuesday,
September 20, 2016 at 6:00 p.m.

Regular Business Meeting
Open Session

Order of Business:

1. Call to Order
2. Receipt of Evidence and Opinion on Proper Notice
3. Roll Call
4. Pledge of Allegiance
5. Time of Reflection
6. Consent Agenda:
    a. Consideration of noticed agenda for September 20, 2016 meeting;
    b. Consideration /corrections to the published minutes August 16, 2016 County Board Meeting
7. Public Comments – 3 minutes per person – not to exceed 30 minutes total
8. Chairperson's Report
9. Administrator's Report, Presentation of 2017 Budget
10. Confirmation of Administrator's Appointments of Adrienne Gyllen to City of St Croix Falls Library Board and Donald Prose to Polk County Housing Authority (2016-2021)
11. Proposed Resolutions & Ordinances
    a. **Resolution No. 35-16: Resolution to Authorize Intergovernmental Agreement with Unity School District for the Development and the Delivery of Preventative School Social Services**
    b. **Ordinance No. 36-16: Amendment to Polk County ATV and UTV Route Ordinance**

    Closed Session; Pursuant to Wisconsin Statute Section 19.85(1)(e), the Committee may convene in closed session for the purpose of developing, deliberating on and formulating negotiating strategy, including offering purchase price, concerning the purchase or sale of public properties, where competitive or bargaining reasons, require the development, deliberation and formulations of offering purchase price and negotiation strategy require a closed session.

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

    c. **Ordinance No. 37-16: Resolution To Approve Purchase of Lands for County Highway Facility and Create a Capital Project Account for a Highway Facility Project**
12. Supervisors Reports
13. Adjourn

This meeting is open to the public in accordance with Wisconsin State Statute 19.83. Polk County is committed to providing equal opportunity access to all public meetings. Persons with disabilities in need of specific accommodations may contact the County Clerk's office at 715-485-9226. Please provide a 24 hour advance notice so all reasonable accommodations can be made.

Resolution No: 35 -16

Resolution to Authorize Intergovernmental Agreement with Unity School District for the Development and the Delivery of Preventative School Social Services

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

Gentlemen:

WHEREAS, under Wisconsin law, counties and school districts may through intergovernmental agreements provide for the receipt or furnishing of services or the joint exercise of duties or powers required under law; and

WHEREAS, as a public school district, the Unity School District has a mandate to provide for the delivery of comprehensive pupil services which include and are not limited to the delivery of school social services; and

WHEREAS, the Unity School District has sought the collaboration with the Polk County Department of Children and Families to develop and to deliver school social services on a preventative basis model.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Wisconsin Statute Section 66.0301, the Polk County Board of Supervisors does authorize the Polk County Department of Children and families to enter into an intergovernmental agreement with the Unity School District to develop and to deliver preventative based school social services on a collaborative basis.

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes and directs the Polk County Community Services Director to develop, negotiate, execute and administer on behalf of Polk County and the Polk County Department of Children and Families an intergovernmental agreement authorized by this resolution.

BE IT FURTHER RESOLVED that the authorization provided in this resolution shall be implemented as a pilot program for the 2016-2017 school year and shall be subject to annual review and approval in the course of development and approval of the county budget as provided by county policy.

Funding Source/ Funding Amount:	Funded through intergovernmental agreement reimbursement of costs plus overhead
Date Reviewed as to Appropriations:	
Committee Recommendation as To Appropriation:	
Effective Date:	Upon passage
Dated Submitted To County Board	September 20, 2016
Submitted and Sponsored By: _____	_____
Review By County Administrator: ☐ Recommended ☐ Not Recommended ☒ Reviewed Only Dana Frey /AEJ Dana Frey, County Administrator	Review By Corporation Counsel: ☒ Approved as to Form ☐ Recommended ☐ Not Recommended ☐ Reviewed Only Maria Malone Jeffrey B. Fuge, Corporation Counsel
Acknowledgement of County Board Action	

Mark As Appropriate:

At its regular business meeting on the 20th of September 2016, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No.__-16: Resolution to Authorize Intergovernmental Agreement with Unity School District for the Development and the Delivery of Preventative School Social Services, as follows:

- ☐ Adopted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- ☐ Adopted by unanimous vote.
- ☐ Defeated by a vote of _____ in favor and _____against.
- ☐ Defeated by voice vote.
- ☐ Action Deferred by Procedural Action, as follows: _____

_____

_____

SIGNED BY:

_____

Dean Johansen, County Board Chairperson

Attest:_____

Carole T. Wondra, County Clerk

Ordinance No. 36 -16
Amendment to Polk County ATV and UTV Route Ordinance

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

Ladies and Gentlemen:

WHEREAS, on June 21, 2016, the Polk County Board of Supervisors enacted Ordinance No. 24-16, entitled Ordinance to Establish ATV and UTV Routes on County Trunk Highways; and

WHEREAS, the language contained in Sections 4.04 and 4.05 of said ordinance limited considerably the procurement and installation of the signs necessary to lawfully open the county trunk highways designated by ATV and UTV routes; and

WHEREAS, it is in the interest of the County to amend the ordinance in such a manner to allow for the lawful opening of ATV and UTV routes designated by the ordinance.

NOW, THEREFORE, the Polk County Board of Supervisors ordains that Ordinance No. 24-16, Ordinance to Establish ATV and UTV Routes on County Trunk Highways, shall be amended to read, as follows:

Section 1. General

1.01 **Content and Scope.** Following due consideration of the recreational value to connect trail opportunities and weighed against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, Polk County enacts this ordinance to designate routes for the operation of All-Terrain Vehicles ("ATV") and Utility Terrain Vehicles ("UTV's") on Polk County highways and to regulate the operation of ATV's and UTV's on such designated routes.

1.02 **Statutory Authority**. This ordinance is enacted under the authority of §§ 23.33(8)(b), 23.33(11) and 59.02, Wis. Stats. In addition, the provisions of § 23.33, Wis. Stats., and the provisions of Wisconsin Administrative Code NR 64 regulating ATV operations are hereby incorporated and adopted.

Section 2. Regulated Operation of All-Terrain Vehicles and Utility Terrain Vehicles.

2.01 Pursuant to § 23.33(4)(b), Wis. Stats., except as provided in § 23.33, Wis. Stats., no person may operate an ATV or UTV on any part of Polk County ("County") highways except those portions of County highways that are designated as ATV and/or UTV routes in Section 3 and in accordance with the provisions of this Ordinance.

2.02 The operation of ATV's and UTV's on any portion of a County highway designated as an ATV route and/or UTV route shall be subject to the following:

a. ATV's and UTV's shall be operated on the extreme right side of the roadway on the paved surface.
b. ATV's and UTV's shall be operated in compliance with all applicable Wisconsin laws, orders, regulations, restrictions and rules, including § 23.33, Wis. Stats., and Chapter NR 64, Wis. Admin. Code.
c. ATV's and UTV's shall be operated within applicable speed limits.
d. ATV's and UTV's are authorized to operate on County Highways only during daylight hours. Daylight hours means from ½ hour before sunrise to ½ hour after sunset.
e. All operators shall ride in single file.
f. Operation of ATV's and UTV's shall only be permitted from April 1 through December 1.
g. ATV's and UTV's shall not be operated on designated routes unless signage in accordance with § 23.33(8), Wis. Stats., and rules promulgated by the Wisconsin Department of Natural Resources is present.
h. Operators are required to have headlamps (white light) and tail lamps (red light) turned on at all times.
i. No person under twelve (12) years of age shall operate an ATV or UTV under any circumstances.
j. All operators under the age of eighteen (18) years of age not in possession of a valid driver's license shall have a valid ATV/UTV safety certificate in their possession and be accompanied by a parent or legal guardian.
k. All operators and passengers under the age of 18 shall wear a helmet approved by the Wisconsin Department of Transportation.

2.03 **Speed Limit.** The speed limit on all designated routes shall be thirty five (35) miles per hour. Operators shall reduce speed whenever the posted limited is less or as required by Wisconsin Statutes.

Section 3 Designated Routes

3.01 The following described segments of Polk County highways are designated as ATV routes:

Town	County Highway	Segment
Lorain	E	30th Str. to 20th Str.
McKinley	E	260th Ave. to State Rd. 48
Clam Falls	I	Clam Falls Dr. to 65th Street
Bone Lake	O	265th Ave. to 270th Ave.
Georgetown	E	Round Lake Rd. to 233rd Ave.

Georgetown	G	80th Str. to Bake Rd.
Milltown	G	140th Str. to Dau Dr.
Luck	GG	Entirety of CTH GG
Milltown	GG	Entirety of CTH GG
Bone Lake	GG	State Rd. 48 to CTH G
Georgetown	GG	Entirety of CTH GG
Bone Lake	I	250th Str. to 250th Street
Sterling	G	250th Str. to River Rd.
Osceola	M	200th Str. to Nye Lane
Laketown	Z	240TH Ave. to CTH N
Lincoln	H	105th Ave. to 110 Str.
Apple River	H	120th Ave. to Mains Crossing
Balsam Lake	I	160th Str. To 160th Str.
Osceola	MM	90th Ave. to 90th Ave.
Osceola	K	Big Lake Dr. to CTH M
Osceola	F	CTH MM to 210th Street
Lincoln	F	Deronda to CTH CC
Lincoln	C	CTH F to 68th Ave.
Beaver	T	160th Avenue to South Horseshoe Dr.

3.02 Operation of Utility Terrain Vehicles. Pursuant to § 23.33(1m)(b)1, Wis. Stats., this ordinance shall apply to the operation of UTV's. Any route designated in subsection 5, above, shall be designated for the operation of a UTV.

Section 4 Administration and Signage

4.01 This Ordinance shall be administered by the Polk County Highway Commissioner. Polk County Highway Commissioner may close, in his sole discretion, designated trails to ATV/UTV traffic.

4.02 All ATV routes established pursuant to this ordinance shall be reviewed annually by the Polk County Highway Commissioner with the advice of the Polk County Public Safety and Highway Committee to consider the continued value, efficacy or need for the ATV routes or the inclusion of additional ATV routes, all pursuant to the intent of this ordinance.

4.03 The Polk County Highway Department shall have sole authority and responsibility for placement of signage on designated routes. The county highways designated as ATV routes will be open when marked with appropriate signage. As the maintaining authority of the highways designated as routes, the Highway Department shall furnish, install, and maintain the proper signs and sign posts.

4.04 ~~The creation, placement, maintenance, repair or replacement of ATV/UTV route signs shall not require the expenditure of County funds or other County resources. In administering this Ordinance, the Polk County Highway Commissioner may enter into contracts on behalf of Polk County for the procurement, placement, maintenance, repair or replacement of ATV/UTV route signs and sign posts consistent with this provision~~. The Highway Department is authorized to expend county funds and other County resources as necessary to create, procure, place, maintain, repair or replace ATV/UTV route signs and sign posts. The Highway Commissioner is authorized to enter into on behalf of Polk County contracts that provide for reimbursement of the costs incurred by the County for the purchase of ATV/UTV route signs.

4.05 ~~The creation, placement, maintenance, repair or replacement of ATV/UTV route signs shall not require the expenditure of County funds or other County resources~~ Repealed.

4.06 Routes shall be marked with uniform ATV and/or UTV route signs in accordance with § NR 64.12(7), Wis. Admin. Code.

Section 5 Enforcement and Penalties.

5.01 This ordinance shall be enforced by the Polk County Sheriff's Department.

5.02 This Ordinance may be enforced in accordance with § 23.33(12) Wisconsin Statutes, including the issuance of a citation under Section 66.0113 Wisconsin Statutes.

5.03 The penalties set forth in § 23.33(13)(a) Wis. Stats., are adopted and incorporated by reference.

Section 6 Severability

6.01 The provisions of this ordinance shall be deemed severable and it is expressly declared that Polk County would have passed the provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other person's circumstances shall not be deemed affected.

Section 7 Effective Date

7.01 This Ordinance shall effective upon enactment and publication.

(Continued on Page 5)

Funding Source/ Funding Amount:	Highway Department Funds
Date Reviewed as to Appropriations:	September 8, 2016
Committee Recommendation as To Appropriation:	Not Applicable
Effective Date:	Upon Passage and Publication
Dated Submitted To County Board	September 20, 2016
Submitted and Sponsored By: _____	_____
Review By County Administrator: ☐ Recommended ☐ Not Recommended ☒ Reviewed Only Dana Frey / AEJ Dana Frey, County Administrator	Review By Corporation Counsel: ☑ Approved as to Form ☐ Recommended ☐ Not Recommended ☐ Reviewed Only Melissa Malone Jeffrey B. Fuge, Corporation Counsel

Acknowledgement of County Board Action

At its regular business meeting on the 20st day of September 2016, the Polk County Board of Supervisors considered and acted on the above ordinance, Ordinance No.____-16: Amendment to Polk County ATV and UTV Route Ordinance, as follows:

- ☐ Enacted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- ☐ Enacted by unanimous vote.
- ☐ Defeated by a vote of _____ in favor and _____against.
- ☐ Defeated by voice vote.
- ☐ Action Deferred by Procedural Action, as follows: _____

_____

SIGNED BY: _____
Dean Johansen, County Board Chairperson

Attest:_____
Carole T. Wondra, County Clerk

Certification of Publication

Ordinance No.____-16: Ordinance No.____-16: Amendment to Polk County ATV and UTV Route Ordinance, was published, pursuant to Wisconsin Statutes § 59.14(1), in the Inter-County Leader on the _____ day of September, 2016.

_____ Dated:_____
Carole T. Wondra, County Clerk

Resolution No. 37-16

Resolution To Approve Purchase of Lands for County Highway Facility and Create a Capital Project Account for a Highway Facility Project

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

Gentlemen:

WHEREAS, the Polk County Board of Supervisors is responsible for the long-term maintenance and condition of Polk County's infrastructure; and

WHEREAS, an independent engineering analysis has determined that the current Highway Department facility has long passed its useful life and has become obsolete, inefficient and a potentially hazardous workplace; and

WHEREAS, that same analysis has recommended that Polk County construct a new Highway Department facility that, at a minimum, replaces the current, 83-year-old facility; and

WHEREAS, Polk County has the opportunity to invest in a new Highway Department facility without an increase in property taxes for debt service; and

WHEREAS, to replace this facility requires first that an appropriate site be identified and purchased; and

WHEREAS, that same engineering firm has made an assessment of potential sites in close proximity to the current Government Center to maximize operational efficiency and made a recommendation for the site proposed to be purchased by this resolution; and

WHEREAS, the Polk County has adequate surplus funds to finance such a purchase in part due to proceeds from the sale of other property; and

WHEREAS, the Executive Committee of the Polk County Board of Supervisors has agreed that it is in the best long-term interest of Polk County to construct a new Highway Department facility on lands to be procured on recommendation of the County Administrator; and

WHEREAS, pursuant to Polk County Policy No. 916, *Management of County-Owned Non-Tax Forfeiture Real Estate*, the County Administrator has reviewed appraisal and land feasibility study reports concerning parcels previously identified by the Executive Committee as viable highway facility site options; and,

WHEREAS, after consulting the Executive Committee on the results of said reports and concerning the long term needs of the County for a county highway facility has recommended acquisition of the property identified as Polk County Parcel Identification Number 04-34N-17W; and

WHEREAS, it is in standard audit best practices to establish a Capital Project Account for purposes of designation and appropriation of funds and expenses, including land acquisition and future transactions related to a highway facility project.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors authorizes the purchase of the 20 acres owned by Elliott and Karen Paulsen, physically located in the Village of Balsam Lake and having the legal description as follows:

SE SE EXG V354 PG 382 Village of Balsam Lake, Polk County Wisconsin.

Parcel Identification Number: 04-34N-17W

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors directs the County Administrator to purchase said lands in the name of the Polk County in an amount not to exceed the appraised value, plus costs of real estate transfer fee and recording, and upon other terms and conditions as negotiated by the Executive Committee.

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes the creation of a Capital Project Account for purposes of tracking revenues and expenses related to a highway facility project.

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes the allocation of the appraised purchase value from the Polk County Unassigned Fund Balance to the Highway Facility Capital Project Account.

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes appropriate expenditures from the Highway Facility Capital Project Account, after said transfer, for land acquisition and related costs.

BE IT FURTHER RESOLVED that, pursuant to Wisconsin Statute Section 65.90(5)(a), the Polk County Board of Supervisors directs the Clerk to cause to be published notice of the transfer authorized herein by Class 1 notice within 10 days of passage of this resolution.

Funding Source/ Funding Amount:	Highway Department Fund Balance:$_____ Asset Fund Transfer: $_____ Authorized Purchase Price: $_____
Date Reviewed as to Appropriations:	September 8, 2016
Executive Committee Recommendation as To Appropriation:	Dean Johnson
Effective Date:	Upon Passage
Dated Submitted To County Board	September 20, 2016
Submitted By:	_____ _____ _____

Review By County Administrator:	Review By Corporation Counsel:
☑ Recommended ☐ Not Recommended ☐ Reviewed Only Deputy Cty Admin. Dana Frey, County Administrator	☑ Approved as to Form ☑ Recommended ☐ Not Recommended ☐ Reviewed Only Malia T. Malone Malia T. Malone, Assistant Corporation Counsel

Acknowledgement of County Board Action
Mark As Appropriate: At its regular business meeting on September 20, 2016, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. ____-16: Resolution To Approve Purchase of Lands for County Highway Facility, as follows: ☐ Adopted by two-thirds of the entire board of supervisors by a vote of _____ in favor and _____ against. ☐ Adopted by unanimous vote. ☐ Defeated by a vote of _____ in favor and _____against. ☐ Defeated by voice vote. ☐ Action Deferred by Procedural Action, as follows: _____ _____ _____ _____ _____ SIGNED BY: _____ Dean Johansen, County Board Chairperson Attest:_____ Carole T. Wondra, County Clerk
Certification of Publication On the _____day of _____, 2016, notice of the transfers authorized in the above resolution were published by Class 1 Notice pursuant to Chapter 985, Wisconsin Statutes, in the Inter –County Leader,. _____ Dated: _____ Carole T. Wondra, County Clerk

POLK COUNTY BOARD OF SUPERVISORS

Minutes of the Regular Meeting, Held September 20th, 2016

Polk County Government Center – County Board Room
Balsam Lake, WI 54810

Chairman Johansen called the regular September 20, 2016 meeting of the Polk County Board of Supervisors to order at 6:04 p.m.

Chairman Johansen recognized Tammy Peterson, Executive Assistant, for purposes of receiving evidence of proper notice. Chairman Johansen informed the Board that County Clerk, Carole Wondra was unable to attend the meeting and had appointed Ms. Peterson for the purpose of taking the minutes of the Board meeting.

The County Board received information from Tammy Peterson, Executive Assistant, who stated that the notice of meeting was on September 9, 2016 posted in three public buildings; published on September 14, 2016 in a legal newspaper in accordance with Wisconsin Statute Section 985.02 and posted on the county website the week of September 12, 2016. Ms. Peterson informed the Board that the office of County Clerk had on September 9, 2016 distributed on copies of such notice of meeting and proposed resolutions to supervisors.

Chairman Johansen recognized Corporation Counsel Jeffrey B. Fuge for purposes of receiving a legal opinion as to whether the meeting for September 2016 had been noticed properly consistent with the Wisconsin Open Meetings Law and the County Board rules of Order Ordinance. The County Board received the verbal opinion of Corporation Counsel that the initial advance written meeting notice, posted and published, as described by the Executive Assistant, satisfied the applicable provisions of Wisconsin Open Meetings Law and the applicable procedural provisions of the Polk County Board Rules of Order.

Chairman Johansen recognized the Executive Assistant for purposes of taking roll call. The County Board received the information from Ms. Peterson that each of the 15 Supervisors were present.

Chairman Johansen led the County Board in the Pledge of Allegiance.

Chairman Johansen asked for volunteers to offer a Time of Reflection. Chairman Johansen recognized Supervisor Masters for receipt of the Time of Reflection. Supervisor Masters offered a prayer in support of persons fighting cancer and family and friends who support those dealing with cancer.

Chairman Johansen called for a motion to approve the consent agenda as noticed. **Motion (Bonneprise/Jepsen) to approve the consent agenda as noticed and consisting of: a. Action to approve the agenda of the meeting notice issued for the September 20, 2016 meeting; b. Action to approve the minutes from August 16, 2016. Motion to approve consent agenda as noticed, carried unanimously by voice vote.**

Chairman Johansen called to the floor public comment. The County Board received no public comment.

Chairman Johansen presented the County board Chairman's Report.

Chairman Johansen recognized Supervisor Olson for purposes of making a procedural inquiry. Supervisor Olson inquired as to whether the County Board could proceed to meet in absence of the County Clerk. Chairman Johansen recognized Corporation Counsel for purposes of receiving a legal opinion on the point of inquiry. The County Board received the verbal opinion of Corporation Counsel Jeffrey Fuge that the County Board could continue the meeting because it had been properly noticed and that the minutes were being taken in accordance with Wisconsin Statute Section 59.23(2)(a). The County Board received the explanation from Corporation Counsel Fuge that based upon information available to the Corporation Counsel at the time of the meeting, it was the legal conclusion of Corporation Counsel that that Ms. Peterson was appointed by County Clerk in accordance with Wisconsin Statute Section 59.23(2)(a).

Chairman Johansen recognized County Administrator Dana Frey and Deputy County Administrator Andrea Jerrick for purposes of providing the County Board a presentation on proposed Polk County Operating and Capital Budget for Calendar Year 2017. The County Board received the presentation on the proposed Polk County Operating and Capital Budget for Calendar Year 2017 as submitted by county Administrator Dana Frey.

Chairman Johansen informed the County Board of the receipt of Administrator's appointments of Donald Prose to Polk County Housing Authority Commission and Adrienne Gyllen to the City of St. Croix falls Library Board. Chairman Johansen called for a motion to confirm said appointments. **Motion (W. Nelson/Prichard) to confirm the Administrator's appointments of Adrienne Gyllen to City of St. Croix Falls Library Board and Donald Prose to Polk County Housing Authority. Motion to confirm appointments carried** by unanimous voice vote.

Chairman Johansen declared the County Board in recess for a 10 minutes at 7:20 p.m. At 7:35 p. m., Chairman Johansen called the County Board back to session. The County Board reconvened in open session at 7:37 p.m.

Resolutions and Ordinances:

Chairman Johansen declared that on Chair's prerogative the Chairman would call to the floor proposed Resolution No. 37-16 and the related closed session on the basis that representatives of the Village of Balsam Lake were present and had an interest in said proposed resolution.

Insert Resol. 37-36

Chairman Johansen called to the floor, Resolution No. 37-16. **Chairman Johansen called for a motion to approve Resolution No. 37-16, Resolution to Approve Purchase of Lands for County Highway Facility and Create a Capital Project Account for a Highway Facility Project. Motion (Jepsen/C. Nelson) to approve Resolution No. 37-16.**

Chairman Johansen called for a motion to go into closed session. **Motion (C. Nelson/Moriak) to go into closed session for the purpose of developing and deliberating proposed terms of the purchase of public lands as contemplated by Resolution No. 37-16, because, in accordance with Wisconsin Statute Section 19.85(1)(e), there existed bargaining reasons to develop and to formulate an offer**

to purchase and negotiation strategy for said contemplated purchase. Motion to go into closed session, carried by unanimous voice vote.

Chairman Johansen announced that before convening in closed session that the record reflects that staff members, Corporation Counsel Jeff Fuge; Administrator Frey; Deputy Administrator Jerrick; Highway Commissioner Emil Norby; and Executive Assistant Tammy Peterson would be present in the closed session. The County Board convened in closed session at 8:08 p.m.

CLOSED SESSION

Chairman Johansen called for a motion to reconvene in open session. **Motion by Supervisor (Luke/Route) to reconvene in open session. Motion carried by unanimous voice vote.**

OPEN SESSION

The County Board reconvened in open session at 9:00 p.m. Upon reconvening in open session, Chairman Johansen announced that the County Board announced that while in closed session the county Board took action on a motion to reconvene in open session. Chairman Johansen declared that the County Board would resume debate and further action on proposed Resolution No. 37-16.

Motion (Masters/Luke) to amend Resolution No. 37-16 by striking language contained in proposed Lines 36-46, adding new language in Lines 36-63 and renumbering proposed lines 47-58 to Lines 64-75, as follows:

~~NOW, THEREFORE, BE IT RESOLVED THAT THE Polk County Board of Supervisors authorizes the purchase of the 20 acres owned by Elliott and Karen Paulsen, physically located in the village of Balsam Lake and having the legal description as follows:~~

~~SESE EXG V354 PG 382 Village of Balsam Lake, Polk County Wisconsin~~

~~Parcel Identification Number: 04-34N-17W~~

~~BE IT FURTHER RESOLVED that the Polk County Board of Supervisors directs the County Administrator to purchase said lands in the name of Polk County in the amount not to exceed the appraised value, plus costs of real estate transfer fee and recording, and upon other terms and conditions as negotiated by the Executive Committee.~~

And inserting in Lines 36-63, language as following:

"NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors authorizes the purchase of land, consisting of the southerly 20 acres of Parcel #106-00536-0000, a 31.5 acre parcel owned by Elliot S. Paulsen and Karen M. Paulsen Trust, Elliot S. Paulsen and Karen M. Paulsen, Trustees, and physically located north and west of the intersection of State Road 46 and County Trunk Highway I in the village of Balsam Lake, Polk County, and having an approximate legal description of

Part of the Southeast Quarter of the Southeast Quarter, all in Section 4, Township 34 N, Range 17 West

of the 4th Principal Meridian, Village of Balsam Lake, Polk County, Wisconsin, described as follows:

Commencing at the Southeast Corner of said Section 4; thence N00°08'50"W, along the east line of Section 4, 752.38 feet, thence N88°02'23"W 77.78 feet to the westerly right of way of State Highway 46, as described in document number 302349 recorded in volume 239 page 238, Polk County Register of Deeds, to the Point of beginning; thence continuing N88°02'23"W 1229.06 feet to the west line of said Southeast Quarter of the Southeast Quarter, thence S00°47'14"Walong the west line of said Southeast Quarter of the Southeast Quarter, 707.02 feet to the northerly right of way of County Road I, as described in document number 288175 recorded in volume 206 page 207, Polk County Register of Deeds, thence S88°02'23" E along said northerly right of way, 1143.41 feet to a point on the westerly right of way of State Highway 46, thence N46°29'12"E along said right of way, 147.55 feet, thence continuing along said westerly right of way N01°06'44"W 602.54 feet to the point of beginning. Said described parcel contains 871,342 square feet (20 acres) more or less.

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors directs the County Administrator to purchase said lands in the name of Polk County in an amount not to exceed the appraisal value of $60,000, plus payment of deferred special assessments in a sum not to exceed $47,057.54, costs of real estate transfer fees and recording and upon other terms and conditions as negotiated by the Executive Committee."

Chairman Johansen called for the vote on the motion to amend Resolution No. 37-16. **Motion to amend Resolution No. 37-16 as shown, carried** by majority voice vote.

Motion (Prichard/Masters) to further amend Resolution No. 37-16, as follows: Striking the WHEREAS lines 7 -22. Motion to further amend was withdrawn by the makers of said motion. Chairman Johnsen declared said motion made and withdrawn.

Motion (Luke/Jepsen) to further amend Resolution No. 37-16 by inserting in the resolution, as amended at Line 68, after the word "value" the terms "and an appropriate sum for payment of the deferred special assessment". Motion to further amend Resolution No. 37-16 carried by unanimous voice vote.

Motion by Supervisor Luke, second by Supervisor O'Connell to amend the Resolution on line 40 to provide for correct reference to the Parcel Identification Number, as initially drafted as "~~04-34N-17W~~" to "106-00536-0000". Chairman Johansen declared proposed Resolution No. 37-16 amended on Line 40 on consensus of the County Board.

Chairman Johansen called for a roll call vote on the motion to approve Resolution No. 37-16 as amended. **Motion to approve Resolution No. 37-16 as amended carried** by a roll call vote of 14 yes/1 no. Supervisors voting in favor: Olson, Route, Johansen, C. Nelson, Moriak, Masters, Prichard, Edgell, O'Connell, Jepsen, Luke, Arcand, Bonneprise & Demulling.; Supervisors voting in opposition: Warren Nelson. Resolution No. 37-16, adopted as amended.

Chairman Johansen declared the County Board in recess at 9:10 p.m. Chairman Johansen called the County Board back in session at 9:20 p.m.

Chairman Johansen called for a motion to suspend the Rules for consideration of Resolution 35-16 which lacked requisite signature of sponsoring supervisor. Motion (Masters/Jepsen) to suspend the Rules pursuant to Article 3, paragraph 4, for the purpose of taking action on Resolution No. 35-16 due to lack requisite signature. Motion carried by unanimous voice vote.

Insert Resol. 35-16

Chairman Johansen called to the floor Resolution No. 35-16. Chairman Johansen called for a motion to approve Resolution No. 35-16, Resolution to Authorize Intergovernmental Agreement with Unity School District for the Development and the Delivery of Preventative School Social Services. **Motion (Jepsen/ Demulling) to approve Resolution 35-16.** Community Services Division Director, Gretchen Sampson, addressed the resolution. **Chairman Johansen called for a voice vote to approve Resolution No. 35-16. Motion to approve Resolution No. 35-16 carried by unanimous voice vote.** Resolution Adopted.

Insert Resol. 36-16

Chairman Johansen called to the floor, proposed Ordinance No. 36-16. Chairman Johansen called for a motion to approve Ordinance No. 36-16, Amendment to Polk County ATV and UTV Route Ordinance. **Motion (Bonneprise/ Masters) to approve Ordinance No. 36-16.**

Motion by Supervisor Route, Second by Supervisor Luke to amend proposed Ordinance No. 36-16, revising the chart of designated trails, found at Section 3.01 to read as follows:

" **3.01** The following described segments of State Roads and Polk County highways are designated as ATV routes:

Town	State or County Highway	Segment
Lorain	E	30th Str. to 20th Str.
McKinley	E	260th Ave. to State Rd. 48
Clam Falls	I	Clam Falls Dr. to 65th Street
Bone Lake	O	~~265th Ave.~~ State Road 48 to 270th Ave.
Bone Lake	State Road 48	CTH O to Round Lake Road
Georgetown	E	Round Lake Rd. to 233rd Ave.
Georgetown	G	80th Str. to Bake Rd.
Milltown	G	140th Str. to Dau Dr.
Luck	GG	Entirety of CTH GG
Milltown	GG	Entirety of CTH GG
Bone Lake	GG	State Rd. 48 to CTH G
Georgetown	GG	Entirety of CTH GG
Bone Lake	I	250th Str. to 250th Street
Sterling	G	250th Str. to River Rd.
Osceola	M	200th Str. to Nye Lane
Laketown	Z	240TH Ave. to CTH N
Lincoln	H	105th Ave. to 110 Str.
Apple River	H	120th Ave. to Mains Crossing
Balsam Lake	I	160th Str. To 160th Str.

Osceola	MM	90th Ave. to 90th Ave.
Osceola	K	Big Lake Dr. to CTH M
Osceola	F	CTH MM to 210th Street
Lincoln	F	Deronda to CTH CC
Lincoln	C	CTH F to 68th Ave.
Beaver	T	160th Avenue to ~~South~~North Horseshoe ~~Dr.~~Court

Chairman Johansen called for a voice vote on the motion to amend proposed Ordinance No. 36-16. Motion to amend carried, by unanimous voice vote.

Chairman Johansen called for a voice vote to approve proposed Ordinance No. 36-16, as amended. Motion to approve Ordinance No. 36-16, as amended, carried, by unanimous voice vote. Ordinance Adopted.

Time was given for Supervisors Reports.
Supervisor Masters, Chair of General Government, stated that the General Government Committee Authorized Contingency Fund Transfer for Law Enforcement Communication's 911 Logger/Recorder Emergency Replacement. This is the Public notice.

Motion (Demulling/ Masters) to adjourn. Motion carried by unanimous voice vote.

Chairman Johansen declared meeting adjourned 9:36 p.m.

Respectfully submitted,

Tammy Peterson, Executive Assistant

Resolution No. 37-16

Resolution To Approve Purchase of Lands for County Highway Facility and Create a Capital Project Account for a Highway Facility Project

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

Gentlemen:

WHEREAS, the Polk County Board of Supervisors is responsible for the long-term maintenance and condition of Polk County's infrastructure; and

WHEREAS, an independent engineering analysis has determined that the current Highway Department facility has long passed its useful life and has become obsolete, inefficient and a potentially hazardous workplace; and

WHEREAS, that same analysis has recommended that Polk County construct a new Highway Department facility that, at a minimum, replaces the current, 83-year-old facility; and

WHEREAS, Polk County has the opportunity to invest in a new Highway Department facility without an increase in property taxes for debt service; and

WHEREAS, to replace this facility requires first that an appropriate site be identified and purchased; and

WHEREAS, that same engineering firm has made an assessment of potential sites in close proximity to the current Government Center to maximize operational efficiency and made a recommendation for the site proposed to be purchased by this resolution; and

WHEREAS, the Polk County has adequate surplus funds to finance such a purchase in part due to proceeds from the sale of other property; and

WHEREAS, the Executive Committee of the Polk County Board of Supervisors has agreed that it is in the best long-term interest of Polk County to construct a new Highway Department facility on lands to be procured on recommendation of the County Administrator; and

WHEREAS, pursuant to Polk County Policy No. 916, *Management of County-Owned Non-Tax Forfeiture Real Estate*, the County Administrator has reviewed appraisal and land feasibility study reports concerning parcels previously identified by the Executive Committee as viable highway facility site options; and,

WHEREAS, after consulting the Executive Committee on the results of said reports and concerning the long term needs of the County for a county highway facility has recommended acquisition of the property identified as Polk County Parcel Identification Number 04-34N-17W; and

WHEREAS, it is in standard audit best practices to establish a Capital Project Account for purposes of designation and appropriation of funds and expenses, including land acquisition and future transactions related to a highway facility project.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors authorizes the purchase of the 20 acres owned by Elliott and Karen Paulsen, physically located in the Village of Balsam Lake and having the legal description as follows:

SE SE EXG V354 PG 382 Village of Balsam Lake, Polk County Wisconsin.

Parcel Identification Number: 04-34N-17W

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors directs the County Administrator to purchase said lands in the name of the Polk County in an amount not to exceed the appraised value, plus costs of real estate transfer fee and recording, and upon other terms and conditions as negotiated by the Executive Committee.

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes the creation of a Capital Project Account for purposes of tracking revenues and expenses related to a highway facility project.

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes the allocation of the appraised purchase value from the Polk County Unassigned Fund Balance to the Highway Facility Capital Project Account.

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes appropriate expenditures from the Highway Facility Capital Project Account, after said transfer, for land acquisition and related costs.

BE IT FURTHER RESOLVED that, pursuant to Wisconsin Statute Section 65.90(5)(a), the Polk County Board of Supervisors directs the Clerk to cause to be published notice of the transfer authorized herein by Class 1 notice within 10 days of passage of this resolution.

Funding Source/ Funding Amount:	Highway Department Fund Balance:$_____ Asset Fund Transfer: $_____ Authorized Purchase Price: $_____
Date Reviewed as to Appropriations:	September 8, 2016
Executive Committee Recommendation as To Appropriation:	Dean Johnson
Effective Date:	Upon Passage
Dated Submitted To County Board	September 20, 2016
Submitted By: John Bonneprise	_____ _____ _____

Review By County Administrator:	Review By Corporation Counsel:
☑ Recommended ☐ Not Recommended ☐ Reviewed Only Deputy Cty Admin. Dana Frey, County Administrator	☑ Approved as to Form ☑ Recommended ☐ Not Recommended ☐ Reviewed Only Malia T. Malone, Assistant Corporation Counsel

Acknowledgement of County Board Action

Mark As Appropriate:

At its regular business meeting on September 20, 2016, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. 37-16: Resolution To Approve Purchase of Lands for County Highway Facility, as follows:

- ☑ Adopted by two-thirds of the entire board of supervisors by a vote of 14 in favor and 1 against.
- ☐ Adopted by unanimous vote.
- ☐ Defeated by a vote of _____ in favor and _____against.
- ☐ Defeated by voice vote.
- ☐ Action Deferred by Procedural Action, as follows: _____

SIGNED BY:

Dean Johansen, County Board Chairperson

Attest: Carole T. Wondra

Carole T. Wondra, County Clerk

Certification of Publication

On the _____day of _____, 2016, notice of the transfers authorized in the above resolution were published by Class 1 Notice pursuant to Chapter 985, Wisconsin Statutes, in the Inter –County Leader,.

_____ Dated: _____

Carole T. Wondra, County Clerk

CERTIFIED COPY OF POLK COUNY RESOLUTION

STATE OF WISCONSIN

COUNTY OF POLK

I Carole T. Wondra, Polk County Clerk due hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of Resolution No. 37-16 adopted by the Polk County Board of supervisors at its regular business meeting held on Sept. 20, 2016.

Carole T. Wondra 9-26-16

Carole T. Wondra, Polk County Clerk Date

Resolution No: 35 -16

Resolution to Authorize Intergovernmental Agreement with Unity School District for the Development and the Delivery of Preventative School Social Services

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

Gentlemen:

WHEREAS, under Wisconsin law, counties and school districts may through intergovernmental agreements provide for the receipt or furnishing of services or the joint exercise of duties or powers required under law; and

WHEREAS, as a public school district, the Unity School District has a mandate to provide for the delivery of comprehensive pupil services which include and are not limited to the delivery of school social services; and

WHEREAS, the Unity School District has sought the collaboration with the Polk County Department of Children and Families to develop and to deliver school social services on a preventative basis model.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Wisconsin Statute Section 66.0301, the Polk County Board of Supervisors does authorize the Polk County Department of Children and families to enter into an intergovernmental agreement with the Unity School District to develop and to deliver preventative based school social services on a collaborative basis.

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes and directs the Polk County Community Services Director to develop, negotiate, execute and administer on behalf of Polk County and the Polk County Department of Children and Families an intergovernmental agreement authorized by this resolution.

BE IT FURTHER RESOLVED that the authorization provided in this resolution shall be implemented as a pilot program for the 2016-2017 school year and shall be subject to annual review and approval in the course of development and approval of the county budget as provided by county policy.

Funding Source/ Funding Amount:	Funded through intergovernmental agreement reimbursement of costs plus overhead
Date Reviewed as to Appropriations:	
Committee Recommendation as To Appropriation:	
Effective Date:	Upon passage
Dated Submitted To County Board	September 20, 2016
Submitted and Sponsored By: _____	_____
Review By County Administrator: ☐ Recommended ☐ Not Recommended ☒ Reviewed Only Dana Frey /AES Dana Frey, County Administrator	Review By Corporation Counsel: ☒ Approved as to Form ☐ Recommended ☐ Not Recommended ☐ Reviewed Only Malia Malone Jeffrey B. Fuge, Corporation Counsel
Acknowledgement of County Board Action	

Mark As Appropriate:

At its regular business meeting on the 20th of September 2016, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. 35-16: Resolution to Authorize Intergovernmental Agreement with Unity School District for the Development and the Delivery of Preventative School Social Services, as follows:

- ☐ Adopted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- ☑ Adopted by unanimous vote.
- ☐ Defeated by a vote of _____ in favor and _____against.
- ☐ Defeated by voice vote.
- ☐ Action Deferred by Procedural Action, as follows: _____

SIGNED BY:

Dean Johansen

Dean Johansen, County Board Chairperson

Attest: Carole T. Wondra

Carole T. Wondra, County Clerk

CERTIFIED COPY OF POLK COUNY RESOLUTION

STATE OF WISCONSIN

COUNTY OF POLK

I Carole T. Wondra, Polk County Clerk due hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of Resolution No. 35-16 adopted by the Polk County Board of supervisors at its regular business meeting held on Sept. 20, 2016.

Carole T. Wondra 9-26-16

Carole T. Wondra, Polk County Clerk Date

Ordinance No. 36 -16
Amendment to Polk County ATV and UTV Route Ordinance

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

Ladies and Gentlemen:

WHEREAS, on June 21, 2016, the Polk County Board of Supervisors enacted Ordinance No. 24-16, entitled Ordinance to Establish ATV and UTV Routes on County Trunk Highways; and

WHEREAS, the language contained in Sections 4.04 and 4.05 of said ordinance limited considerably the procurement and installation of the signs necessary to lawfully open the county trunk highways designated by ATV and UTV routes; and

WHEREAS, it is in the interest of the County to amend the ordinance in such a manner to allow for the lawful opening of ATV and UTV routes designated by the ordinance.

NOW, THEREFORE, the Polk County Board of Supervisors ordains that Ordinance No. 24-16, Ordinance to Establish ATV and UTV Routes on County Trunk Highways, shall be amended to read, as follows:

Section 1. General

1.01 **Content and Scope.** Following due consideration of the recreational value to connect trail opportunities and weighed against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, Polk County enacts this ordinance to designate routes for the operation of All-Terrain Vehicles ("ATV") and Utility Terrain Vehicles ("UTV's") on Polk County highways and to regulate the operation of ATV's and UTV's on such designated routes.

1.02 **Statutory Authority**. This ordinance is enacted under the authority of §§ 23.33(8)(b), 23.33(11) and 59.02, Wis. Stats. In addition, the provisions of § 23.33, Wis. Stats., and the provisions of Wisconsin Administrative Code NR 64 regulating ATV operations are hereby incorporated and adopted.

Section 2. Regulated Operation of All-Terrain Vehicles and Utility Terrain Vehicles.

2.01 Pursuant to § 23.33(4)(b), Wis. Stats., except as provided in § 23.33, Wis. Stats., no person may operate an ATV or UTV on any part of Polk County ("County") highways except those portions of County highways that are designated as ATV and/or UTV routes in Section 3 and in accordance with the provisions of this Ordinance.

2.02 The operation of ATV's and UTV's on any portion of a County highway designated as an ATV route and/or UTV route shall be subject to the following:

a. ATV's and UTV's shall be operated on the extreme right side of the roadway on the paved surface.
b. ATV's and UTV's shall be operated in compliance with all applicable Wisconsin laws, orders, regulations, restrictions and rules, including § 23.33, Wis. Stats., and Chapter NR 64, Wis. Admin. Code.
c. ATV's and UTV's shall be operated within applicable speed limits.
d. ATV's and UTV's are authorized to operate on County Highways only during daylight hours. Daylight hours means from ½ hour before sunrise to ½ hour after sunset.
e. All operators shall ride in single file.
f. Operation of ATV's and UTV's shall only be permitted from April 1 through December 1.
g. ATV's and UTV's shall not be operated on designated routes unless signage in accordance with § 23.33(8), Wis. Stats., and rules promulgated by the Wisconsin Department of Natural Resources is present.
h. Operators are required to have headlamps (white light) and tail lamps (red light) turned on at all times.
i. No person under twelve (12) years of age shall operate an ATV or UTV under any circumstances.
j. All operators under the age of eighteen (18) years of age not in possession of a valid driver's license shall have a valid ATV/UTV safety certificate in their possession and be accompanied by a parent or legal guardian.
k. All operators and passengers under the age of 18 shall wear a helmet approved by the Wisconsin Department of Transportation.

2.03 **Speed Limit.** The speed limit on all designated routes shall be thirty five (35) miles per hour. Operators shall reduce speed whenever the posted limited is less or as required by Wisconsin Statutes.

Section 3 Designated Routes

3.01 The following described segments of Polk County highways are designated as ATV routes:

Town	County Highway	Segment
Lorain	E	30th Str. to 20th Str.
McKinley	E	260th Ave. to State Rd. 48
Clam Falls	I	Clam Falls Dr. to 65th Street
Bone Lake	O	265th Ave. to 270th Ave.
Georgetown	E	Round Lake Rd. to 233rd Ave.

Georgetown	G	80th Str. to Bake Rd.
Milltown	G	140th Str. to Dau Dr.
Luck	GG	Entirety of CTH GG
Milltown	GG	Entirety of CTH GG
Bone Lake	GG	State Rd. 48 to CTH G
Georgetown	GG	Entirety of CTH GG
Bone Lake	I	250th Str. to 250th Street
Sterling	G	250th Str. to River Rd.
Osceola	M	200th Str. to Nye Lane
Laketown	Z	240TH Ave. to CTH N
Lincoln	H	105th Ave. to 110 Str.
Apple River	H	120th Ave. to Mains Crossing
Balsam Lake	I	160th Str. To 160th Str.
Osceola	MM	90th Ave. to 90th Ave.
Osceola	K	Big Lake Dr. to CTH M
Osceola	F	CTH MM to 210th Street
Lincoln	F	Deronda to CTH CC
Lincoln	C	CTH F to 68th Ave.
Beaver	T	160th Avenue to South Horseshoe Dr.

3.02 Operation of Utility Terrain Vehicles. Pursuant to § 23.33(1m)(b)1, Wis. Stats., this ordinance shall apply to the operation of UTV's. Any route designated in subsection 5, above, shall be designated for the operation of a UTV.

Section 4 Administration and Signage

4.01 This Ordinance shall be administered by the Polk County Highway Commissioner. Polk County Highway Commissioner may close, in his sole discretion, designated trails to ATV/UTV traffic.

4.02 All ATV routes established pursuant to this ordinance shall be reviewed annually by the Polk County Highway Commissioner with the advice of the Polk County Public Safety and Highway Committee to consider the continued value, efficacy or need for the ATV routes or the inclusion of additional ATV routes, all pursuant to the intent of this ordinance.

4.03 The Polk County Highway Department shall have sole authority and responsibility for placement of signage on designated routes. The county highways designated as ATV routes will be open when marked with appropriate signage. As the maintaining authority of the highways designated as routes, the Highway Department shall furnish, install, and maintain the proper signs and sign posts.

4.04 ~~The creation, placement, maintenance, repair or replacement of ATV/UTV route signs shall not require the expenditure of County funds or other County resources. In administering this Ordinance, the Polk County Highway Commissioner may enter into contracts on behalf of Polk County for the procurement, placement, maintenance, repair or replacement of ATV/UTV route signs and sign posts consistent with this provision~~. The Highway Department is authorized to expend county funds and other County resources as necessary to create, procure, place, maintain, repair or replace ATV/UTV route signs and sign posts. The Highway Commissioner is authorized to enter into on behalf of Polk County contracts that provide for reimbursement of the costs incurred by the County for the purchase of ATV/UTV route signs.

4.05 ~~The creation, placement, maintenance, repair or replacement of ATV/UTV route signs shall not require the expenditure of County funds or other County resources~~ Repealed.

4.06 Routes shall be marked with uniform ATV and/or UTV route signs in accordance with § NR 64.12(7), Wis. Admin. Code.

Section 5 Enforcement and Penalties.

5.01 This ordinance shall be enforced by the Polk County Sheriff's Department.

5.02 This Ordinance may be enforced in accordance with § 23.33(12) Wisconsin Statutes, including the issuance of a citation under Section 66.0113 Wisconsin Statutes.

5.03 The penalties set forth in § 23.33(13)(a) Wis. Stats., are adopted and incorporated by reference.

Section 6 Severability

6.01 The provisions of this ordinance shall be deemed severable and it is expressly declared that Polk County would have passed the provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other person's circumstances shall not be deemed affected.

Section 7 Effective Date

7.01 This Ordinance shall effective upon enactment and publication.

(Continued on Page 5)

Funding Source/ Funding Amount:	Highway Department Funds
Date Reviewed as to Appropriations:	September 8, 2016
Committee Recommendation as To Appropriation:	Not Applicable
Effective Date:	Upon Passage and Publication
Dated Submitted To County Board	September 20, 2016
Submitted and Sponsored By:	
Review By County Administrator: ☐ Recommended ☐ Not Recommended ☒ Reviewed Only Dana Frey / AEJ Dana Frey, County Administrator	Review By Corporation Counsel: ☑ Approved as to Form ☐ Recommended ☐ Not Recommended ☐ Reviewed Only Melissa Malone Jeffrey B. Fuge, Corporation Counsel

Acknowledgement of County Board Action

At its regular business meeting on the 20st day of September 2016, the Polk County Board of Supervisors considered and acted on the above ordinance, Ordinance No. 36-16: Amendment to Polk County ATV and UTV Route Ordinance, as follows:

☐ Enacted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.

☑ Enacted by unanimous vote.

☐ Defeated by a vote of _____ in favor and _____against.

☐ Defeated by voice vote.

☐ Action Deferred by Procedural Action, as follows: _____

_____

SIGNED BY: _____

Dean Johansen, County Board Chairperson

Attest: _____

Carole T. Wondra, County Clerk

Certification of Publication

Ordinance No.____-16: Ordinance No.____-16: Amendment to Polk County ATV and UTV Route Ordinance, was published, pursuant to Wisconsin Statutes § 59.14(1), in the Inter-County Leader on the _____ day of September, 2016.

_____ Dated:_____

Carole T. Wondra, County Clerk

CERTIFIED COPY OF POLK COUNTY ORDINANCE

STATE OF WISCONSIN

COUNTY OF POLK

I, Carole T. Wondra, Polk County Clerk due hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of the Polk County Ordinance Amendment to Polk County ATV and UTV Route Ordinance, as adopted by the Polk County Board of Supervisors on the 20th day of September, 2016 .

Carole T. Wondra 9-26-16

Carole T. Wondra, Polk County Clerk Date

STATE OF WISCONSIN)
)SS
COUNTY OF POLK)

I, Carole T. Wondra, Clerk for Polk County, do hereby certify that the foregoing minutes are a true and correct copy of the County Board Proceedings of the Polk County Board of Supervisor's Session, held on Sept. 20, 2016.

Carole T. Wondra 9-26-16

Carole T. Wondra Date