



POLK COUNTY, WISCONSIN

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Sharon Jorgenson, County Clerk
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AGENDA AND NOTICE OF MEETING

ENVIRONMENTAL SERVICES COMMITTEE

Government Center, 100 Polk County Plaza, Balsam Lake, WI 54810

County Board Room

Wednesday, July 11, 2018 at 9:00 a.m.

A quorum of the County Board may be present

Materials: June 27, 2018 Minutes

1. Call to order
2. Approval of agenda
3. Approval of minutes for June 27, 2018
4. Public Comments
5. Receipt of Information from Supervisors on Matters Noticed
6. Presentation of Program Overviews/Annual Report:
 - a. Program Overview/Annual Report: Parks, Recreation, Trails and Forestry
 - b. Program Overview/Annual Report: Register of Deeds
7. Land Conservation, Agriculture and Extension Education, Lime Quarry:
 - a. Recommendation on Proposed Resolution 52-18: Resolution Concerning the Closure of Lime Quarry Operations and the Future Use or Disposition of Lime Quarry Assets
 - b. Recommendation on Resolution No. 55-18: Resolution Providing for Expansion of Polk County UW–Extension 4-H Program Services – Distributed In Committee Meeting
8. Parks, Recreation, Trails and Forestry:
 - a. Receipt of Information on Subcommittee on Trail Planning:
 - Consideration of Trail Planning Work Plan
 - b. Recommendation on Proposed Resolution No. 56-18: Resolution to Authorize Lease Agreement for A.T. & T. Telecommunications Tower on County Forest Land and Application for Withdrawal of lands from County Forest
9. Planning and Zoning:
 - a. Information Concerning Development of Subdivision Ordinance Amendments
10. Tax Delinquent Properties - Recommendation on Ordinance 53-18: Acquisition and Sale of Tax Deeded Lands Ordinance
11. Identification of Subject Matters for Upcoming Meetings
12. Adjourn

Items on the agenda not necessarily presented in the order listed. 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. Requests are confidential.



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MINUTES

Environmental Services Committee

Government Center County Board Room
100 Polk County Plaza Balsam Lake, WI 54810
9:00 A.M. Wednesday, June 27, 2018

Member Attendance

Attendee Name	Title	Status
Kim O'Connell	Chair	Present
Tracy LaBlanc	Supervisor	Present
Doug Route	Supervisor	Present
Brad Olson	Vice Chair	Present
Jim Edgell	Supervisor	Present
Lyle Doolittle	FSA Representative	Present

Also present were Stephanie Fansler, Deputy County Clerk; members of the public and of the press.

Meeting called to order by Chair O'Connell at 9:00 A.M.

Approval of Agenda- Chair O'Connell called for a **motion** to approve the agenda as amended.

Motion (LaBlanc/Route) to approve the amended agenda carried by unanimous voice vote.

Approval of Minutes – Chair O'Connell called for a **motion** to approve the minutes of the June 13, 2018 meeting. **Motion** (Route/Olson) to approve the Minutes of the June 13, 2018 with a notation to correct the break time as a scrivener's error carried by unanimous voice vote.

Public Comment - 5 public comments received by committee.

Receipt of Information from Supervisor on Matters Noticed – none

Chair O'Connell called to the floor, for Discussion or Action.

Land Conservation, Agriculture and Extension Education, Lime Quarry:

- a. Recommendation on Proposed Resolution No. 52-18: Resolution Concerning the Closure of Lime Quarry Operations and the Future Use or Disposition of Lime Quarry Assets. Discussion. Chair O'Connell called upon Supervisor Olson to address the resolution. The committee wishes to postpone action on this resolution pending receipt of financial projections regarding the Lime Quarry to discuss at the next ESC meeting.
- b. UW Extension Office –Chair O'Connell recognized Kristen Bruder, UW Extension for the purpose of receiving information. Bruder provided a status report on the open positions

in UW-Ext. The Family Educator position has been offered to a candidate. They will repost the Ag Educator position as there were no qualified candidates. A new position is being developed to help with the 4H work load in Polk and St. Croix Counties. This new position requires a resolution for the next ESC meeting for action at the July County Board Meeting. The Community Educator position has been filled.

Parks, Recreation, Trails and Forestry:

- a. Recommendations Concerning AT&T Proposal to Construct a Telecommunication Tower on County Lands: Chair O'Connell recognized Paul Heimsted, WDNR for the purpose of receiving information. Heimsted explained to the committee the process for the removal of 3 acres of land in the Town of Sterling from a county forest and to then lease the land to AT & T for the purpose of operating a Telecommunication Tower. This will require a resolution to be brought to the committee at their next meeting for action at the July County Board Meeting.
- b. Receipt of Information on subcommittee on Trail Planning: Chair O'Connell recognized Sub-committee Chair Olson. Olson presented a copy of the survey that is being conducted. Olson announced that a public Hearing regarding the Trail Planning will be held at Unity School on July 31, 2018.

Chair O'Connell called for a break at 10:07 A.M. Chair O'Connell called the meeting back in session at 10:20 A. M.

Planning and Zoning:

- a. Program Overview/Annual Report: Land Information Department was presented by Director McCurdy. McCurdy explained the purpose of the 4 divisions that make up the Land Information Department.
- b. Develop Work Plan and Recommendations on Proposed Ordinance Amendments to Transfer Conditional Use Permit Authority from Board of Adjustment to Environmental Services Committee (Comprehensive Land Use Ordinance; Shoreland Protection Zoning Ordinance; Lower St. Croix Riverway: Zoning Administrator Kjeseth presented a summary of the changes. The Land Information Department will publish notices for the four Ordinance changes with a Public Hearing scheduled for the 4th Wednesday in July, 2018 for action at the August County Board Meeting.
- c. Information Concerning Development of Subdivision Ordinance Amendments. Kjeseth said they are gathering more background information addressing the difference between plats and CSMs.

Tax Delinquent Properties

- a. Review of Tax Delinquent Lands Inventory – Updated: Tina Riley, Parks Dept. presented an updated list of the Tax Delinquent Lands Inventory. The next property auction should happen at the end of July.
- b. Review of Tax Deed Properties and Set Sale and Appraised Value of Tax Deeded Lands: Amanda Nissen, Treasurer suggested a change in the set price on the two properties as the taxes owed far exceeded the set selling price. By consensus, the committee changed the selling price of the two properties to \$175,000.

- c. Recommendation on Proposed Ordinance No. 53-18 Acquisition and Sale of Tax Deed Properties: the committee wished to postpone action on this item until the next meeting.
- d. Consideration of outsourcing legal work concerning the disposition of the Woodley Dam property: the committee instructed staff to get an estimated price to outsource this project.

Identification of Subject Matters for Upcoming Meetings. Review of Lime Quarry financial projections. Resolution for 4-H expanded Services. Resolution for withdrawal of land from County Forest. Information on sub-division ordinance. Ordinance No. 53-18. Review cost of outsourcing legal work – Woodley Dam. Program overview/ annual report – Parks & Buildings Dept. and Register of Deeds. Method of receiving information. For the 2nd meeting in July – Res. No.52-18 and Public Hearing.

Motion (Olson/Edgell) to adjourn. Motion carried by unanimous voice vote. Chair O’Connell declared meeting adjourned at 11:52 A.M.

Respectfully submitted,

Stephanie Fansler
Deputy Polk County Clerk

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POLK COUNTY REGISTER OF DEEDS DEPARTMENT SUMMARY

The Register of Deeds Office (ROD) is the official record keeper for all real estate records at the county level. Documents maintained by the ROD are public records (with the exception of military discharges and certain vital records), and available for viewing at no charge in our office. Copy fees are charged. We provide four public access stations.

The real estate information maintained by the ROD is utilized by many, including the Treasurer's Office, Real Property Lister, Land Information, Zoning, Land & Water, Surveyors, Title Companies, Realtors, Appraisers, Attorneys, as well as the general public.

A monumental accomplishment for Polk County was making land records available on-line in 2008. Since 2008, the ROD has continued to modernize our on-line systems with up to date software technology companies. We currently have images available back to 1933, and those images are indexed back to 1995. Back indexing is an on-going project and done as time permits.

The ROD is also responsible for filing and maintaining military discharges for the Veterans Service Office (VSO). This service is provided free of charge. Certified copies of military discharges are also provided free of charge to the VSO. These records are confidential and therefore actual copies are filed and indexed in our office, but not scanned for viewing on-line.

The ROD issues certified and non-certified copies of Vital Records including birth, death, marriage, divorce, and domestic partnership records. Information is submitted by the ROD to the State of Wisconsin regarding deaths and marriages occurring within Polk County.

Statutory fees collected by the ROD are deposited with the Polk County Treasurer's Office on a daily basis. These funds are distributed by the Treasurer's office to the appropriate State and County accounts.

Fee Schedule

Department: Register or Deeds

Completed By: _____

Date Completed: _____

Type of Fee	2014 Fee Rate	2015 Fee Rate	2016 Fee Rate	2017 Fee Rate	2018 Fee Rate	2019 Fee Rate
Recording/Filing Real Estate Docs	30.00	30.00	30.00	30.00	\$ 30.00	\$ 30.00
Plats-Subdivision/Cemetery/Condo	50.00	50.00	50.00	50.00	\$ 50.00	\$ 50.00
Transportation Project Plats	25.00	25.00	25.00	25.00	\$ 25.00	\$ 25.00
Copies of R.E. Documents: per page/add page	\$2.00 + \$1.00	\$2.00 + \$1.00	\$2.00 + \$1.00	\$2.00 + \$1.00	\$2.00 + \$1.00	\$2.00+\$1.00
Vital Record Copies: per copy/add copy	\$20.00 + \$3.00	\$20.00 + \$3.00	\$20.00 + \$3.00	\$20.00 + \$3.00	\$20.00 + \$3.00	\$20.00+\$3.00
R.E. Transfer Fees (\$3 per \$1,000)	3 per 1,000	3 per 1,000	3 per 1000	\$3 per 1,000	\$3 per 1,000	\$3 per 1,000
Laredo Subscription & Copy Fees	n/a	n/a	n/a	\$85-\$410*	\$85-\$410	\$85-\$410
Tapestry Search Fees & Copy Fees	n/a	n/a	n/a	\$6.95 + copy*	\$6.95 + copy	\$6.95 + copy
*2017: Sept-Dec revenue						

Has any analysis been done to determine the cost of providing the services versus the fee being charged? If so, when and what were the results?

When is the last time there was an increase in fees?

Comments	2017 Actual Revenues	2018 Estimated Revenues	2019 Estimated Revenues
Fees are Statutorily	\$265,039.42	\$250,000.00	\$260,000.00
Controlled.	\$100.00		\$100.00
Per WI SS 59.43 & WI SS 69	\$0.00		\$0.00
	\$44,159.35		
Revenues = County Share Only	\$26,467.00		\$26,500.00
Revenues = County Share Only	\$164,851.50	\$120,000.00	\$150,000.00
Revenues = County Share Only	\$3,864.03		\$30,000.00
Revenues = County Share Only	\$2,715.50		\$14,000.00

Register of Deeds Task Analysis 2018

Management – Task Analysis Name of Office: Register of Deeds Location: Polk County Government Center Hours: M-F 8:30am–4:30pm Immediate Supervisor Sally L. Spanel					Priority: 1,2,3,4 or 5 Knowledge: Low, Med, High
			Full Time		
			Last Updated 06/14/2018		
Task	Sub Task	Priority		Knowledge	Performance Standard
Prep Real Estate Records (241 different document types)	Review for Statutory requirements Redact SS Numbers Accept or reject as appropriate Ensure recording and transfer fees are correct Scan into recording software Enter required information into recording software	5		H	All statutory requirements and fees must be met All accepted documents must be prepped/recorded in timely manner daily Statute/Ordinance 59.43(1c)(a),(c),(e),(f),(g),(k),(l),(q),(r),59.43(1m),59.43(1g),59.43(2),59.43(2m),59.43(4),59.43(7)(b), 59.43(9), 59.75(6), 134.17, 706.09, 766.58(11), 2005-6, 1996-3, 1996-14
Process Real Estate Records (241 different document types)	Enter Grantor, Grantee, legal description, parcel number, notes, associated document number, document date	5		H	All document information must be processed within 1 day Statute/Ordinance 59.43(2)(g), 59.43(1c)(a),(k),(s), 59.43(12m), 59.43(9)
Audit Real Estate Records (241 different document types)	Verify Grantor, Grantee, legal description, parcel number, address, notes, associated document number, return to, document date	4		M	All document information must be audited within 1 day Statute/Ordinance 59.43(1c)(a),(c),(d),(e),(f)
Return Real Estate Records	Return to the party entitled in a reasonable time. Documents left with the register for record not required by law to keep; returned by mail or electronically	3		L	All documents must be returned in a reasonable time Statute/Ordinance 59.43(g)
Permanently Maintain Documents	Keep safely and maintain the documents, images of recorded documents and indexes Adopt Public Records Retention Schedule, ensure doc retrieval for future technology and disaster recovery	5		M	All documents must be maintained legibly and retrievable All documents must be scanned daily Statute/Ordinance 59.43(1c)(a),(d),(j),9k,(m),(n),(o),(q),(r),(s). 59.43(12), 2014-14

Register of Deeds Task Analysis 2018

Prep Certified Survey Map, Subdivision Plat, Condominium Plat, Cemetery Plat, Transportation Plat Recording	Review for Statutory requirements Accept or reject as appropriate Ensure recording fees are correct Scan into recording software Enter required information into recording software	5		H	All statutory requirements and fees must be met All accepted documents must be prepped/recorded in timely manner daily Statute/Ordinance 59.43(1c)(a),(d), 59.43(8), 84.095, 236.34, 703.09, 703.11, 703.163
Process Certified Survey Map, Subdivision Plat, Condominium Plat, Cemetery Plat, Transportation Plat Process	Enter Grantor, Grantee, legal description, parcel number, Notes, associated document number, document date	5		H	All document information must be processed within 1 day Statute/Ordinance 59.43(2)(g), 59.43(1c)(a),(k), 59.43(12m), 59.43(9)
Audit Certified Survey Map, Subdivision Plat, Condominium Plat, Cemetery Plat, Transportation Plat Reviewing	Verify Grantor, Grantee, legal description, parcel number, address, Notes, associated document number, return to, document date	4		M	All document information must be audited within 1 day Statute/Ordinance 59.43(1c)(a),(c),(d),(e),(f)
Return Certified Survey Map, Subdivision Plat, Condominium Plat, Cemetery Plat, Transportation Plat Maintenance	Safely keep original documents required by law; copies must be purchased by person submitting original document	3		L	No originals returned – recorded copies must be purchased by person submitting original document Statute/Ordinance 59.43(g)
Local Review of Condominium Instruments	Before prepping, review the condominium documents for statutory and county ordinance requirements	5		H	All document information must be verified Review is with the register of deeds & land information offices All documents must be reviewed within 10 days Statute/Ordinance 59.43, 703.115, 2005-38
Prep Military Discharge Records	Review for Statutory requirements, exempt from fee Member 1 and Member 4 are in correct order and time frames match, scan document Enter into recording software Confidential information	5		M	All statutory requirements and fees must be met All accepted documents must be prepped/recorded in timely manner daily Statute/Ordinance 59.43(1c)(j), 2005-6

Register of Deeds Task Analysis 2018

Process Military Discharge Records	Enter in as confidential	5		L	All document information must be processed within 1 day Statute/Ordinance 59.43(2)(g), 59.43(12m)
Audit Military Discharge Records	Enter in as confidential	4		L	All document information must be audited within 1 day Statute/Ordinance 59.43(2)(g),59.43(12m)
Return Military Discharge Records	Return original document to Veteran's Service Office; provide certified copies as requested	3		L	All documents must be returned in a reasonable time Statute/Ordinance 59.43(1c)(g)
Prep Federal Tax Liens	Review for Statutory requirements Accept or reject as appropriate Collect Fee via ACH payment Scan into recording software Enter required information into recording software	5		M	All statutory requirements and fees must be met All accepted documents must be prepped/recorded in timely manner daily Statute/Ordinance 59.43(1c)(a),(c),(e),(f),59.43(1m),59.43(1g),59.43(2), 59.43(2m), 779.97(2)
Process Federal Tax Liens	Enter Grantor, Grantee, consideration, document date, Notes, associated document number, return to, consideration	5		M	All document information must be processed within 1 day Statute/Ordinance 59.43(2)(g), 59.43(1c)(a),(k), 59.43(12m), 59.43(9)
Audit Federal Tax Liens	Verify Grantor, Grantee, document date, notes, associated document number, return to IRS	4		M	Statute/Ordinance 59.43(2)(g), All document information must be audited within 1 day 59.43(1c)(a),(k), 59.43(12m), 59.43(9)
Back Scanning	Prepare documents for scanning, Scan real estate records, watch for extra pages & errors on documents Redact Social Security Numbers	2		H	Prepare documents for scanning Scan all recorded documents Scan as time permits Statute/Ordinance 59.43, 59.72(6), 59.43(4),1996-13, 2014-14
Back Process	Enter Doc type, recorded date, time, number of pages, document date, consideration, grantor/grantee, address, assoc. documents, vol & pg, notes, legal descriptions.	3		H	All document information must be indexed This is fill in work as time permits Statute/Ordinance 59.43(2)(g), 59.43(1c)(a),(k), 59.43(12m), 59.43(9), 1996-14

Register of Deeds Task Analysis 2018

Vital Statistics	Perform duties related to vital statistics; approve and accept marriage, domestic partnership terminations, and death records Determine direct and tangible interest to issue copies of birth, marriage, domestic partnership, divorce and death records Collect and distribute fees	5		H	All document information must be indexed This is fill in work as time permits Statute/Ordinance 59.43(1c)(b),(h), 59.432(f), 59.4369.05, 69.07, 69.21, 69.22, 69.30, 2008-12
Administration	Prepare/submit: monthly ROD recording fee report for Wis Land Info Program, monthly invoices to customers, quarterly Vital Records Fee Report for Wis DOA Monthly balance of e-recording escrow account Daily balance of accounts receivable Daily balance of e-recording companies Approve employee payroll, Annual budget, Supervise employees and complete employee annual reviews	5		H	Reports and updates must be statistically correct Use current information provided through software Prepare reports daily, quarterly, monthly and yearly Statute/Ordinance 59.43(1c)(u), 59.43(2)(d), 59.72(5),69.22, 20.435
Appointment of Deputies	The Register of Deeds shall appoint one or more deputies who shall hold office at the register's pleasure; deputy status allows the staff to perform the duties of the registrar in their absence	5		H	Registrar appoints at their pleasure Registrar must appoint a minimum of one deputy Appointment is made each term Statute/Ordinance 59.43(3), 69.07(3)
Land Information Council	Statutory member of council	2		H	Participation is essential for office project support and is statutory Statute/Ordinance 59.72(3m)

Register of Deeds Task Analysis 2018

Notary Public Services	Authority to take acknowledgements	2		M	<p>Must take official oath before a judge or authorized clerk At registrar's discretion and as requested by customer Statute/Ordinance 706.05, 137.02</p>
Provide Public Access to Records	<p>Must provide copies as requested with applicable fee Make available for inspection and copying at office Genealogy Assistance Land Records Assistance</p>	5		H	<p>Access must be retrievable and legible Access to public records must be provided Business hours as posted Statute/Ordinance 59.43(2)(b), 59.43(1c)(i), 19.34(1), 19.35(b), 69.20, 69.21, 867.045 867.046 Chapter 10, 2002-64, 1996-13, 1990-23</p>
<p>Business Partner Assistance & Queries: Fidlar Laredo Tapestry Simplifile CSC (Corporation Services Co.) EPN (eRecording Partners Network)</p>	<p>Enter into contracts with municipalities, private corporations, associations, and other persons to provide noncertified copies of the complete daily recordings and filing of real estate records Fees are approved through yearly budget</p>	5		H	<p>Access must be retrievable and legible Access is provided per contractual agreement On-line access is available 24/7 Statute/Ordinance 59.43(i), 59.43(2)(b),(c),(j), 19.34(1), Chapter 10, 90-23, 2002-64, 2005-79</p>
Perform all other duties that are required of the Register of Deeds by law	<p>The duties of the register of deeds are placed throughout the statutes, great care is made to ensure all statutory duties are followed Perform all duties required per administrative code</p>	5		H	<p>All duties must be performed as statutorily required Multiple locations throughout the statutes As required per statute Statute/Ordinance 59.43(1c)(p), plus multiple locations throughout the statutes and administrative code</p>

Resolution No. 52-18

Resolution Concerning the Closure of Lime Quarry Operations and the Future Use or Disposition of Lime Quarry Assets

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

Ladies and Gentlemen:

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors directs the closure of the operations of the Polk County Lime Quarry, effective December 31, 2018.

BE IT FURTHER RESOLVED that Polk County Board of Supervisors directs and authorizes the County Administrator to develop and to implement a plan for the winding down of Lime Quarry operations consistent with the above directive.

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes and directs the County Administrator to develop and to present to the County Board for review, modification and approval a proposed plan for future use or disposition of Lime Quarry assets, lands, buildings and equipment.

BE IT FURTHER RESOLVED that this resolution is effective on passage.

Fiscal Note: At the time of sponsorship, the fiscal impact of the resolution is unknown at present.
Legal Note: At time of sponsorship, the legal impacts that may result from adoption of the resolution are undetermined.

Signed and sponsored by:

BY: Brad Olson, Supervisor, District #1
Doug Route, Supervisor, District #2
Dean Johansen, Chair, Supervisor, District #3,
Chris Nelson, Supervisor, District #4
Tracy LaBlanc, Supervisor, District #5
Brian Masters, Supervisor, District #6
Michael Prichard, Supervisor, District #7

James Edgell, Supervisor, District #8
Kim O'Connell, Supervisor, District #9
Larry Jepsen, Supervisor, District # 10
Jay Luke, 1st Vice Chair, Supervisor, District #11
Michael Larsen, Supervisor, District #12
Russell Arcand, Supervisor, District #13
John Bonneprise, 2nd Vice Chair, Supervisor, District #14
Joe DeMulling, Supervisor, District #15

Reviewed and Approved as to Form:

Jeffrey B. Fuge, Interim County Administrator/Corporation Counsel

At its regular business meeting on the _____ day of July, 2018, the Polk County Board of Supervisors adopted Resolution No. 52-18: Resolution Concerning the Closure of Lime Quarry Operations and the Future Use or Disposition of Lime Quarry Assets, as follows:

- Adopted by majority voice vote
- Adopted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- Defeated: _____
- Other: _____

SIGNED BY:

Dean Johansen, County Board Chairperson

Attest: _____
Sharon Jorgenson, County Clerk

1 Ordinance No. 53-18
2 Acquisition and Sale of Tax Deeded Lands
3

4 TO THE HONORABLE CHAIRPERSON AND SUPERVISORS OF THE COUNTY BOARD OF
5 THE COUNTY OF POLK:

6 Ladies and Gentlemen:
7

8 NOW, THEREFORE, BE IT ORDAINED that, pursuant to Sections 75.35, 75.521 and 75.69,
9 Wisconsin Statutes, the Polk County Board of Supervisors repeals Ordinance Nos. 01-92; 3-96; and
10 1-12, and enacts this ordinance for the concerning the acquisition and sale of tax delinquent
11 properties, as follows:
12

13 1. Title: This ordinance may be cited as the Acquisition and Sale of Tax Delinquent Properties.
14

15 2. Purpose:
16

17 a. This ordinance is enacted to establish procedures for the acquisition of tax delinquent
18 properties by the foreclosure of tax liens as provided for pursuant to Section 75.521,
19 Wisconsin Statutes. This ordinance is also enacted to provide for procedures for the
20 sale of tax deeded lands and create penalties for the failure to pay real property taxes
21 in a timely manner.
22

23 b. The Treasurer and the committee shall acquire and dispose of tax deeded lands so as
24 to realize as much tax revenue as circumstances may permit, and without speculation
25 as to the future sale value of such lands.
26

27 3. Definitions:
28

29 a. "Certified Appraiser" means a certified appraiser as defined in Section 458.01(7),
30 Wisconsin Statutes.

31 b. "Clerk" means the Polk County Clerk.

32 c. "Committee" means the Environmental Services Committee.

33 d. "Director" means the Polk County Parks, Forestry, Building and Solid Waste
34 Director.

35 e. "Former owner" means the person, persons or business entity last holding title to
36 lands which the County has taken by tax deed and includes the heirs and personal
37 representatives of the estate of any such person or entity.

38 f. "Tax deeded lands" means lands which have been acquired by Polk County through
39 enforcement of the collection of delinquent taxes by tax deed, foreclosure of tax
40 certificates, deed in lieu of tax deed, or other real estate tax collection means.

41 g. "Treasurer" means the Polk County Treasurer.
42
43

44 4. Duties and Responsibilities:
45

46 a. The Treasurer shall administer this ordinance in accordance with its provisions.

47 b. The Committee shall oversee the administration of this ordinance. The Committee is
48 empowered to authorize and direct the sale of tax deed lands in accordance with

49 Section 75.69. The Committee is empowered to determine the appraised value of tax
50 deed lands and to retain a certified appraiser to set appraised value of tax deed lands.

- 51 c. The Director shall manage tax deed lands acquired by the County. The Director is
52 empowered to conduct the sale of tax deed lands as authorized and approved by the
53 Committee.

54
55 5. Procedures For Sale:

- 56
57 a. No tax deeded lands shall be offered for sale unless the procedures of this ordinance
58 shall have been complied with. All costs and fees for professional services incurred
59 by the County in the appraisal or sale of tax deeded lands shall be paid out of the tax
60 deed expense account.

61
62 6. Preferences to Former Owners:

- 63
64 a. The treasurer is authorized to sell tax deeded lands to the former owner who had lost
65 title to real property through delinquent tax collection enforcement procedures, or
66 his or her heirs, pursuant to the authority provided in Section 75.35(3), Wisconsin
67 Statutes. In so doing, the treasurer may, at the discretion of the treasurer, give such
68 former owner preference over others in the purchase of said lands.

- 69
70 b. Under the preference provided in this paragraph, any former owner(s) or his or her
71 heir(s) who has lost his or her title to land through delinquent tax collection
72 enforcement procedure shall have the right to purchase such land back from the
73 County as authorized in Section 75.35(3), Wisconsin Statutes. The preference to
74 former owner shall in no manner create any right of first refusal in any former
75 owner. Failure to give notice to the proper party as former owner shall not create a
76 right in any person or persons to redeem tax deeded lands.

- 77
78 c. Any sale made to a former owner pursuant to this section shall be exempt from the
79 operation of Section 75.69, Stats., but no such sale shall be approved by and
80 authorized by the Committee, unless the former owners pay to the County all the
81 delinquent taxes which were the basis for the taking of tax deed, plus interest, and
82 any penalties established by law and all taxes owing to a taxing jurisdiction for
83 special assessment, as defined in Section 75.36(1) Wisconsin Statutes, a pro rate
84 share of the costs of the tax collection enforcement proceedings plus an additional
85 sum of 3% of all the aforementioned amounts of \$100, whichever is greater.

- 86
87 d. The former owner(s) or his or her heir(s) shall pay the taxes for the year in which the
88 purchase from the County took place or the amount the taxes would have been in said
89 year had the County not taken tax deed to the property.

- 90
91 e. Lapse of Preference: Any former owner(s) or his or her heir(s) who have lost title to
92 property through the delinquent tax collection enforcement procedure shall have 90
93 days from the date that the court enters judgment that assigns title to the County to
94 exercise their right under this ordinance. If those rights are not exercised within such
95 specified time, they shall be forever lost.

Ordinance No. 53-18
Acquisition and Sale of Tax Deeded Lands

Fiscal Note: Enactment of this ordinance presents minimal fiscal impact.

Legal Note: Enactment of this ordinance presents no legal impact. This ordinance updates three ordinances concerning acquisition and sale of tax deeded lands.

Signed and sponsored by:

BY: _____ Brad Olson, Supervisor, District #1	_____ James Edgell, Supervisor, District #8
_____ Doug Route, Supervisor, District #2	_____ Kim O'Connell, Supervisor, District #9
_____ Dean Johansen, Chair, Supervisor, District #3,	_____ Larry Jepsen, Supervisor, District # 10
_____ Chris Nelson, Supervisor, District #4	_____ Jay Luke, 1 st Vice Chair, Supervisor, District #11
_____ Tracy LaBlanc. Supervisor, District #5	_____ Michael Larsen, Supervisor, District #12
_____ Brian Masters, Supervisor, District #6	_____ Russell Arcand, Supervisor, District #13
_____ Michael Prichard, Supervisor, District #7	_____ John Bonneprise, 2 nd Vice Chair Supervisor, District #14
	_____ Joe DeMulling, Supervisor, District #15

Reviewed and Approved as to Form:

Jeffrey B. Fuge, Interim County Administrator/Corporation Counsel

At its regular business meeting on the ____ day of _____ 2018, the Polk County Board of Supervisors enacted Ordinance No. 53-18: Acquisition and Sale of Tax Deeded Lands, as follows:

- Adopted by majority voice vote
- Adopted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- Defeated: _____
- Other: _____

SIGNED BY:

Dean Johansen, County Board Chairperson

Attest: _____

Sharon Jorgenson, County Clerk

Certification of Publication

Ord. No. 53-18, as enacted the _____ day of _____, 2018 was published in the Inter-County Leader on the ____ day of _____, 2018.

Sharon Jorgenson, County Clerk

Resolution No. 56-18

Resolution to Authorize Lease Agreement for A.T. & T. Telecommunications Tower on County Forest Land and Application for Withdrawal of lands from County Forest

1 TO THE HONORABLE CHAIRPERSON AND SUPERVISORS OF THE COUNTY BOARD OF THE
2 COUNTY OF POLK:

3 Ladies and Gentlemen:

4 WHEREAS, A. T. &T. has requested to lease a portion of a 39 acre parcel of County Forest land located
5 in the Town of Sterling to construct and maintain a telecommunications tower and facilities; and
6

7 WHEREAS, such a lease agreement and usage of such land would require the Wisconsin Department of
8 Natural Resources(WDNR) to approve withdrawal of the subject property from the County Forest; and
9

10 WHEREAS, the Environmental Services Committee recommends to the Polk County Board of
11 Supervisors adopt a resolution to authorize an application for the withdrawal on the proposed lands from
12 County Forest and to authorize the proposed lease agreement, conditioned and contingent upon WDNR
13 approval of the application of the County to withdraw from the County Forest the proposed lands.
14

15 NOW, THEREFORE, BE IT RESOLVED the Polk County Board of Supervisors authorizes and directs
16 the County Forest Administrator to submit on behalf of Polk County an application to the WDNR for the
17 withdrawal of all or portion of the 39.520 parcel of Count Forest land, Parcel Number, 046-09720-0000,
18 having the physical address of 290th Avenue and the legal description of the SW ¼ of SW ¼ of Section 2,
19 Township 36N, Range 20)W, Town of Sterling, as sufficient and necessary to allow for a lease to A. T. &
20 T for the purposes of constructing and maintaining a telecommunications tower within said parcel.

21 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes and directs the
22 County Administrator to negotiate and execute a lease agreement with A. T. T. for the lease of that
23 portion of said parcel necessary to construct and maintain a telecommunications, contingent upon and
24 subject to WDNR approval of the County's application to withdraw the above described lands from the
25 County Forest, and upon other terms and conditions determined by the County Administrator to be within
26 the interest of the County.

Offered and Submitted on Recommendation of the Environmental Services Committee this 17th day of July, 2018.

BY: _____

Brad Olson, Supervisor, District #1

_____ James Edgell, Supervisor, District #8

_____ Doug Route, Supervisor, District #2

_____ Kim O'Connell, Supervisor, District #9

_____ Dean Johansen, Chair,
Supervisor, District #3,

_____ Larry Jepsen, Supervisor, District #10

_____ Chris Nelson, Supervisor, District #4

_____ Jay Luke, 1st Vice Chair,
Supervisor, District #11

_____ Tracy LaBlanc, Supervisor, District #5

_____ Michael Larsen, Supervisor, District #12

Brian Masters, Supervisor, District #6

Russell Arcand, Supervisor, District #13

Michael Prichard, Supervisor, District #7

John Bonneprise, 2nd Vice Chair,
Supervisor, District #14

Joe DeMulling, Supervisor, District #15

Fiscal Impact Note: This resolution has minimal financial impact relating to the submission and processing of the application seeking to withdraw the identified lands from the County Forest. The lease agreement would result in certain revenues to the county as determined by negotiated terms.

Legal Impact Note: Passage of the resolution has minimal legal impact, specifically authorizing the County to a binding lease agreement.

Reviewed By County Administrator:
Approved as to Form and Execution:

Jeffrey B. Fuge
Interim County Administrator/Corporation Counsel

Excerpt of Minutes

At its regular business meeting on the ____ day of _____, 2018, the Polk County Board of Supervisors acted upon Resolution No. 56-18: Resolution to Authorize Lease Agreement for A.T. & T. Telecommunications Tower on County Forest Land and Application for Withdrawal of lands from County Forest, as follows:

- Adopted by majority voice vote
- Adopted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- Adopted by unanimous voice vote.
- Adopted as amended. See Below.
- Other: _____

Insert amendment to resolution according to minutes:

SIGNED BY:

ATTEST:

Dean Johansen, County Board Chairperson

Sharon Jorgenson, County Clerk