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, February 6, 2019 at 9:00 a.m.
A quorum of the County Board may be present

Materials – Agenda, Minutes of January 23, 2019 Meeting; 2019 Work Plan.

1. Call to order
2. Approval of agenda
3. Approval of minutes for January 23, 2019
4. Public Comments – 3 minutes per person – not to exceed 30 minutes total
5. Receipt of Information on Matters Noticed from Supervisors not Seated as Committee Members
6. Land Conservation/Land and Water Resources
7. Review and Approve 2018 Wildlife Damage Abatement Claims – Chad Alberg USDA Wildlife Services
8. Parks, Recreation, Trails and Forestry:

9. Trail Management – Update on WDNR Review of Master Plans for Stower Seven Lakes State Trail and Cattail State Trail
10. Trail Management – Develop Work Plan for Revision and Variance to Master Plan for Gandy Dancer State Trail

11. Resolution No. 10-19: Resolution Concerning the Request of the Village of Luck for Cost-Sharing on Project to Replace South Shore Drive Culvert and Big Butternut Lake Dam

    ** CLOSED SESSION** The Committee may go into closed session under Wisconsin Statute § 19.85(1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to anticipated litigation in which it is or is likely to become involved.

12. Planning and Zoning:
    Public Hearing and Recommendation- 10:00 a.m.
    - Proposed amendments to the Polk County Comprehensive Land Use, Shoreland Protection Zoning, and Chapter 18 Subdivision Ordinances. The comprehensive and shoreland ordinance amendments allow reduced private road setbacks if town approval is received and change the maximum accessory building height from

25 feet to 35 feet. The amendments to the Polk County Chapter 18 Subdivision Ordinance remove all unenforceable road standards.

- Following the public hearing, the Committee will deliberate and develop recommendations concerning the enactment of the proposed amendments to the zoning ordinances.

13. Discussion and Update on New Shoreland Zoning Map and Ordinance Including General Zoning Districts
14. Preliminary Plat Review: Ryan Subdivision; Section 36, Town of Lincoln
15. Consideration of Change in Board of Adjustment Fees for Variances and Administrative Appeals.
16. Resolution No. 12-19: Resolution to Approve Zoning Ordinance Amendment for the Town of St Croix Falls – Town of St Croix Falls Resolution No. 19-02: Recommendation on Town of St Croix Falls Ordinance Amendment – Ordinance 19-01

17. Committee Calendar and Identification of Subject Matters for Upcoming Meetings
18. 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, January 23, 2019

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 Sharon Jorgenson, County Clerk; Jeff Fuge, Interim County Administrator; Malia Malone, Corporation Counsel; Paul Heimstead, DNR Forester; Mark Gossman, Forest Administrator; members of the public and of the press. Supervisor Olson joined meeting at 9:13 a.m.

Meeting called to order by Chair O'Connell at 9:02 A.M.

Approval of Agenda- Chair O'Connell called for a **motion** to approve the amended agenda. **Motion** (Route/LaBlanc) 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 January 9, 2019 meeting. **Motion** (LaBlanc/Route) to approve the minutes of the January 9, 2019 meeting as published carried by unanimous voice vote.

Public Comment –Six public comments were received by the committee.

Receipt of Information from non-committee Supervisors on Matters Noticed – No Supervisors addressed the committee.

Chair O'Connell declared that Agenda Item #13: Timber Sale Information and Approval of Timber Sale Bids would be moved and considered before the Public Hearing on the agenda.

2019 Timber Sale Information and Bid Award. Chairman O'Connell called to the floor discussion regarding timber sales and recognized Forest Administrator Mark Gossman for the purpose of receiving information. Committee received printed bid summary information

regarding Timber Sale Bids from Forest Administrator Gossman. Chairman O'Connell called for a motion to accept the high bids from bidders noted totaling $161,313.75 for the Forest Timber Sale. **Motion** (Olson/Route) to accept the high bids totaling $161,313.75 as listed on the bid summary (as disclosed below per the printed hand-out information). Chair O'Connell called for a voice vote on said motion. **Motion** carried by unanimous voice vote.

Tract #	Sale Name	Contractor/Bidder	High Bids
2-17	B.C.A.S.C.T	No Bids	No Bids
1-18	Bear Track Ridge	Lauritsen	$ 27,895.00
2-18	Mylar Grouse	Lauritsen	$ 40,117.50
3-18	Mckinley Triple Skull	Darin Duncan	$ 14,199.00
4-18	Number One	Lauritsen	$ 48,425.00
5-18	Sommers Lake	Norton Lumber	$ 30,677.25
		TOTAL	$161,313.75

Chair O'Connell called to the floor proposed Resolution No. 04-19: Resolution to Authorize Direct Sale of Tax Delinquent Lands Located on Ridge Road, Village of Osceola – Kwik Trip Offer to Purchase. Chair O'Connell recognized Jeff Fuge, Interim Administrator for the purpose of receiving information regarding the Kwik Trip offer to purchase Tax Delinquent Properties located in the Village of Osceola. Committee received information from Interim Administrator Fuge regarding the offer to purchase. The County has received an equal offer from Osceola Auto Body and Midwest One Bank expressed interest regarding the parcels of property.

Motion (Olson/LaBlanc) to reject the Kwik Trip offer to purchase and move to County Board, **NOT** recommending Resolution No. 04-19 for passage by County Board. Chair O'Connell called for a voice vote on said motion. **Motion** to reject the Kwik Trip offer to purchase and move to County Board NOT recommending Resolution No. 04-19 for passage carried by unanimous voice vote.

Motion (Route/Edgell) to move parcels (Parcel 165-00612-0000 and 165-00613-0000) to public auction (after the February 19, 2019 County Board Meeting) with $250,000 minimum bid. Chair O'Connell called for a voice vote on said motion. **Motion** to move said property parcels to public auction carried by unanimous voice vote.

Chair O'Connell brought to the floor proposed Resolution No. 10-19: Resolution Concerning the Request of the Village of Luck for Cost-Sharing on Project to Replace South Shore Drive Culvert and Big Butternut Lake Dam. The Committee received information from Interim Administrator Fuge regarding the proposed resolution. Committee will have a closed session regarding this Resolution at February 6, 2019 meeting. No action was taken on this Resolution.

Chair O'Connell recognized Jeff Fuge, Interim Administrator to report on the status of the WDNR review of County Master Plan for Stower Seven Lakes State Trail and Cattail State Trail. Committee received an update from Interim Administrator Fuge that staff will be completing a letter addressing and responding to WDNR's letter issues November 30, 2018. Staff will distribute a copy of the letter to Supervisors and post it on the County website.

Chair O' Connell brought to the floor Ordinance No. 95-18: Amendment to Polk County Board of Adjustments Procedures Ordinance. The committee received information regarding the Ordinance from Interim Administrator Fuge. The committee received a legal opinion regarding Ordinance No. 95-18 from Corporation Counsel Malone. Corporation Counsel provided the recommendation to revise County Board Rules of Order to provide for nomination of candidates for the Board of Adjustment by the Environmental Services Committee.

Motion (O'Connell/Edgell) to propose revision of the County Board Rules of Order to add a provision that authorizes the Environmental Services Committee to recommend nominations to the Administrator for appointments to the Board of Adjustment, to move the proposed revision on to the Executive Committee, and to recommend to the County Board to defeat proposed Ordinance No. 95-18. Chair O'Connell called for a voice vote on said motion. **Motion** carried by unanimous voice vote.

Chair O'Connell called for a break at 9:54 A.M. Chair O'Connell called the meeting back in session at 10:06 A.M.

Public Hearing

Chair O'Connell opened the Public Hearing for Conditional Use Permit Application @ 10:06 A.M. Supervisor Route informed the committee that his wife visited Diane Engstrand, a caretaker at Skonewood, because they are first cousins but no discussion was made regarding the conditional use permit. Supervisor Route has no financial interest in said property, so the committee determined there was no conflict of interest. Jason Kjeseth, Zoning Administrator presented a staff report regarding the request to add two cabins on existing property. Brian Hobbs from the Polk County Health Department presented a report regarding Skonewood facilities and health department licensing to the Committee. Chair O'Connell called upon Dave Engstrand representing Skonewood to give testimony on behalf of the application. A letter of representation was received from the Skonewood Board to allow for such testimony, and one public comment in support of the permit was received. Chair O'Connell closed the Public Hearing at 10:22 A.M. Discussion. O'Connell/Kjeseth presented the findings of facts.

Findings of Fact: The committee found the following findings of fact during the hearing: facility is well maintained, water drainage way will be maintained, proposed structures meet all the required setbacks, no floodplain on the property, access to the property is off a town road, Skonewood owns the adjacent lands, septic system is adequate, not adding campsites, up to four tourist rooming houses allowed for health code, meets existing health code, one neighbor spoke in favor of the request.

Motion (Olson/LaBlanc) to approve the conditional use permit application for expanding recreational camp to include two additional dwellings. Chair O'Connell Called for a voice vote on said motion. **Motion** carried by unanimous voice vote.

Chair O'Connell brought to the floor discussion regarding amendment to Shoreland Protection Zoning Ordinance Revisions regarding general zoning districts within shoreland areas and tourist rooming house provisions. Chair O'Connell recognized Zoning Administrator Kjeseth for the purpose of receiving information regarding general zoning districts within shoreland areas. Discussion. Zoning Administrator Kjeseth will send proposed final draft to DNR regarding amendments, provide copy of proposed draft to committee members, and bring back proposed lake map to Environmental Services Committee. Consensus of committee was to use 300 feet buffer. Input will be sought from towns later during process.

Chair O'Connell called to the floor the work session on planning process for the Gandy Dancer Trail Master Plan. Corporation Counsel Malone provided information to the Committee regarding the next steps to take regarding the trail master plan. Interim Administrator Fuge proposed that preparedness meetings go forward and that the Administrator and Staff would propose the revised project plan for the Gandy Dancer Trail Master Plan.

Motion (Olson/Route) to direct staff to begin the process of revising the Gandy Dancer Trail Master Plan. Chair O'Connell called for a voice vote on said motion. **Motion** carried by unanimous voice vote.

Chair O'Connell called to the floor the discussion on the work session on the 2019 Work Plan. Committee received information from Interim Administrator Fuge regarding items that will be on the work plan.

January: Crop claim price setting, Timber Sales, Finalize next year's work plan in January, Rules of Order review/suggested changes –Jan through May

February: Review of Governors Budget, Tree replacement schedule, Wildlife Damage/Crop claims

March: Business Analysis of Lime Quarry

April: Recycling analysis/review, Tax Deed Listings

May: End of May Budget Development, Review of repairs on various dams owned by Polk County

June & July: Receipt of Annual Reports, Review of Functions

August: Review and Revision of Comprehensive Forest Plan

October: Budgets/Budget Amendments, Annual Forestry Plan

Next Meeting: February 6, 2019 at 9:00 a.m.

Possible Future Agenda items:

Feb 6 Agenda: Public Hearing, Closed session RE: Res 10-19 Butternut Dam, Country Dam property, Wildlife Damage Claims – Chad Alberg, Update on department reorganization
Feb 27 agenda – Discussion regarding Storm Water Erosion Ordinance (with public hearing set for March 27 agenda).

Motion (Olson/Edgell) to adjourn. **Motion** carried by unanimous voice vote of the committee members present. Chair O'Connell declared meeting adjourned at 11:22 a.m.

Respectfully submitted,

Sharon Jorgenson
Polk County Clerk

Wildlife Damage Abatement and Claims Program

Polk County 2018 Claims Summary

Participant	# Appraisals	Crop	Quantity Lost	Species	Appraised Damage	Subtotal **Claim**	Recommended Action
Garry Crosby Jr.***	11	Field corn	398.13 bu	Bear	$1,194.39	**$1,027.51**	Approve
Rick Hanson*	9	Field corn	395.21 bu	Bear	$1,185.63	**$685.63**	Approve
Adam Hedlund*	1	Haylage	10.97 tons	Bear	$1,700.35	**$1,200.35**	Approve
Bruce Hendricks*	4	Field corn	292.78 bu	Bear	$878.34	**$378.34**	Approve
Derek Lauritsen **	35	Field corn	75.09 bu	Bear	$225.26	$5,575.10	
		Field corn	180.87 bu	Deer	$542.67		
		Soybeans	586.24 bu	Deer	$4,807.17	**$5,060.08**	Approve
Adam Majeske*	4	Field corn	245.83 bu	Deer	$737.49	$1,223.42	
		Soybeans	59.26 bu	Deer	$485.93	**$723.42**	Approve
Bill Renz*	4	Field corn	289.24 bu	Bear	$867.72	**$367.72**	Approve
	# Appraisals				Appraised Damage	**Claims**	
Totals 2018							
7 Claimants (7 Payable)	68				$12,624.95	**$9,443.05**	
Totals 2017							
9 Claimants (9 Payable)	72				$32,803.88	$25,673.31	
Totals 2016							
14 Claimants (13 payable)	108				$32,458.79	$24,935.08	
Totals 2015							
20 Claimants (16 payable)	111				$48,080.37	$30,077.35	
Totals 2014							
28 Claimants (23 payable)	?				$84,292.35	$65,282.14	

* After $500 standard deductible

** Standard $500 deductible and 80% rate applies

*** Standard $500 deductible split over 2 counties

\# Deer shooting permit compliance not met

STOWER SEVEN LAKES
STATE RECREATION TRAIL

POLK COUNTY, WISCONSIN

MASTER PLAN
October, 2018

(Revised January 29, 2019)

Polk County Environmental Services Committee

Kim O'Connell-Chairman
Brad Olson -Vice Chairman
Jim Edgell
Doug Route
Tracy LaBlanc

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I. Introduction and Executive Summary

The Stower Seven Lakes Trail Master Plan is a modification of the 2004 Master Plan in order to reflect current uses allowed and prohibited on the trail. Aspects of this plan were completed by the Subcommittee, as part of the trail planning process chosen by the Environmental Services Committee of the Polk County Board of Supervisors (Appx. B). See the Public Participation section (Appx. C) of this plan for more details on the process.

This Master Plan represents the strategy of Polk County as well as various trail advocates and user groups for the development, operation, and maintenance of a 13.48 mile railroad corridor presently known as the Stower Seven Lakes Trail. The trail is located on a former Minneapolis St. Paul and Sault Ste. Marie Railroad right-of-way which begins two miles east of Dresser and extends into the City of Amery, Wisconsin. Within the City of Amery, the corridor width ranges from 60 feet wide to 180 feet wide, whereas in the rural branch of the corridor, the trail right-of-way is consistently 100 feet wide. The trail consists of approximately 174 acres and generally runs in a west to east direction. Map 1 shows the regional location of the trail. Map 2 shows the location of the trail in Polk County.

The trail right-of-way was acquired from Wisconsin Central Limited in 2003 by the WDNR under the Stewardship Program. Subsequently, a Memorandum of Understanding (MOU) was signed by the Wisconsin Department of Natural Resources (WDNR) and the County of Polk (Appx. A). Under the terms of the MOU, the WDNR granted a trail easement to Polk County designating the trail as a “State Trail” under section NR 51.73, Wis. Adm. Code.

II. Goals and Objectives

A. Goals:

- Provide and preserve a recreational trail at least 13 miles in length stretching from Dresser to Amery. The all-season trail will provide two-way traffic for bicycling, hiking, horseback riding, snowmobile use and ATV/UTV use.

B. Objectives:

- To complement present economic benefits of trails existing in Polk County and provide opportunities for economic development not reflected in current trail usage.
- To provide recreational opportunities that complement present trail opportunities in Polk County and provide recreational opportunities that presently are underrepresented in the Polk County Trail system.
- To enhance opportunities for tourism in Polk County.
- To respect the wishes and investments of landowners and communities through which the trail passes.

- To provide for recreational opportunities that promotes the health and safety of the community.

- To preserve the rural character and environmental integrity of the trail.

- To anticipate the urbanization of the area through which the trail passes and provide for possible future use of the trail as an alternative transportation system between communities.

- To provide opportunities for the greatest number of projected uses of the trail consistent with the previous objectives.

III. Management and Land Development

A. Land Acquisition and Ownership

- The WDNR acquired the rail grade right-of-way from the Wisconsin Central Limited by means of Stewardship funds. The WDNR has paid all costs to acquire the property and will maintain ownership of the entire right-of-way. Under the terms of the MOU, the WDNR has conveyed a non-exclusive easement to Polk County and other valuable considerations. The WDNR will not issue other easements that will adversely affect the use of the property for the intended trail purposes.
- Additional property may be acquired to support trail functions and unique ecosystems.

B. Uses of the Trail Corridor

1. Encouraged Primary Uses
    - Bicycling
    - Walking, Hiking, Jogging
    - Dog sledding
    - Nature and scenery viewing
    - Snowmobiling: Snow covered periods. When permitted by the Polk County Parks department. Only groomed areas maybe traveled.
    - ATV/UTV with stringent speed limit restrictions of 15 mph near village boundaries, housing, parks, trail heads shelters, public gathering places and business establishments to account for noise and safety on primary rail bed portion of the trail corridor (map 2).

2. Encouraged Secondary Uses
    - Cross country skiing
    - Snowshoeing
    - Horseback riding

3. Allowed Uses
    - Administrative and maintenance vehicles
    - Pets: With restrictions including leashes, feces disposal & closed areas.
    - Small electric carts used by disabled individuals during snow-free periods
    - Vehicles on designated roadways and parking areas may operate within the trail corridor.

4. Prohibited Uses
    - Off-highway motorcycles.
    - Hunting and trapping.
    - Camping: Within the trail corridor except in designated campsites.
    - Private occupancy.
    - Conducting Business, Promotions or Advertising: Within the trail corridor.
5. Utilities
    - WDNR rules will govern
    - Polk County is the primary contact.

6. Crossings: Public roads, Private Residential, Farm, Recreation & Other
    - WDNR rules will govern
    - Polk County is the primary contact.

C. Development Program

1. Initial Development

The MOU specifies that the development of the trail is the responsibility of Polk County. The WDNR has granted an easement to Polk County for the development, maintenance and operation of the trail. It is understood that the WDNR will assist Polk County financially with trail development through available grant/aid programs.

Under the terms of the MOU, the trail will be managed by Polk County Parks Department.

2. Development Standards

In accordance with the MOU, the trail was developed in compliance with the WDNR Design Standards Handbook, WDNR “Snowmobile Trail Signing Handbook” (Publ-AA-023), and AASHTO “Guide for the Development of Bicycle Facilities” will also be followed. All structures placed in the WDNR Right-Of-Way will need prior WDNR approval.

Associated facilities, if any, will be designed and constructed in compliance with state and local building codes and the American’s With Disabilities Act.

Provide for the development, with appropriate stake-holders, of a plan to create a parallel silent-sport-only trail within the corridor separate from the original rail bed trail.

D. Operation & Maintenance Program

Polk County will have the primary responsibility for the operation and maintenance of the trail in Polk County and its contractors and cooperators. The Polk County Parks Department under the direction of the Environmental Services Committee will act as the primary agent of the County.

The daily operation of the trail will be supplemented by Polk County ordinances and park directives. Daily operation is directed and performed by the Polk County Parks Department and its contractors and cooperators. Daily routine enforcement is the responsibility of Polk County.

User fees will not exceed those established in s. 27.01, Stats., and will be subject to written approval by the WDNR. The standard state trail bicycle fees will be charged and State bicycle trail passes will be honored. Snowmobile and ATV/UTV trail pass fees and/or registration will be enforced according to WDNR requirements.

User information will include maps, brochures and signing that will provide facility, service, safety and emergency information, rules, regulations and advice on a seasonal basis.

E. Interpretation

In Polk County the trail offers many opportunities to make trail users more aware of the landscape they are traveling through. Opportunities exist to provide interpretive information on the geology, the numerous ecosystems, the native wildlife, and the cultural history of the area. Interpretation is a long-term objective that can be accomplished jointly by Polk County and local interest groups.

Assessments were done (Appx. D) and cultural resources were addressed. In the future these areas will be inspected and maintained.

F. Wildlife Management

The trail passes through many ecosystems and will provide many opportunities to observe wildlife. Due to the limited land base, many wildlife management opportunities are precluded.

G. Timber and Vegetative Management

The Vegetation adjacent to the trail is representative of the great natural diversity that occurs in Northwestern Wisconsin. Periodic maintenance will occur to enhance the vegetation as well as protect trail users and facilities. Annually, the trail will be monitored for vegetation growth and will be mowed or sprayed to maintain the minimum trail width as required by the

WIDNR. Invasive species such as buckthorn and spotted Knapweed will be treated to mitigate the spread. Hazard trees such as rotten, leaning, or tress within the minimum width of the trail, will be trimmed or cut down. Timber harvests may be conducted to maintain the minimum width of the trail and reduce hazard trees. The timber is owned by the State. The timber sale prescription and paper work will be approved by the applicable WIDNR Property Manager. In addition, all proceeds from the timber sale will be collected and reimbursed to the WDNR.

H. Management Issues

- Control of non-allowed uses will be achieved through a combination of public information, using Park and Sheriff's Department personnel.
- Vandalism to signs, bridges and the trail surface will be addressed through regular inspections, rapid repair, and enforcement.
- All existing trail crossing agreements have been reviewed to reflect the present and future uses. Requests for new crossings will be handled on an individual basis in accord with the WDNR "Department Design Standards Handbook". Routine inspection will insure compliance to crossing agreements and will ensure control of unauthorized crossings. This will require DNR real estate resources. DNR should be consulted to discuss details.
- Trespass, both to and from the trail corridor may require the use of various control options including planting, fencing, signing, surveying and law enforcement.

I. Recreation Needs and Justification

Following is Wisconsin's 2018 Statewide Recreation Opportunities Analysis (ROA), between eight Regions identifying current uses and needs. The table below is based on responses to a questionnaire sent to all county park systems in 2018.

Table 14: Existing recreation opportunities at county park properties:

The values are number of responses for each region where opportunities are available.

Non-motorized trail activities
Motorized activities
Consumptive-related activities
Non-consumptive activities
Other recreation activities

Activities	REGIONS								Of the counties providing data, those that provide opportunities at their county park properties	
	Great Northwest	Northwoods	Upper Lake MI Coastal	Winnebago Waters	Western Sands	Miss. River Corridor	Southern Gateways	Lower Lake MI Coastal	Number	Percent
Bird/wildlife watching	5	9	6	10	4	3	6	5	48	100%
Canoeing/kayaking	5	9	6	10	4	3	6	5	48	100%
Nature photography	5	9	6	10	4	3	6	5	48	100%
Use of picnic areas/day use areas/beach areas	5	9	6	10	4	3	6	5	48	100%
Dog walking on trails	5	9	6	10	4	3	5	5	47	98%
Snowshoeing	5	9	6	10	4	3	5	5	47	98%
Fishing	5	9	6	10	4	3	5	5	47	98%
Cross-country skiing - on ungroomed trails	5	9	6	10	4	3	4	5	46	96%
Hiking/walking/running on trails	5	9	6	9	4	3	5	5	46	96%
Snowmobiling	5	9	6	10	4	1	5	5	45	94%
Gathering berries, mushrooms, etc.	5	9	4	10	4	3	5	5	45	94%
Paddle boarding	5	9	6	10	4	2	5	4	45	94%
Swimming in lakes/ponds/rivers	5	9	6	10	4	2	4	5	45	94%
Motor boating (including pontoon boats)	4	9	6	10	3	2	6	3	43	90%
Geocaching	5	7	6	9	3	3	5	4	42	88%
Bicycling - mountain biking	5	9	6	8	2	3	3	3	39	81%
Bicycling - recreational/rail-trail biking	4	9	5	8	1	3	4	5	39	81%
Bicycling - winter/fat tire biking	4	7	6	7	2	3	3	4	36	75%
Horseback riding	5	9	5	7	2	1	3	4	36	75%
Hunting - migratory birds	5	9	4	6	4	2	2	4	36	75%
Hunting - big game	5	9	4	5	4	2	2	4	35	73%
Cross-country skiing - on groomed trails	5	9	6	7	1	2	2	2	34	71%
Hunting - small game	5	9	3	5	4	2	2	4	34	71%
Hunting - turkey	5	9	3	5	4	2	2	4	34	71%
Camping - tent	5	9	3	4	4	2	4	3	34	71%
Trapping	5	9	3	5	3	1	2	3	31	65%
Camping - RV/pop-up	5	9	3	4	4	2	2	2	31	65%
Sledding	2	6	3	7	2	2	4	3	29	60%
Target firearm shooting at designated ranges	4	9	2	9	1	2	-	-	27	56%
Riding ATVs or UTVs	5	9	4	2	3	-	2	1	26	54%
Disc golf	1	5	5	6	1	1	3	3	25	52%
Playing sports on athlectic fields	1	4	5	5	1	3	3	2	24	50%
Target archery at designated ranges	4	8	3	4	1	1	-	1	22	46%
Visiting dog parks	1	3	3	5	4	1	1	3	21	44%
Ice Skating	1	5	2	5	1	1	3	2	20	42%
Riding dual-sport motorcycles	3	8	4	1	2	-	-	-	18	38%
Driving 4WD vehicles	4	8	3	1	1	-	-	-	17	35%
Playing sports on courts	1	3	2	5	2	1	-	2	16	33%
Tennis	1	4	1	5	-	-	-	1	12	25%
Visiting splash pads	1	3	1	2	3	-	-	-	10	21%
Counties in the region providing data	5	9	6	10	4	3	6	5		

Table 15: Trends in rec recreation participation at county park properties

The values are mean responses of trends in participation at county park properties where opportunities are available.

On County Park properties:	
Strong increase	↑↑↑
Moderate increase	↑↑
Slight increase	↑
About constant	↔
Slight decrease	↓
Moderate decrease	↓↓
Few or no opportunities	*

Activity	REGION								STATE
	Great Northwest	Northwoods	Upper Lake MI Coastal	Lake Winnebago Waters	Western Sands	Miss. River Corridor	Southern Gateways	Lower Lake MI Coastal	
Bicycling - winter/fat tire biking	↑↑	↑↑↑	↑↑	↑↑↑	↑↑↑	↑↑↑	↑↑	↑↑↑	↑↑↑
Camping - RV/pop-up	↑↑	↑↑	↑↑↑	↑↑↑	↑↑↑	↑↑↑	↑↑↑	↑	↑↑↑
Bicycling - mountain biking	↑↑	↑↑	↑↑↑	↑↑↑	↑↑↑	↑↑↑	↑↑	↑↑↑	↑↑↑
Riding ATVs or UTVs	↑↑↑	↑↑↑	↑↑	↑↑	↑↑↑	↑↑↑	↑↑	*	↑↑↑
Canoeing/kayaking	↑	↑↑	↑↑	↑↑↑	↑↑	↑↑	↑↑↑	↑↑	↑↑
Bicycling - recreational/rail-trail biking	↑↑	↑	↑↑	↑↑↑	↑↑	↑↑	↑↑↑	↑↑	↑↑
Use of picnic areas/day use areas/beach areas	↑↑	↑	↑↑	↑↑	↑↑	↑↑	↑↑↑	↑↑	↑↑
Paddle boarding	↑↑	↑	↑↑	↑↑	↑↑	↑↑	↑↑↑	↑↑	↑↑
Dog walking on trails	↔	↑	↑↑	↑↑↑	↑↑	↑↑	↑↑↑	↑	↑↑
Hiking/walking/running on trails	↑	↑	↑↑	↑↑↑	↑↑	↑↑	↑↑↑	↑	↑↑
Fishing	↑	↔	↑↑	↑↑	↑	↑	↑↑	↑	↑↑
Motor boating (including pontoon boats)	↑	↔	↑↑	↑↑	↑	↑	↑↑	↔	↑
Snowshoeing	↔	↑↑	↑	↑	↑	↑	↑↑	↔	↑
Target firearm shooting at designated ranges	↑↑	↑	↔	↔	↑↑	↑↑	*	*	↑
Target archery at designated ranges	↑	↑	↑	↑↑	↔	↔	*	↑↑	↑
Bird/wildlife watching	↑	↔	↔	↑	↔	↔	↑↑	↑↑	↑
Nature photography	↑	↔	↔	↑↑	↔	↔	↑↑	↑	↑
Swimming in lakes/ponds/rivers	↑	↔	↑	↑↑	↔	↔	↑↑	↑	↑
Cross-country skiing - on groomed trails	↑	↑↑	↑↑	↔	↑	↑	*	↓	↑
Driving 4WD vehicles	↔	↔	↑	*	↑	↑	*	*	↔
Horseback riding	↑	↑↑	↑	↔	↑	↑	*	↓↓	↔
Gathering berries, mushrooms, etc.	↑	↔	↔	↔	↔	↔	↑↑	↔	↔
Hunting - turkey	↑	↑	↔	↔	↔	↔	↑↑	↓	↔
Camping - tent	↑	↔	↓↓	↑	↓	↓	↑↑↑	↑	↔
Hunting - small game	↔	↔	↓	↓	↔	↔	↑↑	↓	↔
Hunting - migratory birds	↔	↔	↑	↓	↔	↔	↔	↔	↔
Riding dual-sport motorcycles	↑	↑	↔	*	↓	↓	*	*	↔
Hunting - big game	↓	↓	↓	↓	↔	↔	↑↑	↓	↔
Cross-country skiing - on ungroomed trails	↔	↔	↔	↔	↔	↔	↓↓	↓↓	↓
Trapping	↔	↓	↔	↓	↔	↔	↓↓	↓↓	↓
Snowmobiling	↔	↑	↓	↓↓	↓↓	↓↓	↓↓	↓↓	↓↓

Table 16: Top recreation needs at county park properties

The values are the percent of counties identifying the recreation activities as a top 5 need on their properties.

Percent of responding counties that identified the activity as being a top need on their properties	
High demand in the region	67% to 100%
Moderate demand in the region	33% to 66%
Low demand in the region	0% to 32%

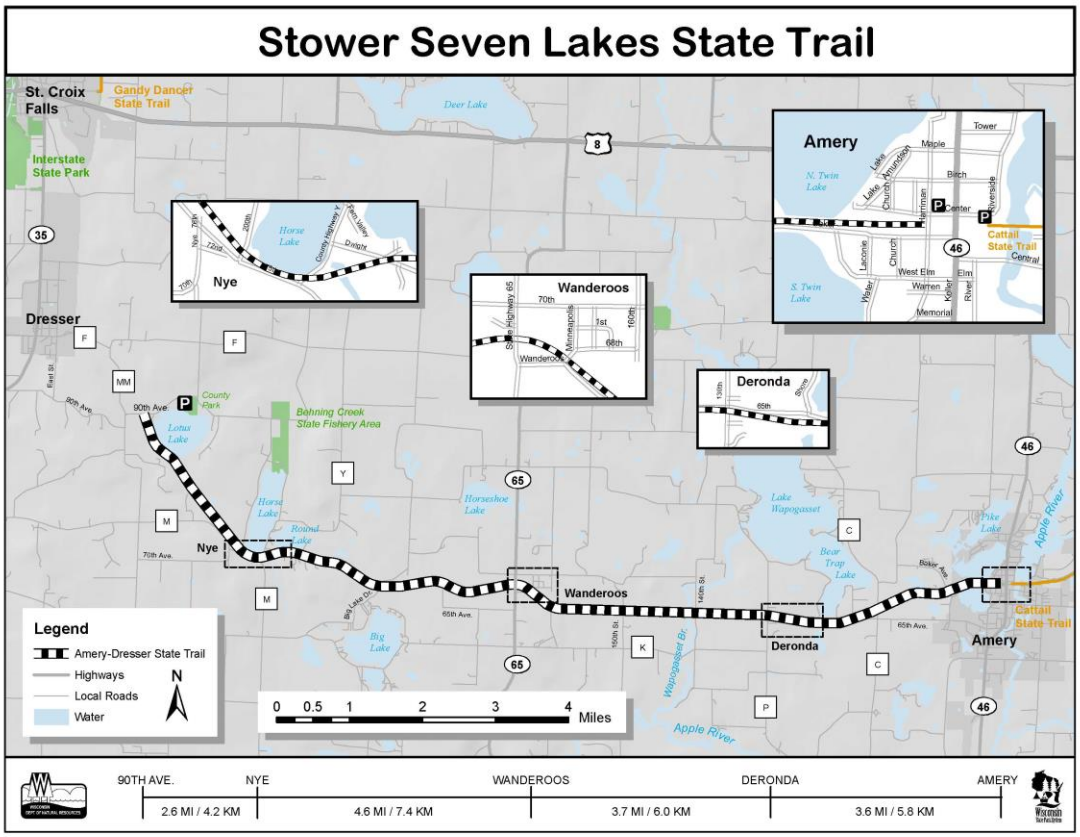
Activity	REGION								STATE average
	Great Northwest	Northwoods	Upper Lake MI Coastal	Lake Winnebago Waters	Western Sands	Mississippi River Corridor	Southern Gateways	Lower Lake MI Coastal	
Campsites	57%	67%	50%	50%	57%	100%	71%	29%	58%
Hiking/walking/running trails	43%	44%	50%	80%	57%	50%	29%	57%	53%
Bicycling trails - mountain biking	57%	56%	67%	50%	43%	50%	29%	57%	51%
Bicycling trails - recreational/rail-trail	29%	33%	50%	50%	29%	50%	57%	71%	46%
Motorized recreation trails	86%	89%	17%	50%	43%	0%	0%	14%	42%
Public shore access	29%	11%	67%	60%	43%	50%	14%	71%	42%
Dog parks	0%	0%	17%	30%	29%	75%	57%	71%	32%
Boat launches	43%	22%	33%	30%	14%	50%	14%	14%	26%
Playgrounds	29%	22%	50%	10%	43%	25%	29%	0%	25%
Hunting opportunities	0%	22%	0%	40%	57%	0%	14%	14%	21%
Picnic areas	29%	0%	17%	10%	14%	25%	29%	43%	19%
Disc golf courses	14%	11%	0%	0%	14%	25%	43%	29%	16%
Equestrian trails	14%	22%	33%	0%	14%	0%	14%	0%	12%
Shooting ranges	14%	11%	0%	10%	14%	0%	0%	0%	7%
Sports fields	0%	0%	17%	0%	0%	0%	0%	29%	5%
Sports courts	0%	11%	0%	0%	14%	0%	0%	0%	4%
Number of counties providing input	7	9	6	10	7	4	7	7	

J. Analysis of Services

Parking areas, shelters, and restroom facilities currently exist along the trail in the City of Amery, at Lotus Lake County Park, in Nye, in Wanderoos, and in Deronda (Map 2). These facilities are deemed to meet the needs of the current uses and volume of usage on the trail based on periodic visits to these facilities. On-going monitoring of trail usage will occur to ensure that parking and restroom facilities are adequate for the future usage levels.

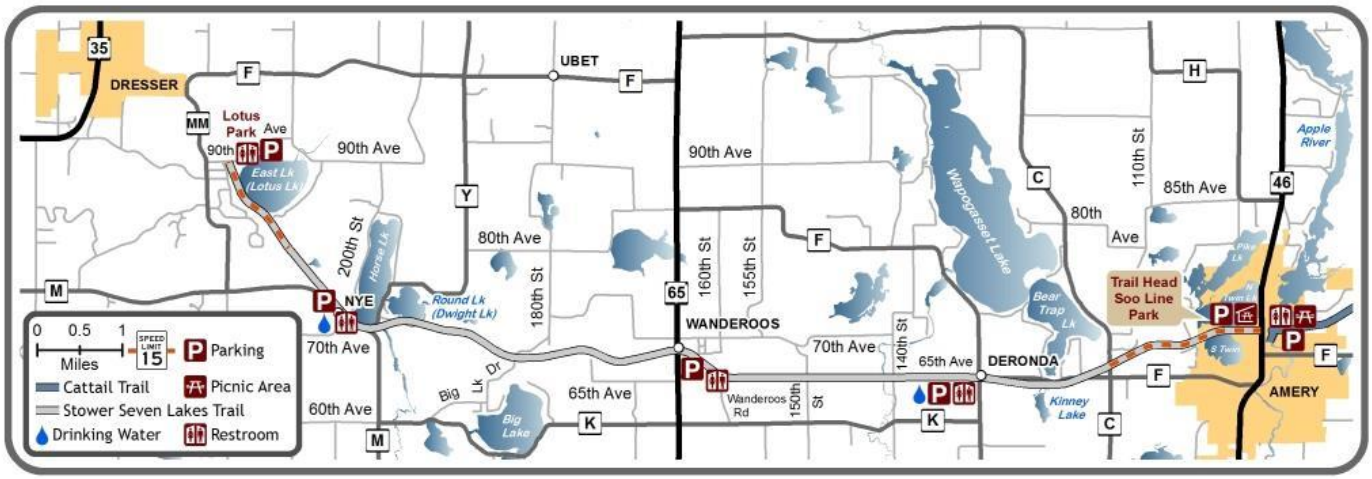
IV. APPENDIX

Map 1



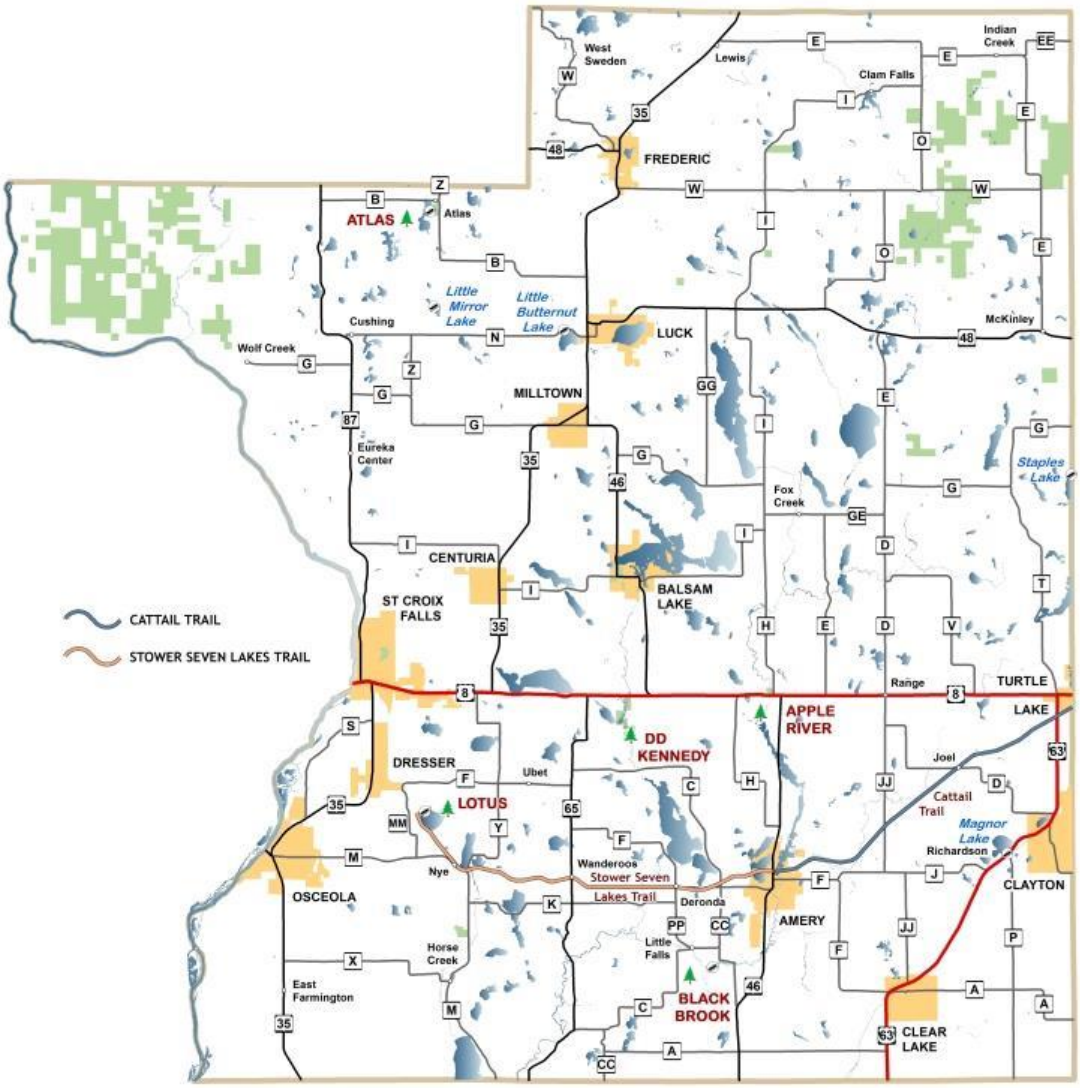
Map 2

Trail Amenities & Proposed Speed Limit



Map 3

Polk County



APPENDIX A: MOU

MEMORANDUM OF UNDERSTANDING
BETWEEN POLK COUNTY AND
THE STATE OF WISCONSIN, DEPARTMENT OF NATURAL RESOURCES

I. Introduction

The purpose of this Memorandum of Understanding (MOU) is to set forth the agreements and understandings which have been reached between Polk County (County) and the State of Wisconsin Department of Natural Resources (Department) regarding the development and operation of approximately 13.48 miles of former rail corridor located in Polk County formerly known as the Amery to Dresser State Trail and now known as the Stower Seven Lakes State Trail (Trail). The property on which the Trail is located (Property) is presently owned by the Department.

The Department is interested in preserving former rail corridors for trail purposes and in creating trails for public use. The County has developed the Trail through earlier agreements with the Department, and is interested in continuing to maintain and operate the Trail as a public recreational trail. The County and the Department agree to work together to achieve their mutual goals as set forth below, and they agree that this MOU and the trail easement it references shall replace and supersede all earlier agreements between the Department and the County that pertain to the Trail.

II. Description of the Property

The property subject to this MOU is described generally as the grade from Amery to a point just southeast of Dresser, Wisconsin (Property). An exact legal description of the property is attached to this document as Exhibit A and a map of the Property attached hereto as Exhibit B. The trail easement referred to in this MOU, when executed, shall include and incorporate this MOU and all of its exhibits.

III. Consideration

The Department has acquired the grade from Amery to Dresser from the corridor owner. The Department will execute a trail easement with the County for the purposes contained in this document. The County will develop, operate, repair, and maintain the Trail.

IV. Obligations of the Department

1. The Department will convey by easement to the County the right to develop and to continue to operate, repair, and maintain the Trail as a component of the State Trail System. The County accepts the property "as is" on the date of conveyance.

2. The Department represents that it has made reasonable inquiry and has no reason to believe that hazardous waste, noxious waste, or any other condition of the land subject to this MOU exists that would inhibit the ability of the County to possess and improve the property as contemplated by this MOU. If, however, such prohibitive conditions are discovered, either the Department shall take all steps reasonably

necessary to remove such conditions or the intent of this MOU being frustrated, the MOU shall terminate.

3. The Department will work with the County to identify funding sources for the development and repair of the Trail.

4. The Department will continue to designate the Trail as a "State Trail" under section NR 51.73, Wis. Adm. Code. The Trail will be included in any appropriate list of State Trails.

5. The Department will continue to make its Adopt-A-Trail program available to the County. The Department has an application process for groups interested in adopting a section of State Trail. This program is similar to the Department of Transportation's Adopt-A-Highway program.

6. The Department and the Natural Resources Board, with input from the County, will determine the allowable hunting, fishing, and trapping opportunities on the Property pursuant to section 29.089, Wis. Stats.

V. Obligations of the County

1. The County, with the assistance of the Department, will coordinate and prepare a plan for the Trail that describes trail management and development within two years of the conveyance of the easement. Specific recreational uses will be determined through the planning process. Per section NR 44.04 (13), Wis. Adm. Code, this plan is not required to comply with Chapter NR 44, Wis. Adm. Code; however, the plan shall be consistent with Chapter NR 44, Wis. Adm. Code to the extent practicable. The County shall review its Trail plan every 15 years to determine if the plan should be amended, revised or extended for another 15-year period. The County shall take measures to reasonably notify interested persons of said review, and then shall use an appropriate public involvement process to determine or examine issues related to management and use of the property and the need for plan revision. The plan shall contain a provision providing that it remains in effect until the County takes action to modify it.

2. The plan must include, at a minimum:

   a. A public notification and participation process allowing for public comments on the draft plan.
   b. A list of allowed trail uses, including where and when they are allowed (e.g. winter bicycling is allowed from Hwy Y to the Main Street trailhead, only when snow cover is 6" or greater). Year-round bicycling is encouraged and may be allowed in conjunction with snowmobile use (if allowed) Walking must be allowed on the Property at all times (section NR 1.61, Wis. Adm. Code).
   c. A list of hunting, fishing, and trapping activities and areas as determined by the Department and Natural Resources Board pursuant to section 29.089, Wis. Stats. (shown on a map).

d. A list of existing and anticipated support facilities (e.g. restrooms, parking lots).
e. A map showing locations of existing and anticipated support facilities and use zones.
f. Projected development costs.
g. Plans to address any identified environmentally sensitive or culturally or historically significant areas.
h. A set of management alternatives for the Trail, with a preferred alternative (the alternative that will be used) identified.
i. An estimated number of users per year.
j. The name and address of the office that will be managing the Trail.
k. An emergency action plan to include protocols and procedures for responding to reports of potentially hazardous conditions on the Trail.
l. The identification of desired vegetation types along the Trail.

3. The County will participate in or conduct public meetings, which are necessary for the establishment and development, management, and improvements of the Trail project, including for any major changes to the trail plan, such as eliminating or adding allowed trail uses or authorizing special events not addressed by the trail plan. The County should make its best efforts to comply with the intent of Chapter NR 44, Wis. Adm. Code, as it relates to public participation.

4. The County shall provide a copy of the completed plan, with all of its exhibits, to the Department.

5. The County shall develop, maintain, repair, and operate the Trail located within the County for recreational purposes, as funding becomes available.

6. The County agrees that the development, construction, maintenance, and repair of the Trail will meet or exceed Department trail standards and any applicable standards mandated by state or federal law. The County further agrees that in operating the Trail, the County will comply with all applicable state and federal laws.

7. The County shall comply with statutory inspection requirements in accordance with section 23.115(2), Wis. Stats., further described in Department Manual Code 2527.20, and shall provide the Department with copies of all inspection reports.

8. Vegetative management.

   a. Trees.

      1. Forest cover. Trees on the Property remain the property of the Department. Any proposed commercial timber sale must be reviewed by the Department. Although cooperative state trails are specifically excluded from forest certification, sustainable forestry practices are encouraged to maintain desired forest cover types. Depending on the desired cover type, different commercial or non-commercial practices may be used. When active management is proposed, the County shall

coordinate review of the proposed management activity with appropriate Department staff.

2. Hazard tree management. Hazard trees should be identified during the biannual property inspections (further described in Section V. 8. herein). If the volume of hazard trees is too large for County staff to handle, it agrees to consider contracting a commercial sale or other approach. Such work shall be coordinated with the Department.

b. Non-tree vegetation including saplings, shrubs, and herbaceous vegetation.

1. Management for routine trail maintenance. A minimum maintained (clear) shoulder of at least 2 feet on either side of the trail tread (the traveled portion of the trail) is recommended. Acceptable maintenance techniques can include mowing, brushing, chainsaw work, and or pesticide application.
2. Habitat conversion or establishment. If there is an opportunity to develop or enhance native habitat types, as established in the trail plan, the County will consult with the Department in the development of habitat projects. Such projects may include developing a prairie on a larger block of land within the trail right-of-way or along the trail corridor. Projects will be considered for approval by the Department if they are not adverse to existing laws or Department policy, and if they do not negatively impact an existing use.

c. Pesticide application. Any pesticide application should be in accordance with Department Manual Code 4230.1 concerning DATCP (Department of Agriculture, Trade and Consumer Protection) certification and Department policy. The Department shall be notified of any proposed pesticide application in early fall of the year preceding the proposed application, to ensure that the required process can be followed for pesticide use on Department lands (Department Manual Code 4230.1).

9. The County shall secure and comply with all federal, state and local permits and licenses required for the construction, installation, operation, maintenance, repair, and/or reinstallation of the Trail including, without limitation, zoning, building, health, environmental permits or licenses. The County shall indemnify the Department against payment of the costs therefor and against any fines or penalties that may be levied for the County's failure to procure or to comply with such permits or licenses, and the County shall pay any remedial costs to cure violations of federal, state or local laws. The Department agrees to cooperate with the County in securing any such permits or licenses by providing information and data upon request.

10. The County agrees that any signage or display material relating to the Trail shall clearly identify the property is a State Trail owned by the Department and under the management and control of the County. No commercial advertising shall be allowed on the Property, unless the signage and its placement are in accordance with Department policy. The County may allow signs providing directional information about Trail-related services. No specific business names, commercial logos or fonts,

trademarks, or other advertising shall appear in signage within the Trail corridor. The Department reserves the right to remove non-compliant signage located on the Property. In the event that the Department's signage policy is modified, the above section on signage shall automatically reflect the modification.

11. The County, in connection with this MOU, shall open Trail-related facilities to the general public subject to reasonable rules and regulations, fees, and charges, as outlined below, for the management and operation of the Trail.

    A. Rules and regulations.
    Pursuant to section NR 45.02, Wis. Adm. Code, the Department retains management, supervision, and control over the Property for the purpose of enforcing Chapter NR 45, Wis. Adm. Code, when needed to protect the public or the Property. Daily routine enforcement remains the responsibility of the County. The County and other local units of government may adopt Chapter NR 45, Wis. Adm. Code provisions by ordinance.

    B. Admission Fees.
    The County must use the Department's trail pass fee program if it charges a fee for use of the Trail. If admission fees are charged, the State Trail Pass (both annual and daily), the conservation patron license, and senior citizen recreation card issued by the Department shall be honored without additional admission charges. The County shall agree to waive all admission fees on State Parks Open House Day, whose date is determined by the Department, and on National Trails Day. National Trails Day is the first Saturday in June.

    If the County uses the Department's trail pass fee program, the County may retain a commission that must be used for Trail operations and maintenance as provided for in section 27.01 (8m), Wis. Stats. A separate Trail Pass Sales Agreement between the County and the Department will be executed, detailing the sales and remittance procedures. The County may use sub-vendors to sell the passes.

    If section 27.01(8) or (8m), Wis. Stats., is modified, this section on admission fees shall automatically reflect the modification.

12. In the exercise of its rights herein, including but not limited to the operation of the Property as a Trail, the County shall not discriminate against any member of the public on the basis of age, race, creed, color, handicap, sex, marital status, arrest or conviction records, ancestry, sexual orientation, or membership in the National Guard, state defense force or any other reserve successors or designees.

13. The County may enter into an agreement with a Friends Group which meets the criteria in section NR 1.71, Wis. Adm. Code, and Department policy . In recognition of the status of this Trail as a State Trail, the County agrees that the Department shall also be a co-signer of any Friends agreement.

14. The County may enroll volunteers in the Department's Adopt-A-Trail program, in accordance with Department policies and procedures.

15. The County will indemnify and hold harmless the Department and its employees against all claims, damages, costs, and expenses, including reasonable attorney's fees, arising from the performance of this MOU by the County, its agents, contractors, servants, licensees, permittees, or employees. In case any action or proceeding is brought against the Department or its employees by reason of any such claim, the County, upon notice from the Department, will defend such action or proceeding.

16. Any contract between the County and a third party to perform duties authorized by this MOU must bind the third party to the County's obligations under this MOU.

VI. General

1. This MOU is subject to all applicable laws and regulations.

2. This MOU may be revised or amended by mutual written agreement of the Department and the County.

3. The Department must approve, and has sole discretion over, all land transactions, crossings, and easements for the Property, but the County will be the first point of contact for inquiries from the public and/or private entities on these matters. Guidelines relating to easements for driveway and road crossings will be provided to the County. If a request conforms to the guidelines, it will be referred to the Department. If a request does not conform to Department guidelines, the County will deny the request. The Department retains the right to issue other non-conflicting easements, leases, or permits, but shall make every effort to refrain from entering into agreements that would physically alter the Trail or limit its use. The Department shall retain all proceeds from these transactions.

4. An annual meeting between the County and Department will take place to review development and acquisition progress, operational problems and maintenance standards needing attention and to exchange ideas and information for the good of the Trail project.

5. This MOU shall not be construed as creating a public debt on the part of the Department in contravention of Article VIII, Wisconsin Constitution and all payments or obligations hereunder are subject to the availability of future appropriations.

6. The County assumes complete responsibility for the development, operation, maintenance, and repair of the Trail. The Department has no obligation to develop, operate, maintain, or repair the Trail at any time.

7. This MOU does not create an employment or agency relationship between the Department and the County, any employees or agents of the County, or any third parties.

VII. Termination

1. County. The County may terminate this MOU by providing to Department ninety (90) days written notice of said termination. In the event the County terminates this MOU or the easement from the Department, the County will retain compliance responsibility for any state or federal grant obtained for Trail development and support purposes.

2. Department. The Department may terminate this MOU or the easement with the County in the event that:

   A. The County breached any term or condition in the MOU or the easement and said breach remains uncorrected for a period of sixty (60) days from the receipt of the Department's written notification of said breach by the County. In the event the County breached any term or condition of this MOU or the easement from the Department, the County will retain compliance responsibility for any state or federal grant assisted areas.

   B. The Department determines that the continued use of the premises as a Trail would be inconsistent with the management needs or objectives of the Department or the State of Wisconsin. In exercising its termination rights under this provision the Department shall give the County 180 days' notice of termination and reimburse the County for developed improvements, subject to consideration of any state or federal grant funds used in the development of the improvements and the availability of future appropriations. The Department will assume compliance responsibility for any federal grant obtained for Trail development purposes.

IN WITNESS WHEREOF, Department and the County have caused this instrument to be executed in their respective names by their respective duly authorized representatives.

POLK COUNTY

By _____ 12/27/17
~~Dean Johnson~~, County Board Chair Date
Jay Luke

By _____ 12-27-17
Sharon E. Jorgenson, County Board Clerk Date

7

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Ed. Eble 2-28-18

for Daniel L. Meyer, Secretary Date

12/04/17

APPENDIX B: RESOLUTION

Resolution No. 28-18

Resolution Providing for Comprehensive Planning Process for Stower Seven Lakes State Trail Plan and Cattail Trail (Polk County Segment) Plan

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

Ladies and Gentlemen:

WHEREAS, in coordination with the Wisconsin Department of Natural Resources (WDNR), Polk County manages and operates the Stower Seven Lakes State Trail and the Polk County segment of the Cattail Trail without a valid trail plan for the use of either trail as otherwise required by applicable Natural Resources regulation and specific provisions of the respective memorandum of understanding with WDNR; and

WHEREAS, it is beneficial to the citizens of Polk County and other users of these trails and in the interest of the County for Polk County to continue as sponsor and managing coordinator of the Stower Seven Lakes State Trail and the Polk County segment of the Cattail Trail; and

WHEREAS, the Environmental Services Committee has recommended to the County Board to provide for a comprehensive trail plan development process involving the two connected trails of the Stower Seven Lakes State Trail and the Polk County segment of the Cattail Trail, and to conduct such comprehensive process in accordance with Natural Resources administrative regulations concerning trail plan development, including, but not limited to Chapter NR 44 and the applicable provisions of the memorandum of understanding for each respective trail.

NOW, THEREFORE, the Polk County Board of Supervisors resolves as follows:

1. Resolution No. 43-17, Authorizing the Development of a Multi-Use, Multi-Season Trail Management Plan for Stower Seven Lakes Trail, is rescinded.
2. Resolution 59-17, Affirming Polk County As Sponsor and Managing Coordinator of The Stower Seven Lakes State Trail, is amended, at Lines 23-28, as follows:

> "NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors affirms the commitment of Polk County to serve as sponsor and managing coordinator of the Stower Seven Lakes State Trail and the Polk County segment of the Cattail Trail and to perform or carry-out all responsibilities of sponsor and managing coordinator of ~~the Trail~~ each such trail consistent with applicable federal and state law, regulatory provisions, ~~and~~ grant conditions~~.~~ , and terms and conditions of the respective memorandum of understanding.
>
> BE IT FURTHER RESOLVED that the Polk County Board of Supervisors agrees to the terms of the Memorandum of Understanding and Cooperative Easement~~,~~ ~~attached hereto.~~, concerning the Stower Seven Lakes State Trail."

3. The Environmental Services Committee is authorized and directed to engage in and conduct a comprehensive trail plan development process for the purpose of preparing a state trail plan for the Stower Seven Lakes State Trail and a trail plan for the Polk County segment of the Cattail Trail.

4. The Environmental Services Committee is authorized and directed to form a subcommittee to develop and provide advisory recommendations to the Committee in the course of the comprehensive trail planning process, including, but not limited to, the formation of the trail plans that would be presented for public hearing conducted by the Committee.

5. Such subcommittee shall be composed of 5, 7 or 9 members as determined and appointed by the Environmental Services Committee.

6. The membership of the subcommittee shall include one member of the Environmental Services Committee, who shall serve as subcommittee chairperson; at least one authorized representative of the Friends of the Stower Seven Lakes Trail; and the remaining members as persons who are affected by or interested in the use, management and operation of either the Stower Seven Lakes State Trail or the Polk County segment of the Cattail Trail.

7. Notwithstanding present resolution to the contrary, the members of the subcommittee may receive per diem compensation as determined by the County Board after the Committee has formed the subcommittee and appointed its members.

8. The comprehensive planning process authorized herein and the trail plans prepared through such process shall be consistent with Chapter NR 44, Wis. Adm. Code to the extent practicable and the applicable terms and conditions of the memorandum of understanding between Polk County and the Wisconsin Department of Natural Resources Department.

9. The provisions of Resolution No. 59-17 not affected herein shall remain in effect.

Fiscal Note: This resolution does not require additional appropriation from the General Fund for the 2017 fiscal year to carry out the organizational matters of the resolution. The costs to carry out the organizational matters can be covered with the budgets of the County Board and the county department designated to administer and manage the trails. The costs to gather data and analysis and preparation for public involvement participation events are unknown at this time and will be addressed when the Environmental Services Committee prepares a public involvement plan.

Legal Note: The resolution presents no legal impacts and provides for compliance with administrative regulation and contractual obligations concerning the County's management and operation of the respective trails.

Signed and sponsored 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, 2nd Vice Chair,
Supervisor, District # 10

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

Kate Isakson, Supervisor, District #12

Russell Arcand, Supervisor, District #13

John Bonneprise, Supervisor, District #14

Joe DeMulling, Supervisor, District #15

Effective Date:	Upon Passage
Dated Submitted To County Board	March 20, 2018 Second Reading:
Reviewed and Approved as to Form: Jeffrey B. Fuge, Interim County Administrator/Corporation Counsel	Fiscal Impact and Legal Impacts: As stated in the resolution.

At its regular business meeting on the 20th day of March, 2018, the Polk County Board of Supervisors acted on Resolution No.28-18: Resolution In Resolution Providing for Comprehensive Planning Process for Stower Seven Lakes State Trail Plan and Cattail ~~State~~ Trail (Polk County Segment) Plan , as follows:

- ☒ Adopted by simple majority of the board of supervisors by a vote of 8 in favor and 6 against. 1 absent
- ☐ Enacted by unanimous vote.
- ☐ Defeated

SIGNED BY:

Dean Johansen, County Board Chairperson

Attest:

Sharon E. Jorgenson, County Clerk

APPENDIX C: PUBLIC PARTICIPATION SECTION

At the March 20th, 2018 meeting of the Polk County Board of Supervisors, Resolution 28-18 was adopted to authorize a comprehensive planning process for the Stower Seven Lakes State Trail and Cattail Trail (Polk County Segment) Plan. This resolution set in motion a process to develop trail plans. The process chosen by the Environmental Services Committee (ESC) to obtain recommendations on the development of these plans is to form a Trail Planning Subcommittee. Member of the subcommittee were determined through an application process.

Trail Planning Subcommittee Members:
Brad Olson – Chair / Jon Fogelberg / Doug Johnson / Brandon Whittaker /
Rick McGuiggan / Katie Bruns /Ronald Minnick

Letters:
Letters and emails were sent to municipalities and trail groups asking them to recommend applicants to be on the subcommittee and to return a recommendation with the application. Ads were placed in local papers as shown below. Updates on meetings and events were emailed to local municipalities, snowmobile council members, stower seven lakes trail members, and bicycle trail pass vendors along with any additional public asking for updated information.

Website:
A website was created and available through the Polk County Parks webpage titled Welcome to the project page for the stower Seven Lakes & Cattail Trail Plans. The webpage listed trail information along with the subcommittee applications and up to date information on agendas, minutes, trail plan drafts, trail information, and public events.

Public Survey:
A public survey was created and announced on the website and in the newspapers. The survey was available by going online to survey monkey. It was also available to print and mail or email from our website. A total of 1,964 surveys were received. Summary of survey results can be seen on page 27.

Public Hearing:
A public hearing was held on July 31st, 2018, 6:00 pm at Unity High School, Performing Arts Center, Balsam Lake, WI to assess the interested public's desired uses of the trail. The public hearing was published on the website and through ads in the newspapers. Interested parties were given the right to appear before the committee to provide comments in verbal or written form concerning the proposed ordinance. A total of 58 speakers signed the walk-in-sheet to speak during the hearing. An estimate of 200 attended the public hearing.

Conclusion:
Information gained from the public hearings, in combination with information and input from other sources, were reviewed by the subcommittee and formed the basis for the recreational trail use plan. The subcommittee voted to recommend to the Polk County Environmental

Service Committee to keep the current non-motorized uses and add snowmobiling, and horseback riding. An open house was held on August 28, 2018, 6:00 pm in the County Board Room at the Polk County Government Center, Balsam Lake, WI. The open house was published on the website and newspapers. An estimate of 25 people attended.

Subcommittee Newspaper Advertising

POLK COUNTY SEEKS APPLICANTS FOR SUBCOMMITTEE

Stower Seven Lakes Trail & Cattail Trail Planning Project

Trail Planning Subcommittee will work with Environmental Service Committee (ESC) to identify & suggest future goals and objectives for the Stower Seven Lakes Trail & Cattail Trail.

For more information and the application go to:
Trail Planning Project on www.co.polk.wi.us/parks

Applications are open now thru Friday, May 11, 2018.

Selection of subcommittee will be conducted by the ESC at their May 23, 2018 mtg. Members on the subcommittee is a volunteer position.
No compensation for membership on the subcommittee shall be given.

For more information contact Debbie Peterson, Director of Polk County Parks, Forestry, Buildings, & Solid Waste Department at 715-485-9294 or email: polk.recreation@co.polk.wi.us.

Notice Public Hearing

STOWER SEVEN LAKES TRAIL & CATTAIL TRAIL PLANNING

Tuesday, July 31, 2018 at 6:00 p.m.
Unity High School, Performing Art Center
Balsam Lake, WI

Polk County Stower Seven Lakes and Cattail Trail Subcommittee public hearing is set to receive comments on the proposed trail usage changes for the Stower Seven Lakes Trail and Cattail. The purpose of the hearing is to determine the uses of the Stower Seven Lakes Trail and Cattail Trail and complete the trail masterplans required by the state.

Previous meetings and trail plan drafts are available for viewing on www.co.polk.wi.us/parks. Interested parties have a right to appear before the committee to provide comment in verbal or written form concerning the proposed ordinance. Comments are limited to 3 minutes per person. In order to give a comment before the committee or turn in written comment individuals must sign in at the entrance door between 5:45 p.m. to 7:00 p.m. In addition, interested persons may submit written documentation concerning the proposed ordinance prior to the public hearing by directing the same to the Polk County Parks Department, 100 Polk County Plaza, Suite #10, Balsam Lake, WI 54810 or by e-mail at polk.recreation@co.polk.wi.us. Documentation received before the public hearing will be presented to the Trail Subcommittee for receipt during the public hearing.

News Release

FOR IMMEDIATE RELEASE
For more information contact:
Debbie Peterson
Parks, Forestry, Buildings, & Solid Waste Director
Polk County
100 Polk Plaza #10
Balsam Lake, WI 54810
715-485-9294

Trail Planning Survey Questions

A survey on the uses of the Stower Seven Lakes and Cattail Trail is now available online through www.co.polk.wi.us/parks website. This survey has been put together by the Polk County Trail Planning Subcommittee for the purpose of gathering public opinion on the Cattail and Stower Seven Lakes Trails so high-quality recreation opportunities can be provided. Please answer all questions. Only surveys with all questions answered will be accepted. One survey form per person. Surveys can be printed and filled out online by going to www.co.polk.wi.us/parks or individually mailed and postmarked by July 9 to Polk County Parks, 100 Polk County Plaza Suite 10, Balsam Lake, WI 54810.

For further information, contact Deb Peterson – Director of Buildings, Solid Waste, Parks and Forestry Department at (715)485-9294 or email polk.recreation@co.polk.wi.us

STOWER SEVEN LAKES TRAIL & CATTAIL TRAIL PLANNING

You are invited to attend an

Open House

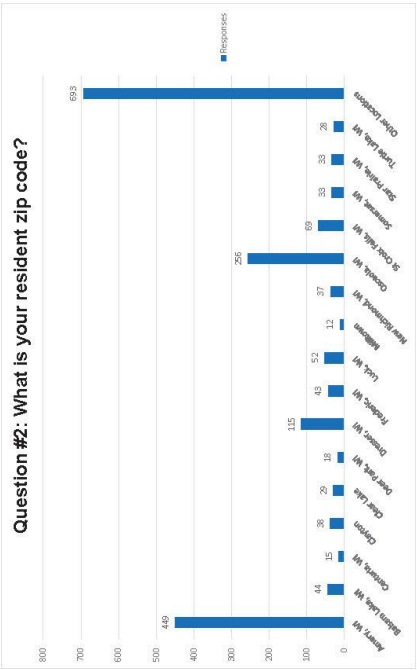
To celebrate the determined recommendation to present to the Polk County Environmental Service Committee to move forward with the master plans for the Stower Seven Lakes Trail and the Cattail Trail.

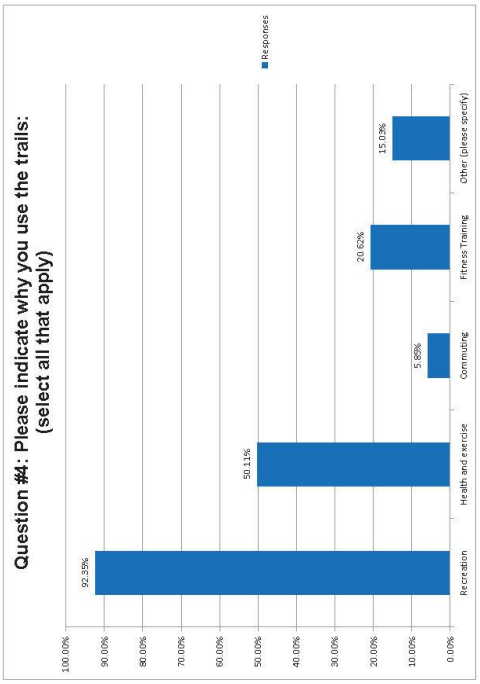
Tuesday, August 28, 2018 at 6:00 p.m.
County Board Room, 100 Polk County Plaza
Polk County Government Center
Balsam Lake, WI

The voted recommendation is to leave the current uses on the Cattail Trail as is and add horseback riding as a use to the entire trail. For the Stower Seven Lakes Trail the voted recommendation is to keep the current uses and add horseback riding, and snowmobiles to the approved uses when permitted.

For more information visit www.co.polk.wi.us/parks (Stower Seven Lakes & Cattail Trail Planning Project), email polk.recreation@co.polk.wi.us, or call 715-485-9294.

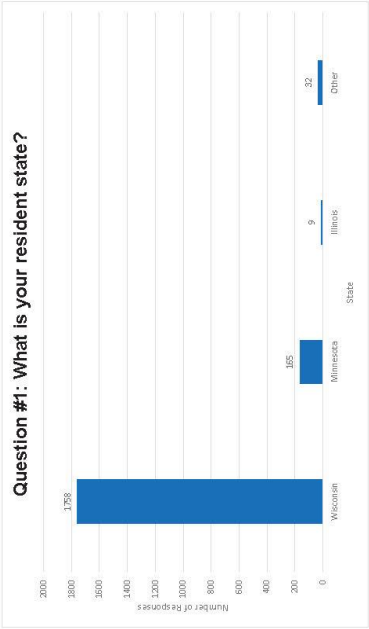
Survey Question Results

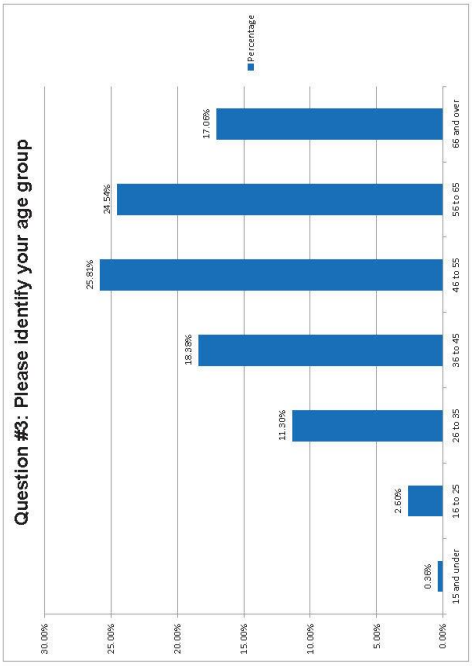


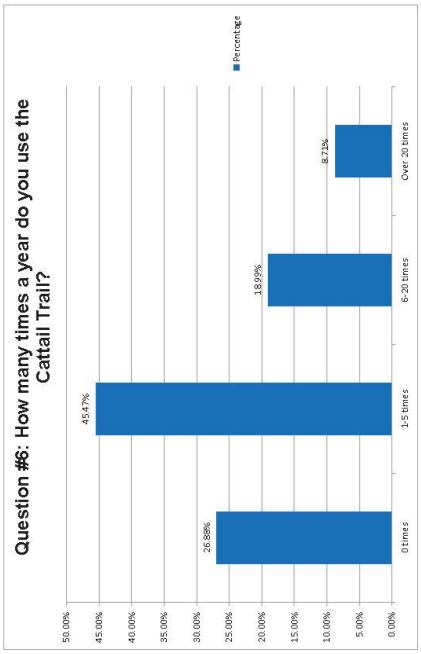


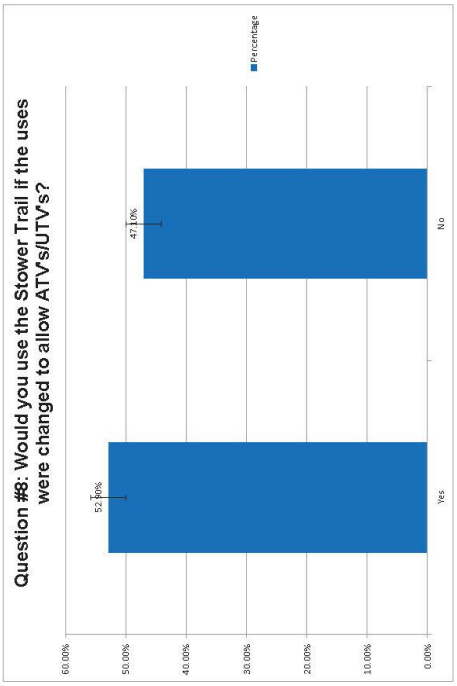
Trail Planning Survey Results:

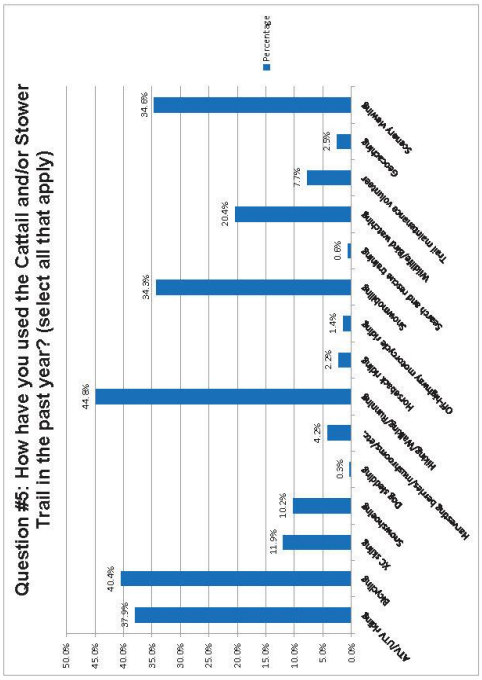
1964 total respondents

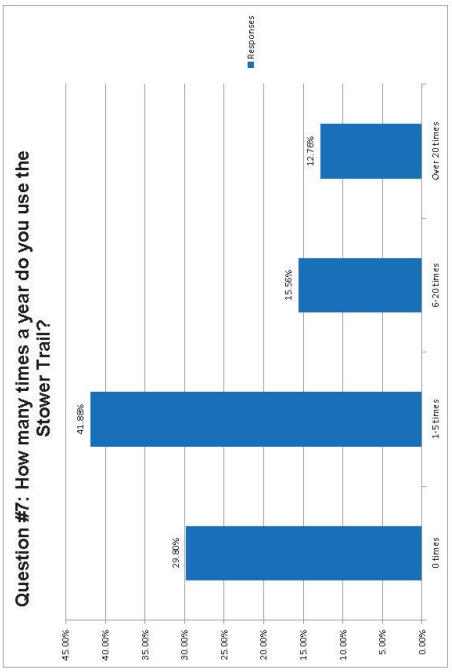


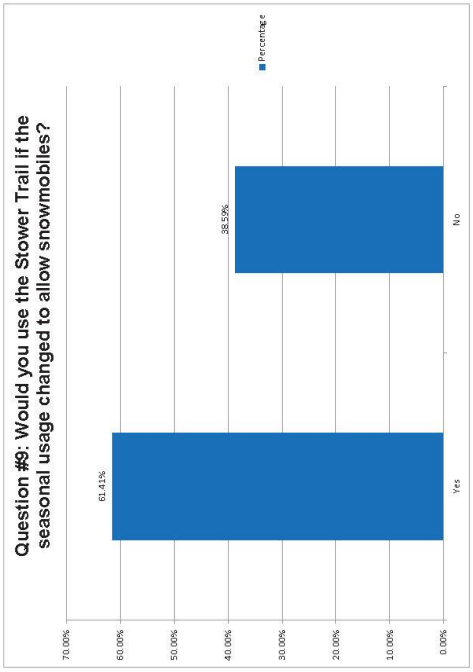


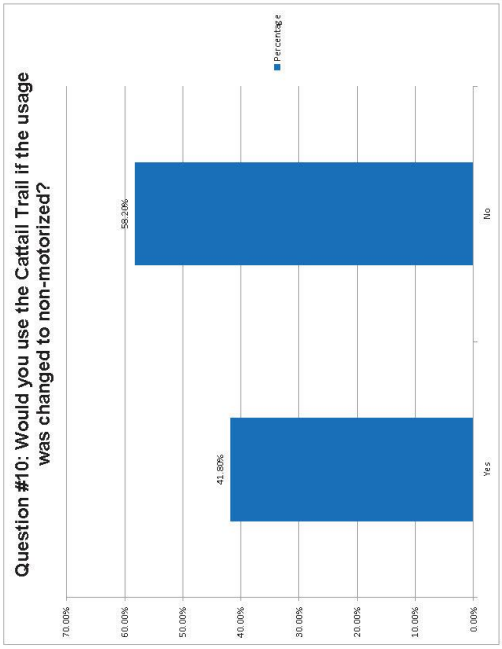

Question #6: How many times a year do you use the Cattail Trail?
Percentage
50.00%
45.00%
40.00%
35.00%
30.00%
25.00%
20.00%
15.00%
10.00%
5.00%
0.00%
26.88%
45.47%
18.99%
8.71%
0 times
1-5 times
6-20 times
Over 20 times

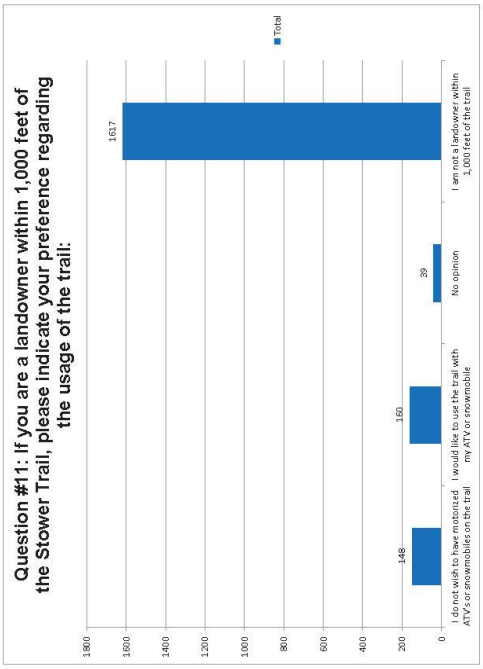

Question #8: Would you use the Stower Trail if the uses were changed to allow ATV's/UTV's?
Percentage
60.00%
50.00%
40.00%
30.00%
20.00%
10.00%
0.00%
52.90%
47.10%
Yes
No

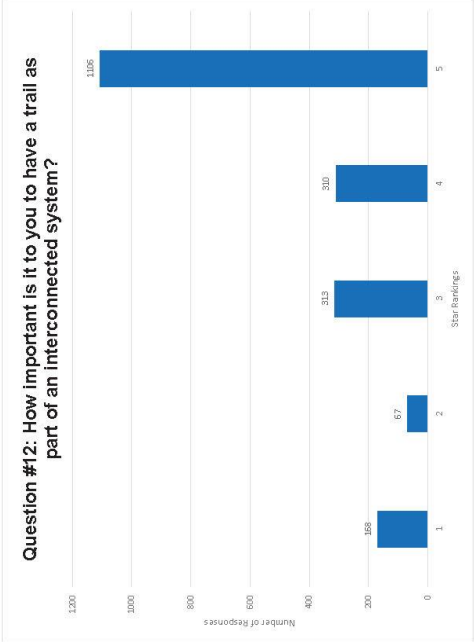

Question #5: How have you used the Cattail and/or Stower Trail in the past year? (select all that apply)
Percentage
50.0%
45.0%
40.0%
35.0%
30.0%
25.0%
20.0%
15.0%
10.0%
5.0%
0.0%
37.9%
40.4%
11.9%
10.2%
0.9%
4.2%
44.8%
2.2%
1.4%
34.9%
0.6%
20.4%
7.7%
2.9%
34.6%
ATV/UTV riding
Boating
XC skiing
Snowshoeing
Dog sledding
Horseback riding
Hiking/Walking/Running
Off-highway motorcycle riding
Snowmobiling
Sports and fitness training
Wildlife/bird watching
Trail maintenance volunteer
Geocaching
Scenery viewing

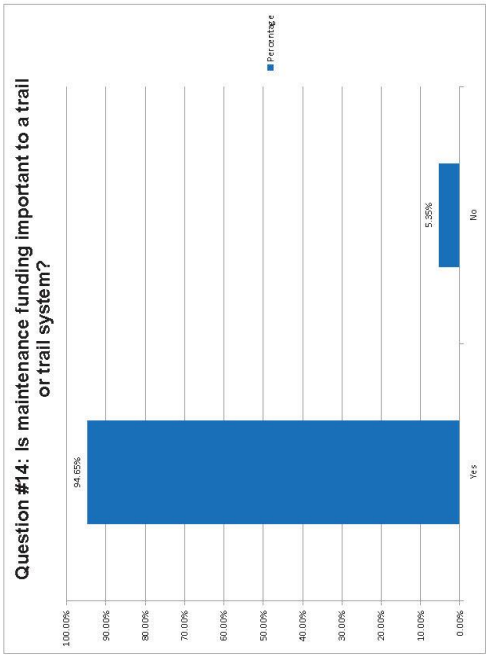

Question #7: How many times a year do you use the Stower Trail?
Responses
45.00%
40.00%
35.00%
30.00%
25.00%
20.00%
15.00%
10.00%
5.00%
0.00%
29.80%
41.88%
15.56%
12.78%
0 times
1-5 times
6-20 times
Over 20 times

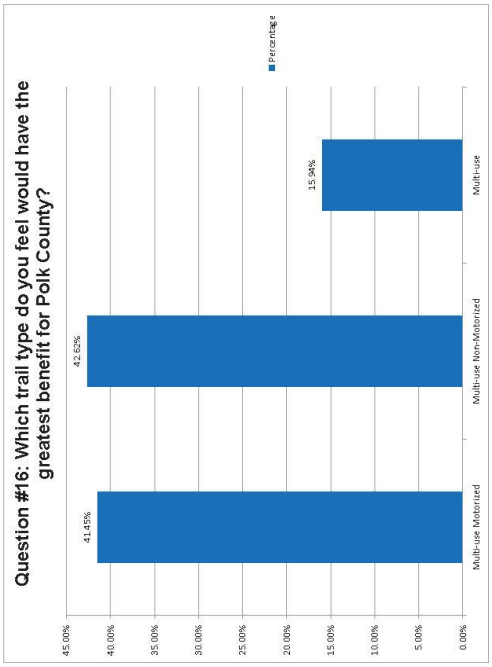

Question #9: Would you use the Stower Trail if the seasonal usage changed to allow snowmobiles?
Percentage
61.41%
38.59%
Yes
No
70.00%
60.00%
50.00%
40.00%
30.00%
20.00%
10.00%
0.00%

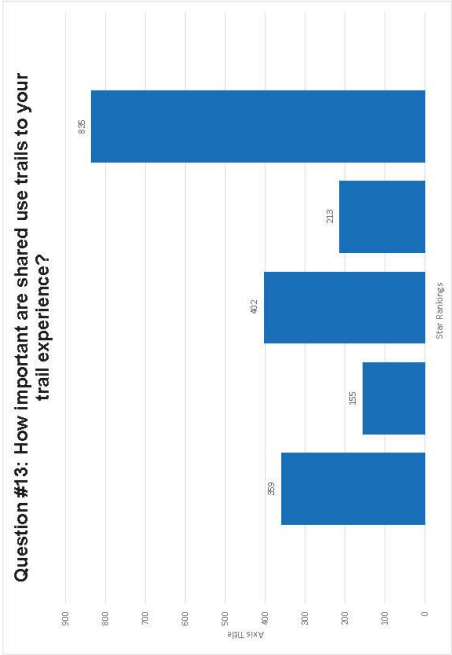

Question #10: Would you use the Cattail Trail if the usage was changed to non-motorized?
Percentage
41.80%
58.20%
Yes
No
70.00%
60.00%
50.00%
40.00%
30.00%
20.00%
10.00%
0.00%

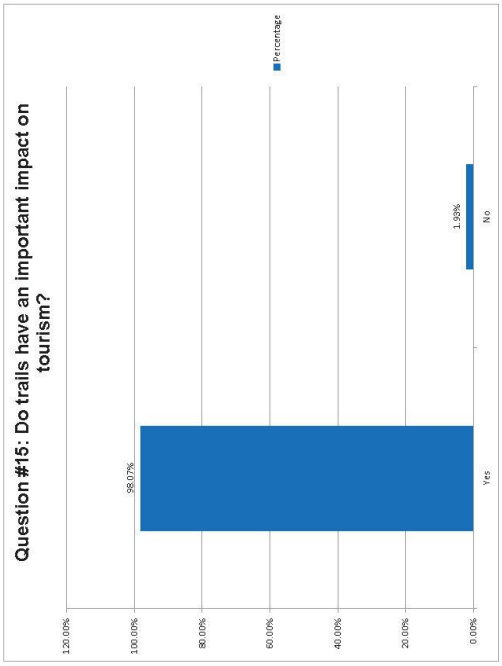

Question #11: If you are a landowner within 1,000 feet of the Stower Trail, please indicate your preference regarding the usage of the trail:
Total
148
160
39
1617
I do not wish to have motorized ATV's or snowmobiles on the trail
I would like to use the trail with my ATV or snowmobile
No opinion
I am not a landowner within 1,000 feet of the trail
1800
1600
1400
1200
1000
800
600
400
200
0


Question #12: How important is it to you to have a trail as part of an interconnected system?
Number of Responses
168
67
313
310
1106
1
2
3
4
5
Star Rankings
1200
1000
800
600
400
200
0

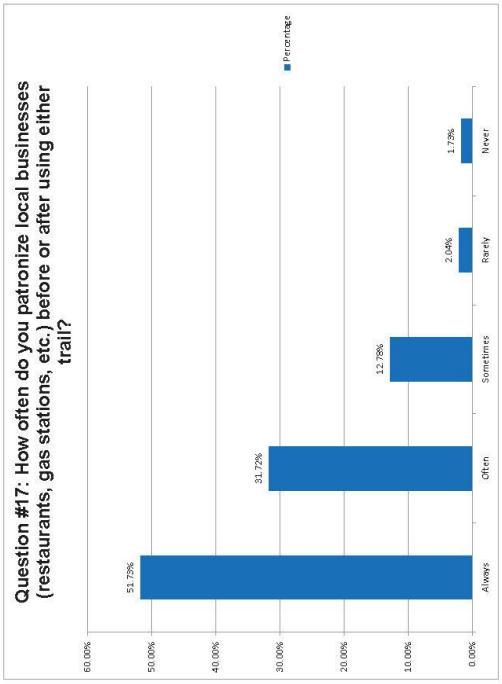

Question #14: Is maintenance funding important to a trail or trail system?
Percentage
94.65%
5.35%
Yes
No
100.00%
90.00%
80.00%
70.00%
60.00%
50.00%
40.00%
30.00%
20.00%
10.00%
0.00%

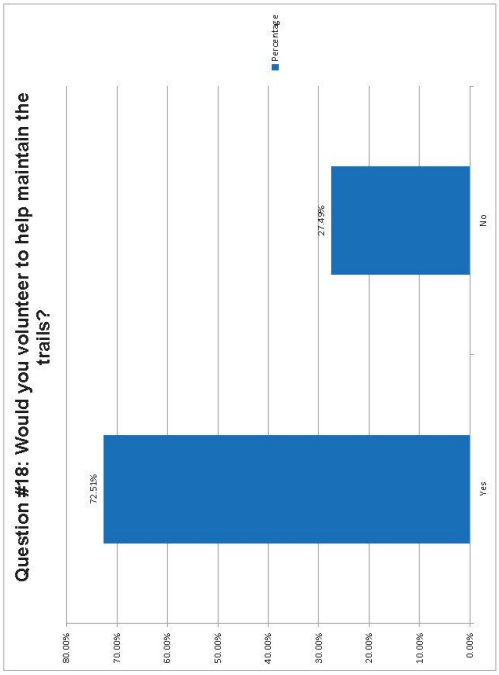

Question #16: Which trail type do you feel would have the greatest benefit for Polk County?
Percentage
41.45%
42.62%
15.94%
Multi-use Motorized
Multi-use Non-Motorized
Multi-use
45.00%
40.00%
35.00%
30.00%
25.00%
20.00%
15.00%
10.00%
5.00%
0.00%


Question #13: How important are shared use trails to your trail experience?
Axis Title
835
213
402
155
359
Star Rankings
900
800
700
600
500
400
300
200
100
0


Question #15: Do trails have an important impact on tourism?
Percentage
98.07%
1.93%
Yes
No
120.00%
100.00%
80.00%
60.00%
40.00%
20.00%
0.00%

f


Question #17: How often do you patronize local businesses (restaurants, gas stations, etc.) before or after using either trail?
60.00%
50.00%
40.00%
30.00%
20.00%
10.00%
0.00%
51.79%
31.72%
12.78%
2.04%
1.73%
Always
Often
Sometimes
Rarely
Never
Percentage


Question #18: Would you volunteer to help maintain the trails?
80.00%
70.00%
60.00%
50.00%
40.00%
30.00%
20.00%
10.00%
0.00%
72.51%
27.49%
Yes
No
Percentage

APPENDIX D: 2009 AYRES ENVIRONMENTAL SITE ASSESSMENT

Executive Summary

Polk County, P.O. Box 623, Balsam Lake, WI 54810-0623, retained Ayres Associates to conduct a Phase I Environmental Site Assessment (ESA) of the abandoned Central Ltd. railroad corridor beginning 3 miles south of Dresser and extending to Amery, in Polk County, Wisconsin. Polk County intends to use the corridor for a recreational trail.

We prepared this Phase I ESA generally following procedures established by the American Society for Testing and Materials (ASTM). The ASTM publication that documents the ESA procedures is entitled *E1527-00 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The scope of services is in Appendix A.

Summary of Findings

Findings of this Phase I ESA are based on a site reconnaissance visit to view the subject property and adjoining properties, review of regulatory records and historical documents, and conducting interviews. The corridor was divided into seven separate sections for discussion purposes in the main report. Refer to Table 1 in the main report for a summary of findings for each of the seven sections along the railroad corridor. General findings are as follows:

- The subject property includes approximately 173.685 acres in portions of Sections 28, 29, 31, 32, 33, Township 33 North, Range 16 West; Sections 31, 32, 33, 34, 35, 36, Township 33 North, Range 17 West; and Sections 21, 25, 26, 27, 26, Township 33 North, Range 18 West, Polk County, Wisconsin.
- The subject property is currently owned by the Wisconsin Central Ltd. Railroad and is an abandoned railroad corridor constructed prior to the early 1900s. The railroad tracks have been removed from the subject property within the last 5 years. Right-of-way widths throughout the corridor are predominantly 100 feet with some variance in width from 40 feet to 200 feet in urban areas. The corridor runs generally in a west to east direction.
- Land use along the railroad corridor is primarily rural; however, the corridor runs through the unincorporated communities of Nye, Wanderoos, and Deronda, and the City of Amery.
- The railroad grade consists of an elevated railbed with a gravel surface. Rural sections of the corridor are covered with vegetation that is encroaching along both sides of the railbed.
- Topography is generally flat to gently sloping and varies approximately 90 feet in elevation from west to east. Surface water features include Lotus Lake, Round Lake, Horse Lake, Bear Trap Lake, Kinney Lake, Mud Lake, North and South Twin Lakes, Sucker Branch Creek, and the Apple River. The depth to ground water varies from near surface to about 10 feet below ground surface on the subject property.
- Lowlands, recreational lakes, farmland and farmsteads, woodlands, fallow grasses, and residences border rural areas of the subject property. The urban areas in Nye, Wanderoos, Deronda, and Amery include residential and commercial development.
- No building structures, aboveground storage tanks (ASTs), underground storage tanks (USTs), hazardous waste, soil staining, or stressed vegetation were observed on the subject property.

- Occasional piles of solid waste (refrigerators, freezers, and other materials) are scattered along the borders of the subject property. This waste appears to have been disposed by local residents and not by railroad use.
- This assessment did not reveal any sources of contamination originating on the subject property. Environmental records searches did reveal nine recognized environmental concerns (RECs) associated with properties that adjoin or are near the subject property. All of these properties pose a potential contamination threat to the subject property through migration from these off-site sources. Refer to Table 1 for a listing of these properties.

Conclusions

We performed this Phase I ESA of 13.48 miles of railroad corridor beginning 3 miles south of Dresser extending to Amery, in Polk County, Wisconsin, in general conformance with the scope and limitations of ASTM Practice E 1527-00. Any exceptions to, or deletions from, this practice are described in the "Limitations and Exceptions of Assessment" section of this report. This Phase I ESA revealed evidence of 10 recognized environmental conditions (RECs) that have the potential to affect the subject property. The following is a list of the RECs:

Nye Store LUST site	Section 1	(See Figure 7 for location)
Wanderoos Gift & Grocery LUST site	Section 4	(See Figure 7 for location)
Anderson Property ERP site	Section 7	(See Figure 7 for location)
Gorres Oil Co. Bulk Plant ERP site	Section 7	(See Figure 7 for location)
Equity Cooperative DATCP site	Section 7	(See Figure 7 for location)
Superlocker LUST site	Section 7	(See Figure 7 for location)
Amoco bulk plant site	Section 7	(See Figure 7 for location)
Railroad section house site	Section 7	(See Figure 7 for location)
City of Amery LUST site (Center Street)	Section 7	(See Figure 7 for location)

These sites are within close proximity to the subject property and are still under investigation, remediation, or environmental monitoring. They pose a potential threat to soil and ground water quality on the subject property. They should not impede the use of the property as a recreational trail; however, there is a risk that excavation or installation of a potable water supply near these sites could encounter contamination.

The discarded solid waste along the subject property is a business environmental risk that should be taken into account when purchasing this property. Other than the solid waste, no environmental concerns originating from the subject property were discovered in this assessment.

Introduction

Polk County, P.O. Box 623, Balsam Lake, WI 54810-0623, retained Ayres Associates to conduct a Phase I Environmental Site Assessment (ESA) of an approximately 13.48-mile railroad corridor beginning 3 miles south of Dresser and extending to Amery, in Polk County, Wisconsin. The Wisconsin Central Ltd. Railroad currently owns the corridor. Polk County intends to use the corridor for a recreational trail.

A book of figures (Exhibit A) supplied by Polk County is in Appendix A. The figures define the area of sale. The corridor is referred to as the subject property in this Phase I ESA report. To facilitate discussion, the corridor was divided into seven sections. The sections are as follows:

Section 1	90th Avenue (start) to CTH Y (Nye)
Section 2	CTH Y (Nye) to Big Lake Drive
Section 3	Big Lake Drive to HWY 65 (Wanderoos)
Section 4	Hwy 65 (Wanderoos) to CTH P (Deronda)
Section 5	CTH P (Deronda) to CTH C
Section 6	CTH C to 105th Avenue
Section 7	105th Avenue to Apple River (finish)

Table 1 summarizes the location, length, and report figures that pertain to each section.

This Phase I ESA has generally been prepared following procedures established by the American Society for Testing and Materials (ASTM). The ASTM publication that documents the ESA procedures is entitled *E1527-00 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.* The scope of services is in Appendix B.

Purpose

The purpose of this Phase I ESA is to investigate the property with respect to the potential for petroleum contamination and the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This Phase I ESA identifies recognized environmental conditions (REC). The term "recognized environmental conditions" means the presence, or likely presence, of hazardous substances or petroleum products under conditions that indicate an existing release, a past release, or a material threat of a release into the ground, ground water, or surface water of the subject property. This Phase I ESA also identifies historical recognized environmental conditions (HRECs). The term "historical recognized environmental condition" means an environmental condition that in the past would have been considered a REC; however, due to remediation or case closure, the condition is not currently considered to be a REC.

Limitations and Exceptions of Assessment

This ESA does not include a certified asbestos survey, asbestos sampling, analyzing drinking water or painted surfaces for lead content, a naturally occurring radioactive materials (NORM) survey, or any other environmental sampling or testing (e.g., soil, water, air, building materials).

Weather conditions were overcast and warm on the day of the site reconnaissance visit and did not limit observations on the subject property. The entire property was viewed by driving a 4-wheel drive ATV along the corridor.

Site Description

Site Location and Property Description

The subject property covers portions of Sections 28, 29, 31, 32, 33, Township 33 North, Range 16 West; Sections 31, 32, 33, 34, 35, 36, Township 33 North, Range 17 West; Sections 21, 25, 26, 27, 26, Township 33 North, Range 18 West, in Polk County, Wisconsin. The general property location is shown on U.S. Geological Survey quadrangle maps in Figures 1, 2, and 3.

The subject property is approximately 13.48 miles long and encompasses approximately 173.685 acres. The tracks have been removed from subject property. No buildings are currently associated with the subject property. The approximate property boundaries are shown in Figures 4 through 20.

The property right-of-way width is generally 100 feet throughout the corridor. In urban areas including Nye, Wanderoos, Deronda, and Amery, the right-of-way varies from 40 feet to 200 feet in width.

Site and Vicinity Characteristics

The entire property consists of an elevated gravel railroad grade with vegetation protruding along the length of the corridor. Vegetation included grasses, weeds, and trees.

The subject property traverses rural and urban areas in a generally west to east direction. Rural areas include occasional residences, farmsteads and farm fields, lowlands, lakes, streams, and woodlands. In urban areas, numerous residences and businesses border the property. Urban areas include Nye, Wanderoos, Deronda, and Amery. Businesses include a gas station in Nye, a bread store and storage shed in Wanderoos, Anderson Construction and Supply east of Deronda, a refurbished train depot (Bear Trap School No. 6) east of CTH C, Ferrell Gas east of 105th Avenue, and an elementary school, chiropractor, Lamperts Lumber and a closed meat packing plant and deli in Amery.

Current and Past Uses of Subject Property

The tracks have been removed from the railroad grade and local residents are currently using the property as a recreational trail. Portions of the property have been washed out or are partially overgrown by vegetation. In the past, the property was used as an active railroad track to haul freight. Before the property was a railroad, it was either undeveloped or used as farmland. The subject property does not currently have any building structures or improvements other than culverts, bridges, and utility crossings.

Current and Past Uses of Neighboring Properties

Current land uses on neighboring properties include the following:

Section 1—Farmland, lowland, fallow grasses, recreational lakes, commercial, woodland and residential

Section 2—Recreational lake, lowland, farmland, woodland, fallow grasses, and residential

Section 3—Farmland, woodland, lowland, fallow grasses, and residential

Section 4—Lowland, farmland, woodland, fallow grasses, residential, and commercial

Section 5—Lowland, farmland, recreational lake, woodland, fallow grasses, and commercial

Section 6—Woodland, lowland, fallow grasses, residential, and a refurbished train depot

Section 7—Farmland, lowland, fallow grasses, recreational lakes, commercial, woodland, and residential, and includes the City of Amery

The general area has historically been farmland, woodland, and lowland with commercial areas near Nye, Wanderoos, Deronda, and Amery. Occasional residences have historically been located along the corridor and have become more numerous in recent years.

Cost of Board of Adjustment Public Hearing Application (Variance & Administrative Appeal

Activity	Staff Time	Pos
Assist in Application Process	$ 30.00	$
Review Application & Conduct Site Visit (2.5 hr)	$ 150.00	$
Special Review (LWRD, Health, Engineering, etc)*	$ 100.00	$
Class 2 legal notice to paper	$ 50.00	$ 50
Class 2 legal notice to Adjoining owners, Towns, Lake Districts, DNR	$ 75.00	$
Hearing time	$ 125.00	$
Decision Letter & Finalization	$ 50.00	$
Subtotal:	$ 580.00	$
Total for BOA Hearing:	**$610-710**	

*May or may not be required in order to provide Board of Adjustment with additional inf

** These fees do not include any additional staff time, assistance from counsel, per diems, or a from conducting multiple hearings on the same request.

*** Can save on newspaper pubication costs if combined with other applications

Created: JK 1/

Applications)

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additional costs

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25/19

RESOLUTION 12 -19

Resolution to Approve Zoning Ordinance Amendment for the Town of St Croix Falls

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

WHEREAS, the Town of St. Croix Falls administers their own Zoning Ordinance; and

WHEREAS, paragraph 3 of Wisconsin Statute Chapter 60.62 relating to town zoning authority, if exercising village powers, reads: "In counties having a county zoning ordinance, no zoning ordinance or amendment of a zoning ordinance may be adopted under this section unless approved by the county board;" and

WHEREAS the Town of St. Croix Falls adopted Zoning Ordinance No. 1 on August 5, 1965, amended in its entirety on May 12, 1994 and subsequent amendments including the amendment on March 20, 2001; January 16, 2008; February 18, 2009; May 20, 2009; October 21, 2009; March 17, 2010; April 21, 2010; August 18, 2010; March 16, 2011; April 20, 2011; October 19, 2011; November 16, 2011; August 21, 2013; March 18, 2015; April 15, 2015; March 16, 2016; March 15, 2017; November 15, 2017; June 20, 2018; October 17, 2018; and

WHEREAS, the Town Board of the Town of St. Croix Falls passed Resolution 19-02 adopting Ordinance 19-01 amending Zoning Ordinance No. 1 at their January 16, 2019 meeting; and

WHEREAS, the Town Board of the Town of St. Croix Falls deems it advisable and necessary to
amend Zoning Ordinance No. 1, Chapter I, Administration and Enforcement, Section E,1. to be consistent with the towns building code ordinance; and

WHEREAS, the Polk County Board of Supervisors must also approve any zoning ordinance amendments for the town; and

NOW, THEREFORE, BE IT RESOLVED, that the Polk County Board of Supervisors hereby approves Resolution 19-02 adopting Ordinance 19-01 amending Zoning Ordinance No. 1.

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

Submitted and Sponsored by:

_____

Reviewed and Approved As to Form:

_____

Jeffrey B. Fuge, Interim County Administrator

Approved as to Form and Execution:

_____
Malia T. Malone, Corporation Counsel

At its regular business meeting on February 19, 2019, the Polk County Board of Supervisors adopted the above-entitled resolution, Resolution _12_-19: Resolution to approve Zoning Ordinance No. 1 amendment for the Town of St Croix Falls, by a simple majority vote of __ in favor and __ against.

Dated this _____ day of _____, 2019 at Polk County Wisconsin.

SIGNED BY:

_____
Dean Johansen, County Board Chairperson

Attest: _____
Sharon Jorgenson, Polk County Clerk

TOWN of
ST. CROIXFALLS

www.townofstcroixfalls.org
POLK COUNTY, WISCONSIN

FRANK BEHNING, CHAIRPERSON
KATIE APPEL, SUPERVISOR
MICHAEL DORSEY, SUPERVISOR
SHARON KELLY, SUPERVISOR
GARY KOECHER, SUPERVISOR
JANET KRUEGER, CLERK
MAXINE (MAX) SPIESS, TREASURER

January 18, 2019

Land Information
Attention Director
100 Polk County Plaza, Ste 130
Balsam Lake, WI 54810

RE: Amendment to Town Zoning Ordinance

Dear Land Information Director,

The Town Board of the Town of St. Croix Falls passed Ordinance 19-01 amending the Town's Zoning Ordinance No. 1, Chapter I - Administration and Enforcement, Section E – Zoning and Sanitary Permits, 1. a. to be consistent with the Town's Building Code Ordinance.

Please present the Town of St. Croix Falls Town Board approved Ordinance 19-01 amending the Town's zoning ordinance to the Polk County Board of Supervisors for their approval.

Sincerely,

Janet Krueger

Janet Krueger
Town Clerk

Enclosure
Ordinance 19-01 Zoning Ordinance No. 1 Amendment & Resolution 19-02

1305 – 200TH Street; St. Croix Falls, WI 54024-0137 Phone 715-483-1851 FAX 715-483-1836
E-Mail tscf@townofstcroixfalls.org Website – www.townofstcroixfalls.org

TOWN
Of
ST. CROIX FALLS
Polk County, Wisconsin

AMENDING ZONING ORDINANCE No. 1 ENTILTED "TOWN ZONING ORDINANCE"
ORDINANCE 19-01

Section 1: Purpose

The purpose of this ordinance is to amend Chapter I - Administration and Enforcement, Section E – Zoning and Sanitary Permits, 1. – When a Permit is Required, a. – The Erection, Addition or Alteration of any Building, Structure or Portion Therefore be amended to read as follows:

> Construction of any new structure or any addition to an existing structure shall require a Land Use Permit from the Town, except ~~construction or alterations not needing a building permit per the Town building inspector~~ ***accessory structures under 144 square feet*** do not need to obtain a land use permit. The project still must meet all the applicable requirements for obtaining a land use permit including, but not limited to, setbacks, height, and number of structures per parcel. In addition, only one (1) structure per parcel may be constructed with this exemption.

Section 2: Effective Date

This ordinance shall take effect from and after its passage, Polk County Board of Supervisors approval and legal publication.

Adopted on January 16, 2019, by Resolution 19-02

Frank Behning, Town Chair

Attested: Janet Krueger, Town Clerk

Posted on January 21, 2019, at the following locations:
Wayne's Cafe
Lampert's
Town Hall

Published in the Inter-County Leader on January 23, 2019.

TOWN
Of
ST. CROIX FALLS
Polk County, Wisconsin

Resolution 19-02

A RESOLUTION ADOPTING ORDIANCE 19-01
AMENDING ZONING ORDINANCE No. 1

WHEREAS the Town Board of the Town of St. Croix Falls has village powers under Section 60.10(2)(c), Stats., that grants police powers as set forth in Section 61.34(1), Stats., to act for the good order of the Town, for its commercial benefit and for the health, safety, and welfare of the public; and

WHEREAS the Town of St. Croix Falls adopted Zoning Ordinance No. 1 on August 5, 1965, amended in its entirely on May 12, 1994 and subsequent amendments including the amendments on March 20, 2001; January 16, 2008; February 18, 2009; May 20, 2009; October 21, 2009; March 17, 2010; April 21, 2010; August 18, 2010; March 16, 2011; April 20, 2011; October 19, 2011; November 16, 2011; August 21, 2013; March 18, 2015; March 15, 2017; June 20, 2018; October 17, 2018; and

WHEREAS the Town Board of the Town of St. Croix Falls deems it advisable and necessary to amend Zoning Ordinance No. 1, Chapter I, Administration and Enforcement, Section E, 1. To be consistent with the Town's Building Code Ordinance; and

WHEREAS the Plan Commission of the Town of St. Croix Falls held a public hearing on the proposed amendment on January 9, 2019, the first reading of the proposed amendment was had on December 19, 2018, and a second reading was held on January 16, 2019.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve Ordinance 19-01 amending Zoning Ordinance No. 1; and

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Croix Falls hereby petitions the Polk County Board of Supervisors to concur and ratify the amendment; and

BE IT FURTHER RESOLVED that Ordinance 19-01 become effective upon passage and publication and/or posting according to Wisconsin State Statute.

Frank Behning, Chairperson

Dated this 16th day of January 2019

Attest: Janet Krueger, Town Clerk

Approved by:

_x_Roll Call Vote:
_5_Yeas; _0__Nays; _0__Absent/Abstain

ENVIRONMENTAL SERVICES COMMITTEE

2019 WORK PLAN

Date	Scheduled Agenda Items	Program Evaluation/Upcoming Issues
January	• Finalize 2019 Work Plan • Timber Sales	• Rules of Order review/suggested changes –Jan thru May
February	• Tree Replacement schedule • Wildlife damage/Crop Claims	• Governor's Budget & impact
March	• Business Analysis of Lime Quarry	
April	• Recycling Analysis/review • Tax Deed Listings	
May	• Review of repairs on dams owned by Polk County	• Budget Development – end of May
June	• Annual Report Receipt • Review of Functions	
July	• Annual Reports	
August	• Review/Revise Comprehensive Forest Plan	
September		
October	• Budgets/Budget amendments • Annual Forestry Plan	
November		
December	• Develop 2020 Work Plan	