



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

Minutes of the Regular Meeting of the Board of Supervisors
Thursday February 20, 2020

Vice Chairman Luke called the February 20, 2020 regular session of the Polk County Board of Supervisors to order at 6:02 p.m.

Vice Chairman Luke recognized the County Clerk for purposes of receiving evidence of proper notice. The County Clerk stated that the notice of meeting was properly posted in the Government Center Building in two places, and was published electronically on the County website February 9, 2020. The Amended Agenda and Notice of meeting was posted on February 11, 2020 in the Government Center Building in two places, and on the County website. In addition, the Office of the County Clerk distributed copies of such notice of meeting and proposed resolutions to supervisors and media via e-mail or mail in accordance with Article 3, Section 2 of the County Board Rules of Order (February 11, 2020). The Amended notice of meeting was published in a legal newspaper in accordance with Wisconsin Statute Section 985.02 on the week of February 10, 2020.

The County Board received opinion from Corporation Counsel Malone that the initial advance written notice, posted and published as described by the Clerk satisfied the applicable provision of Wisconsin Open Meetings Law and the applicable procedural provisions of the Polk County Board Rules of Order.

Vice Chairman Luke recognized the County Clerk for purposes of taking roll call. Twelve County Board Supervisors were present representing a quorum. Absent and excused were Supervisor Masters, Supervisor Prichard and Chairman Johansen.

Vice Chairman Luke led the County Board in the Pledge of Allegiance.

Vice Chairman Luke called to the floor for a time of reflection. No time of reflection was received.

Vice Chairman Luke called to the floor consideration and approval of the Agenda as published. **Motion** (Bonneprise/Jepsen) to adopt the Agenda. Vice Chairman Luke called for a voice vote on the motion to adopt the Agenda as published. **Motion** carried by unanimous voice vote.

Vice Chairman Luke called to the floor for approval of the Consent Agenda. **Motion** (O'Connell/Demulling) to adopt the Consent Agenda as noticed carried by unanimous voice vote. Matters adopted under the Consent Agenda: Minutes from January 21, 2020 County Board session adopted as published.

County Board received point of clarification from Corporation Counsel, Malia Malone, regarding an error made on a packet attachment for the Environmental Services Agenda. Corporation Counsel provided a wrong draft of Resolution 03-20: Resolution Extending Moratorium on Swine Concentrated Animal Feeding Operations. The correct draft of Resolution 03-20 was re-distributed to the Environmental Services Committee prior to their meeting.

Time was given for public comment. Nine public comments were received by County Board.

Vice Chair Luke called upon Supervisor Nelson for comment. **Motion** (Nelson/Route) to move item #14 on the agenda, Resolution 03-20: Resolution Extending Moratorium on Swine Concentrated Animal Feeding Operations to be addressed before item #9 Polk County Public Libraries' Presentation on the agenda. **Motion** carried by unanimous voice vote.

Motion (Nelson/Arcand) to adopt Resolution 03-20: Resolution Extending Moratorium on Swine Concentrated Animal Feeding Operations. County Board engaged in discussion regarding the resolution. **Motion** (Route/Olson) to amend Resolution 03-20 by striking at line 38 "on a month-by-month basis" and by striking at lines 41-42, "month-to-month extensions contemplated herein shall only continue." To add verbiage at line 44 to read, "33-19; and once per month to be on the Environmental Services Committee agenda." Vice Chair Luke called for a voice vote on the friendly motion to adopt proposed amendments and adopt Resolution 03-20. **Motion** to adopt Resolution 03-20: Resolution Extending Moratorium on Swine Concentrated Animal Feeding Operations as amended carried by majority voice vote

County Board received a presentation from Su Leslie, Library Director the Saint Croix Falls Public Library on behalf of the Polk County Public Libraries regarding the 2020 Census and current Library Activities.

Time was given for the County Board Chairperson's report. No report information was received.

Vice Chairman Luke called upon Administrator Netherland for the Administrator's report. The County Board received information from Administrator Netherland regarding a new Leadership Academy for Polk County new and existing management teams. An orientation will be held for new and existing Board Supervisors on 6-8pm on May 12, 2020 to assist in defining roles of Supervisors and staff as well as providing education on the parliamentary process and Supervisor decorum.

The County Board received an update regarding the Corona Virus from Administrator Netherland, there is no threat to our area at this time. Polk County Public Health Department is closely monitoring the situation and will update the website with any important changes.

Administrator Netherland also provided the Board with an update regarding the continued increase of Broadband and Internet service to Polk County residents.

Administrator Netherland provided an update to the County Board announcing he has appointed Corporation Counsel, Malone as Deputy Administrator.

Administrator Netherland also provided a handout and report to the County Board from Veteran's Services Officer, Andrew Butzler, regarding the new Federally approved Honor and Remember Flag that will now be flown at all of Polk County's government buildings.

Administrator Netherland introduced and announced the appointments of: Rita McKee, CNP, as a citizen member of the Health and Human Service Board and Philip Everhart to the Aging Advisory Committee. **Motion** (Bonneprise/Demulling) to approve appointments of both McKee to the Health & Human Services Board and Everhart to the Aging Advisory Committee together at one time. **Motion** passed by unanimous voice vote.

Vice Chairman Luke called to the floor Resolution 02-20: Resolution in Support of Polk County's Agreement to Pay Cost Share for the 2020-2022 Municipal Dam Grant Program – Atlas Dam. **Motion** (Bonneprise/Jepsen) to adopt Resolution No. 02-20: Resolution in Support of Polk County's Agreement to Pay Cost Share for the 2020-2022 Municipal Dam Grant Program – Atlas Dam. Vice Chair Luke called upon Supervisor O'Connell; Bob Kazmierski, Environmental Services Division Director; and Corporation Counsel Malone to provide information to the County Board regarding the resolution. County Board engaged in discussion regarding the resolution. Vice Chair Luke called for a voice vote on the motion to adopt Resolution No. 02-20. **Motion** to adopt Resolution No. 02-20: Resolution in Support of Polk County's Agreement to Pay Cost Share for the 2020-2022 Municipal Dam Grant Program – Atlas Dam carried by majority voice vote with one opposed (Arcand).

County Board received information from Supervisor Olson and Supervisor Nelson regarding a proposal for a resolution to be sent to the state of Wisconsin in support of stronger Methamphetamine sentencing guidelines for repeat offenders. The board had discussion regarding possible resolution. Corporation Counsel Malone has drafted preliminary resolution on said matter that is presently in the process of being reviewed and edited by the Chief Deputy Roberts, Sheriff Waak, and District Attorney, Kemp.

County Board received information from Supervisor Jepsen regarding purpose and importance of Polk County's involvement in the following key events, meetings and groups that will be reassigned to new Supervisors following the 2020 Spring Election on April 7:

- International Trade Business and Economic Development Council (ITBEC)
- Northern Regional Trail Advisory Committee (NoRTAC)
- County Boards Consortium (aka. Workforce Development)
- West Central Wisconsin Community Action Agency, Inc. (West Cap)
- Tourism Council
- Wisconsin County Highways Association (WCHA)
- Wisconsin Counties Association (WCA)
- Legislative Exchange Events
- Capitol Ambassadors Program (CAP)

Various Steering Committees

Time was given for Supervisors Comments. Supervisor Edgell commented on Polk County resident on the game show Jeopardy. Supervisor O'Connell confirmed receipt of budget handout. Supervisors Bonneprise and Jepsen provided comments regarding committees that impact the WI State legislature.

Vice Chairman Luke called for a motion to adjourn. **Motion** (Bonneprise/Larsen) to adjourn. Vice Chairman Luke called for a voice vote on the motion to adjourn. **Motion** to adjourn carried by unanimous voice vote. Vice Chairman Luke declared meeting adjourned 8:21 p.m.

Next Meeting: 6:00 p.m., Tuesday, March 17, 2020

Respectfully submitted,

Lisa R. Ross, Polk County Clerk

STATE OF WISCONSIN)
) SS
COUNTY OF POLK)

I, Lisa R. Ross, County Clerk for Polk County, do hereby certify that the foregoing minutes are a true and correct copy of the County Board Proceedings of the Polk County Board of Supervisor's Session held on February 20, 2020.



Lisa R. Ross
Polk County Clerk



POLK COUNTY, WISCONSIN

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***AMENDED* Notice of Meeting and Agenda**

Polk County Board of Supervisors

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

Thursday, February 20, 2020

Regular Business Meeting, 6:00 p.m.

Open Session

Amendments:

¹Matters Added or Revised by Initial Amended Notice of Meeting

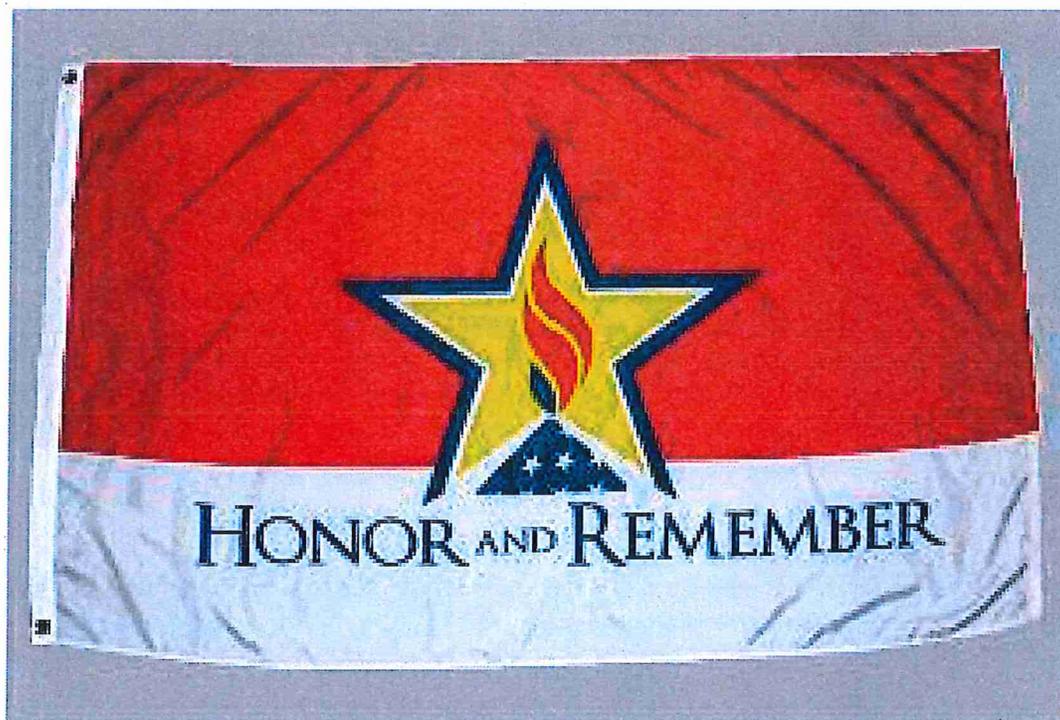
Order of Business:

1. Call to Order
2. Receipt of Evidence and Opinion on Proper Notice
3. Roll Call
4. Pledge of Allegiance
5. Time of Reflection
6. Approval of Agenda
7. Matters Offered For Adoption on Consent Agenda:
 - a. Consideration/corrections to the published minutes from January 21, 2020 County Board Meeting
8. Public Comments –3 minutes per person –not to exceed 30 minutes total
9. Presentation by Polk County Public Libraries regarding Census and Library Activities
10. County Board Chair Report
 - a. Supervisor's Reports from Outside Meetings Attended
11. Administrator's Report – Vince Netherland
12. ¹Confirmation of Appointments
 - a. Aging Advisory Committee – Philip Everhart
 - b. Health and Human Services Board – Rita McKee
13. Resolution 02-20: Resolution in Support of Polk County's Agreement to Pay Cost Share for the 2020-2022 Municipal Dam Grant Program – Atlas Dam
14. Resolution 03-20: Resolution Extending Moratorium on Swine Concentrated Animal Feeding Operations
15. ¹Discussion regarding Polk County Criminal Justice System
16. ¹Report from Supervisor Larry Jepsen identifying the key events and meetings he attends statewide as a Representative for the Polk County Board that will be reassigned to the new Polk County Board of Supervisors following the 2020 Spring Election.
17. Supervisors Announcements
18. Adjourn

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

The Honor and Remember flag is to pay tribute to all military lives lost, not only while serving on active duty, but also as a result of serving, military deaths in all wars or conflicts and all branches of service. The flag has been adopted by Wisconsin and is authorized to fly at local government facilities.

The flag can be flown directly under the American Flag and would not require any additional flag poles.



Origin:

On December 29, 2005, George Anthony Lutz II (Tony) was killed by a sniper's bullet while he was on patrol in Fallujah, Iraq. His family and friends endured the shock, emotional agony and overwhelming loss that accompanied the news of Tony's death, just like the many families who have suffered the same tragedy.

In the months that followed Tony's funeral, his father, George, visited other families who had lost loved ones in the Iraq war. He began to sense that he had joined the ranks of a unique fellowship. These families were only the latest additions to a group that originated with the American Revolution, when the first soldiers to shed their blood for our freedom gave their lives.

George found another commonality among the families of fallen soldiers. After their grief had transitioned to numbness and finally to acceptance, many families wanted to know two things: their sacrifice was not in vain and the nation would never forget. These concerns led George on a quest to discover if there was a universally recognized symbol that specifically acknowledges the American service men and women who never made it home. To his surprise, he found nothing. Thus the Honor and Remember Flag was conceived.

George then traveled over 25,000 miles through 50 states on a five-month, cross-country campaign to promote the Honor and Remember Flag as a new national symbol. He planned to meet with every member of the United States House of Representatives and the U.S. Senate to enlist each legislator's support for a bill that will make the flag, which honors individuals who died in military service to America, an official emblem of the United States.

The Honor and Remember Flag has been endorsed by the American Gold Star Mothers, Inc., The Gold Star Wives of America, the Blue Star Mothers of America, the Vietnam Veterans of America, the Fleet Reserve Association, the Military Officers Association of America, the Associations of the US Army, Navy and Air Force, the Air Force Security Forces Association and the Naval Reserve Association among many other organizations. The flag has already been adopted as an official state symbol by Wisconsin.

Symbolism:

The Red Field represents the blood spilled by brave men and women in America's military throughout our history, who willingly gave their lives so that we all would remain free.

The Blue Star represents active service in military conflict. This symbol originated with World War I, but on this flag it signifies service through all generations from the American Revolution to present day.

The White Border beneath and surrounding the gold star recognizes the purity of sacrifice. There is no greater price an American can pay than to give his or her life in service to our country.

The Gold Star signifies the ultimate sacrifice of a warrior in active service who will not return home. Gold reflects the value of the life that was given.

The Folded Flag signifies the final tribute to an individual life that a family sacrificed and gave to the nation.

The Flame is an eternal reminder of the spirit that has departed this life yet burns on in the memory of all who knew and loved the fallen hero.

Resolution No. 02-20

Resolution in Support of Polk County's Agreement to Pay Cost Share for the 2020-2022
Municipal Dam Grant Program-Atlas Dam

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

Ladies and Gentlemen:

1 WHEREAS, as the owner of the Atlas Feed Mill dam, Polk County is responsible for the safe
2 operation and maintenance of the dam.

3
4 WHEREAS, the Atlas Feed Mill Dam is a large, significant hazard dam based on a Dam
5 Failure Analysis approved by the WIDNR in 1994.

6
7 WHEREAS, an Emergency Action Plan and Inspection, Operation and Maintenance Plan
8 was approved by the WIDNR in 2014. The Atlas Feed Dam was last inspected in 2019.

9
10 WHEREAS, The Wisconsin Department of Natural Resources (WIDNR) evaluated the
11 current inspection and dam failure analysis prepared by the Polk County engineer. The
12 WIDNR sent Polk County a letter of concurrence outlining necessary repairs and a
13 timeline for completion by 2022.

14
15 WHEREAS, the repairs outlined in the letter of concurrence from the WIDNR are dated as
16 such: Concrete 01/01/2022, Staff Gage 06/01/2020, and Embankment 01/01/2012.

17
18 WHEREAS, the WIDNR administers a grant to assist with costs associated with repair or
19 removal of dams. The Municipal Dam Grant runs on a two year cycle and if awarded will
20 cost share 50 percent (50%) of the project costs.

21
22 WHEREAS, the grant application deadline is February 28, 2020. If the grant is not applied
23 for in 2020, the County will forfeit cost sharing opportunities provide by the grant.

24
25 WHEREAS, Polk County owns the Atlas Feed Mill dam and requests financial assistance
26 under s.31.385 and s. 227.11 Wis. Stats., and ch. NR 335, Wis. Adm. Code, for the purpose
27 of dam repair.

28
29 WHEREAS, the state share for such a project may not exceed 50 percent (50%) of the first
30 \$400,000.00 of total eligible project costs nor 25 percent (25%) of the next \$800,00.00 of
31 total eligible project costs;

32
33 WHEREAS, the estimated project costs according to SEH Engineering are roughly
34 \$100,000.00 and the estimated cost to Polk County will be \$50,000.00.

35
36 NOW, THEREFORE, BE IT RESOLVED, that Polk County Board of Supervisors approves
37 the application to the WIDNR for Municipal Dam Grant and agrees to pay share of the

38 eligible costs which is equal to the total project cost minus the state share should this grant be
39 awarded in 2021 .

BY: _____
Brad Olson, Supervisor, District #1

Doug Route, Supervisor, District #2

Dean Johansen, Chair,
Supervisor, District #3,

Chris Nelson, Supervisor, District #4

Tracy LaBlanc, Supervisor, District #5

Brian Masters, Supervisor, District #6

Michael Prichard, Supervisor, District #7

James Edgell, Supervisor, District #8

Kim O'Connell, Supervisor, District #9

Larry Jepsen, Supervisor, District #10

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

Michael Larsen, Supervisor, District #12

Russell Arcand, Supervisor, District #13

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

Joe Demulling, Supervisor, District #15

County Administrator's Note:
Recommended.

Vince Netherland
Polk County Administrator

Fiscal Impact Note:
Environmental Services Division is applying for this DNR grant. If awarded, there would be budgeted an estimated \$50,000 as a match to the grant for improvements on the Atlas Dam.

Maggie Wickre, Finance Director

Approved as to Form and Execution:

Malra Malore

Malia Malone, Polk County Corporation Counsel

Legal Impact Note:

This Resolution is a condition precedent for the grant funding and indicates a policy intention on providing the matching funds in future budgets.

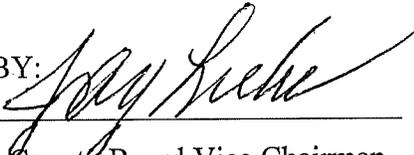
Excerpt of Minutes

40 At its regular business meeting on the 20th of February 2020, the Polk County
 41 Board of Supervisors acted upon Resolution No. 02-20: Resolution In Support
 42 of Polk County's Agreement to Pay Cost Share for the 2020-2022
 43 Municipal Dam Grant Program - Atlas Dam
 44 _____

- Adopted by a majority of the members present by a vote of 11 in favor and 1 against.
- Adopted by unanimous voice vote.
- Adopted as amended. See Below.
- Defeated
- Other:

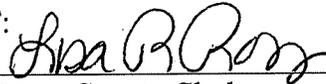
Insert amendment to resolution according to minutes:
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SIGNED BY:



Jay Luke, County Board Vice Chairman

ATTEST:



Lisa Ross, County Clerk

Executive Summary

The Wisconsin Department of Natural Resources (WIDNR) evaluated the current inspection and dam failure analysis prepared by Scott Geddes, formally Polk County engineer. The WIDNR sent Polk County a letter of concurrence outlining necessary repairs and a timeline for completion. This Resolution demonstrates agreement to pay the county cost share of 50 percent (50%) of the total project costs for the Atlas Feed Mill Dam repair. Applications for this grant are only accepted every two years. If successful in procuring the grant, funding from the State of Wisconsin will be available in 2021. The Municipal Dam grant would be used to fund engineering and construction costs incurred in the repair of the dam. Failure to fix the three deficient items may result in a

mandatory draw down similar to what happened to the Kennedy Dam. The Resolution would increase the likelihood that Polk County would be awarded the grant as it is part of the application materials.

RESOLUTION EXTENDING MORATORIUM ON SWINE CONCENTRATED ANIMAL FEEDING OPERATIONS

WHEREAS, Polk County enacted Resolution 33-19 placing a temporary moratorium on Swine Concentrated Animal Feeding Operations (hereinafter "Swine CAFO);

WHEREAS, one of the purposes of Resolution 33-19 was to allow the County adequate time to research, analyze and synthesize information regarding the potential impacts of Swine CAFO's in Polk County;

WHEREAS, the County, through the Environmental Services Committee and through public meetings has determined that more time is necessary in order to adequately evaluate the potential impacts, especially as it relates to potential water contamination;

WHEREAS, Resolution 33-19 contemplated an extension of the moratorium, if necessary for up to six (6) additional months;

WHEREAS, Resolution 33-19 further required the Administrator to report to the County Board the findings and recommendations on appropriate regulatory approaches the County should consider at least 30 days prior to the end of the moratorium;

NOW THEREFORE BE IT RESOLVED THAT, the Polk County Board of Supervisors authorize the extension of the moratorium for a period not to exceed an addition six (6) months for the purposes set forth herein and pursuant to the procedure below; and

NOW THEREFORE BE IT FURTHER RESOLVED THAT, the Polk County Board of Supervisors does not authorize any further research on Swine CAFO's as a conditional use within any area subject to the Shoreland Land Use Ordinance and that the potential for a Swine CAFO be limited to the agricultural property within the County that is subject to the Comprehensive Land Use Ordinance in order to maximize the protection of the County's navigable waters; and

NOW THEREFORE BE IT FUTHER RESOLVED THAT, the Polk County Board of Supervisors authorizes the Environmental Services Committee to extend the moratorium on a ~~month-by-month~~ basis beyond the original moratorium, but may not authorize an extension beyond the total of a six (6) months; and

NOW THEREFORE BE IT FUTHER RESOLVED THAT, ~~the month-to-month extensions contemplated herein shall only continue~~, within the aforementioned limitations, for a period of time to complete the research and analysis outlined in Resolution 33-19; *and once per month to be on the Environmental Services Committee agenda.*

BE IT FURTHER RESOLVED THAT, the Environmental Services Committee in conjunction with staff shall report to the full County Board of the findings and the County Administrator is no longer required to provide the County Board with a 30 day advanced briefing as had been originally contemplated in Resolution 33-19.

BY: Brad Olson

Brad Olson, Supervisor, District #1

Doug Route
Doug Route, Supervisor, District #2

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

Chris Nelson, Supervisor, District #4

Tracy LaBlanc
Tracy LaBlanc, Supervisor, District #5

Brian Masters by Jim Cross
Brian Masters, Supervisor, District #6

Michael Prichard, Supervisor, District #7

James Edgell, Supervisor, District #8

Kim O'Connell, Supervisor, District #9

Larry Jepsen, Supervisor, District #10

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

Michael Larsen, Supervisor, District #12

Russell Arcand, Supervisor, District #13

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

Joe Demulling, Supervisor, District #15

County Administrator's Note:
Recommended.

Vince Netherland

Vince Netherland
Polk County Administrator

Fiscal Impact Note:

If awarded, Environmental Services Division would submit an additional funding request for the 2021 budget.

Maggie Wickre

Maggie Wickre, Finance Director

Approved as to Form and Execution:

Malia Malone

Malia Malone, Polk County Corporation Counsel

Legal Impact Note:

Legal Impact Note:

This Resolution extends the moratorium for up to an additional 6 months. Because this is still within a total of one year, it is legally appropriate.

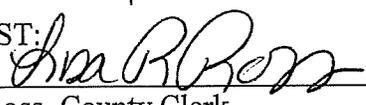
Excerpt of Minutes

54 At its regular business meeting on the 20th of February 2020, the Polk County Board of
55 Supervisors acted upon **Resolution No. 03-20: Resolution Extending Moratorium On**
56 **Swine Concentrated Animal Feeding Operations**
57 _____
58 _____

- Adopted by a majority of the members present by a vote of _____ in favor and _____ against.
- Adopted by unanimous voice vote.
- Adopted as amended. See ~~Below~~. lines 38, 41, 42, 44 and 45 for amended.
- Defeated
- Other: _____

Insert amendment to resolution according to minutes:

SIGNED BY: 
Jay Luke, County Board Vice Chairman

ATTEST: 
Lisa Ross, County Clerk

Executive Summary

This Resolution will extend the Swine CAFO moratorium in Resolution 33-19 in month-to-month intervals, as directed by the Environmental Services Committee. The extension is to allow staff and the Committee to address the issues raised by the public about the potential negative impacts of Swine CAFOs. This Resolution does not have the effect of ultimately prohibiting CAFOs.

