Notice of Meeting and Agenda
Polk County Board of Supervisors
100 Polk County Plaza, Balsam Lake, Wisconsin
Polk County Government Center - County Board Room
Tuesday, March 17, 2020
Regular Business Meeting, 6:00 p.m.
Open Session

Order of Business:
1. Call to Order
2. Receipt of Evidence and Opinion on Proper Notice
3. Roll Call
4. Pledge of Allegiance
5. Time of Reflection
6. Approval of Agenda
7. Matters Offered For Adoption on Consent Agenda:
   a. Consideration/corrections to the published minutes from February 20, 2020 County Board Meeting
8. Public Comments –3 minutes per person –not to exceed 30 minutes total
9. County Board Chair Report
   a. Supervisor’s Reports from Outside Meetings Attended
10. Administrator’s Report – Vince Netherland
11. Proposed Resolutions, Ordinances and Other Board Action:
   a. Resolution 04-20: Resolution Declaring Polk County Wisconsin A Second Amendment Sanctuary County
   b. Resolution 05-20: Resolution To Set Compensation For Elected Officials For Term 2021-2024
   c. Resolution 06-20: Resolution In Support Of Mandatory Minimum Sentences And A Three Strikes Law In Wisconsin
   d. Resolution 07-20: Resolution Directing The County Administrator To Investigate Options For Saving The Clam Falls Dam
12. Supervisors Announcements
13. 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.
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 redistributed 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
RESOLUTION DECLARING POLK COUNTY WISCONSIN A SECOND AMENDMENT SANCTUARY COUNTY

WHEREAS, the Right of the People to Keep and Bear Arms is guaranteed as an Individual Right under the Second Amendment to the United States Constitution and under the Constitution of the State of Wisconsin, Article 1, Section 25- "The people have the right to keep and bear arms for security, defense, hunting, recreation or any other lawful purpose"

WHEREAS, the Right of the People to Keep and Bear Arms for defense of Life, Liberty, and Property is regarded as an Inalienable Right by the People of Polk County, Wisconsin, and;

WHEREAS, the People of Polk County, Wisconsin derive economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within Polk County using all types of firearms allowable under the United States Constitution and the Constitution of the State of Wisconsin, and;

WHEREAS, Polk County Board, being elected to represent the People of Polk County and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Wisconsin, and;

WHEREAS, the Wisconsin House of Representatives and the Wisconsin Senate, being elected by the People of the State of Wisconsin and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Wisconsin, and;

WHEREAS, any legislation considered by the Wisconsin State Legislature that would infringe the Right to Keep and Bear Arms and would ban the possession and use of any firearms, magazines, ammunition or body armor now employed by individual citizens of Polk County for defense of Life, Liberty and Property or would require a firearms owner I.D. card or tax the possession of firearms or ammunition within Polk County, Wisconsin;

NOW THEREFORE BE IT RESOLVED THAT, the Polk County Board of Supervisors hereby declare Polk County to be a Second Amendment Sanctuary County.

NOW THEREFORE BE IT FURTHER RESOLVED THAT, the Polk County Board of Supervisors affirms its support of the Sheriff to exercise sound discretion to not enforce against any citizen an unconstitutional firearms law.

BE IT FURTHER RESOLVED THAT, the Polk County Board of Supervisors will not appropriate any funds for any enforcement of unconstitutional laws against the People of Polk County, Wisconsin.
BE IT FURTHER RESOLVED THAT, the Polk County Board of Supervisors do hereby oppose the enactment of any legislation that would infringe upon the Right of the People to keep and bear arms and consider such laws to be unconstitutional and beyond lawful legislative authority.

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 Jepson, Supervisor, District #10
    Jay Luke, 1st Vice Chair, Supervisor, District #11
    Michael Larsen, Supervisor, District #12
    Russell Arcand, Supervisor, District #13
    John Bonneprisle, 2nd Vice Chair, Supervisor, District #14
    Joe Demulling, Supervisor, District #15

County Administrator's Note: Matter of Policy

Vince Netherland
County Administrator

Fiscal Impact Note: No financial impact at this time:

Maggie Wettre, Finance Director

Approved as to Form and Execution:

Malia T. Malone, Corporation Counsel
Legal Impact Note:

Excerpt of Minutes

At its regular business meeting on the _____ of __________ 2020, the Polk County Board of Supervisors acted upon Resolution No. 04-20: Resolution Declaring Polk County Wisconsin A Second Amendment Sanctuary County

☐ 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.
☐ Defeated
☐ Other:

__________________________________________

Insert amendment to resolution according to minutes:

SIGNED BY: ATTEST:

Dean Johansen, County Board Chair Lisa Ross, County Clerk

Executive Summary

This Resolution highlights the inherent Constitutional authority vested in the Sheriff to refrain from enforcing unconstitutional laws.
Resolution No. 05-20

RESOLUTION TO SET COMPENSATION FOR ELECTED OFFICIALS FOR
TERM 2021-2024
(County Clerk, Register of Deeds and Treasurer)

WHEREAS, it is in the best interest of Polk County to provide for the economic well-
being of its elected officials and to create a work environment in which employees are
compensated in a fair and equitable manner, and;

WHEREAS, Wisconsin Statute § 59.22(a)(1) requires the County Board to establish the
total annual compensation of elected officials before the earliest time for filing
nomination papers for elective office for the term beginning January 1, 2021 with respect
to the County Clerk, Register of Deeds and Treasurer, and;

WHEREAS, the Department of Administration has considered salary increase options
and is recommending the following salary schedule for the aforementioned offices, and;

January 1, 2021
County Clerk $66,209.00
Register of Deeds $66,209.00
Treasurer $66,209.00

January 1, 2022
County Clerk $67,996.00
Register of Deeds $67,996.00
Treasurer $67,996.00

January 1, 2023
County Clerk $69,832.00
Register of Deeds $69,832.00
Treasurer $69,832.00

January 1, 2024
County Clerk $71,718.00
Register of Deeds $71,718.00
Treasurer $71,718.00

NOW THEREFORE BE IT RESOLVED THAT, the Polk County Board of
Supervisors hereby establish the above compensation schedule for the titled elected
officials.

NOW THEREFORE BE IT FURTHER RESOLVED THAT, this salary schedule
shall apply to all incumbent office holders as well as any individuals newly elected or
appointed to any of the listed offices after the adoption of this Resolution.

BE IT FURTHER RESOLVED THAT, the compensation set by this resolution is
separate and distinct from any other fringe benefit that the County may establish at its
discretion or those benefits which state law may impose and adjust.

BE IT FURTHER RESOLVED THAT, said elected officials shall be required to pay
for one-half (1/2) of total WRS required contribution on a pre-tax basis as determined by
the Employee Trust Fund.
BE IT FURTHER RESOLVED THAT, said elected officials are eligible to enroll in
and/or receive fringe benefits consistent with full-time non-represented employees of
Polk County.

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 based upon a review of internal and external comparables.

Vince Netherland
County Administrator

Fiscal Impact Note: These salaries are covered by tax levy. The salary in 2020 will be
covered in the budget and this increase will be budgeted in 2021 and 2022.

Maggie Wickre
Maggie Wickre, Finance Director

Approved as to Form and Execution:

Malia T. Malone, Corporation Counsel

Legal Impact Note:
This resolution complies with the County Board’s statutory obligation to set salaries for elected officials. This Resolution complied with statutory requirements of the County to set a salary schedule for the entire term of the elected office. If the County chose not to do so, the elected official salaries would fall behind their market non-elected counter parts.

Excerpt of Minutes

41 At its regular business meeting on the _____ of _____ 2020, the Polk County
42 Board of Supervisors acted upon Resolution No.05-20: Resolution To Set
43 Compensation For Elected Officials For Term 2021-2024

☐ 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.
☐ Defeated
☐ Other:

__________________________________________________________

Insert amendment to resolution according to minutes:

__________________________________________________________

SIGNED BY: ATTEST:

Dean Johansen, County Board Chair Lisa Ross, County Clerk

Executive Summary

This Resolution establishes the salary schedule for the County Clerk, Register of Deeds and Treasurer for the upcoming four-year term beginning January 1, 2021.
RESOLUTION IN SUPPORT OF MANDATORY MINIMUM SENTENCES AND A THREE STRIKES LAW IN WISCONSIN

WHEREAS, Polk County is a beautiful place to work live and play, and;

WHEREAS, the ever increasing supply of methamphetamine coming in from Mexico is cheaper and more pure than the "meth lab" version from decades ago and is finding its way into Polk County, and;

WHEREAS, the presence of the methamphetamine supply naturally leads to significant negative impacts on our community, including but not limited to: an increase on drug related crime, children being removed from the home because parents are unable to care for their children, loss in property values, decreased tourism because of the "stigma" associated with high levels of methamphetamine use, and;

WHEREAS, recidivism is rampant among defendants charged with drug related crimes and the laws regarding the factors a court must consider when setting a bond or issuing a sentence have limited the judicial system's ability to address the increased crime and recidivism rates, and;

WHEREAS, the prevention of crime has been focused on rehabilitation and not enough on punishment as a deterrent with some of the recent sentencing reforms in Wisconsin, and;

NOW THEREFORE BE IT RESOLVED THAT, the Polk County Board of Supervisors hereby encourage and support the State Legislature's effort in sentencing reforms that will supply Judges and Prosecutors with more options and tools at reducing and deterring crime.

NOW THEREFORE BE IT FURTHER RESOLVED THAT, the Polk County Board of Supervisors support any statutory amendment that would implement a three strikes law that requires mandatory incarceration for criminal convictions after a defendant has already had two criminal convictions within the 10 years prior.

BE IT FURTHER RESOLVED THAT, the Polk County Board of Supervisors supports any statutory amendment that would require mandatory minimum sentences for certain drug related and other crime that negatively impacts the public health and safety.

BE IT FURTHER RESOLVED THAT, the Polk County Board of Supervisors commit to appropriating sufficient funds to handle the increased case-loads, the increased incarceration rate of the Polk County Jail, and the increased staff time necessary to handle the collateral impacts of the sentencing reform supported by this Resolution.
Excerpt of Minutes

47 At its regular business meeting on the ___ of _____ 2020, the Polk County Board of
48 Supervisors acted upon Resolution No. 06-20: RESOLUTION IN SUPPORT OF
MANDATORY MINIMUM SENTENCES AND A THREE STRIKES LAW IN
WISCONSIN

☐ 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.
☐ Defeated
☐ Other:

________________________________________
Insert amendment to resolution according to minutes:

________________________________________
SIGNED BY: ATTEST:
Dean Johansen, County Board Chair Lisa Ross, County Clerk

Executive Summary

This Resolution is a lobbying effort that communicates Polk County’s policy stance on the
need for crime deterrent sentencing.
RESOLUTION DIRECTING THE COUNTY ADMINISTRATOR TO
INVESTIGATE OPTIONS FOR SAVING THE CLAM FALLS DAM

WHEREAS, the Clam Falls Dam is in need of major repair and is likely to be removed
by the current owner, Northwestern Electric, and;

WHEREAS, Polk County contemplated taking over the Clam Falls Dam based upon a
previous request by the current owner, and;

WHEREAS, the current owner withdrew the request for the county to take over the Dam
based in part on information from the Wisconsin Department of Natural Resources and
the high and unknown cost of Dam maintenance and repair, and;

WHEREAS, there has not been a meeting between the current owner and the County to
discuss other possible options for saving the Dam, and;

WHEREAS, the current owner intends to remove the Dam, leaving the property owners
and the tourists that visit the campground on the flowage with a significant loss of
property values and recreational opportunities that currently exist because of the Dam,
and;

NOW THEREFORE BE IT RESOLVED THAT, the Polk County Board of
Supervisors hereby directs the Polk County Administrator, or his designee, to approach
the current owner to discuss any options that may exist for the County to assist with
saving the Clam Falls Dam and explore any options that could save the Dam, including
litigation.

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
Excerpt of Minutes

At its regular business meeting on the ___ of _____ 2020, the Polk County Board of Supervisors acted upon Resolution No. 07-20: Resolution Directing the County Administrator to Investigate Options for Saving the Clam Falls Dam.

☐ 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.
☐ Defeated
☐ Other:

________________________________________

Insert amendment to resolution according to minutes:
Executive Summary

This Resolution simply directs staff to approach the current Dam owners to determine whether any options exist for the County to assist in saving the Dam. This Resolution does not bind the County in any way to take any particular action.