



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

**Minutes of the Special, Emergency, Virtual Meeting of the Board of Supervisors
Friday, May 1, 2020**

This meeting was available for viewing through Webex videoconference and teleconference

Chairman Nelson called the May 1, 2020 special session via Webex video conference of the Polk County Board of Supervisors to order at 3:07 p.m.

Chairman Nelson recognized the County Clerk for purposes of receiving evidence of proper notice. The County Clerk stated that the notice of special meeting was properly posted in two places in the Government Center Building and posted on the County website at 2:45 p.m. on April 30, 2020. In addition, the Office of the County Clerk distributed on April 30, 2020 copies of such notice of meeting and proposed resolution to supervisors and media via e-mail in accordance with Article 3, Section 2 of the County Board Rules of Order.

The County Board received verbal opinion of 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. Corporation Counsel added that the packet attachments, including Resolution No. 12-20 were sent out to supervisors and media at least two hours prior to the meeting in accordance with WI Statute 19.84(3).

Chairman Nelson recognized the County Clerk for purposes of taking roll call. Fourteen County Board Supervisors and County Board Chairman Nelson were present representing a quorum. Chairman Nelson and Supervisors: Doug Route, Chris Nelson, Tracy LaBlanc, Brian Masters, Jim Edgell, Kim O'Connell, Amy Middleton, Jay Luke, Fran Duncanson, Russ Arcand, John Bonneprise, Steve Warndahl and Joe Demulling were present at the government center. Supervisors: Michael Prichard attended the virtual meeting via phone. Absent and excused was Supervisor Olson.

Chairman Nelson declared the presence of a quorum.

Chairman Nelson called upon Supervisor Bonneprise to address the Board regarding a new process of delivery for the Pledge of Allegiance during County Board Meetings. To honor and acknowledge Veterans the County Board will offer the opportunity for Veterans to lead the County Board in the Pledge of Allegiance at County Board meetings. Any Veterans interested in leading the County Board in the Pledge of Allegiance during upcoming meetings should contact Supervisor, John Bonneprise. Supervisor Bonneprise introduced, then called upon Veteran and County Board Supervisor, Joe Demulling, who the led the County Board in the Pledge of Allegiance.

Chairman Nelson called to the floor a motion to suspend the Rules of Order to allow for changes in seating arrangements, and to address matters on this Agenda that have not yet been to a committee in the matters of: **Resolution No. 12-20:** Resolution Concerning the County's Response to the Economic Emergency That Has Resulted from Governor Evers' Safer-At-Home Orders. **Motion** (Masters/Warndahl) to suspend the Rules of Order to allow for changes in seating arrangements and to address matters on this Agenda that have not yet been to a committee. Chairman Nelson called for a roll call vote. **Motion** failed for lack of a two-thirds majority with 8 in favor and 6 opposed. (Opposed: Prichard, O'Connell, Middleton, Luke, Duncanson, and Demulling).

Chairman Nelson called on Corporation Counsel Malone for legal opinion of parliamentary procedure following the failed motion. Corporation Counsel stated that Resolution No. 12-20 may be discussed during the Committee of the Whole however the board may not take action on the resolution outside of the Committee of the Whole. Supervisor O'Connell asked for legal opinion on whether a motion can be made following the Committee of the Whole prior to Agenda Item #9. Corporation Counsel Malone stated that if a motion to suspend the Rules of Order was passed following the Committee of the Whole, at agenda item #9 the Board may take action on Resolution No. 12-20.

Motion (O'Connell/Arcand) to suspend the Rules of Order to allow for changes in seating arrangement. Motion carried by unanimous voice vote.

Motion (Masters/Route) to convene into the Committee of the Whole. Chairman Nelson called for a voice vote. Motion carried unanimously.

Chairman Nelson called to the floor consideration and approval of the Agenda conforming to Notice of Special Meeting. **Motion** (Bonneprise/Demulling) to adopt the Agenda. Chairman Nelson called for a voice vote on the motion to adopt the Agenda as noticed. **Motion** carried by unanimous voice vote.

Chairman Nelson declared Board in session convening as Committee of the Whole at 3:20 p.m.

Committee of the Whole viewed a youtube video suggested by Chair Nelson regarding COVID-19 <https://www.youtube.com/watch?v=5DXs8xxaMU>. The Board engaged in discussion of Resolution No. 12-20: Resolution Concerning the County's Response to the Economic Emergency That Has Resulted From Governor Evers' Safer-At-Home Orders.

Corporation Counsel was asked for legal opinion regarding the purpose and intent of **Resolution No. 12-20:** Resolution Concerning the County's Response to the Economic Emergency That Has Resulted from Governor Evers' Safer-At-Home Orders. Corp. Counsel Malone stated that because a Public Health Emergency has been declared at both State and County levels local officials are empowered as the statutory authority. The resolution is only the Board's request on how local officials exercise their discretion. The Resolution cannot require

the Public Health Officer to take or not take action. Resolution No. 12-20 is a lobbying resolution only. The County Board does not have authority over the statutory authority of the Public Health Officer and the Board does not have constitutional authority over the sheriff.

Chairman Nelson called for a motion to adjourn Committee of the Whole session and reconvene in legislative session of the Board. **Motion** (Masters/Demulling) to adjourn Committee of the Whole session. Chairman Nelson called for a voice vote on the motion. **Motion** carried by unanimous voice vote. Committee of the Whole adjourned 4:55 p.m.

Chairman Nelson declared Board back into legislative session at 4:55 p.m.

Chairman Nelson asked for Corporation Counsel's opinion on proceeding. Corporation Counsel Malone advised that should a motion to suspend the Rules of Order to address matters on this Agenda that have not yet been to a committee be made and passed at this time, the board may take action on Resolution No. 12-20.

Motion (Masters/Route) to suspend Rules of Order to bring Resolution No. 12-20 to debate. Chair Nelson called for a roll call vote on said motion. **Motion** carried by roll call vote with 10 voting yes and 4 voting no (Opposed: Prichard, Middleton, Luke and Duncanson).

Motion (Masters/O'Connell) to adopt **Resolution No. 12-20**: Resolution Concerning the County's Response to the Economic Emergency That Has Resulted From Governor Ever's Safer-At-Home Orders. Chairman Nelson opened the floor for discussion regarding said resolution.

Motion (Masters) to amend Resolution No. 12-20 to use the language from Rice Lake Wisconsin's Reopening Plan (copy said plan distributed on the floor) to add some plans and guidelines to reopen business to Resolution No. 12-20. **Motion** failed for lack of a second.

Motion (Masters) to amend Resolution No. 12-20 after line 56. To add "Be it further resolved that the Board of Supervisors directs Polk County not to interfere with businesses under the Safer-At-Home Orders if businesses are following such practices including physical distancing and other safety measures." Supervisor Masters requested legal opinion from Corp Counsel in said Motion. Corporation Counsel Malone stated that the County Board does not have authority to direct county staff to take or not take action, the board may only recommend. If motion passed, it would be contrary to law and unenforceable. Supervisor Masters withdrew motion.

Supervisor Bonneprise called for a roll call vote on the motion. Supervisor Nelson called upon Corporation Counsel for clarification of meaning on voting "yes" on the motion on the floor. Corporation Counsel Malone clarified that the motion on the floor is to adopt Resolution No. 12-20; that "yes" adopts the resolution and as a resolution passed by the County Board it would become County Policy.

Chairman Nelson called for a roll call vote on Motion to adopt **Resolution No. 12-20**: Resolution Concerning the County's Response to the Economic Emergency That Has Resulted From Governor Evers' Safer-At-Home Orders. **Motion** to adopt Resolution No. 12-20 carried by roll call vote with 9 voting yes and 5 voting no. **Resolution No. 12-20**: Resolution Concerning the County's Response to the Economic Emergency That Has Resulted from Governor Evers' Safer-At-Home Orders adopted. (Opposed: LaBlanc, Prichard, Middleton, Luke and Duncanson).

Motion (Duncanson/Warndahl) to adjourn. Chairman Nelson called for a voice vote on the motion to adjourn. **Motion** to adjourn carried by unanimous voice vote. Chairman Nelson declared meeting adjourned 5:15 p.m.

Next Meeting: Added, Special Meeting at 6:00 p.m., Tuesday, March 5, 2020

Respectfully submitted,

Lisa R. Ross, Polk County Clerk



POLK COUNTY, WISCONSIN

WWW.CO.POLK.WI.US

****NOTICE & AGENDA OF ADDED, EMERGENCY, SPECIAL MEETING****

Of Polk County Board of Supervisors

3:00 p.m. Friday, May 1, 2020

Virtual, Open Meeting via Webex Video Conference or Phone

Webex Virtual Meeting Info:

Meeting Number (access code): **962 648 887**

Password: **51CoBoard**

➤ Join Online: <https://polkwi.webex.com>

➤ Join by Phone: 1-408-418-9388

Because of the nature of this virtual meeting, there will not be an option for public comment; however, members of the public who would like to make a written comment prior to the meeting may email their comments to: countyclerk@co.polk.wi.us You may also mail in comments to the topics, however they may not be received and provided to the Supervisors by the date of the meeting.

The mailing address is: POLK COUNTY GOVERNMENT CENTER

100 POLK PLAZA, STE. 110

BALSAM LAKE, WI 54810

Order of Business:

1. Call to Order
2. Receipt of Evidence and Opinion on Proper Notice of Added Special Meeting
3. Roll Call
4. Pledge of Allegiance
5. Consider a Motion to Suspend the Rules of Order to allow for changes in seating arrangements, and to address matters on this Agenda that have not yet been to a committee (noted below with "▲").
6. Approval of Agenda Conforming to Notice of Special Meeting

****Following the Approval of Agenda, the County Board will convene as the Committee of the Whole on matters noticed herein. The Committee of the Whole may receive information, deliberate and provide the County Board with recommendation concerning such noticed Subject matters. The Committee of the Whole may not take final action on such matter. Once the Committee of the Whole adjourns and the County Board reconvenes to conduct legislative activity, the County Board may take action on such matters noticed herein and consider recommendations of the Committee of the Whole.**

7. Committee of the Whole:
 - a. Discussion of Resolutions Noticed on the Agenda

Following adjournment of the Committee of the Whole, the County Board will reconvene as a legislative body to take up, consider and act upon the subject matters identified herein, as follows:

8. Reconvene as County Board
9. Proposed Resolutions, Ordinances and Other Board Action:
 - a. ▲ **Resolution 12-20:** Resolution Concerning the County's Response to the Economic Emergency That Has Resulted From Governor Evers' Safer-At-Home Orders (*Resolution 12-20 to be distributed on the floor*)
10. 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.

Resolution No. 12-20

RESOLUTION CONCERNING THE COUNTY'S RESPONSE TO THE
ECONOMIC EMERGENCY THAT HAS RESULTED FROM GOVERNOR
EVERS' SAFER-AT-HOME ORDERS

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

Ladies and Gentlemen:

1 WHEREAS, the Polk County Board recognizes the need for enhanced safety precautions to
2 protect the public during this public health emergency; and
3

4 WHEREAS, the Polk County Board cares deeply for the physical health of everyone who
5 works, lives or recreates in Polk County; and
6

7 WHEREAS the Polk County Board believes individuals and businesses have been, and will
8 continue to, self-regulate by following physical distancing and increased attention to personal
9 and area sanitation measures; and
10

11 WHEREAS, Polk County has only had four COVID-19 positive tests and three of them have
12 fully recovered and there are no hospitalizations regarding COVID-19 currently; and
13

14 WHEREAS, Polk County is now experiencing a healthcare crisis because hospitals are laying
15 off and furloughing employees; and
16

17 WHEREAS, without immediate action, Polk County, its businesses and taxpayers will suffer
18 catastrophic economic harm; and
19

20 WHEREAS, it is the Polk County Board's belief that the County should begin supporting the
21 opening of business in a safe manner and that any business in Polk County complying with
22 the appropriate safety measures to protect employees and customers should not be subject to
23 any action by Polk County or its staff relating to Governor Evers' Orders; and
24

25 WHEREAS, the Governor's Orders have been ambiguous and difficult to interpret with
26 any measure of consistency and this has led to absurd and haphazard enforcement
27 measures taken by various communities and officials; and
28

29 WHEREAS, rural Polk County is closer to the Twin Cities metropolitan area, that is
30 loosening restrictions on businesses, than it is to the affected areas in Wisconsin, such as
31 Milwaukee; and
32

33 WHEREAS, local communities in this rural area in the best position to determine for
34 themselves, with the input of experts, how to safely and methodically allow businesses to
35 reopen while keeping safety as a priority; and
36

37 WHEREAS, many local businesses are at a high risk of shutting down completely or
38 suffering irreparable economic damage that will have a lasting and negative impact on the
39 livelihoods of many Polk County residents; and

40
41 WHEREAS, many of these same businesses were not able to obtain the much needed
42 economic stimulus money through the various federal programs and will simply not survive
43 until the current anticipated end to the closures on May 26, 2020.
44
45 NOW, THEREFORE, BE IT RESOLVED, that the Polk County Board of Supervisors
46 vehemently urges the Governor to allow regions within the State to determine for themselves
47 the best and safest way to allow businesses to slowly reopen; and
48
49 BE IT FURTHER RESOLVED, that the Polk County Board of Supervisors encourages local
50 officials to exercise their discretion on enforcement of the Governor's Orders in a manner
51 that is reasonable, especially when businesses are voluntarily following physical distancing
52 and other recommended safety measures.
53
54 BE IT FURTHER RESOLVED, that the Polk County Board of Supervisors directs the
55 County to work with local health experts to educate businesses on best practices regarding
56 physical distancing and other safety measures to keep our community safe.

BY: _____
Brad Olson, Supervisor, District #1

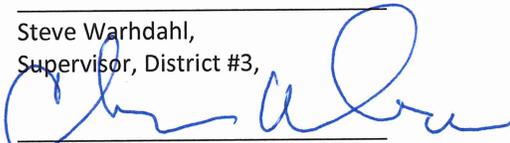
James Edgell, Supervisor, District #8

Doug Route, Supervisor, District #2

Kim O'Connell, Supervisor, District #9

Steve Warhdahl,
Supervisor, District #3,

Amy Middleton, Supervisor, District #10



Chris Nelson, Supervisor, District #4

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

Tracy LaBlanc, Supervisor, District #5

Fran Duncanson, Supervisor, District #12

Brian Masters, Supervisor, District #6

Russell Arcand, Supervisor, District #13

Michael Prichard, Supervisor, District #7

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

Joe Demulling, Supervisor, District #15

County Administrator's Note:

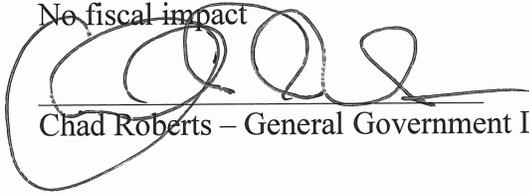
Matter of policy



Vince Netherland
Polk County Administrator

Fiscal Impact Note:

No fiscal impact



Chad Roberts – General Government Division Director

Approved as to Form and Execution:



Malia Malone, Polk County Corporation Counsel

Legal Impact Note:

N/A.

Excerpt of Minutes

At its ~~regular business~~ ^{special session} meeting on the 1st of May 2020, the Polk County Board of Supervisors acted upon Resolution No. 12-20: Resolution Concerning The County's Response to the Economic Emergency That Has Resulted from Governor Ever's Safer-At-Home Orders

- Adopted by a majority of the members present by a vote of 9 in favor and 5 against.
- Adopted by unanimous voice vote.
- Adopted as amended. See Below.
- Defeated
- Other:

Insert amendment to resolution according to minutes:

SIGNED BY: 
County Board Chairperson

ATTEST: 
Lisa Ross, County Clerk

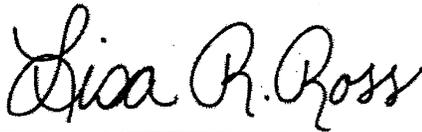
Executive Summary

This is a lobbying resolution that urges the Governor and local officials to act in a reasonable manner and to allow a regional response to business reopening safely.

CERTIFIED COPY OF POLK COUNTY RESOLUTION

STATE OF WISCONSIN)
) SS
COUNTY OF POLK)

I, Lisa R. Ross, County Clerk for Polk County, do hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of Polk County Resolution No. 12-20: Resolution Concerning the County's Response to the Economic Emergency That Has Resulted From Governor Evers' Safer-At-Home Orders as adopted by the Polk County Board of Supervisors on the 1st day of May, 2020.



Lisa R. Ross, Polk County Clerk

5/1/2020

Date