



POLK COUNTY, WISCONSIN

WWW.CO.POLK.WI.US

Sharon Jorgenson, County Clerk
100 Polk Plaza, Suite 110, Balsam Lake, WI 54810
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****AMENDED** AGENDA AND NOTICE OF MEETING**

ENVIRONMENTAL SERVICES COMMITTEE

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

Wednesday, August 14, 2019 at 9:00 a.m.

A quorum of the County Board may be present

Amendments: ¹ Matters Added or Revised by Initial Amended Notice of Meeting

1. Call to Order – Chairperson Kim O’Connell
2. Approval of Agenda
3. Approval of minutes for July 24, 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. Review and Recommendations on Fee Schedules for 2020 Budget Proposal
7. Resolution No. 35-19: Resolution in Support of Agriculture
8. ¹Resolution No. 33-19: Resolution Creating Polk County Ordinance Regarding Temporary Moratorium on Livestock Facilities
9. Tax Delinquent Properties
 - a. Auction sale
 - b. Recommendation on disposition of Woodley Property

Public Hearing

The Polk County Environmental Services Committee will hold a public hearing on Wednesday, August 14, 2019 at 10:00am in the Government Center (County Board room), Balsam Lake, Wisconsin, to consider proposed Amendments to the Polk County Shoreland Protection Zoning Ordinance regarding tourist rooming houses and revocation of permitted uses and conditional use permits and other agenda items.

10. Parks, Recreation and Trails, and Dams
 - a. Trails update
 - b. Outdoor Recreation Plan
11. Planning and Zoning:
 - a. Shoreland Protection Zoning Ordinance – Tourist rooming houses. Discussion and possible action.
12. Review and discussion of Functional Areas assigned to the Committee for the Purpose of scheduling Program Evaluation of Functional Assigned Areas
13. Committee Calendar and Identification of Subject Matters for Upcoming Meetings
14. 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, July 24, 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 Stephanie Fansler, Deputy County Clerk; Nick Osborne, County Administrator; Joe Loso, Assistant Corporation Counsel; members of the public and of the press.

Meeting called to order by Chair O’Connell at 9:06A.M.

Approval of Agenda- Chair O’Connell called for a **motion** to approve the agenda. **Motion** (Edgell/Olson) to approve the agenda carried by unanimous voice vote.

Approval of Minutes – Chair O’Connell called for a **motion** to approve the minutes of the July 10, 2019 meeting. **Motion** (LaBlanc/Route) to approve the minutes of the July 10, 2019 meeting as published carried by unanimous voice vote.

Public Comment – 3 public comments received by the committee.

Receipt of Information from non-committee Supervisors on Matters Noticed – none offered.

Chair O’Connell recognized Division Head Geiger for the purpose of receiving information. Geiger reported that the Kennedy Dam project is near completion, the Woodley property is cleaned up, and both the Gandy Dancer Trail and the Apple River campground are open. Administrator Osborne provided an update on the RFP requests for the Stower 7 Lakes Trail. Chair O’Connell recognized Mark Gossman, Polk County Forester for the purpose of receiving information. Gossman presented a draft of the 2020 - 2024 Outdoor Recreation Plan and a tentative time line for its completion.

Division Head Norby provided information on Tax Deed properties and the forthcoming auction.

Chair O'Connell recognized Department Head Tim Ritten for the purpose of reviewing the Land and Water Resource Management Plan 2019 – 2029. Public Hearing date set for Aug. 14, 2019.

Chair O'Connell recognized Forester Gossman for the purpose of receiving information. Gossman discussed the 2021 – 2035 Comprehensive Land Use Plan outline and provided an update of the Forestry budget for 2019.

Motion (Edgell/Olson) To grant permission for Forester Gossman to offer, for direct sale, timber damaged in the July 19, 2019 storm.

Supervisor Olson offered, for discussion, a resolution in support of Agriculture.
Next Meeting: August 14, 2019 at 9:00 A.M. Future agenda items: two public hearings, sale of Woodley Property, Resolution in support of Agriculture, Tax Deed Property sales.

Motion (Edgell/Route) to adjourn. **Motion** carried by unanimous voice vote of the committee members present. Chair O'Connell declared meeting adjourned at 1:20 p.m.

Respectfully submitted,

Stephanie Fansler
Deputy Polk County Clerk

**RESOLUTION CREATING POLK COUNTY ORDINANCE REGARDING
TEMPORARY MORATORIUM ON LIVESTOCK FACILITIES**

WHEREAS, Wis. Stat. § 59.02(2) grants the Polk County the authority to adopt resolutions and enact ordinances provides that, except as elsewhere specifically provided in the Wisconsin Statutes, the board of any county is vested with all powers of a local, legislative and administrative character, including the subject matter of health;

WHEREAS, Wis. Stat. § 59.69 authorizes the Polk County Board of Supervisors to adopt ordinances and regulations to promote public health, safety and general welfare;

WHEREAS, the Polk County Comprehensive Plan 2009-2029 states in part that the land use element 8 has the goal that Polk County will have the appropriate/ minimal amount of restrictions to maintain land owners rights, and have high quality lakes, open spaces, parks, orderly growth with focus on commercial development within cities and villages and take into account the impacts to the environment, economy, agriculture, public use health and commercial development;

WHEREAS, the Polk County Comprehensive Plan, element 5 also states in part that some of the Agricultural element goals are to maintain a balance between preservation and use of agriculture, protect natural resources from inappropriate and/or unplanned development, and make Polk County self-sufficient;

WHEREAS, Polk County currently has a Comprehensive Land Use Ordinance (Ordinance No. 07-19), a Shoreland Protection Ordinance (Ordinance No. 08-19), a Floodland Zoning Ordinance (Ordinance No. 12-17), however, these Ordinances do not set forth specific regulations, methods of permitting, or methods of monitoring of Livestock Facilities within Polk County;

WHEREAS, Polk County residents and property owners have expressed concerns about the importance of preserving the quality of life, environment, natural resources and existing agricultural operations within Polk County in contemplating the operation of Livestock Facilities in Polk County;

WHEREAS, there is a need for adequate time to determine whether action should be taken to amend existing Polk County Ordinances, adopt new ordinances, or take other action given the potential impact of Livestock Facilities in Polk County to adequately protect public health, welfare and safety; and

WHEREAS, it is deemed to be in the best interest of Polk County to create Ordinance 36-19 entitled "Temporary Moratorium on Livestock Facilities" within the Polk County Ordinances.

45 **NOW THEREFORE**, the Polk County Board of Supervisors on behalf of Polk
46 County does here ordain as follows:

47
48 *Ord 36-19*
49

50 Polk County Temporary Moratorium on Livestock Facilities
51

- 52 I. Authority: This Temporary Moratorium on Livestock Facilities Ordinance is
53 adopted pursuant to the powers granted to Polk County under the Wisconsin
54 Constitution and the Wisconsin Statutes, including but not limited to, Wis.
55 Stat. § 59.02(2) and Wis. Stat. § 59.69.
56
- 57 II. Title: The title of this Ordinance is the Temporary Moratorium on Livestock
58 Facilities.
59
- 60 III. Definitions.
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- 62 1. “Expansion” means the addition of livestock at a pre-existing livestock facility
63 that would result in the number of livestock to exceed 500 animal units fed,
64 confined, maintained, or stabled.
65
- 66 2. “Livestock” means any of the following:
67 a. Cattle
68 b. Swine
69 c. Poultry
70 d. Sheep
71 e. Goats
72 f. Any fur-bearing animal, such as mink or beaver.
73
- 74 3. “Livestock Facility” means a feedlot, farm or other operation where 500 or
75 more animal units of Livestock are or will be fed, confined, maintained or
76 stabled for a total of 45 days or more in any 12-month period. A “Livestock
77 Facility” includes other facilities utilized as a part of the Livestock Facility
78 operations, such as feedlots, Livestock housing facilities, manure storage
79 structures, and other structures or areas of use.
80
- 81 4. “Moratorium” means the temporary moratorium on Livestock Facilities set
82 forth in this Ordinance.
83
- 84
- 85 IV. Purpose: The purpose of this Ordinance and the Moratorium is as follows:
86 1. To allow Polk County adequate time to study, review, consider and analyze
87 the potential impacts of Livestock Facilities in Polk County.
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2. To allow Polk County adequate time to research, analyze and synthesize scientific literature and data regarding the impact of Livestock Facilities on ground water, surface water, air quality and other environmental impacts, as that research and data apply in Polk County.
3. To allow Polk County adequate time to determine whether a regulatory structure of Livestock Facilities is required in Polk County, which may include:
 - a. Amendment(s) to existing Polk County Ordinances.
 - b. Adoption of new ordinances.
 - c. If a new ordinance is adopted, making modifications or other amendments to existing Polk County Ordinances in light of the new ordinance.
 - d. Modifications to the Polk County Comprehensive Plan or other Polk County plans or policies.
 - e. Taking any other steps are necessary in order to protect public health, welfare or safety in Polk County.
4. To allow Polk County adequate time to determine whether it has adequate resources to enforce any new or existing Polk County Ordinances addressing Livestock Facilities.
5. To allow Polk County adequate time to ensure all State of Wisconsin Statutes, Administrative Codes and other applicable laws and regulations are accounted for in any Polk County regulatory structure, and to ensure that Polk County will not take any action that is otherwise preempted by other applicable laws and regulations relating to Livestock Facilities.

V. Moratorium Imposed. The Polk County Board of Supervisors hereby imposes a moratorium on the operation and licensing of new Livestock Facilities that will have 500 or more animal units and on the operation and licensing of any pre-existing Livestock operations may be undergoing an Expansion if the number of animal units kept at the expanded facility will be 500 or more.

VI. Duration of Moratorium.
1. The Moratorium shall be in effect for a period of six (6) months from the date this Ordinance is adopted by the Polk County Board of Supervisors.

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2. The Polk County Board of Supervisors may rescind this Moratorium at an earlier date upon any of the following events:
 - a. The analysis, research and study contemplated in this Ordinance is completed and the County Administrator reports the findings to the Polk County Board of Supervisors as set forth in Section VII in this Ordinance.
 - b. The Polk County Board of Supervisors adopts any amendment to an existing County Ordinance or adopts a new County Ordinance to address the regulation of Livestock Facilities in Polk County, and such action includes a provision rescinding the Moratorium.
 - c. Upon circumstances that the Polk County Board of Supervisors determine are in the best interest of the public health, welfare or safety.
3. This Moratorium may be extended for up to six (6) additional months by a majority vote of the Polk County Board of Supervisors if necessary to complete the work contemplated in this Ordinance.

VII. Actions During Moratorium.

1. The Polk County Land and Water Resources Department, Land Information Department and the Health Department is hereby directed to and granted authority to coordinate, organize or take other steps to research, analyze and synthesize scientific literature and data regarding the impact of Livestock Facilities on ground water, surface water, air quality, and other environmental impacts that may impact the health, welfare and safety of Polk County, its residents and visitors.
2. The Polk County Administrator, the County Board Chair and the Chairman of the Environmental Services Committee, or designee, shall work with the staff from the Departments listed above and shall coordinate additional participants, if deemed necessary.
3. If the County staff and Officials listed above determine that additional financial resources are necessary to fulfill the action items contained herein, they are directed to make such request to the full County Board for consideration.
4. The Polk County Administrator shall report the findings and recommendations on appropriate regulatory approaches relative to the siting and/or operation of Livestock Facilities within Polk County to the full Polk County Board of Supervisors at least 30 days prior to the end of the

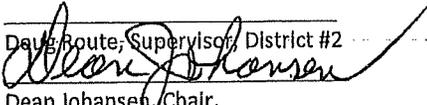
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Moratorium, or as soon as the Polk County Administrator has developed recommendations based upon the work required herein.

VIII. Severability. If a court of competent jurisdiction determines that any section, clause, provision, or portion of this Ordinance is unconstitutional or otherwise invalid, the remainder of this Ordinance shall not be affected thereby.

BY: _____
Brad Olson, Supervisor, District #1

James Edgell, Supervisor, District #8

Dave Rouse, Supervisor, District #2

Dean Johansen, Chair,
Supervisor, District #3,

Kim O'Connell, Supervisor, District #9

Larry Jepsen, Supervisor, District #10

Chris Nelson, Supervisor, District #4

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

Tracy LaBlanc, Supervisor, District #5

Michael Larsen, Supervisor, District #12

Brian Masters, Supervisor, District #6

Russell Arcand, Supervisor, District #13

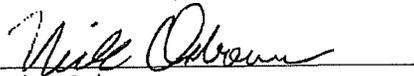
Michael Prichard, Supervisor, District #7

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

Joe Demulling, Supervisor, District #15

County Administrator's Note:

Matter of Policy.



Nick Osborne
County Administrator

Fiscal Impact Note:

The staff expenses as described in this resolution are to be covered by the current operating departmental budgets. If money is needed other than what is currently budgeted, this request will go to the full County Board.



Maggie Wickre, Finance Director

Approved as to Form and Execution:



Malia T. Malone, Corporation Counsel

Legal Impact Note:

This Resolution will allow the County to temporarily deny Feeding Operation Permits for the purposes set forth herein.

Excerpt of Minutes

185 At its regular business meeting on the ____ of _____ 2019, the Polk County
 186 Board of Supervisors acted upon Resolution No. 33-19: Resolution
 187 _____
 188 _____
 189 _____

- 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 Chairperson

Sharon Jorgenson, County Clerk

Executive Summary

This Resolution will temporarily suspend the permitting of CAFOs for the specific purpose of determining whether or it would be in the County's best interest to impose regulations at the local level for siting purposes. It is anticipated that the County will explore whether CAFOs should be a conditional use for zoning purposes. The County may also explore whether a CAFO siting ordinance is necessary or advantageous to

further the health and safety of the County. This Resolution does not have the effect of ultimately prohibiting CAFOs.

RESOLUTION IN SUPPORT OF AGRICULTURE

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

Ladies and Gentlemen:

WHEREAS agriculture has always played a vital role in the success of Polk County, and

WHEREAS agriculture accounts for over 16% of the counties total income, and

WHEREAS agriculture accounts for 20% of all jobs in Polk County, and

WHEREAS agriculture generates over 27% of the counties total economic activity, and

WHEREAS the top five agriculture commodities have sales of 159 million.

NOW, THEREFORE, BE IT RESOLVED, that the Polk County Board of Supervisors supports and encourages all types and sizes of agriculture as long as they comply with all rules, regulations and guidelines set forth by oversight agencies.

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
Chris Nelson, Supervisor, District #4

Tracy LaBlanc
Tracy LaBlanc, Supervisor, District #5

Brian Masters
Brian Masters, Supervisor, District #6

Michael Prichard
Michael Prichard, Supervisor, District #7

James Edgell
James Edgell, Supervisor, District #8

Kim O'Connell
Kim O'Connell, Supervisor, District #9

Larry Jepsen
Larry Jepsen, Supervisor, District #10

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

Michael Larsen
Michael Larsen, Supervisor, District #12

Russell Arcand
Russell Arcand, Supervisor, District #13

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

Joe Demulling
Joe Demulling, Supervisor, District #15

County Administrator's Note:

County Administrator's Note:

Agriculture is important to the overall success of the Polk County economy. However, strictly speaking, the subject of the resolution is a matter of policy.

Nick Osborne

Nick Osborne
County Administrator

Fiscal Impact Note:

This resolution supporting agriculture has no financial impact to the Polk County Budget.

Maggie Wickre

Maggie Wickre, Finance Director

Approved as to Form and Execution:

Malia T. Malone

Malia T. Malone, Corporation Counsel

Legal Impact Note:

This Resolution states a general policy position of the Board but does not have any legal impact.

Excerpt of Minutes

18 At its regular business meeting on the ____ of _____ 2019, the Polk County
19 Board of Supervisors acted upon Resolution No. ____-19; Resolution
20 _____
21 _____
22 _____

- 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 Chairperson

Sharon Jorgenson, County Clerk

Executive Summary

This resolution demonstrates our appreciation to all the men, women, and families who put healthy affordable food on our table, and who make a large contribution to Polk County's economy while encouraging young people in agriculture to stay in our County rather than leave our county.

From: Kari Blazei-Kuehl
Sent: Wednesday, August 7, 2019 1:07 PM
To: County Clerk
Subject: In support of Agriculture

Good Afternoon,

I am writing in support of agriculture and dairy farming in Polk County of all sizes. I work in the agribusiness sector and agriculture is vital to the economy and lively hood of our rural communities. These industries not only affect the direct farmers but also people working in our allied industries. On August 20th please rule in favor of farming of all sizes.

Thank you,
Kari Blazei

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Kari Blazei
Director of Sales
Feed Components

ENVIRONMENTAL SERVICES COMMITTEE

2019 WORK PLAN

Date	Scheduled Agenda Items	Program Evaluation/Upcoming Issues
January	<ul style="list-style-type: none"> • Finalize 2019 Work Plan • Timber Sales • Wildlife damage crop prices 	<ul style="list-style-type: none"> • Rules of Order review/suggested changes – Jan thru May
February	<ul style="list-style-type: none"> • Tree Replacement schedule • Wildlife damage/Crop Claims 	<ul style="list-style-type: none"> • Governor’s Budget & impact
March		
April	<ul style="list-style-type: none"> • Tax Deed Listings 	
May	<ul style="list-style-type: none"> • Review of repairs on dams owned by Polk County • Business Analysis of Lime Quarry 	<ul style="list-style-type: none"> • Budget Development – end of May
June	<ul style="list-style-type: none"> • Annual Report Receipt • Tax Deed Update (1st mtg) • Set Prices for tax deed sales (2nd mtg) 	<ul style="list-style-type: none"> • Lime Quarry Analysis
July	<ul style="list-style-type: none"> • Annual Reports – Tourism review 	
August	<ul style="list-style-type: none"> • Review/Revise Comprehensive Forest Plan • Land and Water Public Hearing 	
September		
October	<ul style="list-style-type: none"> • Budgets/Budget amendments • Annual Forestry Plan 	
November		
December	<ul style="list-style-type: none"> • Develop 2020 Work Plan 	