



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 Tuesday, April 21, 2020

Chairman Dean Johansen called the April 21, 2020 regular session via Webex video conference of the Polk County Board of Supervisors to order at 5:07 p.m.

Chairman Johansen 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, at 9:20 p.m. on Thursday, April 9, 2020. Was distributed to the supervisors and media contacts via email or mail at 9:24 p.m. on Thursday, April 9, 2020. The agenda was also published in the County's legal paper the week of April 13, 2020 (paper published on 4-16-2020). The Second Amended Agenda and Notice of meeting was posted in the Government Center Building in two places, and on the County website, and was emailed to supervisors and media via email or mail on April 17, 2020 in accordance with Article 3, Section 2 of the County Board Rules of Order.

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.

Chairman Johansen recognized the County Clerk for purposes of taking roll call. All fifteen County Board Supervisors and County Board Chairman Johansen were present representing a quorum. Chairman Johansen 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 and Joe Demulling were present at the government center. Supervisors: Steve Warndahl and Michael Prichard attended the virtual meeting via Webex.

Chairman Johansen led the County Board in the Pledge of Allegiance.

Chairman Johansen called to the floor for a time of reflection. Supervisor Masters offered a moment of reflection for COVID-19 wellness and positive experience with the new County Board of Supervisors.

Motion (Bonneprise/Edgell) to suspend rules of order for seating arrangements and other non-substantive rule changes. Motion passed by unanimous voice vote.

Chairman Johansen called to the floor consideration and approval of the Agenda with suspended rules of order. **Motion** (Masters/Route) to adopt the Agenda with suspended rules of order. Chairman Johansen called for a voice vote on the motion to adopt the Agenda as published. **Motion** carried by unanimous voice vote.

Chairman Johansen called to the floor for approval of the Consent Agenda. **Motion** to adopt the consent agenda with said change carried by unanimous voice vote. Matters adopted under the Consent Agenda: Minutes from February 20, 2020 County Board session adopted as published. Corrected minutes from March 17, 2020 County Board session adopted as published.

Time was given for the County Board Chairperson's report. No reports were given.

Time was given for Supervisor's reports regarding outside meetings attended. No updates were given.

Chairman Johansen called upon Administrator Netherland for the Administrator's report. The County Board received information regarding meetings attended by the Administrator and updates regarding: Recognition for the Polk County Finance Administration, and updates on COVID-19 Virus and the Incident Command System.

Chairman Johansen asked for a motion to defer the announcements of appointments of outside committees. **Motion** (Maters/Luke) to defer appointments of outside committees carried by unanimous voice vote.

Organizational Matters:

Chairman Johansen opened nominations for **County Board Chairperson**.

Nominated was: Chris Nelson.

Motion (Bonneprise) to close nominations and cast a unanimous ballot for Nelson. Nominations were declared closed. Chairman Johansen called for a voice vote to cast ballot for Supervisor Nelson for County Board Chairperson. **Motion** to close nominations and cast unanimous ballot for Supervisor Nelson for County Board Chairperson carried by unanimous voice vote.

Chairman Nelson opened nominations for **1st Vice Chair**.

Nominated was: John Bonneprise.

Motion (Arcand) to close nominations and cast a unanimous ballot for Bonneprise. Nominations were declared closed. Chairman Nelson called for a voice vote to cast ballot for Supervisor Bonneprise for First Vice Chairperson. **Motion** to close nominations and cast unanimous ballot for Supervisor Bonneprise for First Vice Chair carried by unanimous voice vote.

Chairman Nelson opened nominations for **2nd Vice Chair**.

Nominated was: Jay Luke.

Motion (Arcand) to close nominations and cast a unanimous ballot for Luke. Nominations were declared closed. Chairman Nelson called for a voice vote to cast ballot for Supervisor Luke for Second Vice Chairperson. **Motion** to close nominations and cast unanimous ballot for Supervisor Luke for Second Vice Chair carried by unanimous voice vote.

Chairman Nelson declared Board in session convening as Committee of the Whole at 5:35 p.m.

Committee of the Whole engaged in discussion of revisions to Polk County Board of Supervisors Rules of Order Ordinance (No. 43-18).

Committee of the Whole engaged in discussion regarding recommendations concerning committee duties, responsibilities and assigned functions.

Committee of the Whole engaged in discussion of resolutions/ordinances noticed on the agenda.

Chairman Nelson called for a motion to adjourn Committee of the Whole session and reconvene in legislative session of the Board. **Motion** (O'Connell/Bonneprise) 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 6:15 p.m.

Chairman Nelson called the Board back into legislative session at 6:15 p.m.

Chairman Nelson called upon Environmental Services Division Director, Bob Kazmierski for discussion regarding Organizational Matters for the Board Term 2020-2022.

Motion (Arcand/Prichard) to create an ad hoc committee to discuss Revisions to the Polk County Board of Supervisors Rules of Order Ordinance 43-18 and to adjourn this portion of the organizational meeting until that date certain. Motion passed by unanimous roll call vote.

Ad hoc committee comprised of Administrator Netherland, Corporation Counsel Malone, Chairman Nelson, Supervisor Route, and Supervisor Bonneprise.

Chairman Nelson called for a 10 minute recess at 6:30 p.m. Chairman Nelson called Board back into open session at 6:43 p.m.

Chairman Nelson asked supervisors to state if they would like to reduce the number of Standing Committees they are on and if any Supervisors want to switch to a committee that has a current vacancy from a Committee they serve on and who is interested in the vacant seat(s) on standing committees. The following Appointments were made to the standing committees:

Executive Committee Appointments:

Supervisors: Masters, Nelson, Bonneprise, Luke & O'Connell.

Environmental Services Committee Appointments:

Supervisors: O'Connell, Olson, Edgell, LaBlanc, Route.

General Government Committee Appointments:

Supervisors: Masters, Arcand, Nelson, Prichard, Duncanson.

Health & Human Services Board Appointments:

Supervisors: Bonneprise, Demulling, Edgell, Middleton, Duncanson

Public Safety & Public Works Committee Appointments:

Supervisors: Luke, Bonneprise, Demulling, Route, Warndahl

Chairman Nelson called to the floor, Ordinance No. 08-20: To Enact Amended Polk County Shoreland Protection Zoning Ordinance. Chairman Nelson called for a motion to adopt Ordinance No. 32-18. **Motion** (O’Connell/Masters) to adopt Ordinance No. 08-20. Chairman Nelson called upon Zoning Administrator, Jason Kjeseth, for information regarding Ordinance No. 08-20. The board engaged in discussion.

Chairman Nelson called for a voice vote to approve the motion to adopt Ordinance No. 08-20. **Motion** to adopt Ordinance No. 08-20 carried by unanimous voice vote. Ordinance No. 08-20: To Enact Amended Polk County Shoreland Protection Zoning Ordinance adopted.

Chairman Nelson relinquished the gavel to Vice Chairman Bonneprise for the purpose of comment and vote on Resolution 07-20: Resolution Directing The County Administrator To Investigate Options For Saving The Clam Falls Dam. Vice Chairman Bonneprise called to the floor, Resolution 07-20: Resolution Directing The County Administrator To Investigate Options For Saving The Clam Falls Dam. Vice Chairman Bonneprise called for a motion to adopt Resolution No. 07-20. **Motion** (Luke/Olson) to adopt Resolution No. 07-20. The board engaged in discussion. Supervisor Masters called for the question and a roll call vote.

Vice Chairman Bonneprise called for a roll call vote to adopt Resolution No. 07-20. **Motion** to adopt Resolution No. 07-20 carried by majority vote of 11 in favor and 3 opposed (opposed: Masters, Arcand, and Prichard-absent). Resolution 07-20: Resolution Directing the County Administrator to Investigate Options for Saving the Clam Falls Dam adopted.

Vice Chair Bonneprise relinquished the gavel to Chairman Nelson.

Time was given for Supervisors announcements. No announcements were given.

Chairman Nelson called for a motion to adjourn. **Motion** (Demulling/Route) 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 7:38 p.m.

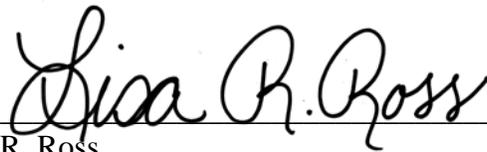
Next Meeting: 6:00 p.m., Tuesday, May 5, 2020

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 April 21, 2020.



Lisa R. Ross
Polk County Clerk



Polk County Board of Supervisors

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

Board Supervisor Statement of clarification of Minutes of the Regular Meeting of the Board of Supervisors from Tuesday, April 21, 2020

This meeting was available for viewing through Webex videoconference and teleconference

May 19, 2020

On page 4 of the April 21, 2020 minutes, 8 text lines from bottom there appears "Prichard-absent."

I participated in the meeting by Webex and was present when that roll call was taken; but was unable to respond to the roll call because my line was muted, and apparently through some glitch was not timely unmuted. (I tried to vote "no," but I understand the vote was not received and recorded.)

Thanks,

Mike Prichard
Supervisor, District 7

Lisa R. Ross, Polk County Clerk



POLK COUNTY, WISCONSIN

WWW.CO.POLK.WI.US

***SECOND AMENDED* Notice of Meeting and Agenda** **Polk County Board of Supervisors**

² 5:00 p.m. ~~6:00 p.m.~~ Tuesday, April 21, 2020

¹ Virtual, Open Meeting via Webex Video Conference or Phone

Amendments:

¹ Matters Added, Revised or Struck by Initial Amended Notice of Meeting

² Time of meeting changed to 5:00 p.m. on Second Amended Notice of Meeting

Webex Virtual Meeting Info:

Meeting Number (access code): **263 372 116**

Password: **PolkCoBoard15**

- Join Online: <https://polkwi.webex.com>
- Join by Phone: 1-408-418-9388

¹ *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
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
 - b. Consideration/corrections to the published, corrected minutes from March 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. Confirmation of Appointment(s)
12. Organizational Matters for the Board Term 2020-2022:
 - a. Election of County Board Officers:
 - i. County Board Chairperson
 - ii. 1st Vice Chairperson
 - iii. 2nd Vice Chairperson

****Following the Election of County Board Officers, 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**

Polk County Board of Supervisors

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.

13. Committee of the Whole:

- a. Discussion of Revisions to Polk County Board of Supervisors Rules of Order
- b. Organizational Matters: Recommendations Concerning Committee Duties, Responsibilities and Assigned Functions
- c. Discussion of Resolutions and Ordinances Noticed on the Agenda
- d. Adjournment of Committee of the Whole

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:

14. Reconvene as County Board

15. Continue Organizational Matters for the Board Term 2020-2022

- a. Develop and Adopt Revisions to Polk County Board of Supervisors Rules of Order Ordinance No. 17-16),
- b. Establishing Duties, Responsibilities and Assigned Functions of County Board Standing Committees
- c. Nomination, Appointment and Confirmation of Supervisors to County Board Standing Committees
- d. Confirmation of Administrator's Appointments of Citizen Members to Standing Committees, Other County Committees, Boards and Commissions

16. Proposed Resolutions, Ordinances Offered for Adoption or Enactment at April 21, 2020, meeting:

On Recommendation by Environmental Services Committee:

Zoning Ordinances:

- a. **Ordinance No. 08-20:** To Enact Amended Polk County Shoreland Protection Zoning Ordinance

On Recommendation by General Government Committee:

- a. ~~¹ Resolution 04-20: Resolution Declaring Polk County Wisconsin A Second Amendment Sanctuary County~~
- b. ~~¹ Resolution 06-20: Resolution In Support Of Mandatory Minimum Sentences And A Three Strikes Law In Wisconsin~~
- c. **Resolution 07-20:** Resolution Directing The County Administrator To Investigate Options For Saving The Clam Falls Dam

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.

Ordinance To Enact Amended Polk County Shoreland Protection Zoning Ordinance

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

Ladies and Gentlemen:

WHEREAS, the Polk County Board of Supervisors enacted Ordinance No. 38-19 on September 25, 2019, entitled as Polk County Shoreland Protection Zoning Ordinance, to regulate the unincorporated shoreland areas of Polk County under Wisconsin Statute 281.31 and 59.692; and

WHEREAS, on November 29, 2019, the Polk County Zoning Administrator filed pursuant to Wisconsin Statute Section 59.69(5)(e), a petition to amend the Polk County Shoreland Protection Zoning Ordinance, through the enactment of the proposed Amended Polk County Shoreland Protection Zoning Ordinance with associated zoning maps; and

WHEREAS, the amendments incorporate the twelve zoning districts from the Polk County Comprehensive Land Use Ordinance; and

WHEREAS, on December 18, 2019, the Polk County Environmental Services Committee, as the planning and zoning committee, opened and held a public hearing on the petition to amend the Polk County Shoreland Protection Zoning Ordinance; and

WHEREAS, after considering DNR, town, and public input received in the public hearing and incorporating such input and recommendations, as appropriate, the Polk County Environmental Services Committee recommends the Polk County Board of Supervisors enact as and for the county's shoreland protection zoning ordinance under Section 59.692 the attached proposed ordinance, entitled "Amended Polk County Shoreland Protection Zoning Ordinance".

NOW, THEREFORE, pursuant to Wisconsin Statute Sections 59.692(2)(a), the Polk County Board of Supervisors ordains as follows:

1. The Amended Polk County Shoreland Protection Zoning Ordinance and zoning maps, attached hereto and incorporated herein, are enacted.
2. Pursuant to Wisconsin Statute Section 59.592(5), the provisions of the Amended Polk County Shoreland Protection Zoning Ordinance shall supersede the shoreland related provisions of Ordinance 38-19 Polk County Shoreland Protection Zoning Ordinance.

- 34 3. The Polk County Zoning Administrator is directed to forward the Amended Polk
35 County Shoreland Protection Zoning Ordinance to the Wisconsin Department of
36 Natural Resources.
- 37 4. Pursuant to Wisconsin Statute Sections 59.14(1) and 985.01(5), the County Clerk
38 is directed to cause to be published the ordinance enacted herein.
- 39 5. The Amended Polk County Shoreland Protection Zoning Ordinance shall be
40 effective upon passage and publication.

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:



Vince Netherland
County Administrator

Fiscal Impact Note: No fiscal impact



Maggie Wickre, Finance Director

Approved as to Form and Execution:



Malia T. Malone, Corporation Counsel

Legal Impact Note:

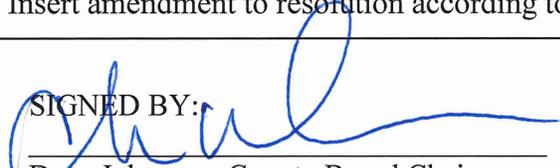
Excerpt of Minutes

41 At its regular business meeting on the 21st of April 2020, the Polk County Board of
42 Supervisors acted upon **Ordinance No. 08-20: Ordinance To Enact Amended Polk**
43 **County Shoreland Protection Zoning Ordinance.**

44 _____
45 _____

- 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: 
Dean Johansen, County Board Chairperson
Chris Nelson

ATTEST: 
Lisa Ross, County Clerk

Executive Summary

The 2015-2016 comprehensive rewrite of the zoning ordinances initiated the concept of putting general zoning districts within the shoreland area. This concept does not remove any of the protective shoreland regulations, but instead will make the shoreland regulations an overlay on one of the general zoning districts like Residential, Agricultural, or Commercial. This amendment will not affect the minimum lot sizes. The County provided the towns with a copy of the proposed zoning maps and allowed them to provide comments through this process. A public hearing was held on the proposed changes and the residents strongly supported a 300 foot buffer around class one water bodies, which was included in the proposed maps. The County Board adopted Resolution 03-20 extending the moratorium on Swine CAFO's, and prohibiting them within the shoreland area. This amended shoreland ordinance includes text that prohibits swine farming operations with 1000 animal units or more within the shoreland areas. The zoning office takes no position on the proposed amendment because it is a policy decision.

County Administrator's Note:
Matter of policy

Malia Malone

Malia Malone
Interim County Administrator

Fiscal Impact Note: *Discussion has no fiscal impact*

Maggie Wickre
Maggie Wickre, Finance Director

Approved as to Form and Execution:

Joseph Loso
Joseph Loso, Interim Corporation Counsel

Legal Impact Note: *N/A*

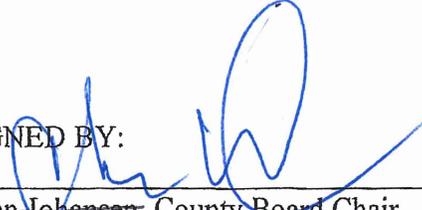
Excerpt of Minutes

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

- Adopted by a majority of the members present by a vote of 11 in favor and 3 against.
- Adopted by unanimous voice vote.
- Adopted as amended. See Below.
- Defeated
- Other:

Insert amendment to resolution according to minutes:

SIGNED BY:


Chris Nelson

ATTEST:


Lisa Ross, County Clerk

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.

