



POLK COUNTY, WISCONSIN

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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, October 16, 2018

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 August 24, 2018 and August 30, 2018 Special Sessions of the County Board
 - b. Consideration/corrections to the published minutes from September 6, 2018 Special Session of the County Board
 8. Public Comments –3 minutes per person –not to exceed 30 minutes total
 9. Housing Study Proposal – Vince Netherland
 10. County Board Chair Report
 - a. Supervisor’s Reports from Outside Committee Meetings Attended
 - b. Confirmation of Appointments of the Chairperson –Public Health Officer - Brian Kaczmariski
 11. Administrator’s Report, Jeff Fuge
 - a. Confirmation of Appointment of Jim Andersen to Board of Adjustment
 12. Update on Administrator Search
 13. Update on Highway Facility
- **Following the Update on the Highway Facility, 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 recommended by the Committee of the Whole, only upon two-thirds majority vote of members present to take up and act upon such matters.
14. Committee of the Whole
 - a. Presentation on 911 and Rural Grid Addressing System

Polk County Board of Supervisors

- b. Development of 2019 Proposed Budget
- 15. Reconvene in Legislative Session as County Board
- 16. Proposed Resolutions and Ordinances:
 - a. Resolution No. 75-18: Resolution Authorizing the Submission of the proposed Master Plans for the Stower Seven Lakes Trail and the Cattail Trail (Polk County Segment) to the Wisconsin Department of Natural Resources
 - b. Ordinance No. 53-18: Acquisition and Sale of Tax Deeded Lands
 - c. Ordinance No. 79-18: Ordinance Repealing Designation and Service Contract for Humane Society and Revising Limits on Claims Made Against Dog License Fund
 - d. Resolution No. 77-18: Resolution Concerning Offer of Northwestern Wisconsin Electric Company to Transfer Clam Falls Dam
 - e. Resolution No. 80-18: Resolution Concerning the Reorganization and Consolidation of County Departments
 - f. Resolution No. 76-18: Resolution to Rescind Moratorium on the Administration of County Rural Road/Address Numbering System and to Call for the Vote on Proposed Ordinance No. 48-18: Polk County Uniform Rural Addressing and Road Numbering Ordinance
 - g. Ordinance No. 48-18: Polk County Uniform Rural Addressing and Road Numbering Ordinance
- 17. Consideration of Revisions to Proposed 2019 Budget
 - a. Resolution No. 78-18: Resolution to Hold a Public Hearing on the 2019 Budget Proposal
- 18. Supervisors Announcements
- 19. 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.



Polk County Board of Supervisors

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

Minutes of the Special Session Meeting Friday, August 24, 2018

Chairman Dean Johansen called the August 24, 2018 meeting of the Polk County Board of Supervisors to order at 2:35 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 and posted on the County website the week of August 15, 2018. In addition, the Office of the County Clerk distributed on August 15, 2018 copies of such notice of meeting and proposed resolutions to supervisors and media contacts via e-mail and mail in accordance with Article 3, Section 2 of the County Board Rules of Order.

The County Board received verbal opinion of Corporation Counsel Fuge 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 led the County Board in the Pledge of Allegiance.

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

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

Chairman Johansen called for a motion to go into closed session as noticed on the agenda. **Motion** (Masters/Edgell) to go into closed session at 2:40 p.m. Chairman Johansen called for a voice vote on the motion to go into closed session. **Motion** carried by unanimous voice vote.

Clerk noted those present for closed session: Supervisors Chris Nelson, Brad Olson, Doug Route, Tracy LaBlanc, Brian Masters, Jim Edgell, Kim O'Connell, Jay Luke, Joe Demulling, Russ Arcand, John Bonneprise, and Chairman Dean Johansen. Also present were, Sharon Jorgenson, County

Clerk, Jeff Fuge, Interim Administrator/Corporation Counsel; Malia Malone, Assistant Corporation Counsel; Andrea Jerrick, Employee Relations Director/Deputy Administrator; Kevin Brunner and David Bretl, Consultants for Public Administration Associates.

***CLOSED SESSION* 2:40 p.m.** –(Minutes separate and under seal)

County Board reconvened in open session at 4:01 p.m.

Upon reconvening in open session, Chairman Johansen announced to the press that an employment offer for the County Administrator position will be extended to candidate Michael Cramer from Carolina Beach, North Carolina.

Motion (Bonneprise/Demulling) to adjourn. Chairman Johansen called for a voice vote on the motion to adjourn. **Motion** carried by unanimous voice vote.

Chairman Johansen declared meeting adjourned at 4:04 p.m.

Respectfully submitted,

Sharon E. Jorgenson
Polk County Clerk



Polk County Board of Supervisors

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

Minutes of the Special Session Meeting Thursday, August 30, 2018

Chairman Dean Johansen called the August 30, 2018 meeting of the Polk County Board of Supervisors to order at 11:13 a.m.

Chairman Johansen recognized Deputy County Clerk, Marilyn Blake, for purposes of receiving evidence of proper notice. The Deputy County Clerk stated that the notice of meeting was properly posted in the Government Center Building in two places and posted on the County website on August 28, 2018. In addition, the Office of the County Clerk distributed on August 28, 2018 copies of such notice of meeting and proposed resolutions to supervisors and media contacts via e-mail and mail in accordance with Article 3, Section 2 of the County Board Rules of Order.

The County Board received verbal opinion of Assistant Corporation Counsel Malone that the initial advance written notice, posted and published as described by the Deputy 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 led the County Board in the Pledge of Allegiance.

Chairman Johansen recognized the Deputy County Clerk, for purposes of taking roll call. 12 County Board Supervisors were present representing a quorum. Absent and excused were Supervisors Arcand, Larsen and Luke.

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

Time was given for public comments. No public comments were offered.

Andrea Jerrick, Employee Relations Director/Deputy Administrator advised that the recruiting firm, Public Administration Associates and the office of outside legal counsel were not present but are available by phone as of 11:00 a.m.

Chairman Johansen called for a motion to go into closed session as noticed on the agenda. **Motion** (Jepsen/Demulling) to go into closed session at 11:16 a.m. Chairman Johansen called for a voice vote on the motion to go into closed session. **Motion** carried by unanimous voice vote.

Deputy Clerk noted those present for closed session: **Supervisors Brad Olson, Chris Nelson, Doug Route, Tracy LaBlanc, Brian Masters, Jim Edgell, Kim O'Connell, Joe Demulling, Larry Jepsen, Michael Prichard, John Bonneprise, and Chairman Dean Johansen. Also present were, Marilyn Blake, Deputy County Clerk, Jeff Fuge, Interim Administrator/Corporation Counsel; Malia Malone, Assistant Corporation Counsel; Andrea Jerrick, Employee Relations Director/Deputy Administrator; Maggie Wickre, Director of Finance; and Emil Norby, Highway Commissioner.**

***CLOSED SESSION* 11:16 a.m. – 12:30 p.m. – (Minutes separate and under seal)**

Chairman Johansen declared the County Board in open session at 12:30 a.m.

Upon returning to open session Chairman Johansen announced that the County Board of Supervisors rejected the counter offer made by Mr. Cramer and rescinded the initial offer of employment as well.

Chairman Johansen called for a motion to adjourn.

Motion (Jepsen/Demulling) to adjourn. Chairman Johansen called for a voice vote on the motion to adjourn. **Motion** carried by unanimous voice vote.

Chairman Johansen declared meeting adjourned at 12:35 p.m.

Respectfully submitted,

Marilyn Blake
Deputy County Clerk



Polk County Board of Supervisors

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

Minutes of the Special Session Meeting Thursday, September 6, 2018

Chairman Dean Johansen called the September 6, 2018 special session meeting of the Polk County Board of Supervisors to order at 1:02 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, posted on the County website in accordance with Wisconsin Statute Section 985.02 on August 23, 2018. The agenda was published in the legal newspaper the week of August 27, 2018. In addition, the Office of the County Clerk distributed on August 23, 2018 copies of such notice of meeting and proposed resolutions to supervisors via e-mail and mail in accordance with Article 3, Section 2 of the County Board Rules of Order. The County Clerk stated that the Amended Agenda was posted in the Government Center in two places, posted on the County website, and copies of such notice of meeting distributed to the supervisors and media via email on September 4, 2018. The County Clerk stated that the Second Amended Agenda was posted in the Government Center in two places, posted on the County website, and copies of such notice of meeting distributed to the supervisors and media via email at 2:53 p.m. on September 5, 2018.

The County Board received verbal opinion of Assistant 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. The County Board received the verbal opinion of Assistant Corporation Counsel Malone that the amended agenda was properly and timely noticed, posted and published.

Chairman Johansen recognized the County Clerk for purposes of taking roll call. 12 County Board Supervisors were present representing a quorum. Absent and excused were Supervisors Masters, Olson, and Bonneprise. Supervisor Bonneprise joined the meeting at 1:14 p.m.

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

Chairman Johansen called for a Time of Reflection. No time of reflection was offered.

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

Chairman Johansen called to the floor for approval of the Consent Agenda. **Motion** (O'Connell/Luke) to adopt the Consent Agenda as noticed. Chairman Johansen called for a voice vote on the motion to adopt Consent Agenda. **Motion** carried by unanimous voice vote. Matters adopted under the Consent Agenda: Minutes from August 21, 2018 adopted as published.

Time was given for public comment. No public comment was received.

Chairman Johansen announced there was nothing to relate regarding the Chairman's report.

Chairman Johansen called upon Interim Administrator Fuge to provide Administrator's Report to the County Board. County Board received information regarding Administrator's schedule and upcoming meetings. Discussion was held regarding whether the September 18th County Board meeting is needed.

Chairman Johansen called for a motion to go into closed session as noticed on the agenda. **Motion** (Demulling/Route) to go into closed session at 1:11 p.m. Chairman Johansen called for a voice vote on the motion to go into closed session. **Motion** carried by unanimous voice vote.

Clerk noted those present for closed session: Supervisors Chris Nelson, Doug Route, Tracy LaBlanc, Michael Prichard, Jim Edgell, Kim O'Connell, Larry Jepsen, Jay Luke, Michael Larsen, Joe Demulling, Russ Arcand, and Chairman Dean Johansen. Also present were, Sharon Jorgenson, County Clerk; Malia Malone, Assistant Corporation Counsel; and Andrea Jerrick, Employee Relations Director/Deputy Administrator. Supervisor Bonneprise joined the closed session at 1:14 p.m.

***CLOSED SESSION* 1:11 p.m.** –(Minutes separate and under seal)

County Board reconvened in open session at 1:31 p.m.

Chairman Johansen announced that in closed session the County Board voted to appoint Mr. Fuge as Interim Administrator without the dual role as Corporation Counsel.

Chairman Johansen called for a motion to reconvene in closed session. **Motion** (Demulling/Jepsen) to reconvene in closed session at 1:34 p.m. Chairman Johansen called for a voice vote on the motion to reconvene in closed session. **Motion** carried by unanimous voice vote.

***CLOSED SESSION* 1:34 p.m.** –(Minutes separate and under seal)

County Board reconvened in open session at 1:47 p.m.

Chairman Johansen called upon Employee Relations Director/Deputy Administrator Jerrick to provide information regarding consideration of the professional services contract with the consulting firm of Public Administration Associates.

Motion (Route/Nelson) to sever all relations with Public Administration Associates consulting services. **Motion** (Prichard/O'Connell) to amend to further authorize staff to come to an amicable proposed agreement for dissolution/termination of contract and bring back to the County Board for approval.

Chairman Johansen called for a voice vote on the motion to amend. **Motion** to amend carried by majority voice vote.

Chairman Johansen called for a voice vote on the motion as amended. **Motion** to sever all relations with Public Administration Associates as amended carried by unanimous voice vote.

Chairman Johansen called for a recess at 2:12 p.m. Chairman Johansen called the Board back into legislative session at 2:22 p.m.

Chairman Johansen called upon Employee Relations Director/Deputy Administrator Jerrick to provide information to the Board regarding the possibility of using Polk County Employee Relations Department for search and recruitment of the Administrator and Community Services Division Director instead of a recruitment firm.

Motion (Nelson/O'Connell) to use Polk County Employee Relations department to do the applicant search and recruitment for both positions – Administrator and Community Services Division Director and report back to County Board regarding progress in October. Chairman Johansen called for a voice vote on said motion. **Motion** carried by unanimous voice vote.

County Board received presentation of the proposed 2019 Operating and Capital Budget from Interim Administrator Fuge. County Board received copies of the Administrator's Recommendation of the Proposed 2019 Operating and Capital Budget.

Motion (Jepsen/Prichard) to acknowledge County Board receipt of the Administrator's Recommendation of the Proposed 2019 Operating and Capital Budget from Interim Administrator Fuge. Chairman Johansen called for a voice vote on said motion. **Motion** carried by unanimous voice vote.

County Board received information from Maggie Wickre, Finance Director regarding budget documents.

County Board received information from Employee Relations Director/Deputy Administrator Jerrick regarding workforce information.

Chairman Johansen and the Supervisors offered a round of applause for the well-rounded budget proposal presentation and the work of those who put the documentation together.

Chairman Johansen declared that agenda items referring to Committee of the Whole session would be disregarded as County Board did not go out of legislative session into Committee of the Whole session.

Chairman Johansen called to the floor Resolution No. 74-18: Resolution to Authorize Agreement with Polk County K-9 Association for Allocation of Donations in Support of Polk County Sheriff K-9 Unit due to premature passage of resolution at August 21, 2018 meeting. **Motion** (Demulling/Route) to adopt Resolution No. 74-18. Chairman Johansen called for a voice vote on the motion to adopt Resolution No. 74-18. **Motion** to adopt Resolution No. 74-18 carried by unanimous voice vote. Resolution No. 74-18: Resolution to Authorize Agreement with Polk County K-9 Association for Allocation of Donations in Support of Polk County Sheriff K-9 Unit adopted.

Time was given for Supervisors Announcements. Board received reports from Supervisors. Chairman Johansen announced sympathy and thoughts go out to former County Clerk Carole Wondra on the unexpected passing of her husband, Todd Wondra.

Motion (Larsen/Arcand) to adjourn. Chairman Johansen called for a voice vote on the motion to adjourn. **Motion** carried by unanimous voice vote.

Chairman Johansen declared meeting adjourned at 3:54 p.m.

Respectfully submitted,

Sharon E. Jorgenson
Polk County Clerk



POLK COUNTY BOARD OF SUPERVISORS

DEAN JOHANSEN, CHAIRMAN

Polk County Government Center

100 Polk County Plaza, Suite 170

Balsam Lake, WI 54810

Phone 715-485-9237 Fax 715-485-9104

October 10, 2018

Mr. Brian Kaczmariski
c/o Polk County Public Health
100 Polk County Plaza, Suite 180
Balsam Lake, WI 54810

Dear Mr. Kaczmariski:

It is with great pleasure I hereby appoint you as Polk County Local Health Officer pursuant to the responsibility assigned me as County Board Chairman under Wisconsin Statutes sections 251.03(2) and 251.06(4)(a). This appointment is subject to confirmation by the County Board on October 16, 2018.

Thank you in advance for your willingness to accept this position and for your efforts.

Sincerely,

Dean Johansen
County Board Chair



Jeffrey B. Fuge
Interim County Administrator/ Corporation Counsel
100 Polk County Plaza, Suite 220
Balsam Lake, WI 54810
715-485-9282
jefff@co.polk.wi.us

August 24, 2018

Jim Andersen
732 Shore Drive
Amery, WI 54001

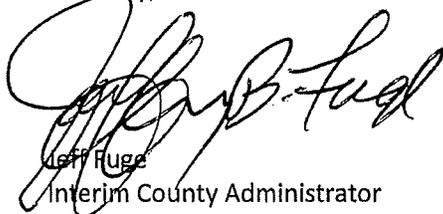
Dear Jim,

It is with great pleasure I hereby appoint you to the Board of Adjustment Committee pursuant to the responsibility assigned me as county administrator under Wisconsin Statutes section 59.18. This appointment is effective September 1st, 2018. The term of this appointment is until 2021 (3 years).

It is my strong belief that citizen involvement is of tremendous benefit to county government, bringing fresh ideas forward and helping better communicate what services we provide and challenges we face. We greatly appreciate the time and effort you and other volunteers put in to help improve the quality of life in Polk County. I wish you well in your work with the Board of Adjustment Committee.

Once again, I thank you for your willingness to accept this position and in advance for your efforts. Please do not hesitate to contact me if I may provide you any assistance or if I may answer any questions you may have.

Sincerely,



Jeff Fuge
Interim County Administrator

Cc: Dean Johansen, County Board Chair
Jane Cooper, Employee Relations
Sharon Jorgenson, County Clerk
Jason Kjeseth, Zoning Administrator

Subject Matter Summary

County Administrator Selection Process

This matter comes before the Executive Committee for review and recommendation. At its October 16, 2018 meeting, the County Board will receive an update and overview of the County Administrator selection process

Summary:

The County has advertised the open position of County Administrator. On September 6, 2018, the County Board authorized and directed staff to develop and implement a selection process through the Employee Relations Department. The Employee Relations Department has developed a position brochure, which was released on September 28, 2018. The County website advertises the position vacancy and the Employee Relations Department has uploaded the position on NEOGOV, the County's online employment application program.

The application process will remain open through November 2, 2018. Applicant submissions will be then reviewed and screened by the Executive Committee. The Executive Committee will then set interview and make a recommendation to the County Board. It is contemplated that the County Board would receive the recommendation for final action at the December 2018 regular meeting.

The release brochure is accessible at the following link:

[County Administrator Vacancy Brochure](#)

RESOLUTION NO. 75-18

Resolution Authorizing the Submission of the Proposed Master Plans for the Stower Seven Lakes Trail and the Cattail Trail (Polk County Segment) to the Wisconsin Department of Natural Resources

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

Ladies and Gentlemen:

WHEREAS, in coordination with the Wisconsin Department of Natural Resources (hereinafter "WDNR"), Polk County manages and operates the Stower Seven Lakes Trail and the Polk County Segment of the Cattail Trail without valid trail plans; and

WHEREAS, the Wisconsin Administrative Code NR 44.04 requires the WDNR to develop a Master Plan for the trails; and

WHEREAS, Polk County and the WDNR entered into a Memorandum of Understanding that, in part, requires Polk County to conduct a planning process that substantially conforms to the requirements of NR 44 as it relates to participation

WHEREAS, at the March 20, 2018 meeting, the Polk County Board of Supervisors adopted Resolution 28-18, authorizing a comprehensive trail plan development process for the Stower Seven Lakes State Trail and the Cattail Trail within the borders of Polk County; and

WHEREAS, in accordance with Resolution 28-18, the Environmental Services Committee (hereinafter "ESC") formed a Trail Planning Subcommittee (hereinafter "Subcommittee") to develop and provide advisory recommendations to the ESC in the course of the comprehensive trail planning process; and

WHEREAS, in accordance with Resolution 28-18, the Subcommittee followed the comprehensive planning process consistent with Chapter NR 44, Wis. Adm. Code and operated within the memorandum of understanding between Polk County and the Wisconsin Department of Natural Resources by identifying issues related to management and use; submitting suggestions to the county regarding future management and use of these properties; identifying and evaluating proposed property goals and objectives; evaluating management and use alternatives; developing an online survey for public input with the assistance of staff; holding one public hearing on the trail plans; and holding one open house on the recommendations of the trail plans; and

WHEREAS, the Subcommittee has completed its process and has made their recommendations to the ESC; and

WHEREAS, on September 5, 2018 the ESC received the recommendations developed by the Subcommittee; and

37 WHEREAS, the ESC considered the Subcommittee's recommendations and developed a
 38 proposed Master Plan for the Stower Seven Lakes Trail and a proposed Master Plan for the
 39 Cattail Trail (Polk County segment).

40 NOW, THEREFORE, BE IT RESOLVED that, the Polk County Board of Supervisors receives
 41 the proposed "Master Plan for the Stower Seven Lakes Trail" (attached hereto and incorporated
 42 as Exhibit 1) and the "Master Plan for the Cattail Trail (Polk County segment)" (attached hereto
 43 and incorporated as Exhibit 2).

44 BE IT FURTHER RESOLVED that, the Polk County Board of Supervisors authorizes and
 45 directs the Polk County Department of Parks, Forestry Buildings & Solid Waste to submit the
 46 incorporated and attached proposed Master Plans to the WDNR for final approval.

Offered on the 16th day of October, 2018.

BY:

 Brad Olson, Supervisor, District #1

 James Edgell, Supervisor, District #8

 Doug Route, Supervisor, District #2

 Kim O'Connell, Supervisor, District #9

 Dean Johansen, Chair,
 Supervisor, District #3,

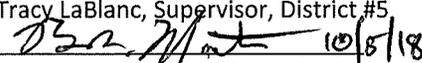
 Larry Jepsen, Supervisor, District #10

 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

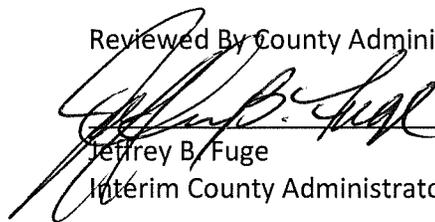
 John Bonneprise, 2nd Vice Chair,
 Supervisor, District #14

 Joe DeMulling, Supervisor, District #15

Fiscal Impact: The proposed resolution presents an unknown fiscal impact due to uses recognized in the proposed trail plans that differ from present actual use. If the plans receive approval by the Wisconsin Department of Natural Resources, the County may incur expenses to develop and manage the respect trails for those additional uses.

Legal Impact: The resolution has minimal legal impact. The plans referenced and incorporated into the resolution are subject to the review and approval of the Wisconsin Department of Natural Resources before finalization.

Reviewed By County Administrator:


Jeffrey B. Fuge
Interim County Administrator

Approved as to Form and Execution:


Malia T. Malone, Assistant Corporation Counsel

Excerpt of Minutes

At its regular business meeting on the 16th day of October 2018, the Polk County Board of Supervisors acted upon Resolution No. 75-18: Resolution Authorizing the Submission of the Proposed Master Plans for the Stower Seven Lakes Trail and the Cattail Trail (Polk County Segment) to the Wisconsin Department of Natural Resources, as follows:

- Adopted by majority voice vote
- Adopted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- Adopted by unanimous voice vote.
- Adopted as amended. See Below.
- Other: _____

Insert amendment to resolution according to minutes:

SIGNED BY:

ATTEST:

Dean Johansen, County Board Chairperson

Sharon Jorgenson, County Clerk

CATTAIL TRAIL

POLK COUNTY, WISCONSIN

MASTER PLAN

June, 2018

Polk County Environmental Services Committee

Kim O'Connell-Chairman

Brad Olson -Vice Chairman

Jim Edgell

Doug Route

Tracy LaBlanc

Department of Natural Resources

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Introduction and Executive Summary

This Master Plan represents the strategy of Polk County as well as various trail advocates and user groups, and the Wisconsin Department of Natural Resources (WDNR) for the development, operation, and maintenance of an 11.8 mile railroad corridor presently known as the Cattail Trail. The trail is located on a former Minneapolis St. Paul and Sault Ste. Marie Railroad right-of-way which begins in Amery, WI and extends into the Village of Turtle Lake, Wisconsin. In the rural branch of the corridor, the trail width is consistently 100 feet wide. The trail runs in a west to east direction. Map 1 shows the regional location of the trail. Map 2 shows the location of the trail in Polk County.

The trail right-of-way was purchased from Wisconsin Department of Transportation in 2000 by the WDNR. Property was transferred to the WDNR and recorded in quick claim document number 605297. A Memorandum of Understanding (MOU) was signed by the Wisconsin Department of Natural Resources (WDNR) and the County of Polk in 2003 (Appendix A). Under the terms of the MOU, the WDNR will grant a trail easement to Polk County as well as designate the trail as a "State Trail" under section NR 51.73, Wis. Adm. Code. The WDNR will also complete an environmental review of the property pursuant to s. 1.11, Stats., and Chapter NR 150, Wis. Adm. Code. In addition, the WDNR will work with Polk County to identify funding sources for the development and repair of the trail. Under this same MOU, Polk County will be responsible for the development, operation, repair, and maintenance of the trail.

The trail is a year round trail that has a packed gravel surface.

Section 1 Goals and objectives

A. Goals

To provide and preserve the 11.8 mile recreation trail.

The trail will be available year round use that will provide recreational activities for all to use.

B. Objectives:

- To complement present economic benefits of trails existing in Polk County and provide opportunities for economic development not reflected in current trail usage.
- To provide recreational opportunities that complement present trail opportunities in Polk County and provide recreational opportunities that presently are underrepresented in the Polk County Trail system.
- To enhance opportunities for tourism in Polk County.

- To respect the wishes and investments of landowners and communities through which the trail passes.
- To provide for recreational opportunities that promotes the health and safety of the community.
- To preserve the rural character and environmental integrity of the trail.
- To anticipate the urbanization of the area through which the trail passes and provide for possible future use of the trail as an alternative transportation system between communities.
- To provide opportunities for the greatest number of projected uses of the trail consistent with the previous objectives.
- Hunting will not be allowed on the trail or with in the right-a way. Signs will be posted to inform the public.

On July 31, 2018 a public hearing was held in Polk County to assess the interested public's desired uses or the trail. The information gained from these public hearings, in combination with information and input from other sources, formed the basis for the proposed recreational trail use.

Polk County and Barron Counties are cooperating on the trail to establish similar uses.

III. Proposed Management and Land Development

A. Land Acquisition and Ownership

- The Wisconsin Department of Natural Resources (WDNR) acquired the rail grade right-of-way from the Wisconsin Department of Transportation by means of Stewardship funds. The WDNR has paid all costs to acquire the property and will maintain ownership of the entire right-of-way. Under the terms of the MOA, the WDNR will convey a non-exclusive easement to Polk County and other valuable consideration. The WDNR will not issue other easements that will adversely affect the use of the property for the intended trail purposes.
- Additional property may be acquired to support trail functions and unique ecosystems.

B. Uses of the Trail Corridor

Because the Cattail Trail is a multi-use, multi-season trail that provides recreational trail opportunities to as many different interests as possible, the following was determined by the trail planning subcommittee for encouraged primary and secondary uses, allowed uses and the prohibited uses of the Cattail Trail.

1. Encouraged Primary Uses
 - ATV Use
 - Walking, Hiking, Jogging
 - Horseback Riding: Utilizing a trail tread other than the bicycling/hiking trail tread.
 - Snowmobiling: Snow-cover periods. Restricted to published trail use periods. Only groomed areas may be traveled.
 - Wildlife and bird watching

2. Encouraged Secondary Uses
 - Cross-Country Skiing and Snowshoeing
 - Bicycling: All Season

3. Allowed Uses
 - Pets: With restrictions including leashes, feces disposal and closed areas.
 - Public Road Crossings: WDNR rules will govern this, and as landowner, WDNR will be the primary contact.
 - Private Residential Crossings: WDNR rules will govern this, and as landowner, WDNR will be the primary contact.
 - Private Farm and Recreation Crossings: WDNR rules will govern this, and as landowner, WDNR will be the primary contact.
 - Other crossings: WDNR rules will govern this, and as landowner, WDNR will be the primary contact.
 - Utilities: WDNR rules will govern this, and as landowner, WDNR will be the primary contact.

4. Prohibited Uses
 - Motorized Vehicles: Other than snowmobiles operating as permitted during snow-cover periods and ATV's operating all-season, only administrative and maintenance vehicles, small electric carts used by disabled individuals during snow-free periods and vehicles on designated roadways and parking areas may operate within the trail corridor.
 - Hunting and trapping.
 - Camping: Within the trail corridor except in designated campsites.
 - Private occupancy.
 - Conducting Business, Promotions or Advertising: Within the trail corridor without the express consent of the Polk County Property, Forestry & Recreation Committee and the WDNR.

- C. Development Program

1. Initial Development

The MOU specifies that the development of the trail is the responsibility of Polk County. The WDNR will grant an easement to Polk County for the development, maintenance and operation of the trail. It is understood that the WDNR will assist Polk County financially with trail development through available grant/ aid programs.

In 1999 the Wisconsin DNR completed a Feasible Study and Environmental Assessment of the Cattail Trail that can be viewed on the Wisconsin DNR website. The initial development phase of the trail was completed in 2005. Subsequent long-term development activities will occur as demand, opportunity and funding allow.

2. Development Standards

In accordance with the MOA, the trail was developed in compliance with the WDNR Design Standards Handbook, Chapter 30 – Trails. WDNR “Bridge Guidelines for New and Replacement Structures – Snowmobile and All-Terrain Vehicle” (Publ-CA-005 89), WDNR “Snowmobile Trail Signing Handbook” (Publ-AA-023), and AASHTO “Guide for the Development of Bicycle Facilities” will also be followed. All structures placed in the WDNR Right-Of-Way will need prior WDNR approval.

Associated facilities, if any, will be designed and constructed in compliance with state and local building codes and the American’s With Disabilities Act.

D. Operation & Maintenance Program

Polk County will have the primary responsibility for the operation and maintenance of the trail in Polk County. The Parks, Forestry, Buildings, and Solid Waste Department under the direction of the Environmental Service Committee will act as the primary agent of the County. It is the intent of Polk County to encourage the “Friends” of the trail group to assist in planning and accomplishing the operation and maintenance of the trail.

The daily operation of the trail will be directed by Chapters NR 45 (State Parks and State Forests), NR 50 (Administration of Outdoor Recreation Program Grants and State Aids), and NR 65 (All-Terrain Vehicles) of the Wis. Admin. Code. These codes will be supplemented by Polk County ordinances and park directives. Daily operation is directed and performed by the Polk County Parks, Forestry, Buildings and Solid Waste Department and its contractors and cooperators. Daily routine enforcement is the responsibility of Polk County.

User fees will not exceed those established in s. 27.01, Stats., and will be subject to written approval by the WDNR. The standard state trail bicycle fees will be charged and State bicycle trail passes will be honored. Prior to selling trail passes on the trail or in neighboring businesses, a State Trail Pass Agreement will need to be signed with the WDNR.

User information will include maps, brochures and signing that will provide facility, service, safety and emergency information, rules, regulations and advice on a seasonal basis.

Trail maintenance is directed and performed by the Polk County Parks, Forestry, Buildings, and Solid Waste Department and its contractors and cooperators. Primary cooperators are the Polk County Snowmobile/ATV Clubs who oversee trail maintenance and grooming for snowmobile use.

E. Interpretation

In Polk County the trail offers many opportunities to make trail users more aware of the landscape they are traveling through. Opportunities exist to provide interpretive information on the geology, the numerous ecosystems, the native wildlife, and the cultural history of the area. Interpretation is a long-term objective that can be accomplished jointly by Polk County and local interest groups.

F. Wildlife Management

The trail passes through many ecosystems and will provide many opportunities to observe wildlife. Due to the limited land base, many wildlife management opportunities are precluded. Polk County will cooperate with the WDNR and other groups interested in wildlife management in making the trail corridor available to wildlife management within the overall objectives of the master plan.

G. Timber and Vegetative Management

The vegetation adjacent to the trail is representative of the great natural diversity that occurs in Northwestern Wisconsin. Most species are native or are considered to be naturalized thus requiring little vegetative management. Some management will be practiced to promote aesthetics, eradicate invasive species, enhance wildlife, protect prairie and oak savannas, and protect trail users and facilities.

H. Management Problems

A number of management problems have been identified that will need to be dealt with as they occur.

- Control of non-allowed uses will be achieved through a combination of public information, using Park and Sheriff's Department personnel, and peer pressure as use of the trail increases.
- Vandalism to signs, bridges and the trail surface will be addressed through regular inspections, rapid repair, enforcement, and peer pressure as the use of the trail increases.

- Trail crossings will require much attention. All existing crossing agreements will require review and modification to reflect the present and future uses. Requests for new crossings will be handled on an individual basis in accord with the WDNR “Department Design Standards Handbook”. Routine inspection will insure compliance to crossing agreements and will ensure control of unauthorized crossings.
- Trespass, both to and from the trail corridor may require the use of various control options including planting, fencing, signing, surveying and law enforcement.
- Invasive species management

I. Recreation Needs and Justification

Following is Wisconsin’s 2011-2016 Statewide Compliance Outdoor Recreation Plan (SCORP) identifying participants by participation rate (Age 16+), 5 year view of various outdoor recreation activities.

Activity	2005–2009 Participation	
	Percent Participating	Number of Participants (1,000s)
Walk for pleasure	87.7	3,947
View/photograph natural scenery	65.3	2,939
Attend outdoor sports events	65.0	2,926
Family gathering	63.5	2,858
Visit nature centers, etc.	63.5	2,858
View/photograph other wildlife	57.9	2,606
Driving for pleasure	52.8	2,377
View/photograph wildflowers, trees, etc.	52.4	2,359
Sightseeing	50.6	2,278
Bicycling	48.7	2,192
Picnicking	47.0	2,115
Visit historic sites	46.7	2,102
Snow/ice activities (any type)	45.9	2,066
Gather mushrooms, berries, etc.	42.8	1,926

Activity	2005–2009 Participation	
	Percent Participating	Number of Participants (1,000s)
Off-highway vehicle driving	19.8	891
Trail running	18.6	773
Snowmobiling	18.3	824
Cross country skiing	8.8	396
Horseback riding on trails	6.6	297
Snowshoeing	6.1	275
Inline skating	2.5	113
Day hiking	36.7	1,652
Running or jogging	32.1	1,445
Mountain biking	30.7	1,382
Sledding	28.2	1,269

APPENDIX

Appendix A



**MEMORANDUM OF AGREEMENT
BETWEEN POLK COUNTY AND
THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES**

I. Introduction

The purpose of this Memorandum of Agreement, (MOA) is to set forth the agreements and understandings which have been reached between POLK County, (County) and the State of Wisconsin Department of Natural Resources (DNR) regarding the acquisition, development, and operation of approximately 11.7 miles of abandoned rail property located in POLK County known as the CATTAIL STATE TRAIL. The corridor is presently owned by the WISCONSIN DEPARTMENT OF NATURAL RESOURCES.

The DNR is interested in preserving the corridor for recreational trail purposes. POLK County is interested in developing, maintaining, and operating a recreational trail on the corridor provided the DNR acquires the same. POLK County and the DNR agree to work together to achieve their mutual goals as set forth below.

II. Description of the Property

The map attached to this MOA describes in general the recreation corridor. An exact legal description of the property will be agreed upon prior to the execution of trail easements.

III. Consideration

The DNR HAS acquired the grade from ALMENA to AMERY from the corridor owners. The DNR will execute trail easements with the County for one dollar or other valuable consideration. The County will develop, operate, maintain, and police the trail.

IV. Obligations of the DNR

1. The DNR will purchase the CATTAIL TRAIL, and additional parcels necessary for trail purposes as identified in the master plan, from willing sellers as the property and funds become available. All acquisitions may be subject to Natural Resource Board and Governor's approvals.
2. The DNR will pay all reasonable and allowable costs to acquire the property.
3. The DNR will purchase all parcels, (except those lands presently under local public ownership acquired with the state or federal recreation aid grants) which may be necessary to obtain clear title to the property and pay all reasonable and allowable

costs associated therewith. DNR will not accept title to or purchase land which have been acquired by the County for trail purposes through the eminent domain process.

4. The DNR will convey by easement to the County the right to develop, maintain, repair and operate a recreational trail as a component of the state trail system. The County accepts the trail "as is" on the date of transfer.
5. The DNR agrees to complete the environmental review process for the purchase of the property pursuant to s. 1.11, Stats. and Chapter NR 150, Wisconsin Administrative Code, and the DNR represents that it has made reasonable inquiry and has no reason to believe that hazardous waste, noxious waste, or any other condition of the land subject to this MOA exists that would inhibit the ability of the County to possess and improve the property as contemplated by this MOA. If, however, such prohibitive conditions are discovered, either the DNR shall take all steps reasonably necessary to remove such conditions or the intent of this MOA being frustrated, the MOA shall terminate.
6. The County will coordinate the official naming of the Trail, with final approval of the name resting with the Department of Natural Resources Board. The NRB has approved of buying this trail as the "Cattail State Trail".
7. The DNR will designate the trail as a "State Trail", and will make any signing or indication of designated state trail status available to the County.
8. The DNR will make its "Adopt-a-Trail" program available to the County. The DNR has an application process for groups interested in adopting a section of trail. Applications are valid for a year. This program is similar to the DOT Adopt-a-Highway segment.
9. The DNR shall hold harmless and indemnify the County and its employees against all claims, damages, costs, and expenses, including reasonable attorney's fees, that may arise from the performance of the duties of the DNR by the DNR, its officers, employees, agents, contractors, subcontractors, permittees, volunteers, and servants under the terms of the MOA. In any action or proceeding brought against the County, or its employees by reason of any such claim, the DNR shall defend the County.

V. Obligations of the County

1. The County will participate in or conduct public meetings, which may be necessary for the establishment and development, management, and improvements of the trail project.
2. The County may identify, and in cooperation with the DNR, make initial contacts with landowners whose property is available for purchase for trail corridor purposes. A description of the property identified for purchase shall be forwarded to the DNR and include the name, address, and phone number of the seller(s). The County may cooperate with other local units of government and organizations in this process.

3. The County, with the assistance of the DNR will coordinate and prepare a master plan consistent with Chapter NR 44, Wisconsin Administrative Code, for the project. The master plan is to be completed prior to any trail development that utilizes state or federal grant funding. Specific recreational uses will be determined through the master planning process.
4. The County shall convey to the DNR merchantable title as evidenced by title insurance to all lands within or adjacent to the above described recreation corridor currently owned by the County necessary for development of the trail as called for in the Master Plan. The DNR will pay for such lands at current market value. Transfers of lands purchased by federal aid grants shall be without cost.
5. The County will enter into an easement in perpetuity with the DNR to accomplish the purposes contained in paragraph V. 6.
6. The County, within 5 years of the date of acquisition, will develop, maintain, repair, fence where necessary, operate the project lands located within the County for recreational trail purposes, as funding becomes available. Until development occurs, the County will assume all monitoring, enforcement, and maintenance responsibilities on the trail corridor.
7. The County agrees the trail will meet or exceed DNR trail standards as identified in the DNR's Design Standards Handbook. The DNR has no obligation to develop and operate the trail at any time.
8. The County agrees that any advertising or display material relating to the trail shall clearly identify the property is owned by the DNR and under the management and control of the County.
9. The County, in connection with this MOA, shall open the facilities to the general public subject to reasonable rules and regulations, fees and charges, as the DNR deems necessary for the management and operation of the trail.
 - A. Rules and regulations.
Pursuant to NR 45, Wisconsin Administrative Code, the DNR retains management, supervision, and control over the premises for the purpose of enforcing Chapter 45, Wisconsin Administrative Code, when needed to protect the property. Daily routine enforcement remains the responsibility of the County.
 - B. Admission Fees, if any, charged by the County shall not exceed those Established in Chapter NR 45.12, Wisconsin Administrative Code for the State Trail Pass. Fees shall be subject to written approval by the DNR. The County may establish its own admission fee program as payment for its services under this MOA. If admission fees are charged, the State Trail Pass, both annual and seasonal, the conservation patron license and senior citizen recreation card issued by the DNR shall be honored without additional admission charges.

The County may utilize and sell the State Trail Pass and retain (up to) a 70% commission to be used for trail operations and maintenance. The County may

use vendors to sell the pass. (A separate Trail Pass Sales Agreement between the County and the DNR will be executed, detailing the sales and remittance procedures.)

10. In the performance of its rights and duties hereunder, including the operation of the recreational trail, exercise of its right herein, including but not limited to the operation of the eased property as a recreational trail, the County shall not discriminate against any member of the public on the basis of age, race, creed, color, handicap, sex, marital status, arrest or conviction records, ancestry, sexual orientation or membership in the National Guard, state defense force or any other reserve successors or designees.
11. The County may enter into agreements with the Friends Groups which meet the criteria in Chapter NR 1.71, Wisconsin Administrative Code. In recognition of the status of this trail as a State Trail, and of the DNR's substantial financial involvement, the DNR shall also be a co-signor of any Friends agreement.
12. The County may enroll volunteers for the Adopt-a-Trail program sponsored by the DNR, following DNR policies and procedures. Any volunteers of the Adopt-a Trail program shall be considered as volunteers of the DNR and not either employees or volunteers of the County.
13. The County will indemnify and hold harmless the DNR and its employees against all claims, damages, costs, and expenses, including reasonable attorney's fees, arising from the performance of this MOA by the County, its agents, contractors, servants, licensees, permittees, or employees. In case any action or proceeding is brought against the DNR or its employees by reason of any such claim, the County upon notice from the DNR will defend such action or proceeding.

VI. General

1. This Memorandum of Agreement is subject to all applicable laws and regulations. The establishment of this trail is subject to approval by the Natural Resource Board and Governor.
2. This Memorandum of Agreement may be revised by mutual written agreement of the DNR and the County.
3. The DNR must approve all land transactions, trail crossings and easements for the trail corridor, but the County will be the first point of contact for inquiries from the public and/or private entities on these matters. Guidelines relating to easements for the driveways and road crossings will be provided to the County. If requests conform to the guidelines, they will be referred to the DNR for executing an easement, lease, or agreement. If the requests do not conform to DNR guidelines, the County will deny the request. All proceeds from these transactions shall be payable to the DNR.
4. An annual meeting between the County and DNR will take place to review development and acquisition progress, operational problems and maintenance

standards needing attention and to exchange ideas and information for the good of the trail project.

- 5. This MOA shall not be construed as creating a public debt on the part of the DNR in contravention of Article VIII, Wisconsin Constitution and all payments or obligations hereunder are subject to the availability of future appropriations.

VII. Termination

- 1. County. The County may terminate their Memorandum of Agreement or the easement from the DNR by providing to DNR ninety (90) days written notice of said termination. In the event the County terminates this Memorandum of Agreement or the easement from the DNR, the County will assume compliance responsibility for any state or federal recreation grant fund assisted areas. A payment equal to any land and water conservation grant awarded through the community assistance program for development shall be paid to the DNR by the defaulting County(s). A payment equal to any other grant amount awarded through the community assistance program for development shall be paid to the DNR by the defaulting County(s) based on remaining useful life values of the improvements.
- 2. DNR. The DNR may terminate this Memorandum of Agreement or the easement with the County in the event that:
 - A. The County breached any term or condition in the Memorandum of Agreement or the easement and said breach remains uncorrected for a period of sixty (60) days from the receipt of the DNR's written notification of said breach by the County. In the event the County breached any term or condition of their Memorandum of Agreement or the easement from the DNR the County will assume compliance responsibility for any state or federal recreation grant fund assisted areas.
 - B. The DNR determines that the continued use of the premises as a recreational trail would be inconsistent with the management needs or objectives of the DNR or the State of Wisconsin. In exercising its termination rights under this provision the DNR shall give the County(s) 180 days notice of termination and reimburse the County(s) for developed improvements, subject to the availability of future appropriations.

IN WITNESS WHEREOF, DNR and the County have caused this memorandum to be executed in their respective names by their respective duly authorized representatives.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

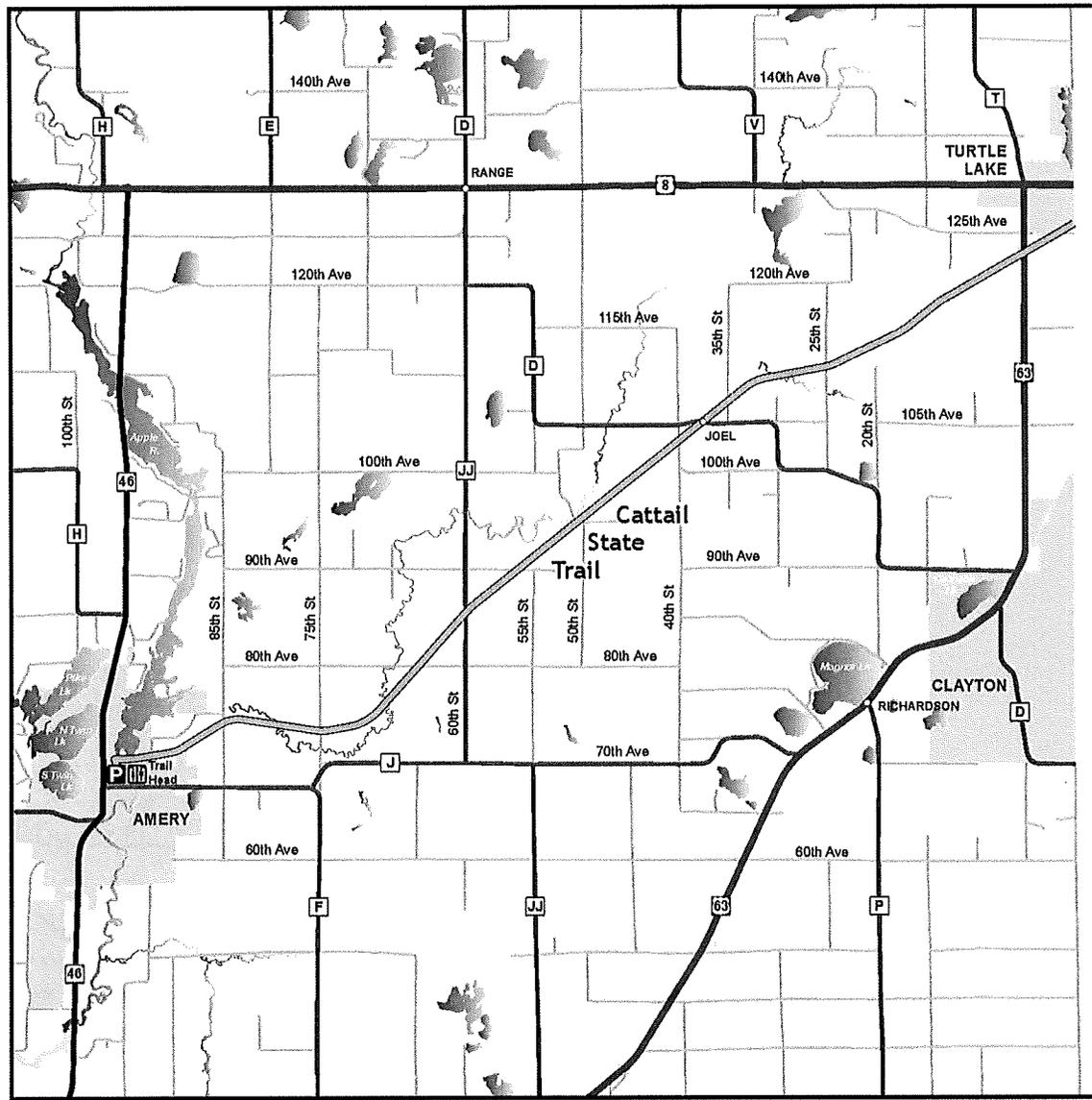
By Scott Hassett 12-18-03
 Scott Hassett, Secretary Dated

POLK COUNTY

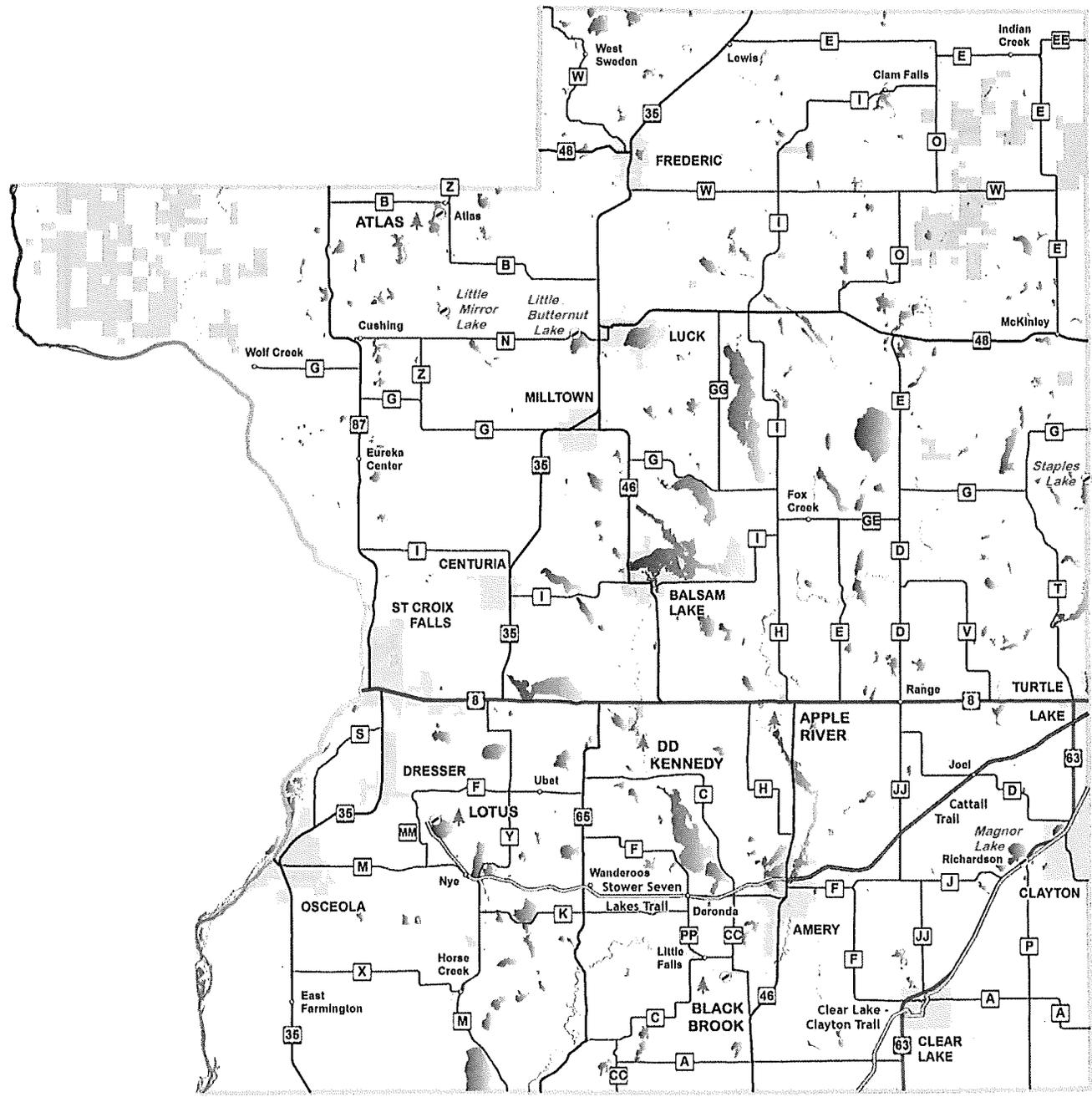
By *[Signature]* 8-22-02
County Board Chairperson Dated

[Signature]

Map 1



Map 2



APPENDIX B: RESOLUTION

- 1 Resolution No. 28-18
 2 Resolution Providing for Comprehensive Planning Process for Stower Seven Lakes State Trail Plan
 3 and Cattail Trail (Polk County Segment) Plan
- 4 TO THE HONORABLE CHAIRPERSON AND SUPERVISORS OF THE COUNTY BOARD OF
 5 THE COUNTY OF POLK:
- 6 Ladies and Gentlemen:
- 7 WHEREAS, in coordination with the Wisconsin Department of Natural Resources (WDNR), Polk
 8 County manages and operates the Stower Seven Lakes State Trail and the Polk County segment of
 9 the Cattail Trail without a valid trail plan for the use of either trail as otherwise required by
 10 applicable Natural Resources regulation and specific provisions of the respective memorandum of
 11 understanding with WDNR; and
- 12 WHEREAS, it is beneficial to the citizens of Polk County and other users of these trails and in the
 13 interest of the County for Polk County to continue as sponsor and managing coordinator of the
 14 Stower Seven Lakes State Trail and the Polk County segment of the Cattail Trail; and
- 15 WHEREAS, the Environmental Services Committee has recommended to the County Board to
 16 provide for a comprehensive trail plan development process involving the two connected trails of the
 17 Stower Seven Lakes State Trail and the Polk County segment of the Cattail Trail, and to conduct
 18 such comprehensive process in accordance with Natural Resources administrative regulations
 19 concerning trail plan development, including, but not limited to Chapter NR 44 and the applicable
 20 provisions of the memorandum of understanding for each respective trail.
- 21 NOW, THEREFORE, the Polk County Board of Supervisors resolves as follows:
- 22 1. Resolution No. 43-17, Authorizing the Development of a Multi-Use, Multi-Season Trail
 23 Management Plan for Stower Seven Lakes Trail, is rescinded.
- 24 2. Resolution 59-17, Affirming Polk County As Sponsor and Managing Coordinator of The
 25 Stower Seven Lakes State Trail, is amended, at Lines 23-28, as follows:
- 26 "NOW, THEREFORE BE IT RESOLVED that the Polk County Board
 27 of Supervisors affirms the commitment of Polk County to serve as
 28 sponsor and managing coordinator of the Stower Seven Lakes State Trail
 29 and the Polk County segment of the Cattail Trail and to perform or
 30 carry-out all responsibilities of sponsor and managing coordinator of the
 31 Trail each such trail consistent with applicable federal and state law,
 32 regulatory provisions, and grant conditions, and terms and conditions of
 33 the respective memorandum of understanding.
- 34 BE IT FURTHER RESOLVED that the Polk County Board of
 35 Supervisors agrees to the terms of the Memorandum of Understanding
 36 and Cooperative Easement, attached hereto, concerning the Stower
 37 Seven Lakes State Trail."

- 38 3. The Environmental Services Committee is authorized and directed to engage in and conduct
 39 a comprehensive trail plan development process for the purpose of preparing a state trail plan
 40 for the Stower Seven Lakes State Trail and a trail plan for the Polk County segment of the Cattail
 41 Trail.
- 42 4. The Environmental Services Committee is authorized and directed to form a
 43 subcommittee to develop and provide advisory recommendations to the Committee in the
 44 course of the comprehensive trail planning process, including, but not limited to, the
 45 formation of the trail plans that would be presented for public hearing conducted by the
 46 Committee.
- 47 5. Such subcommittee shall be composed of 5, 7 or 9 members as determined and appointed
 48 by the Environmental Services Committee.
- 49
- 50 6. The membership of the subcommittee shall include one member of the Environmental
 51 Services Committee, who shall serve as subcommittee chairperson; at least one
 52 authorized representative of the Friends of the Stower Seven Lakes Trail; and the
 53 remaining members as persons who are affected by or interested in the use, management
 54 and operation of either the Stower Seven Lakes State Trail or the Polk County segment of
 55 the Cattail Trail.
- 56 7. Notwithstanding present resolution to the contrary, the members of the subcommittee
 57 may receive per diem compensation as determined by the County Board after the
 58 Committee has formed the subcommittee and appointed its members.
- 59 8. The comprehensive planning process authorized herein and the trail plans prepared
 60 through such process shall be consistent with Chapter NR 44, Wis. Adm. Code to the
 61 extent practicable and the applicable terms and conditions of the memorandum of
 62 understanding between Polk County and the Wisconsin Department of Natural Resources
 63 Department.
- 64 9. The provisions of Resolution No. 59-17 not affected herein shall remain in effect.

Fiscal Note: This resolution does not require additional appropriation from the General Fund for the 2017 fiscal year to carry out the organizational matters of the resolution. The costs to carry out the organizational matters can be covered with the budgets of the County Board and the county department designated to administer and manage the trails. The costs to gather data and analysis and preparation for public involvement participation events are unknown at this time and will be addressed when the Environmental Services Committee prepares a public involvement plan.

Legal Note: The resolution presents no legal impacts and provides for compliance with administrative regulation and contractual obligations concerning the County's management and operation of the respective trails.

Signed and sponsored by:

Brad Olson, Supervisor, District #1

Doug Rouse, 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, 2nd Vice Chair,
Supervisor, District # 10

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

Kate Isakson, Supervisor, District #12

Russell Arcand, Supervisor, District #13

John Bonneprise, Supervisor, District #14

Joe DeMulling, Supervisor, District #15

Effective Date:	Upon Passage
Dated Submitted To County Board	March 20, 2018
Reviewed and Approved as to Form:	Second Reading:
<u>Jeffrey B. Fuge</u> Jeffrey B. Fuge, Interim County Administrator/Corporation Counsel	Fiscal Impact and Legal Impacts: As stated in the resolution.
<p>At its regular business meeting on the 20th day of March, 2018, the Polk County Board of Supervisors acted on Resolution No.28-18: Resolution In Resolution Providing for Comprehensive Planning Process for Stower Seven Lakes State Trail Plan and Cattail State Trail (Polk County Segment) Plan , as follows:</p> <p><input checked="" type="checkbox"/> Adopted by simple majority of the board of supervisors by a vote of <u>8</u> in favor and <u>10</u> against. <i>1 absent</i></p> <p><input type="checkbox"/> Enacted by unanimous vote.</p> <p><input type="checkbox"/> Defeated</p> <p>SIGNED BY: <u>Dean Johansen</u> Dean Johansen, County Board Chairperson</p> <p>Attest: <u>Suzanne E. Jorgenson</u> Suzanne E. Jorgenson, County Clerk</p>	

**STOWER SEVEN LAKES
STATE RECREATION TRAIL**

POLK COUNTY, WISCONSIN

**MASTER PLAN
June, 2018**

Polk County Environmental Services Committee

**Kim O'Connell-Chairman
Brad Olson -Vice Chairman
Jim Edgell
Doug Route
Tracy LaBlanc**

Department of Natural Resources

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Introduction and Executive Summary

This draft Stower Seven Lakes Trail Master Plan is a modification of the 2004 Master Plan in order to reflect current uses allowed and prohibited on the trail. Aspects of this draft are currently incomplete and will be developed by the Subcommittee, as part of the trail planning process chosen by the Environmental Services Committee of the Polk County Board of Supervisors. Throughout the process, updates to this plan will be made as decisions are approved by the Subcommittee. See the Public Participation section of this plan for more details on the process.

This Master Plan represents the strategy of Polk County as well as various trail advocates and user groups, and the Wisconsin Department of Natural Resources (WDNR) for the development, operation, and maintenance of a 13.48 mile railroad corridor presently known as the Stower Seven Lakes Trail. The trail is located on a former Minneapolis St. Paul and Sault Ste. Marie Railroad right-of-way which begins two miles east of Dresser and extends into the City of Amery, Wisconsin. Within the City of Amery, the corridor width ranges from 60 feet wide to 180 feet wide, whereas in the rural branch of the corridor, the trail width is consistently 100 feet wide. The trail consists of approximately 174 acres and generally runs in a west to east direction. Map 1 shows the regional location of the trail. Map 2 shows the location of the trail in Polk County.

The trail right-of-way was acquired from Wisconsin Central Limited in 2003 by the WDNR under the Stewardship Program. Subsequently, a Memorandum of Understanding (MOU) was signed by the Wisconsin Department of Natural Resources (WDNR) and the County of Polk (Appendix A). Under the terms of the MOU, the WDNR will grant a trail easement to Polk County as well as designate the trail as a "State Trail" under section NR 51.73, Wis. Adm. Code. The WDNR will also complete an environmental review of the property pursuant to s. 1.11, Stats., and Chapter NR 150, Wis. Adm. Code. In addition, the WDNR will work with Polk County to identify funding sources for the development and repair of the trail. Under this same MOU, Polk County will be responsible for the development, operation, repair, and maintenance of the trail.

The trail will be developed in phases depending on trail usage and funding availability.

II. Goals and Objectives*

A. Goals:

- Provide and preserve a recreational trail at least 13 miles in length stretching from Dresser to Amery. The all-season trail will have a dual surface to provide two-way traffic for bicycling, hiking, horseback riding and winter snowmobile use.

B. Objectives:

- To complement present economic benefits of trails existing in Polk County and provide opportunities for economic development not reflected in current trail usage.
- To provide recreational opportunities that complement present trail opportunities in Polk County and provide recreational opportunities that presently are underrepresented in the Polk County Trail system.
- To enhance opportunities for tourism in Polk County.
- To respect the wishes and investments of landowners and communities through which the trail passes.
- To provide for recreational opportunities that promotes the health and safety of the community.
- To preserve the rural character and environmental integrity of the trail.
- To anticipate the urbanization of the area through which the trail passes and provide for possible future use of the trail as an alternative transportation system between communities.
- To provide opportunities for the greatest number of projected uses of the trail consistent with the previous objectives.

On July 31, 2018 a public hearing was held in Polk County to assess the interested public's desired uses of the trail. The information gained from these public hearings, in combination with information and input from other sources, formed the basis for the proposed recreational trail use.

III. Proposed Management and Land Development

A. Land Acquisition and Ownership

- The Wisconsin Department of Natural Resources (WDNR) acquired the rail grade right-of-way from the Wisconsin Central Limited by means of Stewardship funds. The WDNR has paid all costs to acquire the property and will maintain ownership of the entire right-of-way. Under the terms of the MOA, the WDNR will convey a non-exclusive easement to Polk County and other valuable consideration. The WDNR will not issue other easements that will adversely affect the use of the property for the intended trail purposes.
- Additional property may be acquired to support trail functions and unique ecosystems.

B. Uses of the Trail Corridor

1. Encouraged Primary Uses

- Bicycling
- Walking, Hiking, Jogging
- Dog sledding
- Nature and scenery viewing
- Snowmobiling: Snow covered periods. When permitted by the Polk County Parks department. Only groomed areas maybe traveled

2. Encouraged Secondary Uses

- Cross country skiing
- Snowshoeing
- Horseback riding

3. Allowed Uses

- Only administrative and maintenance vehicles
- Pets: With restrictions including leashes, feces disposal and closed areas.
- Small electric carts used by disabled individuals during snow-free periods
- Vehicles on designated roadways and parking areas may operate within the trail corridor.
- Public Road Crossings: WDNR rules will govern this, and as landowner, WDNR will be the primary contact.
- Private Residential Crossings: WDNR rules will govern this, and as landowner, WDNR will be the primary contact.

- Private Farm and Recreation Crossings: WDNR rules will govern this, and as landowner, WDNR will be the primary contact.
- Other crossings: WDNR rules will govern this, and as landowner, WDNR will be the primary contact.
- Utilities: WDNR rules will govern this, and as landowner, WDNR will be the primary contact.

4. Prohibited Uses

- Motorized Vehicles including but not limited to:
 - ATV's/UTV's every season
 - Off-highway motorcycles.
 - Hunting and trapping.
- Camping: Within the trail corridor except in designated campsites.
- Private occupancy.
- Conducting Business, Promotions or Advertising: Within the trail corridor without the express consent of the Polk County Environmental Services Committee and the WDNR.

C. Development Program

1. Initial Development

The MOU specifies that the development of the trail is the responsibility of Polk County. The WDNR will grant an easement to Polk County for the development, maintenance and operation of the trail. It is understood that the WDNR will assist Polk County financially with trail development through available grant/aid programs.

Under the terms of the MOU, the trail will be managed by Polk County Buildings, Solid Waste and Parks Department. The planned development was phased to allow for orderly and financially affordable development.

2. Development Standards

In accordance with the MOU, the trail was developed in compliance with the WDNR Design Standards Handbook, WDNR "Snowmobile Trail Signing Handbook" (Publ-AA-023), and AASHTO "Guide for the Development of Bicycle Facilities" will also be followed. All structures placed in the WDNR Right-Of-Way will need prior WDNR approval.

Associated facilities, if any, will be designed and constructed in compliance with state and local building codes and the American's With Disabilities Act.

D. Operation & Maintenance Program

Polk County will have the primary responsibility for the operation and maintenance of the trail in Polk County. The Buildings, Solid Waste and Park Department under the direction of the Environmental Services Committee will act as the primary agent of the County. The Friends of the Stower Seven Lakes Trail group has been established and will assist in planning and accomplishing the operation and maintenance of the trail along with the Polk County Snowmobile Council for winter snowmobile use.

The daily operation of the trail will be directed by Chapters NR 45 (State Parks and State Forests) and NR 50 (Administration of Outdoor Recreation Program Grants and State Aids). These codes will be supplemented by Polk County ordinances and park directives. Daily operation is directed and performed by the Polk County Buildings, Solid Waste and Park Department and its contractors and cooperators. Daily routine enforcement is the responsibility of Polk County.

User fees will not exceed those established in s. 27.01, Stats., and will be subject to written approval by the WDNR. The standard state trail bicycle fees will be charged and State bicycle trail passes will be honored.

User information will include maps, brochures and signing that will provide facility, service, safety and emergency information, rules, regulations and advice on a seasonal basis.

Trail maintenance is directed and performed by the Polk County Buildings, Solid Waste and Park Department and its contractors and cooperators. Primary cooperators are the Friends of the Stower Seven Lakes Trail Group who oversee trail maintenance.

E. Interpretation

In Polk County the trail offers many opportunities to make trail users more aware of the landscape they are traveling through. Opportunities exist to provide interpretive information on the geology, the numerous ecosystems, the native wildlife, and the cultural history of the area. Interpretation is a long-term objective that can be accomplished jointly by Polk County and local interest groups.

F. Wildlife Management

The trail passes through many ecosystems and will provide many opportunities to observe wildlife. Due to the limited land base, many wildlife management opportunities are precluded. Polk County will cooperate with the WDNR and other groups interested in wildlife management in making the trail

corridor available to wildlife management within the overall objectives of the master plan.

G. Timber and Vegetative Management

The vegetation adjacent to the trail is representative of the great natural diversity that occurs in Northwestern Wisconsin. Most species are native or are considered to be naturalized thus requiring little vegetative management. Some management will be practiced to promote aesthetics, eradicate invasive species, enhance wildlife, protect prairie and oak savannas, and protect trail users and facilities.

H. Management Problems

A number of management problems have been identified that will need to be dealt with as they occur. More may be updated through the trail planning process.

- Control of non-allowed uses will be achieved through a combination of public information, using Park and Sheriff's Department personnel, and peer pressure as use of the trail increases.
- Vandalism to signs, bridges and the trail surface will be addressed through regular inspections, rapid repair, enforcement, and peer pressure as the use of the trail increases.
- Trail crossings will require much attention. All existing crossing agreements will require review and modification to reflect the present and future uses. Requests for new crossings will be handled on an individual basis in accord with the WDNR "Department Design Standards Handbook". Routine inspection will insure compliance to crossing agreements and will ensure control of unauthorized crossings.
- Trespass, both to and from the trail corridor may require the use of various control options including planting, fencing, signing, surveying and law enforcement.
- Invasive species management

I. Recreation Needs and Justification

Following is Wisconsin's 2011-2016 Statewide Compliance Outdoor Recreation Plan (SCORP) identifying participants by participation rate (Age 16+), 5 year view of various outdoor recreation activities. The following counties are part of the Great Northwest Region: Ashland, Barron, Bayfield, Burnett, Douglas, Polk, Rusk, Sawyer, and Washburn. From the input received during this process, the following chart shows the identified recreation needs:

Activity	2005–2009 Participation	
	Percent Participating	Number of Participants (1,000s)
Walk for pleasure	87.7	3,947
View/photograph natural scenery	65.3	2,939
Attend outdoor sports events	65.0	2,926
Family gathering	63.5	2,858
Visit nature centers, etc.	63.5	2,858
View/photograph other wildlife	57.9	2,606
Driving for pleasure	52.8	2,377
View/photograph wildflowers, trees, etc.	52.4	2,359
Sightseeing	50.6	2,278
Bicycling	48.7	2,192
Picnicking	47.0	2,115
Visit historic sites	46.7	2,102
Snow/ice activities (any type)	45.9	2,066
Gather mushrooms, berries, etc.	42.8	1,926

Activity	2005–2009 Participation	
	Percent Participating	Number of Participants (1,000s)
Off-highway vehicle driving	19.8	891
Trail running	18.6	773
Snowmobiling	18.3	824
Cross country skiing	8.8	396
Horseback riding on trails	6.6	297
Snowshoeing	6.1	275
Inline skating	2.5	113
Day hiking	36.7	1,652
Running or jogging	32.1	1,445
Mountain biking	30.7	1,382
Sledding	28.2	1,269

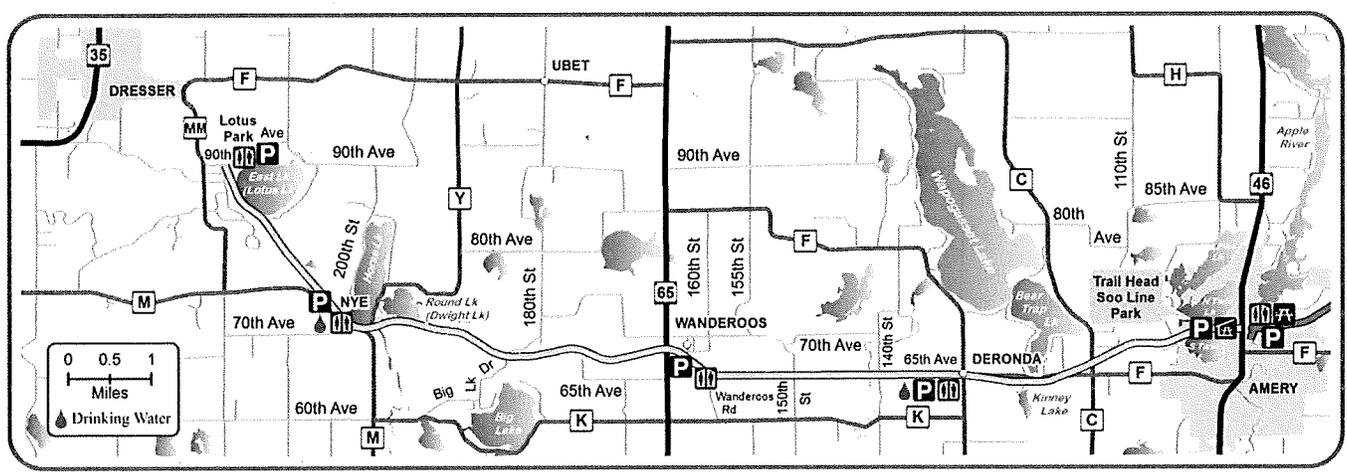
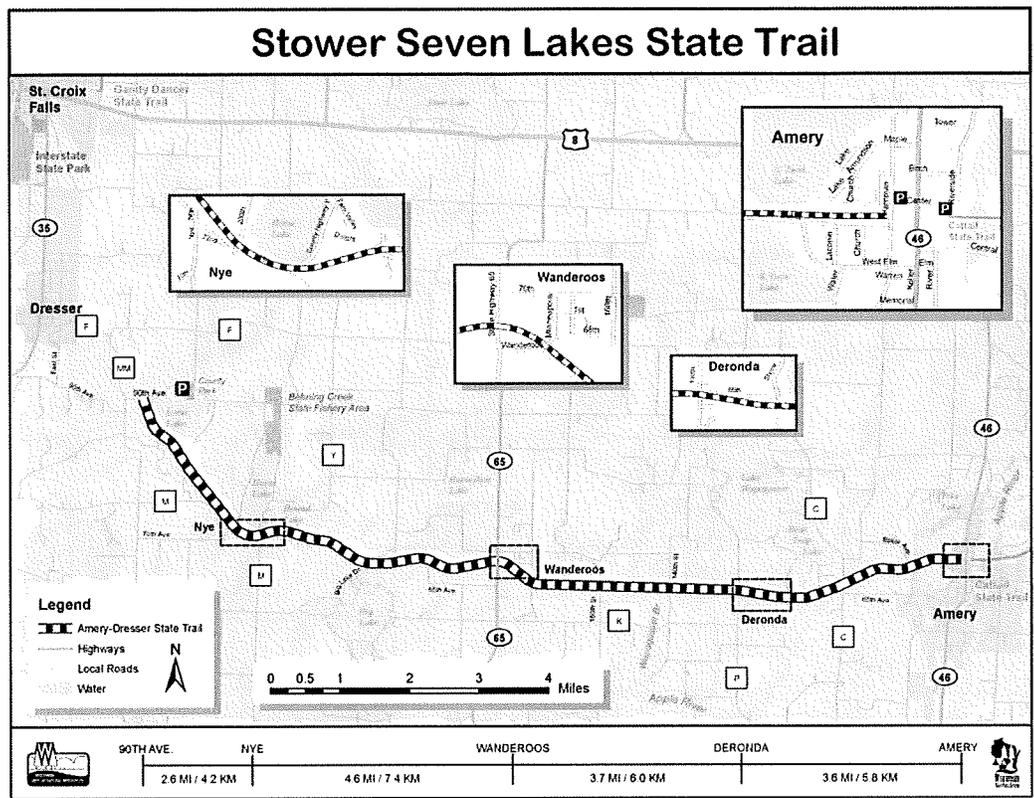
J. Analysis of Services

The potential need and demand for trail support services and facilities such as equipment rental and service, bicycle pass outlets, food, beverages, lodging, accessories, memorabilia, etc. will occur to some degree in the future. As it is quite difficult to accurately predict either the future use of the trail or the corresponding ability of the public sector to respond to it, the recommended alternative is (b) public/private cooperation. The public sector will encourage the private sector to provide for trail user needs. When necessary, the public sector will cooperate in the provisions of support facilities and services. The issue of public participation in the provision of the trail support facilities and services should be closely reviewed at least every five years and the trail Master Plan revised accordingly.

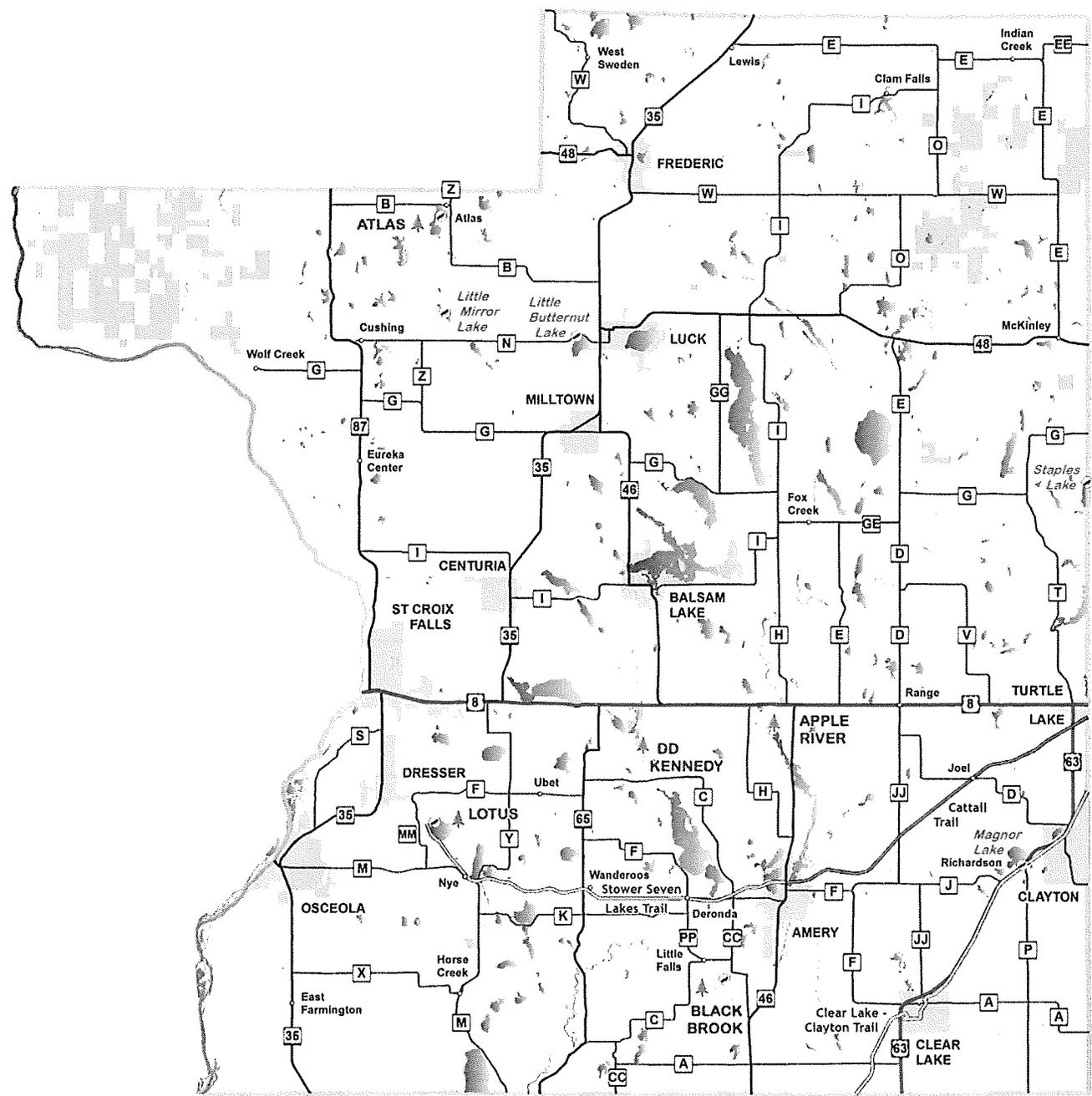
APPENDIX

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Map 1



Map 2



APPENDIX A: MOU

**MEMORANDUM OF UNDERSTANDING
BETWEEN POLK COUNTY AND
THE STATE OF WISCONSIN, DEPARTMENT OF NATURAL RESOURCES**

I. Introduction

The purpose of this Memorandum of Understanding (MOU) is to set forth the agreements and understandings which have been reached between Polk County (County) and the State of Wisconsin Department of Natural Resources (Department) regarding the development and operation of approximately 13.48 miles of former rail corridor located in Polk County formerly known as the Amery to Dresser State Trail and now known as the Stower Seven Lakes State Trail (Trail). The property on which the Trail is located (Property) is presently owned by the Department.

The Department is interested in preserving former rail corridors for trail purposes and in creating trails for public use. The County has developed the Trail through earlier agreements with the Department, and is interested in continuing to maintain and operate the Trail as a public recreational trail. The County and the Department agree to work together to achieve their mutual goals as set forth below, and they agree that this MOU and the trail easement it references shall replace and supersede all earlier agreements between the Department and the County that pertain to the Trail.

II. Description of the Property

The property subject to this MOU is described generally as the grade from Amery to a point just southeast of Dresser, Wisconsin (Property). An exact legal description of the property is attached to this document as Exhibit A and a map of the Property attached hereto as Exhibit B. The trail easement referred to in this MOU, when executed, shall include and incorporate this MOU and all of its exhibits.

III. Consideration

The Department has acquired the grade from Amery to Dresser from the corridor owner. The Department will execute a trail easement with the County for the purposes contained in this document. The County will develop, operate, repair, and maintain the Trail.

IV. Obligations of the Department

1. The Department will convey by easement to the County the right to develop and to continue to operate, repair, and maintain the Trail as a component of the State Trail System. The County accepts the property "as is" on the date of conveyance.
2. The Department represents that it has made reasonable inquiry and has no reason to believe that hazardous waste, noxious waste, or any other condition of the land subject to this MOU exists that would inhibit the ability of the County to possess and improve the property as contemplated by this MOU. If, however, such prohibitive conditions are discovered, either the Department shall take all steps reasonably

necessary to remove such conditions or the intent of this MOU being frustrated, the MOU shall terminate.

3. The Department will work with the County to identify funding sources for the development and repair of the Trail.
4. The Department will continue to designate the Trail as a "State Trail" under section NR 51.73, Wis. Adm. Code. The Trail will be included in any appropriate list of State Trails.
5. The Department will continue to make its Adopt-A-Trail program available to the County. The Department has an application process for groups interested in adopting a section of State Trail. This program is similar to the Department of Transportation's Adopt-A-Highway program.
6. The Department and the Natural Resources Board, with input from the County, will determine the allowable hunting, fishing, and trapping opportunities on the Property pursuant to section 29.089, Wis. Stats.

V. Obligations of the County

1. The County, with the assistance of the Department, will coordinate and prepare a plan for the Trail that describes trail management and development within two years of the conveyance of the easement. Specific recreational uses will be determined through the planning process. Per section NR 44.04 (13), Wis. Adm. Code, this plan is not required to comply with Chapter NR 44, Wis. Adm. Code; however, the plan shall be consistent with Chapter NR 44, Wis. Adm. Code to the extent practicable. The County shall review its Trail plan every 15 years to determine if the plan should be amended, revised or extended for another 15-year period. The County shall take measures to reasonably notify interested persons of said review, and then shall use an appropriate public involvement process to determine or examine issues related to management and use of the property and the need for plan revision. The plan shall contain a provision providing that it remains in effect until the County takes action to modify it.
2. The plan must include, at a minimum:
 - a. A public notification and participation process allowing for public comments on the draft plan.
 - b. A list of allowed trail uses, including where and when they are allowed (e.g. winter bicycling is allowed from Hwy Y to the Main Street trailhead, only when snow cover is 6" or greater). Year-round bicycling is encouraged and may be allowed in conjunction with snowmobile use (if allowed) Walking must be allowed on the Property at all times (section NR 1.61, Wis. Adm. Code).
 - c. A list of hunting, fishing, and trapping activities and areas as determined by the Department and Natural Resources Board pursuant to section 29.089, Wis. Stats. (shown on a map).

- d. A list of existing and anticipated support facilities (e.g. restrooms, parking lots).
 - e. A map showing locations of existing and anticipated support facilities and use zones.
 - f. Projected development costs.
 - g. Plans to address any identified environmentally sensitive or culturally or historically significant areas.
 - h. A set of management alternatives for the Trail, with a preferred alternative (the alternative that will be used) identified.
 - i. An estimated number of users per year.
 - j. The name and address of the office that will be managing the Trail.
 - k. An emergency action plan to include protocols and procedures for responding to reports of potentially hazardous conditions on the Trail.
 - l. The identification of desired vegetation types along the Trail.
3. The County will participate in or conduct public meetings, which are necessary for the establishment and development, management, and improvements of the Trail project, including for any major changes to the trail plan, such as eliminating or adding allowed trail uses or authorizing special events not addressed by the trail plan. The County should make its best efforts to comply with the intent of Chapter NR 44, Wis. Adm. Code, as it relates to public participation.
 4. The County shall provide a copy of the completed plan, with all of its exhibits, to the Department.
 5. The County shall develop, maintain, repair, and operate the Trail located within the County for recreational purposes, as funding becomes available.
 6. The County agrees that the development, construction, maintenance, and repair of the Trail will meet or exceed Department trail standards and any applicable standards mandated by state or federal law. The County further agrees that in operating the Trail, the County will comply with all applicable state and federal laws.
 7. The County shall comply with statutory inspection requirements in accordance with section 23.115(2), Wis. Stats., further described in Department Manual Code 2527.20, and shall provide the Department with copies of all inspection reports.
 8. Vegetative management.
 - a. Trees.
 1. Forest cover. Trees on the Property remain the property of the Department. Any proposed commercial timber sale must be reviewed by the Department. Although cooperative state trails are specifically excluded from forest certification, sustainable forestry practices are encouraged to maintain desired forest cover types. Depending on the desired cover type, different commercial or non-commercial practices may be used. When active management is proposed, the County shall

- coordinate review of the proposed management activity with appropriate Department staff.
2. Hazard tree management. Hazard trees should be identified during the biannual property inspections (further described in Section V. 8. herein). If the volume of hazard trees is too large for County staff to handle, it agrees to consider contracting a commercial sale or other approach. Such work shall be coordinated with the Department.
- b. Non-tree vegetation including saplings, shrubs, and herbaceous vegetation.
1. Management for routine trail maintenance. A minimum maintained (clear) shoulder of at least 2 feet on either side of the trail tread (the traveled portion of the trail) is recommended. Acceptable maintenance techniques can include mowing, brushing, chainsaw work, and or pesticide application.
 2. Habitat conversion or establishment. If there is an opportunity to develop or enhance native habitat types, as established in the trail plan, the County will consult with the Department in the development of habitat projects. Such projects may include developing a prairie on a larger block of land within the trail right-of-way or along the trail corridor. Projects will be considered for approval by the Department if they are not adverse to existing laws or Department policy, and if they do not negatively impact an existing use.
- c. Pesticide application. Any pesticide application should be in accordance with Department Manual Code 4230.1 concerning DATCP (Department of Agriculture, Trade and Consumer Protection) certification and Department policy. The Department shall be notified of any proposed pesticide application in early fall of the year preceding the proposed application, to ensure that the required process can be followed for pesticide use on Department lands (Department Manual Code 4230.1).
9. The County shall secure and comply with all federal, state and local permits and licenses required for the construction, installation, operation, maintenance, repair, and/or reinstallation of the Trail including, without limitation, zoning, building, health, environmental permits or licenses. The County shall indemnify the Department against payment of the costs therefor and against any fines or penalties that may be levied for the County's failure to procure or to comply with such permits or licenses, and the County shall pay any remedial costs to cure violations of federal, state or local laws. The Department agrees to cooperate with the County in securing any such permits or licenses by providing information and data upon request.
 10. The County agrees that any signage or display material relating to the Trail shall clearly identify the property is a State Trail owned by the Department and under the management and control of the County. No commercial advertising shall be allowed on the Property, unless the signage and its placement are in accordance with Department policy. The County may allow signs providing directional information about Trail-related services. No specific business names, commercial logos or fonts,

trademarks, or other advertising shall appear in signage within the Trail corridor. The Department reserves the right to remove non-compliant signage located on the Property. In the event that the Department's signage policy is modified, the above section on signage shall automatically reflect the modification.

11. The County, in connection with this MOU, shall open Trail-related facilities to the general public subject to reasonable rules and regulations, fees, and charges, as outlined below, for the management and operation of the Trail.

A. Rules and regulations.

Pursuant to section NR 45.02, Wis. Adm. Code, the Department retains management, supervision, and control over the Property for the purpose of enforcing Chapter NR 45, Wis. Adm. Code, when needed to protect the public or the Property. Daily routine enforcement remains the responsibility of the County. The County and other local units of government may adopt Chapter NR 45, Wis. Adm. Code provisions by ordinance.

B. Admission Fees.

The County must use the Department's trail pass fee program if it charges a fee for use of the Trail. If admission fees are charged, the State Trail Pass (both annual and daily), the conservation patron license, and senior citizen recreation card issued by the Department shall be honored without additional admission charges. The County shall agree to waive all admission fees on State Parks Open House Day, whose date is determined by the Department, and on National Trails Day. National Trails Day is the first Saturday in June.

If the County uses the Department's trail pass fee program, the County may retain a commission that must be used for Trail operations and maintenance as provided for in section 27.01 (8m), Wis. Stats. A separate Trail Pass Sales Agreement between the County and the Department will be executed, detailing the sales and remittance procedures. The County may use sub-vendors to sell the passes.

If section 27.01(8) or (8m), Wis. Stats., is modified, this section on admission fees shall automatically reflect the modification.

12. In the exercise of its rights herein, including but not limited to the operation of the Property as a Trail, the County shall not discriminate against any member of the public on the basis of age, race, creed, color, handicap, sex, marital status, arrest or conviction records, ancestry, sexual orientation, or membership in the National Guard, state defense force or any other reserve successors or designees.

13. The County may enter into an agreement with a Friends Group which meets the criteria in section NR 1.71, Wis. Adm. Code, and Department policy. In recognition of the status of this Trail as a State Trail, the County agrees that the Department shall also be a co-signer of any Friends agreement.

14. The County may enroll volunteers in the Department's Adopt-A-Trail program, in accordance with Department policies and procedures.
15. The County will indemnify and hold harmless the Department and its employees against all claims, damages, costs, and expenses, including reasonable attorney's fees, arising from the performance of this MOU by the County, its agents, contractors, servants, licensees, permittees, or employees. In case any action or proceeding is brought against the Department or its employees by reason of any such claim, the County, upon notice from the Department, will defend such action or proceeding.
16. Any contract between the County and a third party to perform duties authorized by this MOU must bind the third party to the County's obligations under this MOU.

VI. General

1. This MOU is subject to all applicable laws and regulations.
2. This MOU may be revised or amended by mutual written agreement of the Department and the County.
3. The Department must approve, and has sole discretion over, all land transactions, crossings, and easements for the Property, but the County will be the first point of contact for inquiries from the public and/or private entities on these matters. Guidelines relating to easements for driveway and road crossings will be provided to the County. If a request conforms to the guidelines, it will be referred to the Department. If a request does not conform to Department guidelines, the County will deny the request. The Department retains the right to issue other non-conflicting easements, leases, or permits, but shall make every effort to refrain from entering into agreements that would physically alter the Trail or limit its use. The Department shall retain all proceeds from these transactions.
4. An annual meeting between the County and Department will take place to review development and acquisition progress, operational problems and maintenance standards needing attention and to exchange ideas and information for the good of the Trail project.
5. This MOU shall not be construed as creating a public debt on the part of the Department in contravention of Article VIII, Wisconsin Constitution and all payments or obligations hereunder are subject to the availability of future appropriations.
6. The County assumes complete responsibility for the development, operation, maintenance, and repair of the Trail. The Department has no obligation to develop, operate, maintain, or repair the Trail at any time.

7. This MOU does not create an employment or agency relationship between the Department and the County, any employees or agents of the County, or any third parties.

VII. Termination

1. County. The County may terminate this MOU by providing to Department ninety (90) days written notice of said termination. In the event the County terminates this MOU or the easement from the Department, the County will retain compliance responsibility for any state or federal grant obtained for Trail development and support purposes.
2. Department. The Department may terminate this MOU or the easement with the County in the event that:
 - A. The County breached any term or condition in the MOU or the easement and said breach remains uncorrected for a period of sixty (60) days from the receipt of the Department's written notification of said breach by the County. In the event the County breached any term or condition of this MOU or the easement from the Department, the County will retain compliance responsibility for any state or federal grant assisted areas.
 - B. The Department determines that the continued use of the premises as a Trail would be inconsistent with the management needs or objectives of the Department or the State of Wisconsin. In exercising its termination rights under this provision the Department shall give the County 180 days' notice of termination and reimburse the County for developed improvements, subject to consideration of any state or federal grant funds used in the development of the improvements and the availability of future appropriations. The Department will assume compliance responsibility for any federal grant obtained for Trail development purposes.

IN WITNESS WHEREOF, Department and the County have caused this instrument to be executed in their respective names by their respective duly authorized representatives.

POLK COUNTY

By *Thy Luke*
~~Dean Johanson~~, County Board Chair
 Thy Luke

12/27/17
 Date

By *Sharon E. Jorgenson*
 Sharon E. Jorgenson, County Board Clerk

12-27-17
 Date

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Ed Elbe
Daniel L. Meyer, Secretary

2-28-18
Date

12/04/17

APPENDIX B: IMPACT ASSESSMENT

Executive Summary

Polk County, P.O. Box 623, Balsam Lake, WI 54810-0623, retained Ayres Associates to conduct a Phase I Environmental Site Assessment (ESA) of the abandoned Central Ltd. railroad corridor beginning 3 miles south of Dresser and extending to Amery, in Polk County, Wisconsin. Polk County intends to use the corridor for a recreational trail.

We prepared this Phase I ESA generally following procedures established by the American Society for Testing and Materials (ASTM). The ASTM publication that documents the ESA procedures is entitled *E1527-00 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The scope of services is in Appendix A.

Summary of Findings

Findings of this Phase I ESA are based on a site reconnaissance visit to view the subject property and adjoining properties, review of regulatory records and historical documents, and conducting interviews. The corridor was divided into seven separate sections for discussion purposes in the main report. Refer to Table 1 in the main report for a summary of findings for each of the seven sections along the railroad corridor. General findings are as follows:

- The subject property includes approximately 173.685 acres in portions of Sections 28, 29, 31, 32, 33, Township 33 North, Range 16 West; Sections 31, 32, 33, 34, 35, 36, Township 33 North, Range 17 West; and Sections 21, 25, 26, 27, 28, Township 33 North, Range 18 West, Polk County, Wisconsin.
- The subject property is currently owned by the Wisconsin Central Ltd. Railroad and is an abandoned railroad corridor constructed prior to the early 1900s. The railroad tracks have been removed from the subject property within the last 5 years. Right-of-way widths throughout the corridor are predominantly 100 feet with some variance in width from 40 feet to 200 feet in urban areas. The corridor runs generally in a west to east direction.
- Land use along the railroad corridor is primarily rural; however, the corridor runs through the unincorporated communities of Nye, Wanderoos, and Deronda, and the City of Amery.
- The railroad grade consists of an elevated railbed with a gravel surface. Rural sections of the corridor are covered with vegetation that is encroaching along both sides of the railbed.
- Topography is generally flat to gently sloping and varies approximately 90 feet in elevation from west to east. Surface water features include Lotus Lake, Round Lake, Horse Lake, Bear Trap Lake, Kinney Lake, Mud Lake, North and South Twin Lakes, Sucker Branch Creek, and the Apple River. The depth to ground water varies from near surface to about 10 feet below ground surface on the subject property.
- Lowlands, recreational lakes, farmland and farmsteads, woodlands, fallow grasses, and residences border rural areas of the subject property. The urban areas in Nye, Wanderoos, Deronda, and Amery include residential and commercial development.
- No building structures, aboveground storage tanks (ASTs), underground storage tanks (USTs), hazardous waste, soil staining, or stressed vegetation were observed on the subject property.

- Occasional piles of solid waste (refrigerators, freezers, and other materials) are scattered along the borders of the subject property. This waste appears to have been disposed by local residents and not by railroad use.
- This assessment did not reveal any sources of contamination originating on the subject property. Environmental records searches did reveal nine recognized environmental concerns (RECs) associated with properties that adjoin or are near the subject property. All of these properties pose a potential contamination threat to the subject property through migration from these off-site sources. Refer to Table 1 for a listing of these properties.

Conclusions

We performed this Phase I ESA of 13.48 miles of railroad corridor beginning 3 miles south of Dresser extending to Amery, in Polk County, Wisconsin, in general conformance with the scope and limitations of ASTM Practice E 1527-00. Any exceptions to, or deletions from, this practice are described in the "Limitations and Exceptions of Assessment" section of this report. This Phase I ESA revealed evidence of 10 recognized environmental conditions (RECs) that have the potential to affect the subject property. The following is a list of the RECs:

Nye Store LUST site	Section 1	(See Figure 7 for location)
Wanderoos Gift & Grocery LUST site	Section 4	(See Figure 7 for location)
Anderson Property ERP site	Section 7	(See Figure 7 for location)
Gorres Oil Co. Bulk Plant ERP site	Section 7	(See Figure 7 for location)
Equity Cooperative DATCP site	Section 7	(See Figure 7 for location)
Superlocker LUST site	Section 7	(See Figure 7 for location)
Amoco bulk plant site	Section 7	(See Figure 7 for location)
Railroad section house site	Section 7	(See Figure 7 for location)
City of Amery LUST site (Center Street)	Section 7	(See Figure 7 for location)

These sites are within close proximity to the subject property and are still under investigation, remediation, or environmental monitoring. They pose a potential threat to soil and ground water quality on the subject property. They should not impede the use of the property as a recreational trail; however, there is a risk that excavation or installation of a potable water supply near these sites could encounter contamination.

The discarded solid waste along the subject property is a business environmental risk that should be taken into account when purchasing this property. Other than the solid waste, no environmental concerns originating from the subject property were discovered in this assessment.

Introduction

Polk County, P.O. Box 623, Balsam Lake, WI 54810-0623, retained Ayres Associates to conduct a Phase I Environmental Site Assessment (ESA) of an approximately 13.48-mile railroad corridor beginning 3 miles south of Dresser and extending to Amery, in Polk County, Wisconsin. The Wisconsin Central Ltd. Railroad currently owns the corridor. Polk County intends to use the corridor for a recreational trail.

A book of figures (Exhibit A) supplied by Polk County is in Appendix A. The figures define the area of sale. The corridor is referred to as the subject property in this Phase I ESA report. To facilitate discussion, the corridor was divided into seven sections. The sections are as follows:

Section 1	90 th Avenue (start) to CTH Y (Nye)
Section 2	CTH Y (Nye) to Big Lake Drive
Section 3	Big Lake Drive to HWY 65 (Wanderoos)
Section 4	Hwy 65 (Wanderoos) to CTH P (Deronda)
Section 5	CTH P (Deronda) to CTH C
Section 6	CTH C to 105 th Avenue
Section 7	105 th Avenue to Apple River (finish)

Table 1 summarizes the location, length, and report figures that pertain to each section.

This Phase I ESA has generally been prepared following procedures established by the American Society for Testing and Materials (ASTM). The ASTM publication that documents the ESA procedures is entitled *E1527-00 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The scope of services is in Appendix B.

Purpose

The purpose of this Phase I ESA is to investigate the property with respect to the potential for petroleum contamination and the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This Phase I ESA identifies recognized environmental conditions (REC). The term "recognized environmental conditions" means the presence, or likely presence, of hazardous substances or petroleum products under conditions that indicate an existing release, a past release, or a material threat of a release into the ground, ground water, or surface water of the subject property. This Phase I ESA also identifies historical recognized environmental conditions (HRECs). The term "historical recognized environmental condition" means an environmental condition that in the past would have been considered a REC; however, due to remediation or case closure, the condition is not currently considered to be a REC.

Limitations and Exceptions of Assessment

This ESA does not include a certified asbestos survey, asbestos sampling, analyzing drinking water or painted surfaces for lead content, a naturally occurring radioactive materials (NORM) survey, or any other environmental sampling or testing (e.g., soil, water, air, building materials).

Weather conditions were overcast and warm on the day of the site reconnaissance visit and did not limit observations on the subject property. The entire property was viewed by driving a 4-wheel drive ATV along the corridor.

Site Description

Site Location and Property Description

The subject property covers portions of Sections 28, 29, 31, 32, 33, Township 33 North, Range 16 West; Sections 31, 32, 33, 34, 35, 36, Township 33 North, Range 17 West; Sections 21, 25, 26, 27, 26, Township 33 North, Range 18 West, in Polk County, Wisconsin. The general property location is shown on U.S. Geological Survey quadrangle maps in Figures 1, 2, and 3.

The subject property is approximately 13.48 miles long and encompasses approximately 173,685 acres. The tracks have been removed from subject property. No buildings are currently associated with the subject property. The approximate property boundaries are shown in Figures 4 through 20.

The property right-of-way width is generally 100 feet throughout the corridor. In urban areas including Nye, Wanderoos, Deronda, and Amery, the right-of-way varies from 40 feet to 200 feet in width.

Site and Vicinity Characteristics

The entire property consists of an elevated gravel railroad grade with vegetation protruding along the length of the corridor. Vegetation included grasses, weeds, and trees.

The subject property traverses rural and urban areas in a generally west to east direction. Rural areas include occasional residences, farmsteads and farm fields, lowlands, lakes, streams, and woodlands. In urban areas, numerous residences and businesses border the property. Urban areas include Nye, Wanderoos, Deronda, and Amery. Businesses include a gas station in Nye, a bread store and storage shed in Wanderoos, Anderson Construction and Supply east of Deronda, a refurbished train depot (Bear Trap School No. 6) east of CTH C, Ferrell Gas east of 105th Avenue, and an elementary school, chiropractor, Lamperts Lumber and a closed meat packing plant and deli in Amery.

Current and Past Uses of Subject Property

The tracks have been removed from the railroad grade and local residents are currently using the property as a recreational trail. Portions of the property have been washed out or are partially overgrown by vegetation. In the past, the property was used as an active railroad track to haul freight. Before the property was a railroad, it was either undeveloped or used as farmland. The subject property does not currently have any building structures or improvements other than culverts, bridges, and utility crossings.

Current and Past Uses of Neighboring Properties

Current land uses on neighboring properties include the following:

Section 1—Farmland, lowland, fallow grasses, recreational lakes, commercial, woodland and residential

Section 2—Recreational lake, lowland, farmland, woodland, fallow grasses, and residential

Section 3—Farmland, woodland, lowland, fallow grasses, and residential

Section 4—Lowland, farmland, woodland, fallow grasses, residential, and commercial

Section 5—Lowland, farmland, recreational lake, woodland, fallow grasses, and commercial

Section 6—Woodland, lowland, fallow grasses, residential, and a refurbished train depot

Section 7—Farmland, lowland, fallow grasses, recreational lakes, commercial, woodland, and residential, and includes the City of Amery

The general area has historically been farmland, woodland, and lowland with commercial areas near Nye, Wanderoos, Deronda, and Amery. Occasional residences have historically been located along the corridor and have become more numerous in recent years.

DRAFT

APPENDIX C: RESOLUTION

1 Resolution No. 28-18
 2 Resolution Providing for Comprehensive Planning Process for Stower Seven Lakes State Trail Plan
 3 and Cattail Trail (Polk County Segment) Plan

4 TO THE HONORABLE CHAIRPERSON AND SUPERVISORS OF THE COUNTY BOARD OF
 5 THE COUNTY OF POLK:

6 Ladies and Gentlemen:

7 WHEREAS, in coordination with the Wisconsin Department of Natural Resources (WDNR), Polk
 8 County manages and operates the Stower Seven Lakes State Trail and the Polk County segment of
 9 the Cattail Trail without a valid trail plan for the use of either trail as otherwise required by
 10 applicable Natural Resources regulation and specific provisions of the respective memorandum of
 11 understanding with WDNR; and

12 WHEREAS, it is beneficial to the citizens of Polk County and other users of these trails and in the
 13 interest of the County for Polk County to continue as sponsor and managing coordinator of the
 14 Stower Seven Lakes State Trail and the Polk County segment of the Cattail Trail; and

15 WHEREAS, the Environmental Services Committee has recommended to the County Board to
 16 provide for a comprehensive trail plan development process involving the two connected trails of the
 17 Stower Seven Lakes State Trail and the Polk County segment of the Cattail Trail, and to conduct
 18 such comprehensive process in accordance with Natural Resources administrative regulations
 19 concerning trail plan development, including, but not limited to Chapter NR 44 and the applicable
 20 provisions of the memorandum of understanding for each respective trail.

21 NOW, THEREFORE, the Polk County Board of Supervisors resolves as follows:

- 22 1. Resolution No. 43-17, Authorizing the Development of a Multi-Use, Multi-Season Trail
 23 Management Plan for Stower Seven Lakes Trail, is rescinded.
 24 2. Resolution 59-17, Affirming Polk County As Sponsor and Managing Coordinator of The
 25 Stower Seven Lakes State Trail, is amended, at Lines 23-28, as follows:

26 “NOW, THEREFORE BE IT RESOLVED that the Polk County Board
 27 of Supervisors affirms the commitment of Polk County to serve as
 28 sponsor and managing coordinator of the Stower Seven Lakes State Trail
 29 and the Polk County segment of the Cattail Trail and to perform or
 30 carry-out all responsibilities of sponsor and managing coordinator of the
 31 Trail each such trail consistent with applicable federal and state law,
 32 regulatory provisions, and grant conditions, and terms and conditions of
 33 the respective memorandum of understanding.

34 BE IT FURTHER RESOLVED that the Polk County Board of
 35 Supervisors agrees to the terms of the Memorandum of Understanding
 36 and Cooperative Easement, ~~attached hereto,~~ concerning the Stower
 37 Seven Lakes State Trail.”

- 38 3. The Environmental Services Committee is authorized and directed to engage in and conduct
 39 a comprehensive trail plan development process for the purpose of preparing a state trail plan
 40 for the Stower Seven Lakes State Trail and a trail plan for the Polk County segment of the Cattail
 41 Trail.
- 42 4. The Environmental Services Committee is authorized and directed to form a
 43 subcommittee to develop and provide advisory recommendations to the Committee in the
 44 course of the comprehensive trail planning process, including, but not limited to, the
 45 formation of the trail plans that would be presented for public hearing conducted by the
 46 Committee.
- 47 5. Such subcommittee shall be composed of 5, 7 or 9 members as determined and appointed
 48 by the Environmental Services Committee.
- 49
- 50 6. The membership of the subcommittee shall include one member of the Environmental
 51 Services Committee, who shall serve as subcommittee chairperson; at least one
 52 authorized representative of the Friends of the Stower Seven Lakes Trail; and the
 53 remaining members as persons who are affected by or interested in the use, management
 54 and operation of either the Stower Seven Lakes State Trail or the Polk County segment of
 55 the Cattail Trail.
- 56 7. Notwithstanding present resolution to the contrary, the members of the subcommittee
 57 may receive per diem compensation as determined by the County Board after the
 58 Committee has formed the subcommittee and appointed its members.
- 59 8. The comprehensive planning process authorized herein and the trail plans prepared
 60 through such process shall be consistent with Chapter NR 44, Wis. Adm. Code to the
 61 extent practicable and the applicable terms and conditions of the memorandum of
 62 understanding between Polk County and the Wisconsin Department of Natural Resources
 63 Department.
- 64 9. The provisions of Resolution No. 59-17 not affected herein shall remain in effect.

Fiscal Note: This resolution does not require additional appropriation from the General Fund for the 2017 fiscal year to carry out the organizational matters of the resolution. The costs to carry out the organizational matters can be covered with the budgets of the County Board and the county department designated to administer and manage the trails. The costs to gather data and analysis and preparation for public involvement participation events are unknown at this time and will be addressed when the Environmental Services Committee prepares a public involvement plan.

Legal Note: The resolution presents no legal impacts and provides for compliance with administrative regulation and contractual obligations concerning the County's management and operation of the respective trails.

Signed and sponsored by:

Brad Olson, Supervisor, District #1

James Edgell, Supervisor, District #8

Doug Route, Supervisor, District #2

Kim O'Connell, Supervisor, District #9

Dean Johansen, Chair,
Supervisor, District #3,

Larry Jepsen, 2nd Vice Chair,
Supervisor, District # 10

Chris Nelson, Supervisor, District #4

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

Tracy LaBlanc, Supervisor, District #5

Kate Isakson, Supervisor, District #12

Brian Masters, Supervisor, District #6

Russell Arcand, Supervisor, District #13

Michael Prichard, Supervisor,
District #7

John Bonneprise, Supervisor, District #14

Joe DeMulling, Supervisor, District #15

Effective Date:	Upon Passage
Dated Submitted To County Board	March 20, 2018
Reviewed and Approved as to Form:	Second Reading:
<u>Jeffrey B. Fuge</u> Jeffrey B. Fuge, Interim County Administrator/Corporation Counsel	Fiscal Impact and Legal Impacts: As stated in the resolution.
<p>At its regular business meeting on the 20th day of March, 2018, the Polk County Board of Supervisors acted on Resolution No.28-18: Resolution In Resolution Providing for Comprehensive Planning Process for Stower Seven Lakes State Trail Plan and Cattail State Trail (Polk County Segment) Plan , as follows:</p> <p><input checked="" type="checkbox"/> Adopted by simple majority of the board of supervisors by a vote of <u>8</u> in favor and <u>10</u> against. <u>1 absent</u></p> <p><input type="checkbox"/> Enacted by unanimous vote.</p> <p><input type="checkbox"/> Defeated</p>	
<p>SIGNED BY: <u>Dean Johansen</u> Dean Johansen, County Board Chairperson</p> <p>Attest: <u>Sharon E. Jorgenson</u> Sharon E. Jorgenson, County Clerk</p>	

Ordinance No. 53-18
Acquisition and Sale of Tax Deeded Lands

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

Ladies and Gentlemen:

NOW, THEREFORE, BE IT ORDAINED that, pursuant to Sections 75.35, 75.521 and 75.69, Wisconsin Statutes, the Polk County Board of Supervisors repeals Ordinance Nos. 01-92; 3-96; and 1-12, and enacts this ordinance for the concerning the acquisition and sale of tax delinquent properties, as follows:

1. Title: This ordinance may be cited as the Acquisition and Sale of Tax Delinquent Properties.

2. Purpose:

- a. This ordinance is enacted to establish procedures for the acquisition of tax delinquent properties by the foreclosure of tax liens as provided for pursuant to Section 75.521, Wisconsin Statutes. This ordinance is also enacted to provide for procedures for the sale of tax deeded lands and create penalties for the failure to pay real property taxes in a timely manner.
- b. The Treasurer and the committee shall acquire and dispose of tax deeded lands so as to realize as much tax revenue as circumstances may permit, and without speculation as to the future sale value of such lands.

3. Definitions:

- a. "Certified Appraiser" means a certified appraiser as defined in Section 458.01(7), Wisconsin Statutes.
- b. "Clerk" means the Polk County Clerk.
- c. "Committee" means the Environmental Services Committee.
- d. "Director" means the Polk County Parks, Forestry, Building and Solid Waste Director.
- e. "Former owner" means the person, persons or business entity last holding title to lands which the County has taken by tax deed and includes the heirs and personal representatives of the estate of any such person or entity.
- f. "Tax deeded lands" means lands which have been acquired by Polk County through enforcement of the collection of delinquent taxes by tax deed, foreclosure of tax certificates, deed in lieu of tax deed, or other real estate tax collection means.
- g. "Treasurer" means the Polk County Treasurer.

4. Duties and Responsibilities:

- a. The Treasurer shall administer this ordinance in accordance with its provisions.
- b. The Committee shall oversee the administration of this ordinance. The Committee is empowered to authorize and direct the sale of tax deed lands in accordance with

49 Section 75.69. The Committee is empowered to determine the appraised value of tax
 50 deed lands and to retain a certified appraiser to set appraised value of tax deed lands.
 51 c. The Director shall manage tax deed lands acquired by the County. The Director is
 52 empowered to conduct the sale of tax deed lands as authorized and approved by the
 53 Committee.

54
 55 5. Procedures For Sale:

56
 57 a. No tax deeded lands shall be offered for sale unless the procedures of this ordinance
 58 shall have been complied with. All costs and fees for professional services incurred
 59 by the County in the appraisal or sale of tax deeded lands shall be paid out of the tax
 60 deed expense account.

61
 62 6. Preferences to Former Owners:

63
 64 a. The treasurer is authorized to sell tax deeded lands to the former owner who had lost
 65 title to real property through delinquent tax collection enforcement procedures, or
 66 his or her heirs, pursuant to the authority provided in Section 75.35(3), Wisconsin
 67 Statutes. In so doing, the treasurer may, at the discretion of the treasurer, give such
 68 former owner preference over others in the purchase of said lands.

69
 70 b. Under the preference provided in this paragraph, any former owner(s) or his or her
 71 heir(s) who has lost his or her title to land through delinquent tax collection
 72 enforcement procedure shall have the right to purchase such land back from the
 73 County as authorized in Section 75.35(3), Wisconsin Statutes. The preference to
 74 former owner shall in no manner create any right of first refusal in any former
 75 owner. Failure to give notice to the proper party as former owner shall not create a
 76 right in any person or persons to redeem tax deeded lands.

77
 78 c. Any sale made to a former owner pursuant to this section shall be exempt from the
 79 operation of Section 75.69, Stats., but no such sale shall be approved by and
 80 authorized by the Committee, unless the former owners pay to the County all the
 81 delinquent taxes which were the basis for the taking of tax deed, plus interest, and
 82 any penalties established by law and all taxes owing to a taxing jurisdiction for
 83 special assessment, as defined in Section 75.36(1) Wisconsin Statutes, a pro rate
 84 share of the costs of the tax collection enforcement proceedings plus an additional
 85 sum of 3% of all the aforementioned amounts of \$100, whichever is greater.

86
 87 d. The former owner(s) or his or her heir(s) shall pay the taxes for the year in which the
 88 purchase from the County took place or the amount the taxes would have been in said
 89 year had the County not taken tax deed to the property.

90
 91 e. Lapse of Preference: Any former owner(s) or his or her heir(s) who have lost title to
 92 property through the delinquent tax collection enforcement procedure shall have 90
 93 days from the date that the court enters judgment that assigns title to the County to
 94 exercise their right under this ordinance. If those rights are not exercised within such
 95 specified time, they shall be forever lost.

Ordinance No. 53-18
Acquisition and Sale of Tax Deeded Lands

Fiscal Note: Enactment of this ordinances presents minimal fiscal impact.

Legal Note: Enactment of this ordinance presents no legal impact. This ordinance updates three ordinances concerning acquisition and sale of tax deeded lands.

Signed and sponsored by:

BY: _____

Brad Olson, Supervisor, District #1

James Edgell, Supervisor, District #8

Doug Route, Supervisor, District #2

Kim O'Connell, Supervisor, District #9

Dean Johansen, Chair,
Supervisor, District #3,

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

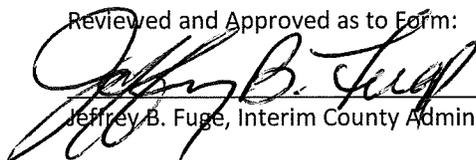
Russell Arcand, Supervisor, District #13

Michael Prichard, Supervisor, District #7

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

Joe DeMulling, Supervisor, District #15

Reviewed and Approved as to Form:



Jeffrey B. Fuge, Interim County Administrator/Corporation Counsel

At its regular business meeting on the ____ day of _____ 2018, the Polk County Board of Supervisors enacted Ordinance No. 53-18: Acquisition and Sale of Tax Deeded Lands, as follows:

- Adopted by majority voice vote
- Adopted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- Defeated: _____
- Other: _____

SIGNED BY:

Dean Johansen, County Board Chairperson

Attest: _____

Certification of Publication

Ord. No. 53-18, as enacted the _____ day of _____, 2018 was published in the Inter-County Leader on the ____ day of _____, 2018.

Sharon Jorgenson, County Clerk

Subject Matter Summary

Subject Matter Description:

Ordinance Repealing Designation and Service Contract for Humane Society and Revising Limits on Claims Made Against Dog License Fund

Legislative Process:

The proposed ordinance is placed before the General Government Committee and the Environmental Services Committee for recommendation. The proposed ordinance will be noticed for the October 16, 2018 County Board meeting.

Summary:

The proposed ordinance seeks to repeal the previous ordinance, Ordinance No. 05-15, which designated Arnell Memorial Humane Society as the county humane society and authorized a provider contract with Arnell. The contract has a four year term, expiring on December 31, 2018. The proposed ordinance would cause the contract to lapse rather than renew the contract. The proposed ordinance leaves in place the monetary limitations previously set for claims for damages cause by dogs and the annual cap for such claims.

Initially designated as the County's humane society in 1996, Arnell has been utilized for the care, custody, treatment and disposal of stray dogs within the County. In 2013, the County made the administrative decision to allocate the dog license moneys to Arnell, after receiving a legal opinion from Corporation Counsel. The legal opinion concluded that because the County had designated a county humane society, the balance of the dog license fund must be paid to the county humane society as a matter of statutory mandate. Under the mandate, the County lacked authority to pay any of the dog license fund moneys to the cities, villages and towns.

If enacted, the proposed ordinance would require the County to pay the moneys of the dog license fund to the cities, village and towns after paying the state its 5 percent of dog license fees collected; paying dog claims that have been allowed by the County Board; and reimbursing the County for the costs associated with administering the dog license law.

Administrator's Recommendation and Fiscal Impact Note:

The Administrator has not provided a recommendation on the proposed ordinance. The proposed ordinance alters the manner in which the county administers the County dog license fund by transferring the disbursement of such moneys from the county designated humane society to cities, villages and towns. Allowed claims against the dog license fund will continue to be paid out of moneys in the dog license fund. Otherwise, the ordinance presents no financial impact to county operation.

Legal Impact Note:

Enactment of the proposed ordinance cancels the county's designation of a humane society and ends the contractual relationship that the County has with the Arnell Memorial Humane Society. The County Board has the discretion to enact this ordinance and end that contractual relationship. Dog

licenses fees collected during the year of 2018 will be paid to Arnell Memorial Humane Society in January 2019 consistent with the terms of the current service agreement.

Ordinance No. 79-18
Ordinance Repealing Designation and Service Contract for Humane Society
and
Revising Limits on Claims Made Against Dog License Fund

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

Ladies and Gentlemen:

1 WHEREAS, the Polk County Board of Supervisors enacted Ordinance No. 05-15 to designate Arnell
2 Memorial Humane Society (Arnell) as the humane society for the County to provide and to authorize
3 a four-year contract with Arnell to provide for the care, custody, treatment and disposal of dogs; and
4

5 WHEREAS, Ordinance No. 05-15 also set monetary limits for claims that the County must pay from
6 the dog license fund for allowed claims for damages caused by dogs to domestic animals.
7

8 WHEREAS, under Wisconsin law, cities, villages and towns are responsible for issuing dog licenses,
9 collecting dog license fees and enforcing the dog license law and those state laws that regulate the
10 keeping of dogs; and
11

12 WHEREAS, the County's designation of a county humane society prevents payment of dog license
13 moneys to the cities, villages and towns so as to otherwise offset those costs incurred by those
14 governmental entities to administer the dog license law and to enforce state laws that regulate the
15 keeping of dogs;
16

17 WHEREAS, the contract for services with Arnell expires on December 31, 2018 and is subject to
18 renewal; and
19

20 WHEREAS, it is in the interest of the County to allow the contract with Arnell to expire without
21 renewal; to discontinue the designation of the county humane society; and to provide for the payment
22 of dog license moneys collected after January 1, 2019 to cities, villages and towns.
23

24 NOW, THEREFORE, the Polk County Board of Supervisors ordains as follows:
25

- 26 1. Ordinance No. 05-15 is repealed.
27
- 28 2. The previous designation of Arnell Memorial Humane Society as the county humane
29 society shall lapse effective December 31, 2018.
30
- 31 3. Limitation on Claims Made Against the Dog License Fund:
32
 - 33 a. The maximum amount that may be allowed for a claim for damages by dogs to
34 domestic animals, including loss of fair market value, injury or death, under
35 Wisconsin Statute Section 174.11 shall be limited to \$1,000 per claim, regardless of
36 the number of domestic animals that may be injured or killed in the incident or
37 occurrence that gave rise to the claim.
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b. The maximum amount that may be paid on such allowed claims in any one year shall be limited to \$2,000.00, regardless of the number of such claims that may be made against the County in any one year.

c. In the event that more than one claim for damages is presented for the injury or death of domesticated animals in which such claims all arose out of the same incident or occurrence, the Polk County Board of Supervisors shall treat such multiple claims as one claim. Said claim shall be limited by paragraph b., regardless of the multiplicity of claims filed.

4. Disbursement of Dog License Funds:

a. In accordance with Wisconsin Statute Section 174.09, the Clerk shall annually disburse the dog license fund moneys to the cities, villages and towns for their use in proportion in which the cities, villages and towns have contributed to the fund, after payment into the state treasury 5 percent of the minimum dog license tax as defined by Section 174.05(2), and after the Clerk has paid the County for the actual expenses incurred in administering the dog license law and paying the allowed claims for damages caused dogs during the license year for which the dog license taxes were paid.

5. With exception of 2, above, this ordinance shall become effective upon passage and publication.

Offered this _____ day of _____, 2018.

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

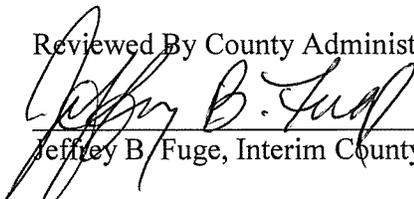
Michael Larsen
Michael Larsen, Supervisor, District #12

Russell Arcand
Russell Arcand, Supervisor, District #13

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

Joe DeMulling
Joe DeMulling, Supervisor, District #15

Reviewed By County Administrator:


 Jeffrey B. Fuge, Interim County Administrator

Fiscal Impact Note: The proposed ordinance alters the manner in which the county administers the County dog license fund by transferring the disbursement of such moneys from the county designated humane society to cities, villages and towns. If enacted, the ordinance would require the County to fund from sources other than the dog license fund expenses incurred by the County to administer the dog license fund. Allowed claims against the dog license fund will continue to be paid out of moneys in the dog license fund. Otherwise, the ordinance presents no financial impact to county operations.

Reviewed and Approved as to Form and Execution:


 Malia T. Malone, Assistant Corporation Counsel

Legal Impact Note: Enactment of the proposed ordinance cancels the county's designation of a humane society and ends the contractual relationship that the County has with the Arnell Memorial Humane Society. The County Board has the discretion to enact this ordinance and end that contractual relationship. Moneys in the dog license fund for the fiscal year 2018 will be paid to Arnell Memorial Humane Society in January 2019 consistent with the current service agreement.

Excerpt of Minutes

At its regular business meeting on the ___ day of October, 2018, the Polk County Board of Supervisors acted on Ordinance No. 79-18: Ordinance Repealing Designation and Service Contract for Humane Society and Revising Limits on Claims Made Against Dog License Fund, as follows:

- Enacted by majority voice vote
- Enacted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- Adopted by unanimous voice vote.
- Defeated: _____
- Other: _____

SIGNED BY:

ATTEST:

 Dean Johansen, County Board Chairperson Sharon Jorgenson, County Clerk

Ordinance No. 79-18
Ordinance Repealing Designation and Service Contract for Humane Society and
Revising Limits on Claims Made Against Dog License Fund

Certification of Publication

Ord. No.79-18, as enacted the _____ day of _____, 2018, was published in the Inter-County Leader on the ____ day of _____, 2018.

Sharon Jorgenson, County Clerk

Resolution No. 77-18

1 Resolution Concerning Offer of Northwestern Wisconsin Electric Company to Transfer Clam
2 Falls Dam

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

5 Ladies and Gentlemen:

6 WHEREAS, the Clam Falls Dam is owed by Northwestern Wisconsin Electric Company
7 (NWE) and under lease to Renewable World Energies, a subsidiary of Harris Energy Group;
8 and
9

10 WHEREAS, NWE has offered to transfer ownership and responsibility to the County along
11 with the sum of \$700,000, subject to certain terms of the offer, which is attached hereto; and
12

13 WHEREAS, NWE has represented that in May 2017 the Wisconsin Department of Natural
14 Resources had assigned a Significant Hazard rating to the dam and that in November 2017,
15 NWE conducted a Spillway Capacity Upgrade Feasibility Study wherein the estimated cost
16 of modifications necessary to be eligible for a Low Hazard rating was between
17 \$1,384,000,000 and \$1,542,000.00.
18

19 WHEREAS, the terms of the proposed transfer would require the County to retain a specific
20 contractor and modify the dam to a lower hazard rating.
21

22 WHEREAS, the terms of the proposed transfer would, in the alternative, require the County
23 to return to NWE \$325,000 if the County, within 3 years of the transfer, chose to either not
24 enter into a contract with the specified contractor or go with another contractor for
25 modifications to the dam; and
26

27 WHEREAS, as required by the provisions of County Finance policy pertaining to the
28 acquisition and management of real property, the Administrator has considered the offer and
29 has made a recommendation to reject the offer.
30

31 WHEREAS, the General Government Committee has recommended to reject the offer; and
32

33 WHEREAS, upon recommendation of the General Government Committee, the
34 Administrator has met with the Town of Clam Falls Chairperson, the NWE president and the
35 President and CEO of Harris Energy Group to discuss the possibility of joint ownership and
36 responsibility of the dam through an intergovernmental agreement between the County and
37 the Town of Clam Falls; and
38

39 WHEREAS, during such discussions, the County and the Town of Clam were informed that
40 NWE could apply to the Wisconsin Department of Natural Resources (WDNR) for a lower
41 spillway capacity or an exemption from the spillway capacity standards, such that the terms
42 of the offer would be significantly altered if NWE made the business decision to submit the
43 application and WDNR approval such application.
44

45 NOW, THEREFORE, BE IT RESOLVED, that Polk County Board of Supervisors rejects the
 46 offer of Northwestern Wisconsin Electric to transfer the Clam Falls Dam to the County on
 47 the proposed terms contained in the offer, attached hereto and incorporated herein.

Offered and Submitted on this ____ day of ____, 2018.

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 10/5/18

 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

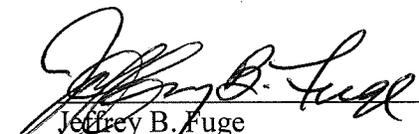
 Michael Larsen, Supervisor, District #12

 Russell Arcand, Supervisor, District #13

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

 Joe DeMulling, Supervisor, District #15

Reviewed By County Administrator:



 Jeffrey B. Fuge
 Interim County Administrator

Fiscal Impact Note: Rejection of the offer avoids all known and unknown costs. Acceptance of the offer presents considerable financial impact. Acceptance of the offer would bind the County to incur or otherwise fund the expenses associated with necessary modifications. Acceptance of the offer creates a contingent liability of \$325,000.00. Additionally, acceptance of the offer would subject the County to the compliance standards for maintaining the dam. The costs of future maintenance and management of the dam are unknown. The costs of abandonment of the dam in the future, if determined by the County Board, are also unknown.

Approved as to Form and Execution:



Malia T. Malone, Assistant Corporation Counsel

Legal Impact Note: Rejection of the offer presents no legal impacts. Acceptance of the offer binds the County to the terms of the offer of transfer. Acceptance would present the County with all legal requirements associated with ownership and management of a dam, including those regulations concerning abandonment.

Excerpt of Minutes

48 At its regular business meeting on the 16th day of October, 2018, the Polk County
49 Board of Supervisors acted upon Resolution No. 77-18: Resolution Concerning Offer of
50 Northwestern Wisconsin Electric Company to Transfer Clam Falls Dam, as follows:

- 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



Northwestern
Wisconsin Electric Company

Phone (715) 463-5371
FAX (715) 463-2765

104 South Pine Street • P.O. Box 9 • Grantsburg, WI 54840-0009

August 2, 2018

Mr. Dean Johansen, Polk County Chair
Polk County Government Center
100 Polk County Plaza
Balsam Lake, WI 54810

Dear Sir,

Enclosed please find an Offer to Transfer Clam Falls Dam whereby Northwestern Wisconsin Electric Company (NWE) is offering to transfer ownership of the Clam Falls dam to you along with the sum of \$700,000. NWE's offer is set out in its entirety in the enclosed document and is subject to the terms and conditions in that document.

NWE is making this offer with the same terms to both Polk County and the Town of Clam Falls.

NWE commits to providing as much information as it has available to help in your decision and to helping with the transfer.

I respectfully ask that you consider this offer and respond with a Yes or No vote by the Polk County Board prior to November 1, 2018.

Feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'David M. Dahlberg'.

David M. Dahlberg
President

Cc: Jeff Fuge, County Administrator

August 1, 2018

Offer to Transfer Clam Falls Dam

Northwestern Wisconsin Electric (NWE) hereby offers to transfer the Clam Falls Dam, the surrounding dam site and all property thereon (the Dam), on an as-is, where-is basis for no consideration, and to donate an additional sum of Seven Hundred Thousand Dollars (\$700,000) in cash to the entity acquiring the Dam.

The transfer will be subject to the approval of the Wisconsin Department of Natural Resources (DNR) and on the execution and consummation of a definitive written agreement for the transfer and related matters.

The donation of cash will be subject to the acquirer retaining Kiser Hydro LLC, as general contractor on a time and materials basis to make modifications to the Dam required to make it eligible for either a Significant or Low hazard rating, as follows: if the acquirer of the dam, within three (3) years of acquiring the Dam, does not enter into a contract with Kiser for repair of the Dam, or contracts with another contractor to do that work, the purchaser shall refund \$325,000 to NWE. Kiser's rate schedules are available upon request.

NWE will provide inspection reports and engineering studies they have received for the Dam to interested parties. Neither NWE nor Renewable World Energies LLC (RWE) former tenant of the Dam, make any warranty as to the accuracy, completeness or currency of any such reports or studies.

In their sole discretions, NWE and RWE will cooperate with the acquirer on a best efforts basis with respect to the required DNR approval and any applications for grants the acquirer makes to defray the repair and restoration costs of the dam. Each party will be solely responsible for its own expenses relating to the transfer.

Background

The Dam was built in 1914 and modified around 1953. It has a maximum height of approximately 35 feet and impounds the 127 acre Clam Falls Flowage. A bridge serving Polk County Highway I crosses the flowage just upstream from the Dam.

The Dam was last inspected in November, 2012, and has a current sufficiency rating of Conditionally Fair. Concrete repairs identified in the inspection report have not been completed.

In May, 2017, the DNR assigned a Significant hazard rating to the Dam. The Dam must be modified within five (5) years from that time to safely withstand a five hundred-year flood without over-topping. In November of 2017, Ayres Associates completed a Spillway Capacity Upgrade Feasibility Study which determined that, with modifications and an enhanced emergency action plan, the Dam could be assigned a low hazard rating. The estimated cost of the modifications at that time was between \$1,384,000.00 and \$1,542,000.00.

The alternative to making the required repairs and modifications to the Dam is to remove the Dam, which would drain the flowage, and remediate the Dam site. The current estimated cost of removal and remediation is approximately \$750,000.00.

It is the understanding of NWE that a municipality or other government body acquiring the Dam may be eligible for grants to repair the Dam. NWE further understands that a government body that owns the Dam would have the authority to collect a special one-time levy for repairs to the Dam. NWE makes no warranty as to the availability, terms or amount of grant money or other sources of funding for dam restoration.

If a transferee is not found before November 1, 2018, NWE will most likely begin the process of applying for abandonment and removal of the dam and restoration of the site.

Resolution No. 80-18

1 Resolution Concerning the Reorganization and Consolidation of County Departments

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

4 Ladies and Gentlemen:

5 WHEREAS, pursuant to Wisconsin Statute Sections 59.03 and 59.51, county boards have
6 the authority to exercise any organizational or administrative power, subject only to the
7 constitution and any enactment of the legislature which grants the organizational or
8 administrative power to a county executive or county administrator or to a person
9 supervised by a county executive or county administrator or any enactment which is of
10 statewide concern and which uniformly affects every county; and

11
12 WHEREAS, it is in the interest of the County to develop and implement restructuring
13 plans that are responsive to its citizens and constituency; achieve greater accountability
14 and enhance an informed decision making process; improve customer service and
15 satisfaction, and increase efficiencies and cost-effectiveness, where consistent with law;
16 and

17
18 WHEREAS, starting in 2015, the County restructured the various programs and service
19 units of the Human Services Department and the Health Department in the formation of
20 the Community Services Division, a division model that has achieved considerable
21 success through integration, consolidation and coordination of common and related
22 operational functions.

23
24 NOW, THEREFORE, BE IT RESOLVED, that Polk County Board of Supervisors
25 authorizes and approves of the reorganization and consolidation of county departments,
26 programs and services into three divisions, which are established and structured, as
27 follows:

- 28
29 1. General Government Services Division, being comprised of those current
30 departments of the Department of Administration, Employee Relations
31 Department; Information Technology Department; Corporation Counsel; County
32 Clerk and County Treasurer.
- 33
34 a. The Deputy County Administrator shall coordinate the programs and
35 services of the General Services Division; and administer and manage the
36 functions, programs and services presently delivered by or through the
37 Department of Administration, the Employee Relations Department and
38 Information Technology Department and appoint and supervise the
39 personnel of the division with exception of the personnel of the offices of
40 Corporation Counsel, County Clerk and County Treasurer and the
41 personnel appointed and supervised in said offices.
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- b. The Corporation Counsel shall administer and manage the Office of Corporation Counsel and appoint and supervise the personnel of said office.
- c. The County Clerk and County Treasurer will administer, supervise and manage their respective offices as provided by statute.

2. Highway and Facilities Division, being comprised of the departments of the Highway Department, County Buildings and Facilities; Lime Quarry; and Solid Waste and Recycling. The Highway Commissioner shall administer, manage and supervise the programs, services, functions of the Highway and Facility Division and appoint and supervise the personnel of said division.

3. Land Use Division, being comprised of the departments of the Land Information Department, Land and Water Resources Department, University of Wisconsin Extension Office; Parks, Recreation, Trails and Forestry; and Register of Deeds.

- a. The Land Information Director shall coordinate the programs and services of the Land Use Division; and administer and manage the functions, programs and services presently delivered by or through the Land Information Department; Land and Water Resources Department; University of Wisconsin Extension Office; Parks, Recreation, Trails and Forestry. The Land Information Director shall appoint and supervise the personnel of said division, with exception of the elected officials and personnel appointed and supervised by elected officials organized within the division.

- b. The Register of Deeds will administer, supervise and manage their respective offices as provided by statute.

BE IT THEREFORE RESOLVED that the County Administrator is directed to develop and present for General Government Committee recommendation and County Board approval the proposed organizational structures, division budgets and staffing plans consistent with the reorganization and consolidation made in this resolution.

Offered and Submitted on this 10th day of October 2018.

BY: Brad Olson
Brad Olson, Supervisor, District #1

Doug Route, Supervisor, District #2

Dean Johansen, Chair,
Supervisor, District #3,

Chris Nelson, Supervisor, District #4

James Edgell, Supervisor, District #8

Kim O'Connell, Supervisor, District #9

Larry Jepsen, Supervisor, District #10

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

Reviewed By County Administrator:


Jeffrey B. Fuge
Interim County Administrator

Fiscal Impact Note: The fiscal impact of the resolution is unknown at this present time.

Approved as to Form and Execution:


Malia T. Malone, Assistant Corporation Counsel

Legal Impact Note: The legal impact is unknown at this time.

Excerpt of Minutes

At its regular business meeting on the _____ day of _____, 2018, the Polk County Board of Supervisors acted upon Resolution No. 80-18: Resolution Concerning Reorganization and Consolidation of County Departments, as follows:

- 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

Subject Matter Summary

Subject Matter Description:

Resolution to Rescind Moratorium on the Administration of County Rural Road/Address Numbering System and to Call for the Vote on Proposed Ordinance No. 48-18: Polk County Uniform Rural Addressing and Road Numbering Ordinance

Legislative Process:

The proposed resolution is before the Public Safety and Highway Committee for recommendation. The notice of meeting for the October 16, 2018 County Board will give notice to the proposed resolution as an action item.

Summary:

The proposed resolution seeks to lift the moratorium placed upon the implementation of the rural road and address numbering system and call for the vote on the proposed Uniform Rural Addressing and Road Numbering Ordinance.

In May 2018, the County Board received the signed and sponsored proposed ordinance and referred the same to the Public Safety and Highway Committee for public hearing and recommendation. At its July 2018 meeting, the County Board passed Resolution No. 65-18, which placed a moratorium on address changes until the proposed ordinance is enacted. Resolution No. 65-18 also directed the Land Information Department to reverse any road and address numbering change, retroactively to January 1, 2018, that has been made and for which the County has received a complaint or objection.

The proposed resolution seeks to repeal Resolution No. 65-18 and to call for the vote on the proposed ordinance. If adopted, the proposed resolution takes out of committee the proposed Uniform Rural Addressing and Road Numbering Ordinance and places the same on the floor of the County Board for debate and action. If the resolution is adopted, administration of the rural road and address numbering system will continue, irrespective of the fate of the proposed ordinance.

Administrator's Recommendation and Fiscal Impact Note: The Administrator has recommended that the County Board adopt the proposed resolution.

Adoption of the resolution will have no additional fiscal impact to county operations. The rural addressing and road numbering system has already been implemented and funds that have already been appropriated and allocated for that purpose will be expended in the administration of that system.

Legal Impact Note: Adoption of the resolution lifts the moratorium and allows the Land Information Department to resume assigning numerical road names and numerical addresses. The County Board has the legal authority and as matter of parliamentary procedure to adopt the resolution. Adoption of the resolution would have the parliamentary effect of taking the proposed ordinance out of committee and placing it on the floor of the County Board for debate and action.

Resolution No. 76-18

1 Resolution to Rescind Moratorium on the Administration of
 2 County Rural Road/Address Numbering System and to Call for the Vote on Proposed
 3 Ordinance No. 48-18: Polk County Uniform Rural Addressing and Road Numbering Ordinance

4 TO THE HONORABLE CHAIRPERSON AND SUPERVISORS OF THE COUNTY BOARD OF THE COUNTY
 5 OF POLK:

6 Ladies and Gentlemen:

7 WHEREAS, on June 19, 2018, the Polk County Board of Supervisors received proposed Ordinance
 8 No; 48-18, Polk County Uniform Rural Addressing and Road Numbering Ordinance; and referred
 9 said proposed ordinance to the Public Safety and Highway Committee for public hearing and
 10 recommendation; and

11 WHEREAS, on July 17, 2018, the Polk County Board of Supervisors adopted Resolution No. 65-18,
 12 placing a moratorium on the administration of rural road and address numbering system that has
 13 been in place since 1978; and

14 WHEREAS, on August 7, 2018, the Polk County Public Safety and Highway Committee had
 15 conducted a public hearing concerning proposed Ordinance No. 48-18: Polk County Uniform Rural
 16 Addressing and Road Numbering Ordinance; and

17 WHEREAS, said committee has deferred making a recommendation on the proposed ordinance,
 18 despite finding no issue with the language contained in the ordinance; and

19 WHEREAS, continued administration of the rural road and address numbering system is vital to the
 20 safety of the citizens, who rely on fire protection and emergency services; and

21 WHEREAS, the moratorium is contrary to the interest of the Polk County.

22 NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors repeals Resolution
 23 No. 65-18, providing for a moratorium on the administration of the County Rural Road/Addressing
 24 System.

25 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors calls the proposed Ordinance
 26 No. 48-18: Polk County Uniform Rural Addressing and Road Numbering Ordinance out of the Public
 27 Safety and Highway Committee for the purpose of debate and action by the County Board.

Resolution to Rescind Moratorium on the Administration of
County Rural Road/Address Numbering System and to Call for the Vote on Proposed
Ordinance No. 48-18: Polk County Uniform Rural Addressing and Road Numbering Ordinance

Offered and Submitted on this ____ day of ____, 2018.

BY: Brad Olson

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

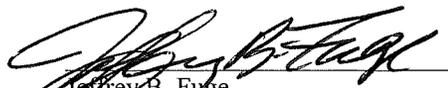
Russell Arcand, Supervisor, District #13

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

Joe DeMulling, Supervisor, District #15

Resolution to Rescind Moratorium on the Administration of
County Rural Road/Address Numbering System and to Call for the Vote on Proposed
Ordinance No. 48-18: Polk County Uniform Rural Addressing and Road Numbering Ordinance

Reviewed By County Administrator:


Jeffrey B. Fuge
Interim County Administrator

Fiscal Impact Note: The resolution presents no financial impact.

Approved as to Form and Execution:


Malia T. Malone, Assistant Corporation Counsel

Legal Impact Note:

Excerpt of Minutes

At its regular business meeting on the ____ day of _____, 2018, the Polk County Board of Supervisors acted upon Resolution No. ~~76~~-18: Resolution to Rescind Moratorium on the Administration of County Rural Road/Address Numbering System and to Call for the Vote on Proposed Ordinance No. 48-18: Polk County Uniform Rural Addressing and Road Numbering Ordinance, as follows:

- 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

ATTEST:

Sharon Jorgenson, County Clerk

Subject Matter Summary

Subject Matter Description:

Uniform Rural Addressing and Road Numbering Ordinance

Legislative Process:

In May 2018, the County Board received the signed and sponsored proposed ordinance and referred the same to the Public Safety and Highway Committee for public hearing and recommendation. the proposed ordinance remains in committee.

After public hearing at its August meeting, the committee postponed making a recommendation until it had received information concerning the implementation of the rural road numbering and addressing (Grid System) system. The committee has not considered any languages to the proposed ordinance as drafted.

The proposed ordinance will be noticed for action on the October 16, 2018 County Board meeting notice.

Summary:

Statutory law, Section 59.54(4) and (4m) give county boards the discretion to establish a rural naming or numbering system in towns for the purpose of aiding fire protection, emergency services and civil defense. The statute also authorizes county boards to appropriate and spend moneys for such systems. In 1978, the County Board adopted the present rural road and address system and did so without an ordinance that otherwise sets forth criteria on which the system would be administered.

The proposed ordinance identifies certain criteria on which the road numbering and addressing provisions become applicable. Enactment of the ordinance alone will not trigger the County to assign road numbers or address numbers. The proposed ordinance does not alter the manner in which the county has implemented the grid system. Similarly, the rural road and addressing system will continue irrespective of the fate of the ordinance.

The proposed ordinance standardizes the criteria on which roads and addresses are assigned. Under proposed ordinance language, assignment of a numeric road or numeric address is required on three specific circumstances:

1. New parcels created after enactment of the ordinance must receive a numerical address.
2. Existing parcels for which a land use permit is issued for new construction must also receive a numerical address.
3. Existing parcels which are adjacent to or along the same road as either a new parcel created after the ordinance is adopted or an existing parcel for which a land use permit for new construction are also required to be assigned a numeric road and numeric address.

The County has received public reaction both in support and in opposition of the proposed ordinance. Public reaction in support of the ordinance has cited that the ordinance and the grid system are necessary for law enforcement and emergency services to adequately respond to calls for such services. Public reaction in opposition to the ordinance has cited that costs of making numeric changes to

existing named roads and named addresses place an undue burden on the citizens which are required to update the addresses with numeric addresses consistent with the grid system standards contained in the ordinance. Public reaction in opposition to the proposed has also cited that the rural road and address numbering system is obsolete due to current and advancing technology and this technology would allow law enforcement and emergency services to appropriately and timely respond without changes to roads and addresses named with alphabetical characters. The County has also received input from towns in support of the ordinance and continuation of the rural road and address numbering system.

The committee has postponed making its recommendation until it has received information on whether the road and addressing system are obsolete. The committee has not undertaken a review of the language of the proposed ordinance for purposes of making a recommendation to the County Board concerning enactment of the ordinance.

Administrator's Recommendation and Fiscal Impact Note:

The Administrator has recommended that the County Board enact the ordinance with removal of the exception provision found at Section 7.2.

Enactment of this ordinance will have no additional fiscal impact to county operations. The rural addressing and road numbering system has already been implemented and funds have been appropriated and allocated for that purpose.

Legal Impact Note:

Enactment of this ordinance establishes a regulatory ordinance that is administered by the Land Information Department. The ordinance establishes a formal administrative process for the continued implementation of the rural addressing and road numbering system. The ordinance provides for a process for amendment of the ordinance and petitioning for an exception to the ordinance. The ordinance presents no legal impacts to the operation of the County outside the administration of such system.

Proposed Polk County Uniform Rural Addressing and Road Numbering Ordinance

Ordinance No. 48-18

**Polk County Uniform Rural Addressing and Road Numbering
Ordinance**

**Introduced: _____; Enacted: _____
Published: _____; Effective Date: _____**

2 **POLK COUNTY UNIFORM RURAL ADDRESSING AND ROAD NUMBERING**
 3 **ORDINANCE**

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Ordinance No. ____-18

26 POLK COUNTY UNIFORM RURAL ADDRESSING AND ROAD NUMBERING ORDINANCE

The Honorable Ladies and Gentlemen of the County Board of Supervisors for the County of Polk:

27 *NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF POLK*
28 *DOES ORDAIN, AS FOLLOWS:*

29 **Section 1.0 General Provisions**

30 1.1 **Authority**

31 This ordinance is adopted pursuant to authorization in Section 59.54(4) and
32 59.54(4m) of the Wisconsin Statutes.

33 1.2 **Title**

34 This ordinance shall be known as the "Polk County Uniform Rural Addressing and
35 Road Numbering Ordinance," hereinafter referred to as "this ordinance."

36 1.3 **Jurisdiction**

37 This ordinance shall establish a county-wide rural address numbering system for
38 the unincorporated areas of Polk County, Wisconsin.

39 1.4 **Purpose**

40 This ordinance is to promote and aid in timely and efficient response of law
41 enforcement services, fire protection services, emergency services and civil defense.
42 This ordinance promotes public health and safety and welfare by providing an orderly
43 and uniform addressing and road numbering system for principal structures and
44 properties in the unincorporated areas of Polk County. This system will aid the timely
45 and efficient emergency response to all rural residents including police, fire, and
46 ambulances through proper coordination of 911/GIS data.

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48
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50 1.5 **History and Administration**

51 The Polk County rural addressing grid system was adopted on June 27, 1978.
 52 The Polk County Land Information Department-Division of Zoning administers
 53 the rural addressing system with the support of emergency services.

54 1.6 **Severability**

55 Should any section, clause, provision, or portion of this ordinance be declared
 56 unconstitutional or invalid by a court of competent jurisdiction, the remainder of
 57 this ordinance shall not be affected.

58 **Section 2.0 Definitions**

59 Certain terms or words used herein are defined as follows:

60 **"Address"** means a physical number for a principal structure or driveway access point for
 61 an unimproved lot as assigned by the county addressing authority.

62 **"Addressing Authority"** means the Polk County Land Information Department-Division
 63 of Zoning.

64 **"Address Sign"** means an individual address plate placed on a named road or driveway
 65 identifying the location of a principal structure or lot.

66 **"Application Form"** means the form required for assignment of a new address or a
 67 replacement sign. The owner or their agent shall complete and submit the form to the Polk
 68 County Land Information Department-Division of Zoning.

69 **"Driveway"** means a private road serving no more than two principal structures or lots.

70 **"Driveway Access Point"** means the point where the driveway or private road intersects
 71 a public roadway. This location is used to determine the correct address.

72 **"LOT"** means a parcel of land occupied or designed to provide space necessary for one
 73 principal building and its accessory buildings or uses. A lot may be a parcel designated in
 74 a plat or described in a conveyance recorded in the office of the Register of Deeds.

75 **"Principal Structure"** means the building used for the main use of the property. A
 76 principal structure may be used for residential, commercial, industrial, recreational, or other
 77 purposes.

78 **"Private Road"** means a named private driveway, which complies with the uniform road
 79 numbering, leading to two or more driveways or principal structures. Private roads are
 80 maintained by the landowners who are also responsible for all the costs associated.

81 **"Right-of-Way"** means the land covered by an established or recorded public roadway
 82 easement.

83 **"Road"** means a public road which affords primary means of access by vehicles to adjacent

84 properties. The town, county, or state are responsible for the maintenance of their own
85 roads.
86 **"Sign Post"** means a post permanently affixed in the ground used solely for display of the
87 address sign.

88 **Section 3.0 Rural Addresses**

89 **3.1 Address Assignment**

- 90 1. All new parcels created after adoption of the ordinance may be assigned a
91 physical property address according to the rural address numbering system
92 adopted in this ordinance.
- 93 2. All new construction for principal structures authorized by a land use permit,
94 sanitary permit, or town building permit shall be required to have a physical
95 property address.
- 96 3. Any existing principal structures or businesses not associated with a parcel
97 previously addressed shall be assigned a new physical property address.
- 98 4. All addresses shall be assigned to conform to the existing address grid system of
99 Polk County according to the following:
 - 100 a. The starting origin for address numbers running east to west begins along
101 the east boundary of Polk County; the starting origin for numbers running
102 south to north begins at the south county boundary. Addresses will
103 increase as you move north and west from the southeast corner of Polk
104 County.
 - 105 b. The addresses shall consist of up to four (4) digits providing 100
106 addresses per section mile.
 - 107 c. The grid system shall follow the public land survey system (PLSS) section
108 lines.
 - 109 d. All properties on the east side of north-south roads, and the south side of
110 the east-west roads shall be assigned even numbers.
 - 111 e. All properties on the west side of the north-south roads and the north side
112 of east-west roads shall be assigned odd numbers.
 - 113 f. All addresses shall be assigned at the location of the driveway access
114 point off a public or private road.
 - 115 g. Assignment of prefix or suffix alpha characters or sub numbers shall not
116 be permitted.
 - 117 h. If pre-existing surrounding addresses make it impossible to assign an
118 address that conforms to the county's grid system, the addressing
119 authority shall change the required addresses to conform to the county's
120 grid system.

- 121 i. One physical address number shall be assigned to apartment buildings,
 122 mobile home parks, and campgrounds. Individual units in such complexes
 123 shall be referred to by apartment number or unit number. Each unit or
 124 apartment shall clearly indicate the unit/apartment number by the
 125 entrance.
- 126 j. Twin homes or side by side condos shall each be assigned individual rural
 127 address numbers.
- 128 k. An address shall only be assigned to an accessory building if it is the only
 129 structure on the property.
- 130 l. Utility substations and telecommunication facilities shall have a physical
 131 property address.
- 132 m. Addresses shall be assigned to locations that are publicly accessible
 133 including but not limited to: cemeteries, parks, recognized public land
 134 access points, recognized trail access points, boat landings, public parking
 135 locations, nonmetallic mine access points, or any other location deemed
 136 important to public safety.
- 137 n. If the location of an existing driveway access point changes, the current
 138 address may remain unless the addressing authority determines the
 139 address is no longer in compliance with the county's grid system.
- 140 o. If the driveway access point changes from one road to another, the
 141 property owner shall be responsible for obtaining a new address and the
 142 associated costs.
- 143 p. The new address assigned to a property shall become the official address
 144 of the property and replace any prior address of the property.
- 145 q. Wherever practicable, the county shall cooperate with the town
 146 governments of the county consistent with Wis. Stat. § 59.54(4m).

147 **3.2 Sign Standards**

- 148 All new rural address signs shall meet the requirements below; however, these
 149 provisions are not retroactive to existing signs.
- 150 a. A rural address sign shall be double sided and installed perpendicular to
 151 the roadway.
- 152 b. The address sign shall include the address number, street name, street
 153 prefix or suffix directional, street type (e.g. street/avenue), and town.
- 154 c. The address sign shall be of highly reflective material.
- 155 d. The address number shall be a minimum of 4 inches tall.

156 **3.3 Sign Placement**

157 All address signs will be installed by the town in which the property is located.
 158 Each town shall receive \$25 for every sign installed except for address
 159 corrections. The sign shall be placed according to the following:

- 160 a. The rural address sign shall be installed within 20 feet of the driveway
 161 access point and within 10 feet of the road right-of-way.
 162 b. The sign shall be affixed to a post and shall not be attached to any
 163 buildings.
 164 a. Signs shall be attached to posts at a height of four feet, measured
 165 from the ground surface to the center of the sign.
 166 c. The sign must be visible from the roadway from both directions.
 167 d. In the case where more than two addresses are served by a private
 168 driveway, each address shall be double signed. The first sign will be
 169 placed at the driveway access point, and the second sign will be placed
 170 where the individual driveway separates from the shared driveway. The
 171 property owner is responsible for the cost of the additional rural address
 172 sign.

173 **3.4 Sign Maintenance**

174 It shall be the responsibility of the property owner to maintain the area around
 175 the sign, so the sign can be easily seen from each direction. If at any time the
 176 sign becomes illegible, damaged, or destroyed, it is the property owner's
 177 responsibility to order a replacement sign. Any property with a rural address
 178 shall be required to have a sign under this ordinance.

179 **Section 4.0 Road Numbering System**

- 180 Roads shall be numbered according to their alignment:
- 181 a. Roads aligned from east/west shall be avenues.
 182 b. Roads aligned from north/south shall be streets.
 183 c. For a road that does not travel in a straight direction north/south or
 184 east/west it will be determined by the greater of the two distances
 185 whether it will be considered an east/west road or a north/south road or
 186 as determined by the county addressing authority.
 187 d. All roads, including private roads, shall have a street sign displayed.
 188 e. Road signs shall comply with state standards and be installed by the
 189 municipality.
 190 f. The county addressing authority shall have the authority to change pre-
 191 existing road names in order to comply with the purpose and intent of this
 192 ordinance.

193 **Section 5.0 Administration**

- 194 1. It shall be the duty of the county addressing authority to assign a rural address
 195 upon receipt of a rural address application or a state sanitary permit application.
 196 The address fee must accompany a state sanitary permit application if the
 197 property doesn't have an address. The rural address application is not required
 198 with the state sanitary permit application.
- 199 2. A digital copy of the county rural addressing map shall be kept and maintained
 200 by the Land Information Department.
- 201 3. The Land Information Department will be responsible for ordering the address
 202 signs, and notifying the respective town officials when the county receives the
 203 signs.
- 204 4. The applicant shall provide the following information on the uniform address
 205 application form:
- 206 a. Name of Property owner;
 - 207 b. Current address/telephone number;
 - 208 c. Name of Municipality;
 - 209 d. Tax Parcel Number;
 - 210 e. Legal description of property (Volume-Page, CSM, Plat etc.);
 - 211 f. Road name which property/building will be accessed to/from;
 - 212 g. Side of the road the property/building is located (N, S, E, or W);
 - 213 h. Distance (in feet) from center of owner's driveway to nearest
 214 existing/known address number, road intersection, or property line;
 - 215 i. Location of principal structure on the property;
 - 216 j. Signed by owner or agent;
- 217 5. The Polk County Land Information Department shall forward all assigned
 218 addresses to relevant emergency services and the post office within 30 calendar
 219 days.
- 220 6. Incorrect assignment of an address due to incomplete or incorrect information on
 221 the application form shall be corrected immediately and the applicant shall be
 222 responsible for all associated costs.
- 223 7. Any rural address not obtained from the county shall be deemed in violation of
 224 this ordinance.
- 225 8. At the discretion of the addressing authority, a physical address may be removed
 226 from the address maps if there are no buildings or address sign present.

227 **Section 6.0 Fees**

228 The application fee for a rural address sign shall be established by the Polk
 229 County Environmental Services Committee as part of the Land Information
 230 Department fee schedule. A property owner shall submit a completed
 231 application along with the required fee when requesting a rural address sign.

232 **Section 7.0 Amendment**

233 **7.1 Amendments**

234 This ordinance shall be subject to amendment considerations as deemed
235 necessary by the Polk County Board of Supervisors. A petition to amend this
236 ordinance can be brought to the Board of Supervisors by a member of the board,
237 town, or by any member of the public. The Public Safety & Highway Committee
238 is to consider the amendment, and hold at least one public hearing to obtain and
239 incorporate any public input deemed appropriate. The committee shall then
240 provide a recommendation on any amendments to the Polk County Board of
241 Supervisors for action.

242 **7.2 Exceptions**

243 Persons may seek an exception to the implementation of the Ordinance by filing
244 with the County Clerk a written petition to seek an exception. Such petition must
245 identify the road and address for which an exception is sought, a statement
246 describing the reasons in which the implementation of Ordinance on the subject
247 property or affected road would not aid in the law enforcement, fire protection,
248 emergency services and civil defense; and be accompanied by a statement signed
249 by all resident or owners of property on the subject road that demonstrates that all
250 of such residents or owners are in support of the petition. The Public Safety &
251 Highway Committee shall consider such petition, review the same for
252 completeness, and make recommendation to the County Board to approve or
253 disapprove the petition. Said committee may recommend approval only if it finds
254 that implementation of the Ordinance on the subject property or affected road
255 would not aid in the law enforcement, fire protection, emergency services and civil
256 defense petition. The committee shall file with the Clerk a report containing its
257 findings and recommendation. The County Board shall make final action to either
258 approve or deny the petition. Persons aggrieved by the determination of the
259 County Board may seek circuit court review within 30 days of such final action.

260 **Section 8.0 Enforcement and Penalties**

261 As authorized by Wisconsin Statute Chapter 66, the Zoning Administrator or the
262 county addressing authority, shall issue citations for any violations of this
263 ordinance. Any person, firm, association, or corporation who violates or refuses to
264 comply with any of the provisions of this ordinance shall be subject to a forfeiture
265 of not less than two-hundred (\$200.00) dollars nor more than one-thousand
266 (\$1000.00) dollars per offense, together with the taxable costs of action. Each day
267 of continued violation shall constitute a separate offense. The following are
268 violations of this ordinance:

- 269 a. Damaging, altering, disfiguring, removing, or relocating an address sign.
- 270 b. Utilizing a rural address number not assigned by the county addressing
271 authority as the current physical property address.
- 272 c. Failure to remove any address sign from a structure, utility pole, fence, or
273 other illegal location within 30 days.
- 274 d. Failure to remove or install a new address sign within 30 days after written
275 notification from the addressing authority is received.

Offered this _____ day of _____, 2018.

BY: Brad Olson
Brad Olson, Supervisor, District #1

James Edgell, Supervisor, District #8

Doug Route, Supervisor, District #2

Kim O'Connell, Supervisor, District #9

Dean Johansen, Chair,
Supervisor, District #3,

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

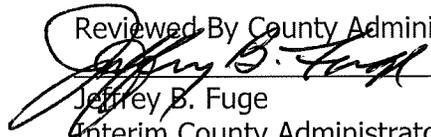
John Bonneprise, 2nd Vice Chair,
Supervisor, District #14

Joe DeMulling, Supervisor, District #15

Fiscal Impact Note: Enactment of this ordinance will have no fiscal impact. The rural addressing and road numbering system has already been implemented.

Legal Impact Note: Enactment of this ordinance establishes a regulatory ordinance that is administered by the Land Information Department. The ordinance establishes a formal administrative for the continued implementation of the rural addressing and road numbering system. The ordinance provides for a process for amendment of the ordinance and petitioning for an exception to the ordinance. The ordinance presents no legal impacts to the operation of the County outside the administration of such system.

Reviewed By County Administrator and Approved as to Form and Execution:



Jeffrey B. Fuge
Interim County Administrator/Corporation Counsel

Ordinance No. ____-18
POLK COUNTY UNIFORM RURAL ADDRESSING AND ROAD NUMBERING ORDINANCE

Excerpt of Minutes

At its regular business meeting on the ____ day of _____, 2018, the Polk County Board of Supervisors acted on Ordinance No. ____-18: POLK COUNTY UNIFORM RURAL ADDRESSING AND ROAD NUMBERING ORDINANCE, as follows:

- Enacted by majority voice vote
- Enacted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- Adopted by unanimous voice vote.
- Defeated: _____
- Other: _____

SIGNED BY:

ATTEST:

Dean Johansen, County Board Chairperson Sharon Jorgenson, County Clerk

Certification of Publication

Ord. No. ____-18, as enacted the ____ day of _____, 2018 was published in the Inter-County Leader on the ____ day of _____, 2018.

Sharon Jorgenson, County Clerk

Resolution No. 78-18

1 Resolution to Hold a Public Hearing on the 2019 Budget Proposal

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

4 Ladies and Gentlemen:

5 WHEREAS, Section 65.90(1) Wisconsin Statutes, requires Polk County to annually
6 formulate a budget and hold hearings on the proposed budget; and

7 WHEREAS, consistent with Section 59.18(5), the County Administrator has prepared,
8 presented and submitted to the Polk County Board of Supervisors, during the meeting of
9 September 6, 2018, the proposed draft budget for fiscal year 2019; and

10 WHEREAS, consistent with the budget preparation provisions of the Polk County
11 Financial Policy, the respective county board standing committees have reviewed the
12 submitted 2019 Budget Proposal and made recommendations on amendments that they
13 have deemed appropriate.

14 WHEREAS, consistent with the budget preparation provisions of the Polk County
15 Financial Policies, the General Government Committee has reviewed the submitted
16 proposed budget.

17 NOW, THEREFORE, BE IT RESOLVED, that Polk County Board of Supervisors shall
18 hold a public hearing of the proposed 2019 County Budget at 7:00 p.m. during the course
19 of its annual meeting on Tuesday, November 13, 2018 and that such public hearing shall
20 be held at the County Board Room at the Polk County Government Center, 100 Polk
21 County Plaza, Balsam Lake, Wisconsin.

22 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors receives the
23 formulated budget, "2019 Budget Proposal of Polk County" as attached hereto and
24 incorporated herein, for the purposes of conducting said public budget hearing.

25 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors directs the
26 County Clerk to have published as a Class 1 notice a notice of public budget hearing,
27 which such notice shall include a summary of the budget consistent with Section
28 65.90(3)(b) and notice that the proposed budget in detail is available for inspection at the
29 office of the County Clerk and on the County Internet.

Resolution No. 78-18
Resolution to Hold a Public Hearing on the 2019 Budget Proposal

Offered and Submitted on this ____ day of ____, 2018.

BY: _____

Brad Olson, Supervisor, District #1

James Edgell, Supervisor, District #8

Doug Route, Supervisor, District #2

Kim O'Connell, Supervisor, District #9

Dean Johansen, Chair,
Supervisor, District #3,

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 10/5/18

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

Submitted on Administrator's prerogative.

Reviewed By County Administrator:

Recommended for passage

Jeffrey B. Fuge

Jeffrey B. Fuge
Interim County Administrator

Fiscal Impact Note: The resolution presents no financial impact. The resolution sets the public hearing on the proposed 2019 Operating and Capital Budget and does not involve action to approve or authorize appropriations or expenditures that will be determined after such public hearing.

Approved as to Form and Execution:

Malia T. Malone

Malia T. Malone, Assistant Corporation Counsel

Legal Impact Note: The resolution presents no legal impact. The resolution schedules the public hearing of the proposed budget for 2019 during the annual meeting of the County Board consistent with Wisconsin statute Sections 59.11 and 65.90.

Excerpt of Minutes

At its regular business meeting on the 16th day of October, 2018, the Polk County Board of Supervisors acted upon Resolution No. 78-18: Resolution to Hold a Public Hearing on the 2019 Budget Proposal, as follows:

- 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