



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

Minutes of the Regular Meeting
Tuesday, May 15, 2018

Chairman Dean Johansen called the regular May 15, 2018 meeting of the Polk County Board of Supervisors to order at 5:30 PM.

Chairman Johansen recognized the Deputy County Clerk 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, posted on the County website, and published in a legal newspaper in accordance with Wisconsin Statute Section 985.02 the week of May 4, 2018. In addition, the Office of the County Clerk distributed on May 4, 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 Board received verbal legal opinion of Interim County Administrator/Corporation Counsel Fuge 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 recognized the Deputy County Clerk for purposes of taking roll call. Roll call was taken with 11 members present. Supervisors Olson, Luke, Jepsen, and Bonneprise were absent and excused at time of roll call, but arrived later.

Chairman Johansen led the pledge of Allegiance.

Supervisor Jepsen joined the meeting at 5:36 p.m.

Chairman Johansen called for a Time of Reflection. Supervisor Masters offered thanks for a clean bill of health and being cancer free. He thanked the Board of Supervisors for their support during his long battle.

Chairman Johansen mentioned that the County Board is remembering and supporting County Clerk Sharon Jorgenson as her father passed away. She has had a stressful period over the last few years. He indicated that the County Board wishes her well.

Chairman declared meeting in recess to tour the highway facilities at 5:38 p.m.

Supervisor Luke joined the meeting at 6:12 p.m. Supervisor Bonneprise joined the meeting at 6:15 p.m.

Chairman Johansen called the board back in legislative session after the tour at 6:22 p.m. Supervisor Olson joined the meeting at 6:30 p.m.

Chairman Johansen called for a motion to approve the agenda as noticed. **Motion** (Bonneprise/Jepsen) to approve the agenda as noticed. Chairman Johansen called for a voice vote on the motion. **Motion** carried by unanimous voice vote.

Chairman Johansen called for a motion to approve the consent agenda as noticed. **Motion** (Jepsen/Luke) to approve consent agenda. Chairman Johansen called for a voice vote on the motion. **Motion** carried by unanimous voice vote.

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

Chairman Johansen recognized Vince Netherland for the presentation of the Economic Development Corporation Public Partnership Award for 2018. Mr. Netherland outlined Polk County's involvement in economic development that resulted in selection of Polk County for the award. Mr. Netherland also announced that the Public Service Commission had approved the County's application for Broadband Forward! Certification.

Chairman Johansen recognized Julie Fox of the Wisconsin Department of Tourism for the purpose of receiving a Polk County Tourism Presentation. The Board received a Power Point presentation outlining the value of tourism to Polk County and to the State of Wisconsin.

Chairman Johansen called upon Todd Demers, IT Director, to distribute new electronic tablets to each Supervisor. The Board received an electronic presentation from Todd Demers, showing how the tablets function and how they can be used in conjunction with the smart board that will be installed in the County Board room. Interim County Administrator Fuge advised the County Board Supervisors that all activity conducted on the tablets will be subject to the open records laws. Chairman Johansen further reminded them to be careful to avoid conducting walking quorums.

Chairman Johansen called for a recess at 7:52 p.m. Chairman Johansen called the Board back in legislative session at 8:02 p.m.

County Board received Chairman's report. He reviewed meetings he had attended during the last month. He acknowledged Joe Demulling for selection as Chairman of the ADRC Board.

County Board received the Administrator's report. Interim County Administrator Fuge presented several awards and letters to Chairman Johansen and the County Board. A letter received from U.S. Senator Ron Johnson congratulated Polk County on their partnership with public and private organizations and for receiving the Polk County Economic Development 2018 Public Partnership Award.

Polk County Economic Development Corporation awarded Polk County the 2018 Public Partnership Award and expressed thanks to the County Board and county employees. Two providers in the county received broadband assistance grants.

A plaque with a Citation by the Assembly, State of Wisconsin, was presented commending Polk County for Broadband community efforts and assistance grants, for working with WITC to establish the WITC – Polk County Outreach Center, a satellite campus in Balsam Lake, and for Support of Workforce Resources by collaboratively hosting a Construction Skills Academy and a High School Career Day. The Legislative Citation was issued by the Assembly and sponsored by Representative Adam Jarchow, 28th Assembly District; Senator Patty Schachtner, 10th Senate District; Representative Romaine Quinn, 75th Assembly District; Representative Robin Vos, Assembly Speaker and Representative Tyler August, Speaker Pro Tempore.

Interim County Administrator Fuge presented a Certificate of Achievement from The State of Wisconsin, Office of the Governor, to Polk County as a Broadband Forward! Community which was signed by Governor Scott Walker.

Interim County Administrator Fuge noted that former Health and Human Services Director Gretchen Sampson has been granted a lifetime achievement award and will be recognized by the Wisconsin Department of Health at a meeting in Green Bay on May 22nd.

Interim County Administrator Fuge advised that requests for proposals (RFP) for demolition of the old highway facility will go out in June.

Erosion caused the earthen embankment on the downstream side of the DD Kennedy Dam to slide into the river. The County received a DNR drawdown order to allow for repairs on the embankment dam. The County has requested engineering proposals to design the repairs needed.

Fairground grandstand demolition is progressing with some demolition completed by the Fair Society. The County has coordinated with the Fair Society and the demolition contractor to remove and salvage as available construction materials. The Fair Society will develop an inventory and sell the materials with proceeds going to the funding effort for the replacement or rebuild of the fairground grandstand. Demolition fence is in place as of May 9, and completion of demolition is slated for the week of May 21, 2018.

The south entry (100 Polk County Plaza) will be closed for parking lot resurfacing on May 31 and June 1. The west entrance should be used during that time. All entities on the county campus will be advised of the paving work and entrance closing.

County Forester interviews will be conducted next Thursday, May 24, 2018.

The deadline for submitting names for Lake District Appointments is 5/22/18. The Environmental Services Committee will be considering nominees at its May 23 2018 meeting. Nominees will be offered for confirmation at the June 19, 2018 regular County Board meeting.

Chairman Johansen called for a motion to convene as Committee of the Whole at 8:25 p.m. **Motion** (Demulling/Masters) to convene as Committee of the Whole. Chairman Johansen called for a voice vote on said motion. **Motion** to convene as Committee of the Whole carried by unanimous voice vote.

Supervisor O'Connell provided an update on the Polk County Recreational Trail Plan, indicating the Environmental Services Committee will be appointing the Trail Planning Sub-Committee on 5/23/18. Supervisor Edgell indicated there are 20 applicants for the sub-committee on trails. The Polk County Trail Recreational Plan will be finalized after the Cattail and Stower Seven Lakes Trail plans are finalized.

The Board received a list of organizations affiliated with Polk County from Interim Administrator Fuge and an overview of the different organizations as to whether it is mandatory for the county to appoint a representative to the various organizations/committees.

Suggestions for obtaining feedback from supervisors attending outside meetings were discussed and the topic may be addressed at a future Board meeting.

Chairman Johansen asked for a motion to adjourn the Committee of the Whole meeting and reconvene in legislative session of the Board. **Motion** (Larsen/Demulling) to adjourn the Committee of the Whole. Chairman Johansen called for a vote on the motion. **Motion** carried by unanimous voice vote. Committee of the Whole adjourned 8:55 p.m.

Chairman Johansen declared the County Board back in legislative session at 8:55 p.m.

Chairman Johansen called to the floor, Ordinance No. 43-18: Amendment to Polk County Board of Supervisors Rules of Order Ordinance. Chairman Johansen called for a motion to adopt Ordinance No. 43-18. **Motion** (Jepsen/Masters) to adopt Ordinance No. 43-18. The County Board received a memo from Interim County Administrator requesting an amendment to the rules to correct certain typographical errors and to remove reference to outside organizations which are no longer affiliated with the County. **Motion** (Bonneprise/Olson) to amend Ordinance No. 43-18 consistent with recommendations received, as follows:

At page 7, line 23: Add "made" between "receipt" and "public".

At page 7, line 30: add "the" after the word "with".

At page 9, line 5: to read: “member of the committee is allowed to present information that is related to a”.

At page 9 line 32: Strike “7. Renewable Energy Committee” and at line 34, Strike “9. River Country Resource Conservation & Development Council” and renumber the remaining committees, accordingly

Chairman Johansen called for a vote on the motion to amend Ordinance No. 43-18. **Motion** to amend passed by unanimous voice vote. Chairman Johansen called for a vote to adopt Ordinance No. 43-18 as amended. **Motion** to adopt Ordinance No. 43-18 carried by unanimous voice vote. Ordinance No. 43-18: Amendment to Polk County Board of Supervisors Rules of Order Ordinance enacted as amended.

Motion (Olson/Luke) to adopt the following ordinances in aggregate: Ordinance No. 15-18: Amended Polk County Shoreland Protection Zoning Ordinance; Ordinance No. 16-18: Amended Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance; Ordinance No. 17-18: Amended Polk County Comprehensive Land Use Ordinance; Ordinance No. 18-18: Amended Polk County Small Wind Energy System Ordinance; Ordinance No. 19-18: Amended Polk County Lower St. Croix Riverway Ordinance; Ordinance No. 20-18: Amended Polk County Board of Adjustment Procedures Ordinance; and Ordinance No. 21-18: Amended Telecommunication Towers, Antennas and Related Facilities Ordinance.

Chairperson Johansen recognized Supervisor Nelson. Motion to (Nelson/Olson) to amend proposed Ordinance No. 20-18 to transfer from the Board of Adjustment to the Environmental Services Committee the authority to consider and determine conditional use permits under the Shoreland Protection Ordinance and Comprehensive Land Use Ordinance. Chairperson Johansen declares said motion out of order on account the motion to adopt was made in aggregate on all ordinances offer for amendment.

Motion (Olson/Route) to amend Ordinance No. 17-18; section 10.5.6 Travel Trailers, Section 4, to correct scrivener’s error by deleting September 15th, and inserting December 1st. Chairman Johansen called for a vote to adopt the amendment. **Motion** carried by unanimous voice vote.

Chairman Johansen called for a voice vote on the motion to adopt Ordinances No. 15-18 through 21-18 in aggregate with the amendment to Ordinance No. 17-18. **Motion** carried by majority voice vote.

Chairman Johansen called to the floor Resolution No. 36-18: Resolution Authorizing Leasing Office Space to Wisconsin Department of Natural Resources-Forestry Staff. **Motion** (Jepsen/Masters) to adopt the motion. Chairman Johansen called for a voice vote on Resolution No. 36-18. **Motion** carried by unanimous voice vote. Resolution No. 36-18: Resolution Authorizing Leasing Office Space to Wisconsin Department of Natural Resources-Forestry Staff adopted.

Chairman Johansen called to the floor Resolution No. 39-18: Resolution approving mid-year Budget Adjustment for 2018 in ADRC Fund. **Motion** (Demulling/Jepsen) to adopt Resolution No. 39-18. Chairman Johansen called for a voice vote on Resolution No. 39-18. **Motion** carried

by unanimous voice vote. Resolution No. 39-18: Resolution approving mid-year Budget Adjustment for 2018 in ADRC Fund adopted.

Chairman Johansen called to the floor Resolution No. 40-18: Resolution to Amend 2018 Budget to Incorporate Carry-forward Funds. **Motion** (Masters/Arcand) to adopt Resolution No. 40-18. **Motion** (Arcand/Bonneprise) moved to amend Resolution No. 40-18 on lines 42 and 43 to read “\$120,223 in ADRC for State of Wisconsin transportation account as designated ‘for purchase of adaptive mobility devices at an estimated cost of \$50,000’”. Chairman Johansen called for the vote on the motion to amend Resolution No. 40-18. **Motion** to amend adopted by unanimous voice vote. Chairperson Johansen called for a voice vote on Resolution No. 40-18, as amended. **Motion** carried by unanimous voice vote. Resolution No. 40-18: Resolution to Amend 2018 Budget to Incorporate Carry-forward Funds adopted as amended.

Chairman Johansen called to the floor Resolution No. 41-18: Resolution to Authorize Cancellation of Outstanding Orders. **Motion** (Jepsen/Prichard) moved to adopt Resolution No. 41-18. Chairman Johansen called for a voice vote on Resolution No. 41-18. **Motion** carried by unanimous voice vote. Resolution No. 41-18: Resolution to Authorize Cancellation of Outstanding Order adopted.

Chairman Johansen called to the floor Resolution No. 42-18: Approval of Lakes Improvement Fund Capital Project. **Motion** (Arcand/Masters) to adopt Resolution No. 42-18. **Motion** (Arcand/Bonneprise) to send Resolution No. 42-18 back to the committee. Chairman Johansen called for a vote on the motion to send Resolution No. 42-18 back to committee. **Motion** to send Resolution No. 42-18 back to committee carried by unanimous voice vote.

Motion (Arcand/Nelson) to reconsider Zoning Ordinances as passed in aggregate listed as b-h on the agenda: Ordinance No. 15-18: Amended Polk County Shoreland Protection Zoning Ordinance; Ordinance No. 16-18: Amended Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance; Ordinance No. 17-18: Amended Polk County Comprehensive Land Use Ordinance; Ordinance No. 18-18: Amended Polk County Small Wind Energy System Ordinance; Ordinance No. 19-18: Amended Polk County Lower St. Croix Riverway Ordinance; Ordinance No. 20-18: Amended Polk County Board of Adjustment Procedures Ordinance; and Ordinance No. 21-18: Amended Telecommunication Towers, Antennas and Related Facilities Ordinance. Chairman Johansen recognized the motion to be in order. Chairman Johansen called for a voice vote on the motion to reconsider. **Motion** to reconsider said zoning ordinances carried by majority voice vote.

Chairperson Johansen declared that the Board would consider separately each ordinance offered or amendment.

Chairman Johansen called to the floor Ordinance No. 15-18: Amended Polk County Shoreland Protection Zoning Ordinance. **Motion** (O’Connell/Demulling) to reconsider Ordinance No. 15-18 **Motion** (Arcand/Olson) to refer proposed Ordinance No. 15-18 to the Environmental Services Committee. Chairman Johansen declares motion to refer in order. Chairman Johansen called

for a voice vote on said motion. **Motion** to return Ordinance No. 15-18 back to committee carried by unanimous voice vote.

Chairman Johansen called to the floor Ordinance No. 16-18: Amended Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance. **Motion** (Olson/Masters) to adopt Ordinance No. 16-18. Chairman Johansen called for a voice vote on said motion. **Motion** to adopt Ordinance No. 16-18 carried by unanimous voice vote. Ordinance No. 16-18: Amended Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance enacted.

Chairman Johansen called to the floor Ordinance No. 17-18: Amended Polk County Comprehensive Land Use Ordinance, as amended by the Olson/Route amendment that extended to December 1 the regulation allowing travel trailers. **Motion** (O'Connell/Larsen) to reconsider. **Motion** (Arcand/Olson) to send Ordinance No. 17-18, as amended, back to committee. Chairman Johansen called for a voice vote on the motion to send Ordinance No. 17-18 back to committee. **Motion** to send Ordinance No. 17-18 as amended back to committee carried by unanimous voice vote.

Chairman Johansen called to the floor Ordinance No. 18-18: Amended Polk County Small Wind Energy System Ordinance. **Motion** (Olson/O'Connell) to adopt. Chairman Johansen called for a voice vote on said motion. **Motion** to adopt Ordinance No. 18-18 carried by unanimous voice vote. Ordinance No. 18-18: Amended Polk County Small Wind Energy System Ordinance enacted.

Chairman Johansen called to the floor Ordinance No. 19-18: Amended Polk County Lower St. Croix Riverway Ordinance. **Motion** (Bonneprise/Luke) to adopt. Chairman Johansen called for a voice vote on said motion. **Motion** to adopt Ordinance No. 19-18 carried by unanimous voice vote. Ordinance No. 19-18: Amended Polk County Lower St. Croix Riverway Ordinance enacted.

Chairman Johansen called to the floor Ordinance No. 20-18: Amended Polk County Board of Adjustment Procedures Ordinances. **Motion** (Jepsen/O'Connell) to reconsider. **Motion** (Arcand/Route) to send Ordinance No. 20-18 back to committee. Chairman Johansen called for the vote on the motion to send Ordinance No. 20-18 back to committee. **Motion** to refer back to committee carried by unanimous voice vote.

Chairman Johansen called to the floor Ordinance No. 21-18: Amended Polk County Telecommunications Towers, Antennas and Related Facilities Ordinance. **Motion** (Masters/Olson) to adopt. Chairman Johansen called for a voice vote on the motion to adopt Ordinance No. 21-18. **Motion** to adopt Ordinance No. 21-18 carried by unanimous voice vote. Ordinance No. 21-18: Amended Polk County Telecommunications Towers, Antennas and Related Facilities Ordinance enacted.

Chairman Johansen called to the floor Ordinance No. 11-18: Amending Self-Organized Ordinance to Repeal Meeting Limitation on Per Diem Compensation. **Motion** (Jepsen/Luke) to adopt Ordinance No. 11-18. Chairman Johansen called for a Roll call vote on said motion with

two thirds majority required for adoption. **Motion** to adopt Ordinance No. 11-18 failed by roll call vote with 8 voting yes and 7 voting no (Voting No: Supervisors Olson, Route, Nelson, Masters, Prichard, Edgell, and O'Connell). Ordinance No. 11-18: Amending Self-Organized Ordinance to Repeal Meeting Limitation on Per Diem Compensation defeated/failed.

Chairman Johansen called for a recess at 10:00 p.m. Chairman Johansen called the Board back in legislative session at 10:06 p.m.

Chairman Johansen called to the floor Resolution No. 44-18: Resolution Concerning Compensation of Supervisors and Persons for Service on Boards, Committees and Commissions of Outside Organizations. A point of order was raised by Supervisor Jepson requesting the resolution be referred to committee consistent with the pertinent rule adopted under Ordinance No. 43-18. Chairman Johansen declared that consideration of Resolution No. 44-18 was in order on the basis that the Executive Committee had already consider the resolution as required under Ordinance No. 43-18 irrespective of the recommendation to make no recommendation. **Motion** (Edgell/O'Connell) to adopt Resolution No. 44-18. Chairman Johansen called for a roll call vote on said motion as requested by Supervisor Masters. **Motion** to adopt Resolution No. 44-18 failed on unanimous roll call vote. Resolution No. 44-18: Resolution Concerning Compensation of Supervisors and Persons for Service on Boards, Committees and Commissions of Outside Organizations defeated/failed.

Chairman Johansen and Interim County Administrator offered for confirmation the following appointments:

Polk County Economic Development Corporation-Chris Nelson
Polk County Tourism Council-Joe Demulling
Gandy Dancer Trail Commission-Michael Prichard
Polk County Housing Authority-Jim Edgell
WITC Board Nominating Committee-Dean Johansen
Northern Region Trail Advisory Council (NoRTAC)-Chris Nelson, Deb Peterson
Local Emergency Planning Committee (LEPC)-John Bonneprise
Aging and Disability Resource Center Board (ADRC)-Dean Johansen, Tracy LaBlanc, Joe Demulling
Greater Wisconsin Agency on Aging Resources (GWAAR)-Larry Jepsen
West Central Wisconsin Regional Planning Commission (WCRPC)-William Johnson, Tracy LaBlanc, Joe Demulling
WestCAP Representative-Larry Jepsen
Indianhead Federated Library System (IFLS)-Michael Prichard
Library Plan for Service- appointment deferred
Revolving Loan Fund-Kim O'Connell
County Board Consortium-Jay Luke
Momentum West-deferred
Workforce Development Board-appointment deferred
Northwest Regional Planning- appointment deferred

Arnell Memorial Humane Society-Michael Larsen (assigned as County Board liaison)
Polk County Fair Society-John Bonneprise (Assigned as County Board Liaison)
ITBEC- appointment deferred

Chairperson Johansen declared that noted appointments and assignments would be subject to confirmation at the June Board meeting. Interim Administrator Fuge provided the clarification that supervisors and citizens appointed or assigned will serve immediately with confirmation by the Board at the June 2018 meeting. Additional Administrator appointments will be offered for confirmation made in June, 2018.

Motion (Demulling/Larsen) 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 10:35 p.m.

Respectfully submitted,

Marilyn M. Blake
Deputy County Clerk



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, May 15, 2018

Regular Business Meeting, 5:30 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. Recess for Tour of Highway Facility
7. Reconvene in County Board Room following Highway Facility Tour
8. Approval of Agenda
9. Matters Offered For Adoption on Consent Agenda:
 - a. Consideration/corrections to the published minutes from April 17, 2018 County Board Meeting
10. Public Comments –3 minutes per person –not to exceed 30 minutes total
11. Economic Development Corporation Recognition Presentation – Vince Netherland
12. Wisconsin Department of Tourism - Polk County Tourism Council Presentation – Julie Fox
13. Distribution of Tablets – Overview/Presentation on Use
14. County Board Chair Report
 - a. Confirmation of Chair Appointments to Various Committees
15. Administrator's Report, Jeff Fuge
 - a. Acknowledgment of Polk County Economic Development Corporation Public Partnership Award
 - b. Confirmation of Appointments
 - c. Receipt of Reports from Standing Committees

****Following the Administrator's Report, 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.**

16. Committee of the Whole:

- a. Discussion of Resolutions and Ordinances Noticed on the Agenda
- b. Update on Fairgrounds Demolition
- c. Polk County Trail Recreational Plan
- d. Reporting of Per Diems from Outside Agencies
- e. Adjournment of Committee of the Whole

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

17. Reconvene as County Board

18. Motion to Act on Matters Considered and Recommended by the Committee of the Whole, as noticed in number 16, above.

19. Proposed Resolution and Ordinances:

- a. Ordinance No. 43-18: Amendment to Polk County Board of Supervisors Rules of Order Ordinance

On Recommendation by Environmental Services Committee:

Zoning Ordinances:

- b. Ordinance No. 15-18: Amended Polk County Shoreland Protection Zoning Ordinance
- c. Ordinance No. 16-18: Amended Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance
- d. Ordinance No. 17-18: Amended Polk County Comprehensive Land Use Ordinance
- e. Ordinance No. 18-18: Amended Polk County Small Wind Energy System Ordinance
- f. Ordinance No. 19-18: Amended Polk County Lower St. Croix Riverway Ordinance
- g. Ordinance No. 20-18: Amended Polk County Board of Adjustment Procedures Ordinance
- h. Ordinance No. 21-18: Amended Telecommunication Towers, Antennas, and Related Facilities Ordinance

On Recommendation by General Government Committee:

- i. Resolution No. 36-18: Resolution Authorizing Space Lease to the Wisconsin Department of Natural Resources – Forestry Staff
- j. Resolution No. 39-18: Resolution Approving Mid-year Budget Adjustment for 2018 in ADRC Fund
- k. Resolution No. 40-18: Resolution to Amend 2018 Budget to Incorporate Carry-Forward Funds
- l. Resolution No. 41-18: Resolution to Authorize Cancellation of Outstanding Orders
- m. Resolution No. 42-18: Resolution for Approval of Lakes Improvement Fund Capital Project

On Recommendation or No Recommendation by Executive Committee:

- n. Ordinance No. 11-18: Amending Self-Organized Ordinance to Repeal Meeting Limitation on Per Diem Compensation

Polk County Board of Supervisors

- o. Resolution No. 44-18: Resolution Concerning Compensation of Supervisor and Persons for Service on Boards, Committees and Commissions of Outside Organizations
- 20. Supervisors Announcements
 - 21. 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 Regular Meeting Tuesday, April 17, 2018

Chairman Dean Johansen called the regular April 17, 2018 meeting of the Polk County Board of Supervisors to order at 9:04 a.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, and published in a legal newspaper in accordance with Wisconsin Statute Section 985.02 the week of April 9, 2018. In addition, the Office of the County Clerk distributed on April 5, 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 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 recognized the County Clerk for purposes of taking roll call. All fifteen County Board Supervisors were present.

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

Chairman Johansen called upon Honorable Judge Daniel Tolan to administer the Oath of Office to the County Board Members for the term 2018 to 2020. Oath was administered by Honorable Judge Tolan.

Chairman Johansen called for a Time of Reflection. Supervisor Masters offered a time of reflection noting appreciation for the spirit of cooperation between supervisors during his tenure with the Board.

Corporation Counsel Fuge addressed the Board recommending that Zoning Ordinances No. 15-18, 16-18, 17-18, 18-18, 19-18, 20-18, and 21-18 listed as items #17 a-g be lifted off agenda as

the complete drafts of zoning ordinance attachments were not provided in packet with the Ordinances.

Chairman Johansen called to the floor consideration and approval of the Agenda with removal of zoning ordinances. **Motion** (Bonneprise/Nelson) to adopt the Agenda with noted changes. Chairman Johansen called for a voice vote on said motion. **Motion** carried by unanimous voice vote.

Chairman Johansen called to the floor for approval of the Consent Agenda. **Motion** (Jepsen/O'Connell) 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 March 20, 2018 adopted as published and Resolution No. 31-18: Resolution to Grant a Zoning Change and to Amend Zoning District Map for Town of Luck.

Time was given for public comment. Board received public comment. Citizens addressed Board regarding addressing concerns in Homes Court near Big Lake area in Osceola and requested that minutes be noted.

County Board received Chairman's report regarding updates on WITC. Board received copy of information on Polk County Historical Society and the Museum. Chair advised Board of upcoming Wisconsin Counties Association Northwest district meeting which will be held in Hayward on 4/25/18.

County Board received Clerk's report regarding Wisconsin Counties Association survey for board members to complete.

County Board received written Report of Standing Committees from Interim Administrator Fuge. County Board received Administrator's report from Interim Administrator Fuge regarding several points of community interest. County submitted Broadband Forward Application. Polk County Economic Development Corporation recognized Polk County for various community efforts, such as partnering with WITC, Broadband Expansion efforts, and partnering with Wisconsin Workforce Resource for education day. Polk County Child Protective Services open house will be held Friday, 4-20-2018. April 16-20 is Economic Support Specialist and Case Managers week per proclamation by Governor Walker. Personnel updates: Forestry position closed 4/16 and has 20 applicants, Request for Proposals for search firm for County Administrator and Community Services Director positions are due 4/23/18.

County Board received announcement of appointments. Administrator Fuge announced the appointment of Dr. Sabrina Meddaugh as Registered Nurse Citizen Member to the Health and Human Services Board and the appointment of Greg Braun to the Local Emergency Planning Committee. Administrator Fuge announced the appointment of Tonya Eichel as Interim Community Services Division Director. Chairman Johansen called for a motion to confirm said appointments. **Motion** (Bonneprise/Olson) to confirm appointments of Dr. Sabrina Meddaugh as Registered Nurse Citizen Member to the Health and Human Services Board, and Greg Braun

as Citizen Representative to the Local Emergency Planning Committee, and Tonya Eichelt as Interim Community Services Division Director. Chairman Johansen called for a voice vote on the motion to confirm said appointment. **Motion** to confirm appointment carried by unanimous voice vote.

Organizational Matters:

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

Nominated was: Dean Johansen. **Motion** (Jepsen/Masters) to close nominations and cast a unanimous ballot for Johansen. Nominations were declared closed. Chairman Johansen called for a voice vote to cast ballot for Supervisor Johansen for County Board Chairperson. **Motion** to close nominations and cast unanimous ballot for Supervisor Johansen for County Board Chairperson carried by unanimous voice vote.

Supervisor Dean Johansen elected County Board Chairperson.

Chairman Johansen opened nominations for **1st Vice Chair**. Nominated was Jay Luke. **Motion** (Bonneprise/Masters) to close nominations and cast a unanimous ballot for Luke for 1st Vice Chair. Nominations were declared closed. Chairman Johansen called for a voice vote to cast ballot for Supervisor Luke. **Motion** to close nominations and cast unanimous ballot for Supervisor Luke for 1st Vice Chair carried by unanimous voice vote.

Supervisor Jay Luke elected 1st Vice Chair.

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

Nominated were: John Bonneprise, Brian Masters
Motion (LaBlanc/Masters) to close nominations. Chairman Johansen called for a voice vote on the motion to close nominations. **Motion** carried by unanimous voice vote. Nominations were declared closed. Chairman Johansen announced ballots cast would be secret ballot as permitted by state law.

Votes were tallied as follows:

Supervisor Bonneprise	9 Votes
Supervisor Masters	6 Votes

Supervisor John Bonneprise elected 2nd Vice Chair.

Chairman Johansen called for a motion to recess at 9:53 a.m. **Motion** (Bonneprise/Masters) to recess. Chairman Johansen called for a voice vote on the motion to recess. **Motion** carried by unanimous voice vote. Chairman Johansen called Board back into open session at 10:03 a.m.

Chairman Johansen declared Board in session convening as Committee of the Whole at 10:03 a.m.

Chairman Johansen called upon Highway Commissioner Norby for status report on Highway Facility project. Committee received slide show of highway building progress from Highway Commissioner Norby.

Committee of the Whole engaged in discussion of revisions to Polk County Board of Supervisors Rules of Order Ordinance (No. 17-16).

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

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

Chairman Johansen called for a motion to adjourn Committee of the Whole session and reconvene in legislative session of the Board. **Motion** (Demulling/Bonneprise) to adjourn Committee of the Whole session. Chairman Johansen called for a voice vote on the motion. **Motion** carried by unanimous voice vote. Committee of the Whole adjourned 11:46 a.m.

Chairman Johansen called for a recess at 11:47 a.m. for lunch. Chairman Johansen called the Board back into legislative session at 12:50 p.m.

Chairman Johansen declared that item 16 c on agenda – Nomination, Appointment and Confirmations of Supervisors to County Board Standing Committees will be completed first.

Motion (Arcand/Jepsen) for supervisors to remain on the committees they are currently on unless a supervisor wants to be on another committee. Chairman Johansen called for a voice vote on said motion. **Motion** for supervisors to remain on the committees they are currently on carried by unanimous voice vote.

Chairman Johansen asked supervisors to state whether they preferred another committee assignment. Supervisor Route, Supervisor Larsen, and Supervisor Nelson indicated interest for Environmental Services Committee vacant seat. Supervisor Nelson withdrew his name for nomination to Environmental Services Committee. Supervisor Prichard indicated interest for General Government Committee. Chairman Johansen informed the board members of the manner in which appointments to the committees would take place with self-nominations for open committee seats and field of nominees to be voted on as needed.

Environmental Services Committee:

Supervisors Kim O'Connell, Jim Edgell, Brad Olson, and Tracy LaBlanc will remain on Environmental Services Committee.

Names presented for nomination for one open seat: Michael Larsen, Doug Route

Votes were cast and tallied as follows:

Supervisor Route 9 Votes
Supervisor Larsen 6 Votes

Public Safety and Highway:

Supervisors Jay Luke, Joe Demulling, John Bonneprise, Larry Jepsen, and Doug Route will remain on Public Safety & Highway Committee.

Health and Human Services Board:

Supervisors Joe Demulling, John Bonneprise, Mike Prichard, Jim Edgell, will remain on Health & Human Services Board. Michael Larsen was appointed to the open seat on Health & Human Services Board vacated by Doug Route.

General Government Committee:

Supervisors Brian Masters, Chris Nelson, Russ Arcand and Larry Jepsen will remain on General Government Committee. Chairman Johansen indicated he would be willing to relinquish his seat on committee due to interest from other supervisors.

Names presented for nomination for one open seat: Supervisors Dean Johansen, Michael Prichard

Votes were cast and tallied as follows:

Supervisor Johansen 12 Votes

Supervisor Prichard 3 Votes

Supervisor Johansen nominated for appointment to General Government Committee.

Executive Committee:

The first three seats on the Executive Committee are automatically filled by the chairperson and the first and second vice chairs, (Supervisors Johansen, Luke, and Bonneprise) leaving two remaining seats:

Names presented for nomination for the two remaining open seats: Chris Nelson, Brian Masters and Larry Jepsen

Votes were cast and tallied as follows:

Supervisor Nelson 11 Votes

Supervisor Masters 11 Votes

Supervisor Jepsen 8 Votes

Supervisors Masters and Nelson nominated for appointment to Executive Committee.

Chairman Johansen announced that Supervisor Doug Route received nomination for appointment to the Environmental Services Committee, Supervisor Michael Larsen received appointment to the Health and Human Services Board, Supervisor Dean Johansen received nomination for appointment to the General Government Committee, and Supervisors Brian Masters and Chris Nelson received nomination for appointment to the Executive Committee and that the same were offered on appointment for confirmation. Chairman Johansen called for a motion to confirm the appointment of said supervisors to said Committees. **Motion** (Luke/Bonneprise) to confirm the appointment of said supervisors to said Committees. Chairman Johansen called for a voice vote to confirm said appointments. **Motion** to confirm said appointments to Environmental Services Committee, Health and Human Services Board, General Government Committee and Executive Committee carried by unanimous voice vote.

Chairman Johansen announced list of committees and associations affiliated with Polk County that Supervisors are appointed to serve on. Supervisors previously received a list on which to indicate their preferences for serving on various committees. Chair will look over preferences as indicated on sheets turned in by Supervisors and determine appointments to various committees.

Develop and adopt revisions to Polk County Board of Supervisors Rules of Order:

Recommendations per the Executive Committee for proposed amendments to the Polk County Board Rules of Order Ordinance and recommendations regarding changes of assigned functions to committees to be proposed to the County Board on 4/17/18:

1. Recommendation regarding letting two reading system of resolutions lapse: Executive Committee recommends discontinuing the two reading system of Resolutions/Ordinances which is not part of the current Rules of Order.
2. Recommendation regarding Resolutions and Ordinances: All Resolutions shall be referred to a committee before referral for adoption by the County Board, unless the Rules of Order are suspended by a 2/3 vote of the County Board.
3. Recommendation regarding Rules of Order: Current Rules of Order do not address committee rules/functions. Executive Committee recommends revising Rules of Order and Policy 10 into one document that addresses Rules of Order, Committee Rules of Order and Duties and Responsibilities of Committees, thereby eliminating Policy 10 as a separate document.
4. Recommendation regarding proposed Resolutions/Ordinances that require funding: Executive Committee recommendation: Amend provision that requires a resolution to state funding source and amount to language that would direct County Administrator to provide a fiscal impact statement on resolutions that require an appropriation. Corporation Counsel will provide a legal impact statement on any resolution or ordinance.

5. Recommendation regarding Committee of the Whole scheduling and purpose:
Consensus of Executive Committee to leave decision regarding Committee of the Whole scheduling up to the discretion of the Board Chair.
6. Recommendation as to seating arrangement of County Board for meetings: Committee recommends bring seating arrangement to County Board for decision as to seating alphabetically or in District number order.
7. Recommendations regarding changing assigned functions to committees:
Recommendations per Administrator Fuge for possible changes of assigned functions to committees: Move Child Support from Public Safety and Highway Committee to Health and Human Services Board, move Buildings/Facilities, Tax Foreclosure properties and sale of tax foreclosure lands, Operations of Lime Quarry and Recycling from Environmental Services Committee to General Government Committee. Executive committee recommends to County Board the changes of assigned functions to committees as presented by Administrator Fuge.
8. Recommendation regarding FSA Representative voting rights: Committee discussed reviewing and establishing voting rights and limits for FSA Representative Member. Executive Committee recommends that voting rights and limits be set regarding FSA Representative to areas that directly impact FSA such as land conservation, agriculture, Extension, etc.
9. Recommendation regarding resolutions sponsored by a Supervisor: Executive Committee recommends that a sponsoring supervisor who is not a member of the committee be allowed to address the committee regarding sponsored resolutions.
10. Recommendation regarding Lake Association District appointments: Supervisors will be appointed to Lake Districts that are in their supervisor district. Supervisors will have the option of designating a representative in their stead that lives in the Lake District. Such recommendation/designation would be brought to Environmental Services Committee for approval and appointment of said alternative representative for voting purposes on Lake Association Districts

Chairman Johansen called to the floor for discussion on Recommendation #1: Recommendation regarding letting two reading system of resolutions lapse. Upon consensus of the Board, two reading system will lapse as it was never part of the Rules of Order.

Chairman Johansen called to the floor for a motion to adopt Recommendations #2: Recommendation regarding Resolutions and Ordinances, #3: Recommendation regarding Rules of Order, #4: Recommendation regarding proposed Resolutions/Ordinances that require funding, and # 9: Recommendation regarding resolutions sponsored by a Supervisor as stated. **Motion** (Masters/Olson) to adopt recommendations as stated. Supervisor Olson initiated point of discussion regarding possibility of supervisors on a committee contacting County Clerk's

office to request items be added to the committee agenda without going through the committee Chair. **Motion** (Olson/Nelson) to amend Rules of Order to allow any supervisor on a committee to contact County Clerk's office directly to add items to the agenda without going through the committee chair.

Chairman Johansen called for a Roll Call vote on the motion to amend to allow any supervisor on a committee to contact County Clerk's office to add items to the committee agenda without going through the committee Chair. **Motion** to amend defeated by Roll Call vote with 9 voting no and 6 voting yes (Voting for: Supervisors Olson, Route, Nelson, Edgell, O'Connell, and Arcand).

Chairman Johansen called for a voice vote for adoption of Recommendations #2, #3, #4, and #9. Motion to adopt said recommendations to Rules of Order carried by unanimous voice vote.

Chairman Johansen called to the floor for a motion regarding recommendation #5: Recommendation regarding Committee of the Whole scheduling and purpose. **Motion** (Bonneprise/Jepsen) to adopt as recommended. **Motion** (Nelson/Arcand) to amend to add "and/or Committee referral" regarding scheduling of Committee of the Whole meetings. Chairman Johansen called for a voice vote to adopt said recommendation as amended. **Motion** to adopt recommendation #5 as amended carried by unanimous voice vote. Recommendation with amendment will read as follows: "Consensus of Executive Committee to leave decision regarding Committee of the Whole scheduling up to the discretion of the Board Chair and/or committee referral."

Chairman Johansen called to the floor for a motion regarding recommendation #6 seating arrangement for Supervisors at County Board meetings. **Motion** (Arcand/Nelson) proposing to change seating arrangement to a first come, first serve basis. Chairman Johansen called for a voice vote on said motion. **Motion** to change seating arrangement to a first come, first serve basis defeated by majority voice vote.

Motion (Bonneprise/Jepsen) to have seating arrangement for Supervisors at County Board meetings alphabetically. Chairman Johansen called for a Roll Call vote on said motion. **Motion** for alphabetical seating arrangement defeated by roll call vote with 10 voting no and 5 voting yes (Voting yes: Supervisors Nelson, Jepsen, Luke, Bonneprise and Arcand).

Motion (O'Connell/LaBlanc) to leave seating arrangement for Supervisors at County Board meetings by District number order. Chairman Johansen called for a voice vote on said motion. **Motion** for seating arrangement by District number order carried by majority voice vote with 1 voting no (Voting No: Nelson).

Chairman Johansen declared board would address resolutions on the agenda next and address remaining Organizational matters after the resolutions.

Chairman Johansen called to the floor, Resolution No. 34-18: Resolution Concerning Compensation for Environmental Services Subcommittee on Trail Planning. Chairman Johansen called for a motion to adopt Resolution No. 34-18. **Motion** (Olson/Masters) to adopt Resolution No. 34-18. Chairman Johansen called for a voice vote to adopt Resolution No. 34-18. **Motion** to adopt Resolution No. 34-18 carried by unanimous voice vote. Resolution No. 34-18: Resolution Concerning Compensation for Environmental Services Subcommittee on Trail Planning adopted.

Chairman Johansen called to the floor, Resolution No. 35-18: Resolution to Authorize Professional Services Agreement with Executive Search Firm – County Administrator and Community Services Division Director. Chairman Johansen called for a motion to adopt Resolution No. 35-18. **Motion** (Jepsen/Nelson) to adopt Resolution No. 35-18. Chairman Johansen called for a voice vote to adopt Resolution No. 35-18. **Motion** to adopt Resolution No. 35-18 carried by unanimous voice vote. Resolution No. 35-18: Resolution to Authorize Professional Services Agreement with Executive Search Firm – County Administrator and Community Services Division Director adopted.

Chairman Johansen called to the floor, Resolution No. 33-18: Resolution Concerning the Construction of a New Polk County Grandstand. Chairman Johansen called for a motion to adopt Resolution No. 33-18. **Motion** (Jepsen/Larsen) to adopt Resolution No. 33-18.

Motion (Prichard/Masters) to amend line 17 to remove “construct” and add “address the issue of constructing. Line 19 remove “for the” and add “regarding”. **Motion** to amend carried by roll call vote with 11 voting for and 4 against (Voting no: Supervisors Olson, Nelson, O’Connell, and Larsen). Line 17 as amended will read: “determines that it is in the interest of the County to **address the issue of constructing** a new grandstand”. Line 19 as amended will read: “Executive Committee to serve as steering committee **regarding** the construction of a new grandstand”.

Motion (Nelson/Olson) to further amend Resolution No. 33-18 by inserting “plan” or “planning” in front of lines 17, 19, 21, 26, 28 in front of “construction” on the Resolution body. Chairman Johansen called for a voice vote on the motion to further amend Resolution No. 33-18. **Motion** to further amend Resolution No. 33-18 carried by unanimous voice vote.

Motion O’Connell/Bonneprise to further amend by inserting on line 29 : “Final report to be completed (and forwarded to the County Board) by September 1, 2018”. Chairman Johansen called for a voice vote on the motion to further amend Resolution No. 33-18. **Motion** to further amend Resolution No. 33-18 carried by unanimous voice vote.

Chairman Johansen called for a voice vote to adopt Resolution No. 33-18 as amended. **Motion** to adopt Resolution No. 33-18 as amended carried by unanimous voice vote. Resolution No. 33-18: Resolution Concerning the Construction of a New Polk County Grandstand adopted as amended.

Chairman Johansen called to the floor, Ordinance No. 32-18: Amendment to the Polk County ATV and UTV Route Ordinance. Chairman Johansen called for a motion to adopt Ordinance No.

32-18. **Motion** (Luke/Masters) to adopt Ordinance No. 32-18. Chairman Johansen called for a voice vote to approve the motion to adopt Ordinance No. 32-18. **Motion** to adopt Ordinance No. 32-18 carried by unanimous voice vote. Ordinance No. 32-18: Amendment to the Polk County ATV and UTV Route Ordinance adopted.

Chairman Johansen called for a recess at 2:34 p.m. Supervisor Arcand left meeting at 2:35 p.m. Chairman Johansen called meeting back to legislative session at 2:46 p.m.

Chairman Johansen called back to the floor the development of the Rules of Order, Duties and Responsibilities of County Board Standing Committee.

Chairman Johansen called to the floor for a motion regarding recommendation #7 from Executive Committee: Recommendations regarding changing assigned functions to committees. **Motion** (Luke/Demulling) to adopt recommendation of Executive Committee.

Motion (O'Connell/Olson) to amend recommendation to have functions regarding tax foreclosure properties and sale of tax foreclosure lands and operations of the Lime Quarry stay with Environmental Services Committee. Chairman Johansen called for a Roll Call vote on said motion to amend recommendation. **Motion** to amend recommendation carried by Roll call vote with 9 voting yes, 5 voting no, 1 absent (Voting no: Supervisors Nelson, Masters, Prichard, Jepsen, and Johansen. Absent: Supervisor Arcand).

Chairman Johansen called for a voice vote on recommendation #7 regarding assigned functions of committees as amended. Motion to adopt recommendation # 7 as amended carried by unanimous voice vote. Functions of Tax foreclosure properties, sale of tax foreclosure lands and operations of the Lime Quarry will remain assigned to Environmental Services Committee; Buildings/Facilities and Solid Waste are transferred to the General Government Committee; Child Support is transferred to Health and Human Services Board.

Chairman Johansen called to the floor for a motion regarding recommendation #8 from Executive Committee: Recommendation regarding FSA Representative voting rights. **Motion** (Olson/Masters) to adopt voting limitations of FSA Representative as stated in recommendation #8. Chairman Johansen called for a voice vote on the recommendation regarding FSA Representative voting rights. **Motion** to adopt recommendation #8 to limit FSA Representative voting rights to items involving land conservation, agriculture, and extension carried by unanimous voice vote.

Chairman Johansen called to the floor for a motion regarding recommendation #10 from Executive Committee: Recommendation regarding Lake Association District appointments. **Motion** (Jepsen/Prichard) regarding recommendation regarding Lake Association District appointments. **Motion** (Nelson/Olson) to amend recommendation by adding "with no per-diem paid to the supervisors or their alternate designees from Polk County" at the end of the recommendation.

Chairman Johansen called for a roll call vote on the amendment as stated. **Motion** to amend as stated carried by roll call vote with 11 voting yes, 3 voting no, and 1 absent (Voting no: Supervisors Larsen, Bonneprise, and Demulling. Absent Supervisor Arcand).

Chairman Johansen called for a voice vote on the recommendation regarding Lake Association District appointments. **Motion** to adopt recommendation as amended carried by unanimous voice vote. Recommendation adopted as amended will read as follows: "Supervisors will be appointed to Lake Districts that are in their supervisor district. Supervisors will have the option of designating a representative in their stead that lives in the Lake District. Such recommendation/designation would be brought to Environmental Services Committee for approval and appointment of said alternative representative for voting purposes on Lake Association Districts **with no per-diem paid to the supervisors or their alternate designees from Polk County.**"

Motion (Nelson/Masters) for supervisors to disclose and provide transparency regarding reporting of per diems paid by County and per diems paid by outside entities.

Chairman Johansen declared that per diems will be addressed at next meeting when committees are addressed. Motion subsequently withdrawn by Supervisor Nelson.

Chairman Johansen requested that Administrator Fuge provide revised draft of Rules of Order for Supervisors for May Board of Supervisors meeting. Draft will have to be approved by 2/3 majority.

Chairman Johansen announced that May Board of Supervisors meeting will include a Highway facility tour before meeting, possibly at 5:30 p.m.

Time was given for Supervisors Reports/Announcements. No reports were received from Supervisors.

Chairman Johansen called for a motion to adjourn. **Motion** (Prichard/Nelson) to adjourn. Chairman Johansen called for a voice vote on the motion to adjourn. **Motion** to adjourn carried by unanimous voice vote. Chairman Johansen declared meeting adjourned 3:26 p.m.

Respectfully submitted,

Sharon E. Jorgenson, Polk County Clerk

1 Ordinance No. 43-18
2 Polk County Board of Supervisors Rules of Order Ordinance
3 (Revised May 15, 2018)
4

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

7
8 Ladies and Gentlemen:
9

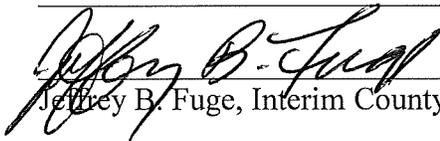
10 WHEREAS, at its organizational meeting for the term commencing April 17, 2018, the Polk
11 County Board of Supervisors considered and debated various rules of order prescribing for the
12 orderly process and functioning of the business of the Polk County Board of Supervisors.
13

14 NOW, THEREFORE, the Polk County Board of Supervisors ordains as follows:
15

- 16 1. Policy, 0010, *Duties and Responsibilities of Governing Committees*, and Ordinance Nos.
17 17-16 and 58-1 are repealed.
18 2. The Polk County Board of Supervisors Rules of Order Ordinance, (Revised May 15,
19 2018) attached hereto and incorporated herein, is recreated and enacted.
20 3. The Polk County Board of Supervisors Rules of Order Ordinance (Revised May 15,
21 2018) shall be effective upon enactment and publication.

Offered this 15th day of May, 2018

BY:

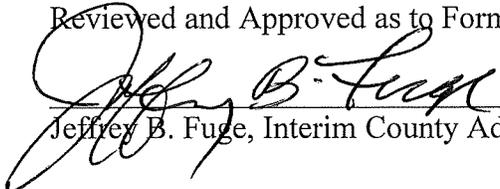


Jeffrey B. Fuge, Interim County Administrator/Corporation Counsel

Fiscal Impact Note: Enactment of the above ordinance presents minimal fiscal impact for the cost of publication.

Legal Impact Note: The ordinance does not present a legal impact.

Reviewed and Approved as to Form and Execution:



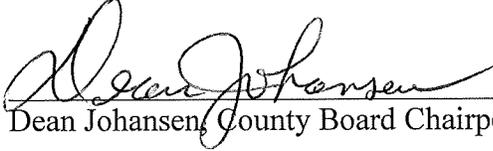
Jeffrey B. Fuge, Interim County Administrator/Corporation Counsel

Ordinance No. 43-18
Polk County Board of Supervisors Rules of Order Ordinance

At its regular business meeting on the 15th day of May, 2018, the Polk County Board of Supervisors enacted the attached Ordinance No. 43-18: Polk County Board of Supervisors Rules of Order Ordinance by ~~two-thirds majority of the supervisors present.~~ *unanimous voice vote.*

SIGNED BY:

ATTEST:


Dean Johansen, County Board Chairperson


Sharon Jorgenson, County Clerk

Certification of Publication

The above enacted ordinance, Ordinance No. 43-18: Polk County Board of Supervisors Rules of Order Ordinance, was published in the Inter-County Leader on the ____ day of May, 2018.


Sharon Jorgenson, County Clerk

CERTIFIED COPY OF POLK COUNTY ORDINANCE

STATE OF WISCONSIN

COUNTY OF POLK

I, Sharon E. Jorgenson, Polk County Clerk due hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of the Polk County Ordinance No. 43-18: Polk County Board of Supervisors Rules of Order Ordinance as adopted by the Polk County Board of Supervisors on the 15th day of May, 2018.

 5/22/18

Sharon E. Jorgenson, Polk County Clerk

Date

Polk County Board of Supervisors Rules of Order Ordinance
(Revision May 15, 2018)

Article 1. Purpose

1. The purpose of this Ordinance is to provide a procedure in which rules are designated to protect the rights of participation of members of the Polk County Board of Supervisors, to insure equal application of those rights, to maintain order, and thereby to protect also the interests of their constituents. This Ordinance further provides for the county board standing committee system.

Article 2. Meetings

1. The regular business meetings of the Polk County Board of Supervisors will be held on the third Tuesday of each month. Meetings will begin at 6:00 p.m. Exceptions will include the annual meeting in November which will conform to §59.11(1) and the organizational meeting held in April of even numbered years which will be held on the third Tuesday of April at a time noticed by the chairperson.
2. A Committee of the Whole or a Planning and Informational Meeting may be scheduled quarterly or called as needed at the discretion of the chairperson or upon committee referral.
3. A majority of the county board supervisors at a noticed public meeting may cancel or reschedule a county board meeting.
4. County board meetings may be scheduled upon submittal of a written petition per §59.11(2)(a) by a majority of county board supervisors.
5. The county board chairperson may cancel or reschedule a county board meeting in case of severe weather or an emergency.
6. Ten days public notice must be given of cancellation or rescheduling of a non-emergency county board meeting except as stated in #5.
7. All county board supervisors must be present unless excused for good cause by the county board chairperson.
8. A majority of the supervisors entitled to a seat on the board shall constitute a quorum.
9. Seating of the county board members shall be in such an arrangement so all members face the chairperson and each other. Supervisors are to be seated by district number order.
10. The chairperson shall take the chair at the scheduled time and call the meeting to order. The clerk shall call the roll to determine if a quorum is present. The chairperson shall preserve order and decorum.

- 1
2 11. Public comment at county board of supervisor's meetings shall be allowed after the
3 speaker has been formally recognized by the chairperson. Each person may go to the
4 podium and identify themselves by name and municipality of residency before addressing
5 the board. Each person has three minutes to make their presentation which includes
6 distribution of handouts. The chairperson has the responsibility to conduct the public
7 comment period in an orderly and respectful manner.
8
9 12. The start of board meetings shall include the Pledge of Allegiance and Time for
10 Reflection.
11
12 13. The public and county board members shall observe the decorum of the proceedings and
13 shall refrain from unnecessary conversations and cell phone usage while the board is in
14 session.
15
16 14. Any county-oriented meeting that is held on Wednesday shall be concluded by 5:00 p.m.
17
18

19 **Article 3. Ordinances and Resolutions**

- 20
21 1. The county board shall consider only resolutions and ordinances that meet all of the
22 following:
23
24 a. A resolution or ordinance must be endorsed by either one or more sponsoring board
25 members or the chairperson of the committee that recommends consideration by the full
26 county board or by the county administrator pursuant to §59.18(5). All resolutions and
27 ordinances shall be filed with the clerk and be referred to a committee for review and
28 recommendation before being referred to the county board. If the county board receives a
29 resolution or ordinance that has not been considered by a committee, such resolution or
30 ordinance shall be referred to an appropriate committee for recommendation prior to final
31 action by the county board, unless the county board moves, by two-thirds majority of the
32 supervisors present, such resolution or ordinance to the floor for purposes of adoption.
33
34 b. Resolutions and ordinances must be approved as to form by corporation counsel. The
35 form of the resolution or ordinance shall conform to Wisconsin Statute Section 59.02 and
36 substantially comply with the form contained in Appendix A, attached to these rules.
37 Consideration for approval will only be given to properly endorsed documents and no
38 unlawful resolution or ordinance will be approved. The county administrator and
39 corporation counsel shall review all resolutions and ordinances prior to introduction to
40 the county board and shall initial each resolution or ordinance as recommended, not
41 recommended or reviewed only.
42
43 c. Any resolution that proposes an appropriation or expenditure must be reviewed by the
44 General Government Committee before the matter will be considered by the county
45 board. The county administrator is directed to append a fiscal impact statement to any
46 resolution or ordinance that requires funding that has not been authorized for

1 appropriation or expenditure in the current year. The corporation counsel is directed to
2 append a legal impact statement on any and all proposed resolutions or ordinances.
3 Notwithstanding the omission of such recommendation or said impact statements, the
4 county board may adopt any resolution or ordinance as it may determine in its discretion.
5

6 2. The county board chairperson shall prepare the agenda with the assistance of the county
7 clerk and administrator. The county clerk shall circulate to all board members a copy of
8 the agenda and all ordinances and resolutions plus related supporting documentation
9 noticed in the agenda at least ten calendar days before the regular monthly county board
10 meeting.
11

12 3. The county clerk shall timely publish the agenda in a publication of Polk County and on
13 the Polk County website.
14

15 4. The county board shall only consider matters contained on the agenda so circulated and
16 timely published unless a majority of the board votes to suspend these rules of order.
17

18 **Article 4. Debate**

19

20 1. Debate will only begin after a motion has been made and seconded to bring it to the floor.
21

22 2. Motions and amendments shall be put in writing at the request of the chairperson or the
23 clerk.
24

25 3. When any member wishes to speak in debate or deliver any matter to the board, he or she
26 shall raise their hand, stand if they wish, respectfully address the chairperson and shall
27 confine remarks to the question.
28

29 4. When two or more members wish to speak at once, the chairperson shall name the person
30 who is to speak first.
31

32 5. A motion that does not pertain to the question on the floor shall not be received.
33

34 6. A motion to close debate is out of order as long as any member who has not yet spoken
35 on the issue is seeking recognition.
36

37 7. No member shall speak more than twice and not longer than five minutes each on the
38 same question except by permission of the chairperson. No member shall be allowed to
39 speak upon the same question more than once until all members have had an opportunity
40 to speak on said question.
41

42 8. The chairperson in consultation with the corporation counsel shall decide questions of
43 order. A majority of the board may appeal the decision.
44

45 9. The chairperson may call the vice chairperson or second vice chairperson to the chair and
46 may debate any questions before the board.

- 1
2 10. A motion to adjourn shall be decided without debate.
3
4

5 **Article 5. Voting**
6

- 7 1. The chairperson shall clearly state or read the resolution or motion prior to voting.
8
9 2. All questions shall be put in proper form. Those in favor say "Aye". Those opposed say
10 the same sign.
11
12 3. The chairperson or any member may call for a roll call vote on any question. Votes shall
13 be recorded by the clerk.
14
15 4. All roll call votes of the county board shall proceed on a rotating basis.
16
17 5. The chairperson or any member may call for a ballot vote on any question. A ballot vote
18 has preference over a voice vote and over a roll call vote. Votes shall be recorded by the
19 clerk.
20
21 6. Prior to discussion a supervisor may request of the chairperson to be excused from voting
22 for a valid cause. Supervisors who do not vote without approved abstention shall have
23 their vote counted in the negative.
24
25 7. The chairperson shall vote on a call.
26

27 **Article 6. Election of Chairperson and Vice Chairpersons.**
28

- 29 1. The county board shall elect a chairperson, first vice chairperson and second vice
30 chairperson at the organizational meeting after supervisors have taken the oath of office
31 and voting would conform to state law. The chairperson, first vice chairperson and
32 second vice chairperson shall serve a two-year term.
33

34 **Article 7. Duties of the County Board Chairperson**
35

- 36 1. The county board chairperson shall preside at county board meetings.
37
38 2. The chairperson shall transact all necessary county board business as required by
39 §59.12(1).
40
41 3. The chairperson has the authority to appoint ad hoc and advisory committee members.
42
43 4. Vacancies on the county board shall be filled by appointment of the chairperson on an
44 interim basis until the next regular scheduled election. Recommendations may be
45 submitted from town, village or city boards located within the supervisory district. Any

1 vacancy on the county board shall be filled no later than 31 days after the occurrence of
2 any such vacancy.

- 3
- 4 5. The chairperson shall provide a monthly report to the county board that will include a
5 report on travel taken and meetings attended with a summary of issues addressed, as well
6 as travel and meetings planned in the future.
- 7
- 8 6. The chairperson shall develop an orientation meeting for newly elected supervisors prior
9 to the organizational meeting.
- 10
- 11 7. The chairperson shall serve as ex-officio member with voting privileges of a committee,
12 board or commission of the county board when a quorum of the regular members is not
13 present at a meeting.
- 14

15 **Article 8. County Board Standing Committee System**

- 16
- 17 1. **Establishment, Membership and Composition:** Five (5) standing committees are
18 established as follows:
- 19
- 20 a. Executive Committee, composed of five (5) members consisting of the county board
21 chairperson, the first vice chairperson, the second vice chairperson, and two members
22 elected from the county board. The county board chairperson shall serve as chairperson
23 of the committee.
- 24
- 25 b. Environmental Services Committee, composed of six (6) members, 5 of which are
26 supervisors and one (1) member who shall be the Farm Service Agency (FSA)
27 chairperson or designee of the FSA chairperson. The committee chairperson and vice
28 chairperson shall be a supervisor. The person seated as the FSA chairperson or designee
29 thereof shall have voting rights only on matters concerning land conservation, agriculture
30 and extension education and be considered as a member present for determining the
31 existence of a quorum of the committee on all matters before the committee.
- 32
- 33 c. General Government Committee, composed of five (5) supervisors.
- 34
- 35 d. Health and Human Services Board, composed of five (5) supervisors and
36 four (4) citizen members meeting the qualifications of Wisconsin Statutes
37 §§ 46.23(4) and 251.03(1).
- 38
- 39 e. Public Safety and Highway, composed of five (5) supervisors.
- 40
- 41 2. **Appointment:**
- 42
- 43 a. The appointment and election of supervisors to said county board standing committees
44 shall occur at the organizational meeting. As reasonably as possible, supervisors shall
45 serve on two county board standing committees. The chairperson shall appoint
46 supervisors to standing committees as selected for appointment by self- nomination and

1 election. The appointments made on the self- nomination and election are subject to
2 confirmation by the county board.

- 3
4 b. Subject to the confirmation of the county board, the county administrator shall appoint
5 citizen members to the county board standing committees.

- 6
7 3. **Executive Committee – Duties and Responsibilities:** The Executive Committee shall
8 have duties, responsibilities and assigned functions, as follows:

- 9
10 a. The fundamental purpose of the Executive Committee shall be advisory to special needs
11 situations. When conflict exists between committees, the Executive Committee shall
12 mediate and recommend solutions prior to the matter being referred to the full county
13 board.

- 14
15 b. The Executive Committee shall serve as the county’s ethics board.

- 16
17 c. The Executive Committee shall consider revisions to the rules of order and provide
18 recommendations to the county board.

- 19
20 d. The Executive Committee shall have other duties and responsibilities as determined
21 through resolution adopted, and amended as appropriate by simple majority of the
22 county board.

- 23
24 e. The Executive Committee shall conduct the annual performance review of the county
25 administrator. In addition, the committee shall review with the administrator his or her
26 goals and objectives for the coming year. Recommendations shall then be forwarded to
27 the county board for consideration.

- 28
29 4. **Duties and Responsibilities Common to Other Standing Committees.** With
30 exception of the Executive Committee, the county board standing committees are
31 responsible for developing policy recommendations to the county board on the functions,
32 programs and services assigned to the respective committee. A standing committee has
33 the responsibility to develop broad outlines and principles of governance concerning the
34 administration and management of respectively assigned functions, programs and
35 services. A standing committee develops such governance by providing advisory
36 recommendations to the county administrator and department heads who are responsible
37 for the administration and management of such assigned functions, programs and
38 services. Each standing committee has the common duties and responsibilities, as
39 follows:

- 40
41 a. **Legislation.** Review and make a recommendation to the county board on all proposed
42 resolutions and ordinances assigned to that committee. This review may incorporate a
43 public hearing or any other action to obtain public input at the discretion of the chair and,
44 as appropriate, the recommendations of the county administrator. Following such review,
45 a committee must vote whether to recommend an ordinance or resolution be adopted or
46 not adopted by the county board and whether that resolution be amended; alternatively a

1 committee may vote to make no recommendation to the county board. A committee may
2 also re-refer a resolution or ordinance to another standing committee. The committee
3 chair is responsible to provide the county board a written report of the recommendation at
4 the time the proposed resolution and ordinance is received by the county board for final
5 action.

- 6
- 7 b. **Budget Development and Execution.** Consistent with financial policies, review and
8 make recommendations on the budget proposed by the county administrator for each
9 assigned function, program or service. This review may incorporate a public hearing or
10 any other action to obtain public input at the discretion of the committee chair or as
11 directed by law or the county board. With respect to the development of the budget, the
12 committee must issue a recommendation to county board to adopt, amend or strike, the
13 proposed budget appropriation and expenditure for respective assigned functions,
14 programs and services. The committee chair must provide the county board a written
15 report on the committee recommendation prior to meeting held to conduct a public
16 hearing on the budget.
- 17
- 18 c. **Program Evaluations.** Periodically evaluate or oversee the evaluation of programs
19 assigned to the committee. The program evaluation will consider compliance of the
20 assigned program with policy as set by the county board, relevance of the program,
21 relative importance of the program, and its efficiency and effectiveness in achieving
22 results. The report on program evaluation must be submitted to the county board and
23 upon receipt made public.
- 24
- 25 d. **Committee Contact of Assigned Outside Agencies and Organizations.** The standing
26 committee makes recommendations to the county board concerning the partnership or
27 business relationship of the County with outside agencies and organizations as assigned
28 to the respective committee by this ordinance or subsequent resolution. The standing
29 committee provides advisory recommendations to county administrator, department
30 heads or other county staff on the administration of the contractual relationship with the
31 respective assigned outside agency or organization.
- 32
- 33 e. **Policy Priorities.** Annually review policy priorities as determined by the county board
34 and make recommendations to the county board on any amendment to these policy
35 priorities including inclusion of a new priority, deletion of an existing priority, or
36 amendment to any existing priority.
- 37
- 38 f. **Policy implementation.** Annually review the key strategies and key performance
39 indicators as developed by the relevant department to implement these policy priorities,
40 assess progress toward that implementation and make recommendations to the county
41 administrator as to their adjustment and related management direction including a review
42 of annual reports on assigned programs.
- 43
- 44 g. **Intergovernmental Relations.** Review pending state and federal legislation that may
45 affect programs over which the committee has oversight responsibility and assist the
46 county board in developing a coordinated response to this legislation including any

1 communication with federal, state and local representatives and municipal officials,
2 assigning a member as a liaison to regional and state governmental organizations as
3 recommended by the committee and authorized by the county board.
4

5 h. **Committee organization and meetings.** Unless previously noticed, committee meetings
6 are to be held monthly at a set time at the Government Center. Although committees
7 may meet jointly, two committees may not independently meet at the same time without
8 the consent of the county board chair.
9

10 i. **Organization.** At the first meeting of each committee following the organizational
11 meeting held in April of even numbered years, a committee must elect officers consisting
12 of committee chair and vice chair and establish a schedule for regular monthly meetings
13 to be held at the same day of the month and time, including alternative or second meeting
14 dates in each month.
15

16 j. **Cancellation.** The committee chair may cancel or reschedule a committee meeting for
17 reasons of weather, lack of a quorum, schedule conflict, lack of committee business, or
18 other operational reasons. Every effort should be made to provide at least four days'
19 notice of any cancellation or rescheduling.
20

21 k. **Work plan.** To implement these priorities, a committee must develop a work plan that
22 organizes committee work on a set calendar and, by December of each year, assess the
23 current work plan and adopt a work plan for the following year. A work plan will
24 identify objectives for the year, including, but not limited to, program evaluations, special
25 presentations and special meetings. The committee shall file with the clerk a report on
26 the assessment of the current year's plan. Said report must include an evaluation of
27 progress against the previous year's work plan.
28

29 l. **Agenda.** The committee chair must oversee the preparation of the agenda for all
30 committee meetings. The county clerk must circulate a copy of the agenda and all
31 relevant ordinances and resolutions plus related supporting documentation noticed in the
32 agenda to committee members at least four calendar days before the meeting. As
33 possible, committee agendas should include approximate time for agenda items for the
34 convenience of the public and other observers and participants.
35

36 m. **Convening a meeting.** The chair shall call the meeting to order at the scheduled time,
37 determining whether a quorum is present. If a quorum is not present, the committee may
38 not convene and business may not be conducted. The chair shall preserve order and
39 decorum. The county board chair may sit as an ex-officio member in the event of a lack
40 of quorum.
41

42 n. **Public comment.** Public comment at committee meetings is allowed after the speaker
43 has been formally recognized by the chair. Each person must identify themselves by
44 name and municipality of residence before addressing the committee. Each person has
45 three minutes to make their presentation. Only county employees or supervisors may
46 distribute literature or handouts. Materials presented by persons speaking during public

1 comment will be received by the clerk. The chair has the responsibility to conduct the
 2 public comment period in an orderly and respectful manner.
 3

- 4 o. **Supervisor Information.** During a committee meeting, a supervisor who is not a
 5 member of the committee is allowed to present information that is related to a resolution
 6 or ordinance sponsored by such supervisor or on points of interest relevant to those
 7 functions, programs or services assigned to the committee. The committee chair shall
 8 maintain the decorum of the meeting so as to prevent the supervisor from engaging in
 9 debate on matters received from a supervisor or on matters otherwise noticed on the
 10 agenda. The clerk will prepare the agenda to afford notice of the receipt of such
 11 supervisor information in compliance with the open meeting law.
 12

- 13 p. **Subcommittees.** A committee may create subcommittees to be composed of members of
 14 the Polk County Board of Supervisors or citizens as the committee deems expedient in
 15 carrying out its responsibility.
 16

17 **5. Environmental Services Committee.**

- 18 a. **Assigned Functions.** The functions, programs and services of the Environmental
 19 Services Committee are those programs and services administered and managed through
 20 the Land and Water Resources Department; Register of Deeds, Parks, Recreation, Trails
 21 and Forestry Department; Land Information Department; UW Extension Office; and
 22 Lime Quarry.
 23

- 24 b. **Contact Committee.** The Environmental Services Committee serves as the contact
 25 committee for the following outside agencies and organizations:

- 26 1. Farm Service Agency
- 27 2. Gandy Dancer Trail Commission
- 28 3. Northern Regional Trail Advisory Committee
- 29 4. Polk County Economic Development Corporation
- 30 5. Polk County Museum
- 31 6. Polk County Tourism Council
- 32 7. Revolving Loan Fund/EDC Loan Committee
- 33 8. West CAP
- 34 9. West Central Wisconsin Regional Planning Committee
- 35 10. Wisconsin Department of Natural Resources
- 36 11. Wisconsin Department of Agriculture, Trade and Consumer Protection
- 37 12. University of Wisconsin Extension
 38

- 39 c. **Specific Duties and Responsibilities.** The Environmental Services Committee carries
 40 out the following duties and responsibilities:

- 41 1. Serve as the land conservation committee pursuant to Wisconsin Statute Section
 42 92.07.
- 43 2. Nominate persons for appointment to serve as commissioners on public inland
 44 lake protection and rehabilitation district boards. Supervisors will be nominated
 45 and appointed to those districts that are in their supervisor district. Supervisors
 46 will have the option of designating a representative in their stead that resides or

owns property within the lake district. Such designation would be brought before the committee for nomination. Supervisors or citizens so appointed will receive no County compensation or reimbursement.

3. Serve as the planning and zoning commission pursuant to Wisconsin Statute Section 59.69
4. Authorize the sale of tax delinquent property and set appraisals of the same pursuant to Wisconsin Statute Section 75.69.
5. Oversee the University Extension Program as established under Wisconsin Statutes Section 59.56(3).
6. Review and authorize claims for damage to domestic animals by dogs pursuant to Wisconsin Statutes Section 174.11.
7. Provide recommendations concerning the development of the following County ordinances: Board of Adjustment Procedures, Comprehensive Land Use (Zoning), Floodplain, Lower St. Croix Riverway, Sanitary, Shoreland Protection Zoning, Subdivision, Telecommunication Towers and Related Facilities and Small Wind Energy Systems. Provide recommendations for those ordinances administered through the Land Information Department.
8. Hear and rule on special exceptions, conditional uses and variances under ordinances assigned to the committee.
9. Provide a recommendation to the county board on the County usage of lands proposed for acquisition.
10. Set price of lime pursuant to Wisconsin Statute Section 59.70(24).

6. General Government Committee.

- a. **Assigned Functions.** The assigned functions, programs and services of the General Government Committee are those functions, programs and services administered and managed through Administration; Employee Relations; Corporation Counsel; County Clerk; County Treasurer; and Information Technology Department. The General Government Committee provides policy recommendations to the county board and advisory recommendations to the county administrator and buildings director on the management of County lands and facilities and the Recycling Center.
- b. **Committee Contact.** The General Government Committee serves as the contact committee for the following outside agencies and organizations:
 1. Polk County Fair Society
 2. Arnell Memorial Humane Society
 3. Polk County Library Planning Committee
 4. Indianhead Federated Library System
 5. Salvation Army
 6. Endeavors Adult Development Center
- c. **Specific Duties and Responsibilities.** The General Government Committee carries out the following duties and responsibilities:
 1. Serve as the county finance committee with authority to transfer funds between budgeted items of an individual county office or department, if such budgeted items have been separately appropriated, and to supplement the appropriations for

1 a particular office, department, or activity by transfers from the contingent fund,
2 pursuant to Wisconsin Statute Section 65.90.

- 3 2. Perform all functions described within budget and financial management policies
4 and state law including making recommendations on the size and financing of the
5 overall County budget.
- 6 3. Recommend the overall staffing plans developed for authorization in the County
7 Budget.
- 8 4. Review all claims brought before or filed against the County.
- 9 5. Negotiate all labor contracts for Polk County and recommend to the county board
10 the approval of these agreements.
- 11 6. Recommend to the full county board the setting of compensation for elected
12 county officials and appointed employees as provided by Wisconsin Statute
13 Section 59.22.
- 14 7. Review and make recommendations on any lease agreements between Polk
15 County and other agencies.
- 16 8. Review and make recommendations concerning County public depositories and
17 investments.
- 18 9. Recommend the acquisition of real estate for County use.
- 19 10. Hear grievance disputes and appeals of personnel decisions in accordance with
20 applicable provisions of county personnel policies.
- 21 11. Serve as the grievance committee pursuant to Wisconsin Statute Section 59.26.

22
23 **7. Health and Human Services Board.**

- 24 a. **Assigned Functions.** The assigned functions, programs and services of the Health and
25 Human Services Board are those functions, programs and services administered and
26 managed through the Community Services Division(Health Department, Behavioral
27 Health Department; Department of Children and Families, and Medical Examiner);
28 Golden Age Manor Nursing Home; Child Support Agency; and Veterans Services.

- 29
30 b. **Committee Contact.** The Health and Human Services Board serves as the contact
31 committee for the following outside agencies and organizations:

- 32 1. Kinship of Polk County
- 33 2. ABC for Rural Health
- 34 3. Community Referral Agency
- 35 4. Polk County Housing Authority

- 36
37 c. **Specific Duties and Responsibilities.** The Health and Human Services Board carries out
38 the following duties and responsibilities:

- 39 1. Serves as the local board of health pursuant to Wisconsin Statute Section 251.03.
- 40 2. Perform all duties as required by Wisconsin Statute Section 46.23(5m).
- 41 3. Assist the Public Health Department in assessment of community health needs.
- 42 4. Attend as possible public health legislative events, regional Board of Health
43 trainings and agency professional advisory committee meetings.
- 44 5. Understand, respect, and adhere to federal regulations, Wisconsin Statutes and
45 rules of confidentiality to which the Health and Human Services Board must
46 adhere.

1 6. Oversee policy as implemented through funding for outside agencies including
2 the Polk County Housing Authority.
3

4 **8. Public Safety and Highway Committee.**

5 a. **Assigned Functions.** The assigned functions, programs and services of the Public
6 Safety and Highway are those functions, programs and services administered and
7 managed the Polk County Sheriff's Department; Emergency Management; District
8 Attorney and Victim/Witness Office; and Clerk of Circuit Court.
9

10 b. **Committee Contact.** The Public Safety and Highway Committee serves as the contact
11 committee for the following outside agencies and organizations:

- 12 1. Polk County Circuit Court/Judiciary
- 13 2. Polk County Criminal Justice Collaborating Council.
- 14 3. Polk County Local Emergency Planning Committee
- 15 4. Polk County Highway Safety Committee

16
17 c. **Specific Duties and Responsibilities.** The Public Safety and Highway Committee
18 carries out the following duties and responsibilities:

- 19 1. Provide a forum for the Polk County Circuit Court judges to discuss issues
20 involving the court system and public safety.
- 21 2. Conduct an annual tour of the Polk County jail and make recommendations to the
22 county board for any policy changes relating to that program.
- 23 3. Assign a member of the committee to serve as a liaison to the Polk County
24 Criminal Justice Collaborating Council, Inc.
- 25 4. Serve as the highway committee pursuant to Wisconsin Statute Section 83.015,
26 as a policy-making body determining the broad outlines and principles governing
27 administration of the Highway Department.
- 28 5. Hears permit appeals of the Highway Department decisions pursuant to
29 Wisconsin Statutes § 86.07.
- 30 6. Establish policy for the Highway Department infrastructure asset management
31 goals, supporting fixed assets, and business plan.

32
33 9. **Modification of County Board Standing Committee Provisions.** Notwithstanding
34 provisions herein to the contrary, the county board may amend, modify, reassign or
35 transfer the specific provisions under this article, County Board Standing Committee
36 System, by simple majority vote of supervisors present.
37

38 **Article 9. Compensation and Reimbursement**
39

- 40 1. The county board shall consider revisions to the compensation and reimbursement of
41 members of the county board of supervisors at its annual meeting of odd numbered years
42 and there fix the compensation of board members to be next elected by two-thirds vote,
43 consistent with Wisconsin Statute §59.10(3)(f).
44
- 45 2. The county board chairperson, first vice chairperson and second vice chairperson shall
46 receive compensation as set by said county board resolution.

- 1
2 3. County board members shall receive per diem plus travel mileage, meals and lodging
3 expenses as established by policy through resolution adopted and amended as appropriate
4 by simple majority of the county board.
5
- 6 4. Notwithstanding 2., above, supervisors and citizens appointed to serve on the board of
7 commissioners of public inland lake protection and rehabilitation districts shall not
8 receive County paid compensation or reimbursements.
9
- 10 5. All county board reimbursement requests shall be handled consistent with current Polk
11 County reimbursement policy and presented to the county clerk for review and approval
12 by the county board chair. The county board chairperson's reimbursement requests shall
13 be approved by any county board supervisor.
14
- 15 6. If a noticed meeting is cancelled because of lack of quorum, per diems and mileage will
16 be paid to those members attending.
17

18 **Article 10. General**

- 19
20 1. County board members shall conduct themselves in a respectful manner at all functions
21 of Polk County interest.
22
- 23 2. County supervisors are subject to the Polk County Code of Ethics, adopted pursuant to
24 Wisconsin Statute §19.59.
25
- 26 3. In the event that any provision of these rules of order is in conflict with federal, state or
27 local law, such provision shall be null and void without affecting the validity of the
28 remaining provisions of these rules of order.
29
- 30 4. All past rules in conflict with these rules of order are hereby rescinded.
31
- 32 5. In all questions relating to parliamentary procedure on the county board, the latest edition
33 of *Robert's Rules of Order* shall be the final authority.
34
- 35 6. These rules of order shall be determined by a majority vote at the organizational meeting
36 of a newly elected county board. With exception to the provisions of Article 8, County
37 Board Standing Committee System, amendments of these rules of order shall require a
38 two-thirds vote of the county board of supervisors present at a properly noticed meeting,
39 Amendments to the provisions of Article 8, County Board Standing Committee System,
40 shall require simple majority vote of supervisors present
41
- 42 7. These rules of order shall be printed and each current and newly elected supervisor shall
43 receive a copy. It will be the duty of the county board chairperson to maintain and update
44 the rules of order as called for by the county board.
45

46 Appendix A found on Page 15.

1
2
3 (History: Enacted - Ordinance No. 17-16, April 19, 2016; Amended – Ordinance No. 58-17,
4 November 14, 2017; Amended, Ordinance No. 43-18, May 15, 2018)

Appendix A
Polk County Board of Supervisors Rules of Order Ordinance

RESOLUTION TEMPLATE
(Adopted: May 15, 2018)

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“Resolution No. ____-18
Resolution <Insert Title, as appropriate>

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

Ladies and Gentlemen:

WHEREAS, (Optional) <Insert language that supports or gives background to the resolution>; and

WHEREAS.....

NOW, THEREFORE, BE IT RESOLVED, the Polk County Board of Supervisors <Insert operative language>.

BE IT FURTHER RESOLVED <Insert additional operative language>.

BE IT FURTHER RESOLVED that this resolution is effective upon passage. <Insert other specified date, as appropriate>.

Offered on the ____ day of _____, _____. <Insert date and month of the County Board

BY: <Insert as appropriate, Names and Districts of Sponsoring Supervisor; County Administrator; or Committee and Committee Chair>

Fiscal Impact Note: <Insert brief explanation of the fiscal impacts, if any, that the resolution may present.(Completed by Administrator)>

Legal Impact Note: <Insert brief explanation of the legal impacts, if any, that the resolution may present. If the resolution does not present legal impacts, so state. (Completed by Corporation Counsel).

Reviewed By County Administrator:

Approved as to Form and Execution:

Name/County Administrator

Name/Corporation Counsel

Resolution Template
Excerpt of Minutes

At its regular business meeting on the ___ day of ____, __, the Polk County Board of Supervisors acted upon Resolution No. ___ - __: <Insert Title of Resolution>, 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.
- Defeated: _____
- Other: _____

_____.

SIGNED BY:

ATTEST:

, County Board Chairperson

, County Clerk

Appendix A
Polk County Board of Supervisors Rules of Order Ordinance
Ordinance Template

“Ordinance No. ___ - ___
<Insert Title, as appropriate>

1
2
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11
12

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

Ladies and Gentlemen:

NOW, THEREFORE, BE IT ORDAINED, the Polk County Board of Supervisors enacts/amends/or other suitable language, as follows:

BE IF FURTHER ORDAINED that the above ordinance shall be effective upon passage and publication.

Offered this _____ day of _____, _____.

BY: <Insert as appropriate, Names and Districts of Sponsoring Supervisor; County Administrator; or Committee and Committee Chair>

Fiscal Impact Note: <Insert brief explanation of the fiscal impacts, if any, that the resolution may present.(Completed by Administrator)>

Legal Impact Note: <Insert brief explanation of the legal impacts, if any, that the resolution may present. If the resolution does not present legal impacts, so state. (Completed by Corporation Counsel).

Reviewed By County Administrator:

Approved as to Form and Execution:

Name/County Administrator

Name/Corporation Counsel

Ordinance Template
Excerpt of Minutes

At its regular business meeting on the ____ day of _____, __, the Polk County Board of Supervisors acted on Ordinance No. ____ - ____: <Insert Title of 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:

, County Board Chairperson

, County Clerk

Certification of Publication

Ord. No. ____ - __, as enacted the ____ day of _____, _____ was published in the <Insert Name of Legal Newspaper> on the ____ day of _____, _____.

, County Clerk

Resolution No. 36-18

Resolution Authorizing Leasing Office Space to Wisconsin Department of Natural Resources-
Forestry Staff

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

Ladies and Gentlemen:

WHEREAS, pursuant to Wisconsin Statute § 59.52(6)(c), the County Board may direct the leasing of
County facilities on terms that it determines as appropriate.

WHEREAS, pursuant to the County Finance Policy, Subchapter 5.6 **Management of County
Owned (Non-Tax Forfeiture) Real Estate**, Section 1.06, the County Administrator is delegated the
responsibility to negotiate the terms of leases of county property to outside agencies according to the
following criteria:

a. *Amount of lease payment.* For other than nonprofit agencies unless otherwise
authorized by the County Board, the rental amount for leased property must
not be less than the market rental value in the area. For nonprofit agencies,
the rental amount must not be less than the different between the mothballed
costs and the cost to the County if occupied.

b. *Term of lease.* All lease agreements must be for a period of one calendar year,
subject to automatic renewal, unless otherwise authorized by the County
Board.

WHEREAS, the General Government Committee has received and considered the request of the
Wisconsin Department of Natural Resources to lease available office space at the County
Government Center for Forestry staff and has recommended to the Polk County Board of Supervisors
authorize such a lease.

WHEREAS, consistent with policy, the County Administrator has identified available office space at
the County Government Center and has recommended such available office space be used by the
Wisconsin Department of Natural Resources for such purposes.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors authorizes and
directs the County Administrator to negotiate a lease to the Wisconsin Department of Natural
Resources for office space at the Government Center at a rental amount and term of lease as provided
by policy and upon other terms and conditions determined by the County Administrator as being in
the interest of the County.

BE IT FURTHER RESOLVED that, pursuant to Wisconsin Statute Section 59.52(6)(c), the Polk
County Board of Supervisors directs the County Clerk to execute lease the lease agreement on terms
and conditions negotiated by County Administrator.

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes and directs the
Polk County Buildings Director to administer the lease authorized herein.

Resolution No. 36-18
Resolution Authorizing Leasing Office Space to Wisconsin Department of Natural Resources-
Forestry Staff

Offered this 15th day of May, 2018.

BY: _____

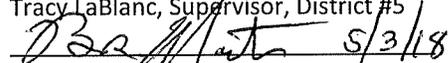
Brad Olson, Supervisor, District #1

Doug Route, Supervisor, District #2

Dean Johansen, Chair,
Supervisor, District #3,

Chris Nelson, Supervisor, District #4

Tracy LaBlanc, Supervisor, District #5



Brian Masters, 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

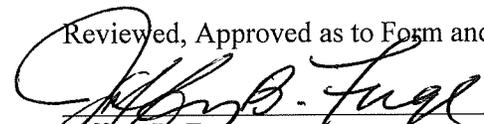
John Bonneprise, 2nd Vice Chair,
Supervisor, District #14

Joe DeMulling, Supervisor, District #15

Fiscal Impact Note: The above resolution will have no fiscal impact concerning the appropriations of the current budget.

Legal Impact Note: The resolution authorizes a lease agreement. The resolution presents no other legal impact

Reviewed, Approved as to Form and Execution:



Jeffrey B. Fuge

Interim County Administrator/ Corporation Counsel

Resolution No. 36-18
Resolution Authorizing Leasing Office Space to Wisconsin Department of Natural Resources-
Forestry Staff

At its regular business meeting on the 15th day of May, 2018, the Polk County Board of Supervisors acted upon Resolution No. 36-18: Resolution Authorizing Leasing Office Space to Wisconsin Department of Natural Resources- Forestry Staff, as follows:

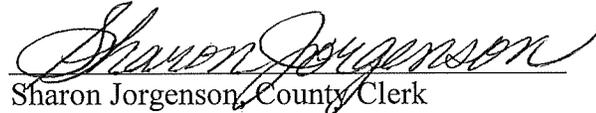
- Adopted by majority voice vote
- Adopted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- Adopted by unanimous voice vote.
- Adopted as amended. See Below.
- Other: _____

Insert amendment to resolution according to minutes:

SIGNED BY:


Dean Johansen, County Board Chairperson

ATTEST:


Sharon Jorgenson, County Clerk

CERTIFIED COPY OF POLK COUNTY RESOLUTION

STATE OF WISCONSIN

COUNTY OF POLK

I Sharon E. Jorgenson, Polk County Clerk due hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of Resolution No. 36-18: Resolution Authorizing Leasing Office Space to Wisconsin Department of Natural Resources – Forestry Staff adopted by the Polk County Board of supervisors at its regular business meeting held on May 15, 2018

A handwritten signature in cursive script that reads "Sharon E. Jorgenson" followed by the date "5/22/18".

Sharon E. Jorgenson, Polk County Clerk

Date

1 Resolution No. 39-18

2
3 Resolution approving mid-year Budget Adjustment for 2018 in ADRC Fund

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

6 Ladies and Gentlemen:

7 WHEREAS, The Polk County Board of Supervisors approved and adopted the Polk County
8 Operating and Capital Budget for Calendar Year 2018 in Resolution 75-17 on November 14, 2017;
9 and

10
11 WHEREAS, in order to address changes in the county's annual budget certain conditions need to be
12 met pursuant to the Financial Sections of General Code 3.05(b); and

13
14 WHEREAS, the Aging and Disability Resource Center (ADRC) has been notified of additional funds
15 in January, 2018 which will be available beginning April 1, 2018; and

16
17 WHEREAS, the Aging and Disability Resource Center (ADRC) Board has approved the mid-year
18 budget adjustment request at the governing committee level on February 23, 2018, and

19
20 WHEREAS, Funding has become available for Time and Task Reporting changes in ADRC where
21 Polk County Services as fiscal agent for the ADRC as a whole and there are no county levy dollars
22 supporting these additional activities required from the Time and Task Reporting Grant.

23 NOW, THEREFORE, BE IT RESOLVED, the Polk County Board of Supervisors, pursuant to
24 Wisconsin Statutes section 65.90, amend the 2018 departmental budget of the Aging and Disability
25 Resource Center with the additional revenue of \$100,842 to be allocated for Information and
26 Assistance support through account lines for Supervisor and Payment to Other Government.

27
28 NOW, THEREFORE, BE IT RESOLVED that the ADRC may, under this funding, set up an
29 additional position in their Burnett ADRC office.

Offered on the 15th day of May, 2018.

Signed and sponsored by:

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
Tracy LaBlanc 5/3/18

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

Fiscal Impact Note: ADRC State Aids will be increased in the 2018 budget by \$100,872 in the adjusted budget.

Legal Impact Note: The resolution has no legal impact on the County.

Reviewed By County Administrator:



Name/County Administrator

Approved as to Form and Execution:



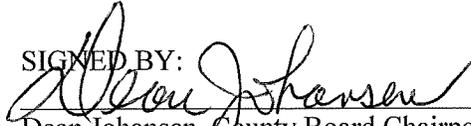
Name/Corporation Counsel

Excerpt of Minutes

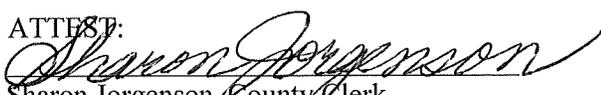
30 At its regular business meeting on the 15 day of May, 2018, the Polk County Board of
31 Supervisors acted upon Resolution No. 39-18: Resolution approving mid-year Budget Adjustment for
32 2018 in ADRC Fund, as follows:

- Adopted by two thirds majority vote of the County Board.
- Adopted by unanimous voice vote.
- Amendment: _____
_____.
- Defeated: _____.
- Other: _____.
- Amendment: _____
_____.

Insert amendment to resolution according to minutes:

SIGNED BY: 

Dean Johansen, County Board Chairperson

ATTEST: 

Sharon Jorgenson, County Clerk

CERTIFIED COPY OF POLK COUNTY RESOLUTION

STATE OF WISCONSIN

COUNTY OF POLK

I Sharon E. Jorgenson, Polk County Clerk due hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of Resolution No. 39-18: Resolution Approving Mid-year Budget for 2018 in ADRC Fund adopted by the Polk County Board of supervisors at its regular business meeting held on May 15, 2018

A handwritten signature in cursive script that reads "Sharon E. Jorgenson" followed by a date "5/23/18". The signature is written over a horizontal line.

Sharon E. Jorgenson, Polk County Clerk

Date

Resolution No AD-18

Resolution to Amend 2018 Budget to Incorporate Carry-forward Funds

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

Ladies and Gentlemen:

WHEREAS, events occur after the adoption of the annual budget that affect various program activities and their appropriations for a given budget year, and

WHEREAS, the annual budget resolution provides for restricted, committed and assigned fund carryovers, and

WHEREAS, some of the programs, projects, and activities that were planned for the 2017 budget year did not take place, were not completed, or are on-going and it is appropriate and necessary to carry-over the apportion for 2017 into the next budget years, and

WHEREAS, the financial impact of these delays could not be determined at the time the adopted 2018 budget resolution was adopted and therefore money could not be re-allocated in the 2018 budget, and

WHEREAS, the Finance Director has compiled a list designating those programs, projects, activities, and corresponding such 2017 funds that should be carried forward and re-approved in the 2018 budget, and

WHEREAS, Wisconsin Statutes and county policies authorizes and requires that the County Board take official action to approve the designation, carry-over, and the re-appropriation of funds in the interest of full financial disclosure.

NOW, THEREFORE, BE IT RESOLVED, the Polk County Board of Supervisors review and approve the following appropriations from the General Fund/ADRC/Highway Project Fund that were unexpended for the year ending December 31, 2017 and that the 2018 budget be amended accordingly:

- Buildings, Parks, and Solid Waste, and Forestry Department:
 - \$32,000 in the Buildings Improvement account for repairs to government center driveway.
 - \$7,386 in building conservation account as committed.
 - \$11,144 in forest maintained roads account as restricted.
 - \$1,986 in forest wildlife habitat account as restricted.

- Law Enforcement:
 - \$9,756 in law enforcement federal forfeiture account as restricted

- 37 • Veteran's Service Office
- 38 \$9,363 in the veteran service grant account as restricted
- 39 \$26,504 in the veteran relief account as restricted
- 40
- 41 ADRC
- 42 o \$120,223 in ADRC for State of Wisconsin transportation account as designated
- 43 for purchase of adaptive mobility devices at an estimated cost of \$50,000
- 44 • New Highway Facility Buildings Fund
- 45 o \$9,094,122 in new highway facility building fund as designated
- 46
- 47 Administration
- 48 o \$8,849 in the employee recognition account (vending machine fund) as assigned
- 49

50 BE IT FURTHER RESOLVED that the Finance Director is directed to record such information in
 51 the official books of the County for the year ending December 31, 2017 with a reserve for the
 52 account carryovers and record in the 2018 adjusted budget.

53 BE IT FURTHER RESOLVED that this resolution is effective upon passage and publication
 54 pursuant to 65.90(5)(a).

Offered on the 15th day of May, 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 5/3/18

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

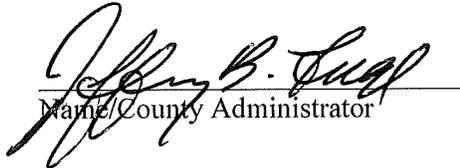
John Bonneprise, 2nd Vice Chair,
 Supervisor, District #14

Joe DeMulling, Supervisor, District #15

Fiscal Impact Note: Carryovers in the total amount of \$98,139 in the general fund, \$120,223 in the ADRC Fund, and \$9,094,122 in the highway facility project fund. These amounts will appear in the 2018 budget in each fund as well as reserved at December 31, 2017.

Legal Impact Note: This resolution has no legal impact.

Reviewed By County Administrator:


Name/County Administrator

Approved as to Form and Execution:


Name/Corporation Counsel

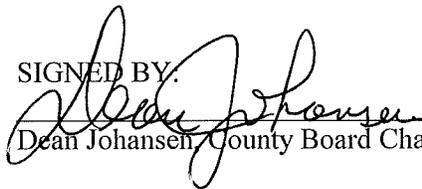
Excerpt of Minutes

55 At its regular business meeting on the 15 day of May 2018, the Polk County Board of Supervisors
56 acted upon Resolution No. 40-18: Resolution to Amend 2018 Budget to Incorporate Carry-forward
57 Funds as follows:

- Adopted by two thirds majority vote of the County Board
- Adopted by unanimous voice vote.
- Amendment: _____

- Defeated: _____
- Other: _____

Insert amendment to resolution according to minutes:

SIGNED BY: 
Dean Johansen, County Board Chairperson

ATTEST: 
Sharon Jorgenson, County Clerk

CERTIFIED COPY OF POLK COUNTY RESOLUTION

STATE OF WISCONSIN

COUNTY OF POLK

I Sharon E. Jorgenson, Polk County Clerk do hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of Resolution No. 40-18: Resolution to Amend 2018 Budget to Incorporate Carry-Forward Funds adopted by the Polk County Board of supervisors at its regular business meeting held on May 15, 2018

A handwritten signature in cursive script that reads "Sharon E. Jorgenson" followed by the date "5/22/18".

Sharon E. Jorgenson, Polk County Clerk

Date

Resolution No. 41-18

Resolution to Authorize Cancellation of Outstanding Orders

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

Ladies and Gentlemen:

WHEREAS, pursuant to Wisconsin Statutes 59.23(3)(c) and (d), the County Treasurer is required to pay all county orders as directed by the County Board and keep a true and correct account of the expenditure, specifying the person to whom the payment was made and the purpose of each particular payment; and

WHEREAS, pursuant to Wisconsin Statute 59.64(4)(d), the clerk shall prepare and present to the board, at each annual session, a descriptive list giving the amount, date and payee of all county orders which have remained in the clerk's office for 2 years uncalled for by the payee. The board shall cause the orders to be compared with the list, and when found or made correct; the list shall be entered at length on the journal of the board and filed in the office of the clerk: and all the orders shall be cancelled and destroyed. The person in whose favor the order was drawn, except those issued under sub (1)(d) , may, upon application to the treasurer, made within 6 years from the date of the order, have a new order issued for the amount of the original, without interest.

NOW, THEREFORE, BE IT RESOLVED, the Polk County Board of Supervisors review and approve the following the recommendation of the County Treasurer and County Clerk for the cancellation and/or reissuing of the following checks noted below.

Number	Date	Description	Type	Amount
182593	2/5/2014	JODI L ANDERSON	Check	37.60
182626	2/6/2014	EMMA JOHNSON	Check	10.00
182642	2/6/2014	KPSJIA STAIMER	Check	5.00
182673	2/6/2014	SIERRA SWANSON	Check	10.00
183883	4/3/2014	JOSHUE LEE DOYLE	Check	38.26
185157	6/3/2014	CODY S BARNES	Check	23.60
186594	8/7/2014	DAVID BALESTRI	Check	59.00
187727	9/9/2014	TAMARA BEAUDRY	Check	10.00
187841	10/1/2014	DICK B GREEN JR	Check	70.46
189743	12/19/2014	JASON VANASSE	Check	7.38
190815	2/6/2015	BRIANNA EARNEY	Check	10.00
190817	2/6/2015	CARSEN ELEY	Check	5.00
192699	4/27/2015	DANIEL G ROMBERG	Check	<u>37.75</u>
				\$324.05

22 BE IT FURTHER RESOLVED that the Finance Director is directed to record such information in
23 the official books of the County for the year ending December 31, 2017 with a reserve for the
24 account carryovers and record in the 2018 adjusted budget.

25 BE IT FURTHER RESOLVED that this resolution is effective upon passage

Offered on the 15th day of May, 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 5/3/18
Brian Masters, Supervisor, District #6

Russell Arcand, Supervisor, District #13

Michael Prichard, Supervisor, District #7

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

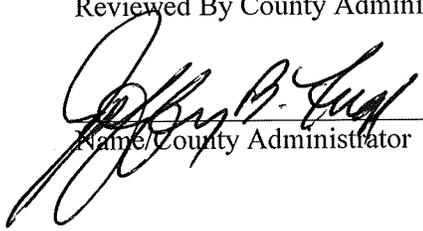
Joe DeMulling, Supervisor, District #15

Fiscal Impact Note: Upon passage, \$324.05 will be adjusted in the general ledger.

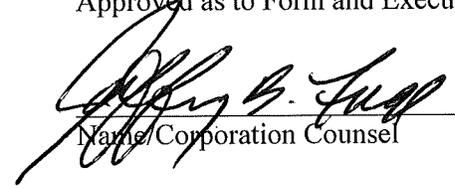
Legal Impact Note: This resolution has no legal impact. The County remains obligated to pay amounts to payee on demand until 6 years from initial date of check.

Reviewed By County Administrator:

Approved as to Form and Execution:



Name/County Administrator



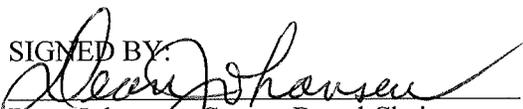
Name/Corporation Counsel

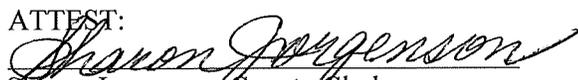
Excerpt of Minutes

26 At its regular business meeting on the 15 day of May, 2018, the Polk County Board of
27 Supervisors acted upon Resolution No. 41 -18: Resolution to Authorize Cancellation of Outstanding
28 Orders, 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.
- Amendment: _____
- Defeated: _____
- Other: _____

Insert amendment to resolution according to minutes:

SIGNED BY:

Dean Johansen, County Board Chairperson

ATTEST:

Sharon Jorgenson, County Clerk

CERTIFIED COPY OF POLK COUNTY RESOLUTION

STATE OF WISCONSIN

COUNTY OF POLK

I Sharon E. Jorgenson, Polk County Clerk due hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of Resolution No. 41-18: Resolution to Authorize Cancellation of Outstanding Orders adopted by the Polk County Board of supervisors at its regular business meeting held on May 15, 2018

A handwritten signature in cursive script that reads "Sharon E. Jorgenson" followed by the date "5/22/18".

Sharon E. Jorgenson, Polk County Clerk

Date

Polk County Ordinance No. 16-18, Ordinance to Enact Amended Polk County Private Sewage System Ordinance

And

Polk County Ordinance No. 18-18, Ordinance to Enact Amended Polk County Small Wind Energy System Ordinance

And

Polk County Ordinance No. 19-18, Ordinance to Enact Amended Polk County Lower St. Croix Riverway Ordinance

And

Polk County Ordinance No. 21-18, Ordinance to Enact Amended Polk County Telecommunication Towers, Antennas, and Related Facilities Ordinance

Notice is hereby given that the Polk County Board of Supervisors did adopt the above listed ordinances during the Tuesday, May 15, 2018, regular meeting of the Polk County Board of Supervisors.

Ordinance No. 16-18, No. 18-18, No. 19-18, and No. 21-18 shall be effective on May 30, 2018

The purpose of the Private Sewage System Ordinance is to promote and protect public health and safety through proper siting, design, installation, inspection, maintenance, and management of private onsite wastewater treatment systems.

The Small Wind Energy System Ordinance oversees the permitting of tower-mounted small wind energy systems to preserve and protect public health and safety without significantly increasing the cost or decreasing the efficiency of a small wind energy system (per Wis. Stat. §. 66.0401).

The purpose of the Lower St. Croix Riverway Ordinance is to promote the public health, safety, and general welfare of the public by reducing the adverse effects of overcrowding and poorly planned shoreline and bluff area development, preventing soil erosion and pollution and contamination of surface water and groundwater, providing sufficient space for sanitary facilities, minimize flood damage, maintain property values, and preserve the water and related land of the Lower St. Croix Riverway in a manner consistent with the National Wild and Scenic Rivers Act (P.L. 90-542), the Federal Lower St. Croix River Act of 1972 (P.L. 92-560) and the Wisconsin Lower St. Croix River Act (Wisconsin Statute § 30.27).

The purpose of the Telecommunication Towers, Antennas, and Related Facilities Ordinance is to accommodate communication, radio, and television needs while protecting the public health, safety and general welfare. The ordinance seeks to: minimize adverse visual impacts of wireless communication service and other transmission facilities through careful site and design standards, avoid potential damage to adjacent properties from the construction, location and operation of wireless communication service and other transmission facilities through structural standards and setback requirements, maximize the use of existing and approved towers, buildings or structures to accommodate new wireless communication service and other transmission antennas to minimize the number of towers needed to serve the county, and minimize hazards to birds.

Complete copies of Ordinance No. 16-18, No. 18-18, No. 19-18, and No. 21-18 may be obtained by contacting the Polk County Clerk office, located at 100 Polk County Plaza, Suite 110, Balsam Lake, Wisconsin or by calling 715-485-9226. The complete documents may also be viewed online on the Polk County Website at: www.co.polk.wi.us under the Division of Zoning.

Ordinance No. 16-18

Ordinance To Enact Amended Polk County Private Onsite Wastewater Treatment System
(POWTS) Ordinance

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

Ladies and Gentlemen:

WHEREAS, on March 21, 2017, the Polk County Board of Supervisors enacted Ordinance No. 11-17, entitled as Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance; and

WHEREAS, Wisconsin plumbing code is under the authority of the Wisconsin Department of Safety and Professional Services; and

WHEREAS, private sewage systems are regulated by Wisconsin Administrative Code SPS 383-387 and 391; and

WHEREAS, on February 15, 2018, the Polk County Zoning Administrator filed pursuant to Wisconsin Statute Section 59.69(5)(e) a petition sought to amend the Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance, through the enactment of the proposed Amended Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance; and

WHEREAS, the amendment changes the after-the-fact penalty fee from \$500 to two times the regular permit fee; and

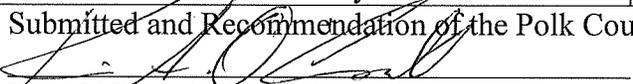
WHEREAS, on March 7, 2018, the Polk County Environmental Services Committee, as the planning and zoning committee, opened and held a public hearing on the petition to amend the Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance; and

WHEREAS, after considering public input received in the public hearing and incorporating such public input and recommendations, as appropriate, the Polk County Environmental Services Committee recommends that the Polk County Board of Supervisors enact as and for the county's sanitary ordinance under Wisconsin Statute Sections 59.70, 254.59, and Chapter 145 the attached proposed ordinance, entitled "Amended Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance".

NOW, THEREFORE, pursuant to Wisconsin Statute Section 59.69(5)(e), the Polk County Board of Supervisors ordains as follows:

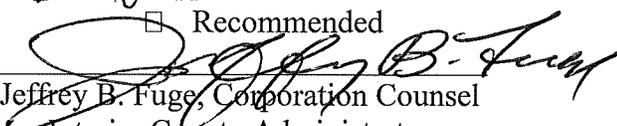
1. The Amended Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance, attached hereto and incorporated herein, is enacted.
2. The Polk County Zoning Administrator is directed to forward the Amended Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance to the Wisconsin Department of Safety and Professional Services.

- 32 3. Pursuant to Wisconsin Statute Sections 59.14(1) and 985.01(5), the County Clerk is
 33 directed to cause to be published the ordinance enacted herein.
- 34 4. The Amended Polk County Private Onsite Wastewater Treatment System (POWTS)
 35 Ordinance shall be effective upon passage and publication as provided by law.

Funding Source/ Funding Amount:	Not Applicable
Date Reviewed as to Appropriations:	Not Applicable
Committee Recommendation as To Appropriation:	Not Applicable
Effective Date:	Upon Passage and Publication
Dated Submitted To County Board	April 17, 2018
Submitted and Recommendation of the Polk County Environmental Services Committee:  Kim O'Connell, Committee Chair	

Review By Corporation Counsel

Approved as to Form
 Recommended


 Jeffrey B. Fuge, Corporation Counsel
 Interim County Administrator

County Board Action

At its regular business meeting on April 17, 2018 the Polk County Board of Supervisors enacted the above-entitled ordinance: Ordinance No. 16 -18: Ordinance To Enact Amended Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance, by majority vote of the entire membership of a vote of in favor and against: *unanimous voice vote*

Dean Johansen
Dean Johansen, County Board Chairperson

Dated: 5/23/18

Attest: *Sharon Jorgenson*
Sharon Jorgenson, Polk County

Dated: 5-23-18

Certification of Publication

The above-enacted ordinance, Ordinance No. 16 -18: Ordinance To Enact Amended Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance was published in the Inter-County Leader on the 6 day of June, 2018.

Sharon Jorgenson
Sharon Jorgenson, County Clerk

Dated: 5-22-18

CERTIFIED COPY OF POLK COUNTY ORDINANCE

STATE OF WISCONSIN

COUNTY OF POLK

I, Sharon E. Jorgenson, Polk County Clerk due hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of the Polk County Ordinance No. 16-18: Ordinance to Enact Amended Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance as adopted by the Polk County Board of Supervisors on the 15th day of May, 2018.

 5/22/18

Sharon E. Jorgenson, Polk County Clerk

Date

Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance

Ordinance No. 16-18

**Polk County Private Onsite Wastewater Treatment System (POWTS)
Ordinance**

Enacted: May 15, 2018; Published: May 30, 2018

Effective Date: May 30, 2018

Polk County Land Information Department
Polk County Government Center
100 Polk County Plaza, Suite 130
Balsam Lake, WI 54810
715-485-9111
715-485-9246 Fax

Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance

(Effective: May 30, 2018)

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Section 1: Statutory Authority

This ordinance is adopted pursuant to the authorization in Wisconsin State Statute 59.70(1), 59.70(5), 145.04, 145.19, 145.20, 145.245, 254.59, and Wisconsin Department of Safety and Professional Services code chapters SPS 383-387 and 391.

Section 2: Purpose

The underlying principles of this ordinance are basic goals in environment, health and safety accomplished by proper siting, design, installation, inspection, maintenance, and management of POWTS and non-plumbing sanitary systems.

Section 3: Severability and Liability

- A. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the remaining portions of this ordinance. The Polk County Board of Supervisors declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more such provisions be declared unconstitutional or invalid.
- B. To the extent that any of the provisions of this ordinance are interpreted to be invalid or inconsistent with Wisconsin Statute and Administrative Code, said ordinance provision shall lack application and the applicable state standard is hereby incorporated by reference as expressly provided herein so as to allow for lawful issuance of any permit as provided by this ordinance and to allow for the enforcement by ordinance of the state standard.
- C. This ordinance shall not create a liability on the part of or a cause of action against the county or any employee thereof for any private sewage system which may not function as designed. There shall be no liability or warranty for any site which is approved or denied. The issuance of a sanitary permit and the final inspection of such a system do not warrant the system's function, nor is there a guarantee that the system is free of defects or that all aspects of the system comply to Wisconsin Statute or Administrative Code requirements.

Section 4: Definitions

The following definitions apply to the provisions of this ordinance:

Bedroom: A room for sleeping that includes an ingress/egress.

Certified Soil Tester (CST): A person certified to conduct Soil and Site Evaluations in accordance with SPS 385.

Committee: The Environmental Services Committee.

County Sanitary Permit: A permit issued by the Polk County Zoning Department for a reconnection, restoration, repair or for the installation of a non-plumbing sanitation system.

Domestic Wastewater: The type of wastewater, not including storm water, normally discharged from or similar to that discharged from plumbing fixtures, appliances and devices including, but not limited to sanitary, bath, laundry, dishwashing, garbage disposal and cleaning wastewaters.

Dwelling Unit: A structure or portion thereof with rooms arranged, designed or intended for occupancy by an individual or family for residential purposes.

Human Habitation: The act of occupying a structure as a dwelling or sleeping place, whether intermittently or as a principal residence.

Occupancy: Pertains to and is the purpose for which a structure is used or intended to be used. A change of occupancy is not intended to include a change of tenants or proprietors.

Ordinary High Water Mark (OHWM): means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.

Plan Revision: A modification to an approved application where a valid sanitary permit is in effect.

Plumber: A person licensed by the state as a Master Plumber or Master Plumber-Restricted Services for the purposes of this ordinance.

Portable Restroom (Satellite): A self-contained portable unit that includes fixtures and holding tank facilities, designed to contain domestic waste.

Private Onsite Wastewater Treatment System (POWTS): A sewage treatment and disposal system serving a structure with a septic tank, holding tank, aerobic treatment unit, or soil absorption field.

POWTS- Conventional: A POWTS consisting of a septic tank and/or an aerobic treatment unit (ATU) and an in-ground soil absorption component with gravity distribution of effluent.

POWTS- Failing: As defined under Wisconsin Statutes § 145.245(4).

POWTS- Holding Tank: A tank without a soil absorption component to collect domestic waste. The minimum tank size shall be 2000 gallons.

POWTS- Non-plumbing Sanitation System: Sanitation systems and devices within the scope of SPS 391, which are alternatives to water carried waste plumbing fixtures and drain systems; including, but not limited to, incinerating toilets, composting toilets and privies.

POWTS- Physical Restoration: The process of restoring the hydraulic functions and capabilities of a soil absorption system by soil fracturing. This process can reduce or eliminate flow restrictions in the soil due to biomat build up. Each method of restoration must have obtained product approval from the state.

POWTS- Privy: An enclosed non-portable toilet which non-water-carried human wastes are deposited (a non-plumbing sanitation system)

POWTS- Privy-Pit: A privy with a subsurface storage chamber that is not watertight.

POWTS- Privy-Vault: A privy with a subsurface storage chamber that is watertight.

POWTS- Reconnection: The connection of an existing POWTS to a new or replacement structure

POWTS- Repair: A restoration of a POWTS component to the original operating condition.

POWTS- Septic Tank: An anaerobic treatment tank.

Public Sewer: A sewer owned and controlled by a public authority.

Register of Deeds: Polk County Register of Deeds.

Sanitary Permit: A county sanitary permit, a state sanitary permit or both.

State: The Wisconsin Department of Safety and Professional Services.

State Sanitary Permit: A permit issued by the zoning department for the installation or modification of a POWTS, pursuant to Wisconsin Statutes §§ 145.135 and 145.19. 34.

Section 5: General Provisions

A. Compliance

1. All domestic wastewater shall enter a POWTS, unless otherwise exempted by the state or this ordinance.
2. The discharge of domestic waste including greywater and effluent to the waters of the state or to the ground surface is prohibited.
3. All structures or premises in the county that are permanently or intermittently intended for human habitation or occupancy, which are not serviced by a public sewer, shall have a system for holding, treatment, and dispersal of domestic wastewater, which complies with the provisions of this ordinance and all applicable state laws governing the location, construction, and use of private sewage systems: § 59.70(5), Chs. 145, 281.48 and 986.10, Wis. Stats.; Chs. SPS 352.63, SPS 381-85, SPS 387, SPS 391, NR 113 and NR 116 Wis. Adm. Code.

4. A non-plumbing sanitation system may be permitted only when the structure or premises served by the non-plumbing system is not provided with an indoor plumbing system. If plumbing is installed in the structure or water under pressure is supplied to the structure, an acceptable method of sewage disposal other than, or in addition to, a non-plumbing sanitation system must be provided.
5. Any POWTS, or portion(s) thereof, installed within a floodplain, shall comply with all applicable requirements of NR 116, Wisconsin Administrative Code and the Polk County Floodplain Zoning Ordinance.
6. A sanitary permit shall be obtained by the property owner, his/her agent or contractor, in the name of the property owner, before a POWTS or non-plumbing sanitary system may be installed, replaced, reconnected or modified. Any property owner, his/her agent or contractor, who starts construction prior to obtaining a sanitary permit is in violation and may be subject to citation or other enforcement action.
7. A written easement is required for POWTS that are proposed to be located on parcels that are not owned by the owner of the wastewater source. The easement shall be of adequate size to accommodate the installation and maintenance of the POWTS. The easement must be recorded in the Register of Deeds Office prior to the issuance of the sanitary permit.
8. If the design wastewater flow of a POWTS for a dwelling is not based upon the number of bedrooms within the dwelling, an affidavit limiting occupancy to the design flow shall be recorded in the Register of Deeds Office.
9. The zoning department shall issue written notice to each applicant whose sanitary permit application is disapproved per Wisconsin Statutes §145.20 (2) (c). Each notice shall list the specific reasons for disapproval and the amendments required to make the application approvable.

Section 6: Soil and Site Evaluations

- A. Soil and site evaluations shall be done prior to the issuance of sanitary permits as specified in SPS 383 or SPS 391, Wis. Adm. Code.
- B. Soil and Site Evaluation Reports must comply with SPS 385, Wis. Adm. Code. for the issuance of a new or replacement sanitary permit. Soil test pits shall be constructed pursuant to SPS 385, Wis. Adm. Code to allow adequate visual observation of the soil profile in place.
- C. County verification of a Soil and Site Evaluation report may be necessary to determine the suitability of a lot for a POWTS. This verification will be made at the discretion of the zoning administrator and will be made prior to the issuance of the sanitary permit. The verification will be filed with the sanitary permit or in a separate file if no sanitary permit has been issued.
- D. A Soil and Site Evaluation Report signed as original by the Certified Soil Tester (CST) conducting the evaluation, must be submitted to the Zoning Department. The report format must comply with § SPS 385.40(2) and pages must be numbered to identify entire report contents. Reports shall be filed on State approved forms.

- E. In addition to minimum requirements in § SPS 385.40(3), the soil and site evaluation report must provide a site plan that contains the following information:
1. A site plan drawn to scale, in addition to the legal description, indicating nearest road(s) for access. The drawing must be fully dimensioned, using the same scale for property features, soil dispersal, and/or treatment area. If the entire property is too large to fit on the page at the accepted scale, the nearest road and/or lot lines may be indicated with a broken line for measured distances from the tested area.
 2. A benchmark must be established within a line of sight to the soil tested area. The benchmark must be identified by a description of the benchmark used. (e.g. lot stake or PVC pipe) The measured distance to the benchmark location must be included on the scale drawing.
 3. Soil pit and/or boring locations must have a ground surface elevation and horizontal reference to the benchmark and/or lot lines. Distances between pit and/or borings must be sufficient to allow adequate square footage for installation of a soil absorption dispersal area appropriate for the soil application rates encountered on the site.
 4. Ground surface contour lines at appropriate intervals should extend beyond the perimeter of the soil-tested area to indicate surface features affecting the size and orientation of a treatment or dispersal system.
 5. Location of easements, floodplain, and the ordinary high water mark must be shown; if available at the time the soil evaluation report is prepared.
- F. Soil and Site Evaluation Reports that do not contain all required information will not be accepted for permitting purposes by the zoning department and therefore cannot be used to design a POWTS.
- G. Review and acceptance of the Soil and Site Evaluation Report by the zoning department cannot guarantee the data will be accurate for installation of a POWTS system. The CST and/or POWTS installer may request field verification of site conditions and/or soil profile descriptions if a determination is needed.
- H. Soil and Site Evaluation Reports that have been accepted will remain on file in the zoning department.

Section 7: Permit Requirements

- A. Every POWTS and non-plumbing system shall require a separate application and sanitary permit.
- B. A sanitary permit is valid for 2 years from the date of issuance, but can be renewed for an additional 2 years.
- C. The sanitary permit shall be issued before the land use permit.
- D. Applications for state sanitary permits shall be submitted to the county on state approved forms.
- E. When any state approval is required for a sanitary system, an original copy of the approval shall be submitted with the sanitary permit application.

F. A state sanitary permit shall be issued by the county prior to the installation, construction, or modification of the following:

1. A POWTS holding component
2. A POWTS treatment component
3. A POWTS dispersal component

G. A sanitary permit is not required for the addition of manhole risers or for the replacement of manhole covers, baffles, floats, pipes, filters, and pumps.

H. A sanitary permit is not required to connect an accessory building without bedrooms to an existing sanitary system.

I. If any part of a private sewage system has failed, requires replacement, reconnection, or modification, the entire system shall be evaluated for compliance with existing codes prior to sanitary permit issuance. This shall include a soil and site evaluation for those components that utilize in situ soil for treatment or dispersal, unless a valid report is already on file with the County.

J. If any part of the system is found to be defective or not in conformance with the applicable provisions of this ordinance, the sanitary permit application shall include specifications for the repair, renovation, replacement or removal of that part.

K. Change of Plumbers

1. If an owner wishes to change plumbers, it is necessary to furnish the zoning department with the proper forms and plans signed by the new plumber.
2. Sanitary permits requiring state plan approval shall not be issued to a different plumber unless the plan bears the stamp of a plumbing designer or a new state plan approval is received with the new plumber.
3. The change of plumbers shall take place prior to the installation of the POWTS.

L. Revision of sanitary permit

1. Revisions as outlined in SPS 383.22(4)(a), Wis. Adm. Code shall also include the change of plumbers responsible for the POWTS installation.
2. It is the responsibility of the plumber to provide plan revisions that detail any additions, alterations, or other modifications to the original permit.

M. Transfer of sanitary permit.

1. Transfer of ownership of a property for which a valid sanitary permit exists shall be subject to the following:
 - a. The applicable state transfer form shall be submitted to the County.
 - b. The sanitary permit card shall be returned to the County so that a new permit card may be issued.

- c. Transfer of ownership shall not affect the expiration date or renewal requirements

Section 8: County Sanitary Permits

- A. A county sanitary permit shall be issued by the zoning office prior to the land use permit when reconnecting an existing sewer system to a new dwelling to verify that the system is properly connected and functioning properly.
- B. A county sanitary permit shall be issued by the zoning office before a non-plumbing sanitary system is installed including but not limited to: privy, composting toilet, chemical toilets, and incinerating toilets.
- C. Reconnection
 - 1. Reconnection permits do not apply to mobile home parks and campgrounds that are licensed by the State of Wisconsin.
 - 2. A county sanitary permit for a reconnection to an existing POWTS shall be obtained prior to the following, however, the reconnection shall not allow the wastewater load and/or contaminate load of the structure to exceed the limitations of the existing system:
 - a. Construction of a structure to be connected to an existing POWTS.
 - b. Disconnection of a structure from an existing POWTS and connection of another structure to the system.
 - c. Rebuilding a structure that is connected to a POWTS.
 - 3. Prior to issuing a county sanitary permit, the existing POWTS shall be examined to:
 - a. Determine if it is functioning properly or whether it is a failing system.
 - b. Determine if it will be capable of handling the proposed wastewater flow and contaminant load from the building to be served.
 - c. Determine that all minimum setback requirements of SPS 383, Wis. Adm. Code, will be maintained. Well setbacks are pursuant to NR 811 and NR 812 Wis. Adm. Code.
 - 4. Application for a county sanitary permit for a reconnection shall include the following:
 - a. For all systems that utilize in situ soil for a treatment or disposal, a Soil and Site Evaluation report verifying that the vertical separation distance between the infiltrative surface of the existing treatment or dispersal component and estimated high groundwater elevation and bedrock complies with SPS 383, Wis. Admin. Code, unless a valid report meeting these criteria is on file with the county;

- b. A report provided by a licensed plumber, certified septage servicing operator or a POWTS inspector relative to the condition, capacities, baffles and manhole covers for any existing treatment or holding tanks;
- c. A report provided by a licensed plumber or POWTS inspector relative to the condition and capacities of all other system components and verifying that the system is not a failing system;
- d. Complete plans indicating location of piping and existing components.
- e. Reconnection to existing holding tanks may require a new servicing contract and an updated holding tank agreement which meets the requirements of this ordinance;
- f. Reconnection to an existing system other than a holding tank may require a new maintenance agreement or contract.
- g. Replacing a structure with a new or different structure within two years of the date of permit issuance will only require statements indicating that the system has not been altered, that a modification in wastewater flow or contaminant load will not occur, and a plot plan that documents all setbacks between the structure and system components.

Section 9: Maintenance and Management

- A. All private sewage systems and non-plumbing sanitation systems shall be managed and maintained in accordance with SPS 383, 384, and 391, Wisconsin Administrative Code, and this ordinance.
- B. The property owner shall report to the county, each inspection, maintenance or servicing event, in accordance with SPS 383, Wisconsin Administrative Code, and this ordinance.
- C. The property owner shall submit a copy of an appropriate maintenance agreement to the county prior to sanitary permit issuance.
- D. The property owner shall submit a new or revised maintenance agreement to the county whenever there is a change to such document.
- E. Circumstances such as inclement weather, road weight restrictions and site limitations may necessitate a delay in septic tank maintenance until conditions permit.

Section 10: Septic Tank Maintenance Program

- A. The applicant for a sanitary permit shall be provided with written notice of the maintenance program at the time the sanitary permit is issued. The records of this notification shall be maintained by the issuing agent. Upon sale of the property, the owner shall provide written notification of the maintenance program to the buyer.
- B. All septic tanks permitted and installed on or after April 21, 1987 shall be visually inspected by a plumber, POWTS inspector, or a person licensed under Sec. 281.48 Wis. Stats., and pumped within three (3) years of the date of installation and at least once every three (3) years thereafter, unless upon inspection the tank is found to have less than 1/3 of the volume occupied by sludge and scum.

- C. Pumping of a septic tank shall be done by a certified septage servicing operator in accordance with NR113, Wisconsin Administrative Code.
- D. Visual inspection of a private sewage system may be conducted by a plumber, a person licensed under § 281.48, Wisconsin Statutes, or by an authorized county or state employee to determine the condition of the tank and whether wastewater or effluent from the POWTS is ponding on the ground surface.
- E. The owner of such septic tank shall furnish the county with a copy of the inspection report, verifying the condition of the tank, whether wastewater or effluent from the POWTS is ponding on the ground surface, and the date of pumping within 30 days of the date of inspection and/or pumping. Reports shall include all information required in SPS 383.55, Wisconsin Administrative Code, and be signed by the person(s) inspecting and pumping the private sewage system. Other maintenance or management reports required by SPS 383 or 84, Wisconsin Administrative Code, should be included with this report.

Section 11: Holding Tank Maintenance Program

- A. The owner of the holding tank shall enter into a maintenance agreement with the appropriate city, village, or town, guaranteeing that the local governmental unit which signed the agreement will service the holding tank, if the owner fails to have the holding tank properly serviced in response to orders issued by the county. The maintenance agreement shall be binding upon the owner, their heirs, and assignees of the owner. The holding tank agreement shall be filed with the Register of Deeds.
- B. The owner or agent shall submit a copy of the holding tank agreement and management plan when plans are submitted to the county for review.

Section 12: Construction Changing Wastewater Flow

- A. Prior to commencing the construction of an addition to or modification of a structure, which will affect the wastewater flow and/or contaminant load to an existing POWTS, the owner(s) of the property shall:
 - 1. Possess a sanitary permit to construct a new POWTS system or modify an existing POWTS to accommodate the modification in wastewater flow or contaminant load or;
 - 2. Provide the following to the County:
 - a. Documentation that a Private Sewage System of adequate capability and capacity to accommodate the wastewater flow and contaminant load already exists to serve the structure, as specified in SPS 383, Wis. Adm. Code;
 - b. Documentation showing that the location of the proposed structure conforms to the applicable setback distances to all of the existing POWTS components; and

- c. An undersized system affidavit that is recorded in the Register of Deeds office prior to the issuance of the land use permit.
3. If the existing private sewage system is found not to be compliant with this ordinance, construction of the building addition or modification shall be allowed only if a sanitary permit has been issued to modify or replace the existing POWTS.
4. Any installation, addition, modification of a POWTS must be completed and accepted before the addition or modified area of the structure may be occupied.

Section 13: Non-plumbing Sanitary Systems

- A. A portable restroom (satellite) is exempt from the requirements of this ordinance.
- B. An affidavit shall be recorded in the Register of Deeds office for any non-plumbing sanitary system.
- C. A non-plumbing sanitary system must meet all the requirements of SPS 381-387 and SPS 391, and be state approved if applicable.
- D. A site plan shall be submitted along with the county sanitary permit application for all non-plumbing sanitary systems.
- E. Privies
 1. A county sanitary permit is required prior to the construction or location of a privy.
 2. Privies and portable restrooms shall be constructed and maintained in a clean condition so that insects and rodents cannot enter the vault.
 3. No plumbing shall be installed in the privy.
 4. Privies and portable restrooms shall be located at a minimum horizontal distance of; 25 feet from dwellings, 25 feet from the lot line, 50 feet from the open pit privy to the well or 25 feet from a vault privy to the well, 75 feet from a stream, lake or other water course, and 25 feet from the edge of a slope greater than 20%.
 5. Pit privy permit applications shall be accompanied by a soil test provided by a certified soil tester to determine compliance with SPS 391, Wis. Adm. Code.
 6. The structure that is placed over the vault or pit shall be constructed to these minimum standards:
 - a. The structure over the vault or pit shall have a minimum of 12 sq. ft. in floor area.
 - b. The height of the interior walls shall be at least 6.5 feet or 78" in height.
 - c. The vault or pit shall be provided with a vent pipe with a minimum diameter of 3 inches and shall extend at least one foot above the roof.
 - d. The storage chamber of a vault privy shall have a minimum storage capacity of 200 gallons or one cubic yard and shall comply with DSPS 384.25.
 - e. All windows, vents and other openings shall be screened to prevent entrance of insects and rodents and the door shall be self-closing.

Section 14: Inspections

- A. The plumber must give notice for final inspection of all POWTS installed to the zoning department in accordance with SPS 383.
- B. The entire system shall be left completely open until it has been inspected, unless the zoning department fails to inspect within the time period specified in SPS 383.
- C. The plumber shall provide the proper equipment and assistance to complete the inspection.
- D. POWTS may be inspected periodically, after the initial installation inspection(s) and/or after the system is operative, as deemed necessary by the inspector.

Section 15: Failing Systems

- A. When a failing private sewage system is identified, it shall be brought into compliance with current code requirements, replaced with a code compliant system, or its use discontinued within that period of time required by county order.
- B. Unlawfully modified private sewage systems, a private sewage system that has sewage bypassed, or a holding tank which is discharging untreated or partially treated sewage to the ground surface or surface waters, may be ordered by the county or the department to be corrected or replaced with a code compliant system.

Section 16: Abandonment of Private Sewage Systems

- A. The components of an existing private sewage system that are not part of the approved design of a replacement system shall be abandoned at the time of the installation of the replacement system by the plumber responsible for the installation of the system. The abandonment shall comply with DSPS 383, Wis. Adm. Code.

Section 17: Administrative Provisions

- A. The Zoning Administrator or designee shall act as the Polk County issuing agent of the statutes and is hereby assigned the duties of administering the POWTS program.
- B. In accordance with state law (e.g. Ch. 145 Wis. Stats. And SPS 383 Wis. Adm. Code) the Zoning Administrator may inspect at any time, with or without notice, the construction, installation, operation or maintenance of a POWTS to ascertain whether the POWTS conforms to plans approved, the conditions of approval and this chapter, or any applicable law, regulation or rule.
- C. Appeals
 - 1. Any person aggrieved by a written administrative decision made by the Zoning Administrator, or his/her designee, may appeal the decision to the Board of Adjustment within 30 days of the date of a written decision.

2. An appeal shall be in writing and shall be made on a form provided by the zoning department.
3. The Zoning Department will prepare proper notices and schedule the appeal with the Board of Adjustment.

Section 18: Fees

- A. Fees shall be as determined and adjusted from time to time by the Environmental Services Committee and as maintained by the Land Information Department in its “Polk County Land Information Department Fee Schedule.” Pursuant to Wis. Stat. § 66.0628(2), any fee imposed shall have a reasonable relationship to the service for which the fee is imposed.

Section 19: Enforcement

- A. Any person who fails to comply with the provisions of this ordinance, or any order of the County issued in accordance with this ordinance, or resists enforcement, shall be subject to a citation, after the fact fees, or other enforcement action.
- B. As authorized by Wis. Stat. Chapter 66, the Zoning Administrator or the County Zoning Agency shall issue citations for any violations of this Ordinance. Any person, firm, association, or corporation who violates or refuses to comply with any of the provisions of this ordinance shall be subject to a forfeiture of not less than two-hundred (\$200.00) dollars nor more than one-thousand (\$1000.00) dollars per offense, together with the taxable costs of action. Each day of continued violation shall constitute a separate offense. Every violation of this Ordinance is a public nuisance and the creation thereof may be enjoined and the maintenance there may be abated by action at suit of the county, the state, or any citizen thereof pursuant to Section 87.30(2), Wisconsin Statutes. The County also retains the summons and complaint avenue for forfeitures and remedial action as provided by Wis. Stat. Section 59.69(11).
- C. There shall be a penalty fee of two (2) times the regular permit fee in those cases where a sanitary system is installed without first obtaining a sanitary permit, providing the system is in conformance with the provisions of this ordinance.
- D. The Zoning Department may issue an on-site stop work order, as appropriate, whenever it determines that a violation of this Ordinance or the sanitary permit is taking place.

Ordinance No. 18-18

1 Ordinance To Enact Amended Polk County Small Wind Energy System Ordinance

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

Ladies and Gentlemen:

2 WHEREAS, the Polk County Board of Supervisors enacted Ordinance No. 08-08 on March 11,
3 2008, entitled as Polk County Small Wind Energy System Ordinance, to regulate small wind
4 energy systems in the unincorporated areas of Polk County; and

5 WHEREAS, said ordinance is enacted under Wisconsin Statute Section 66.0401; and

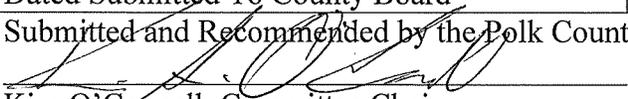
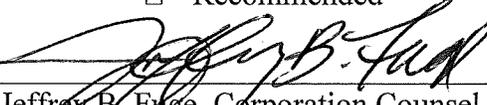
6 WHEREAS, on February 15, 2018, the Polk County Zoning Administrator filed pursuant to
7 Wisconsin Statute Section 59.69(5)(e), a petition to amend the Polk County Small Wind Energy
8 System Ordinance, through the enactment of the proposed Amended Polk County Small Wind
9 Energy System Ordinance; and

10 WHEREAS, on March 7, 2018, the Polk County Environmental Services Committee, as the
11 planning and zoning committee, opened and held a public hearing on the petition to amend the
12 Polk County Small Wind Energy System Ordinance; and

13 WHEREAS, after considering public input received in the public hearing and incorporating such
14 public input and recommendations, as appropriate, the Polk County Environmental Services
15 Committee recommends the Polk County Board of Supervisors to enact as and for the county's
16 small wind energy system ordinance under Section 66.0401 the attached proposed ordinance,
17 entitled "Amended Polk County Small Wind Energy System Ordinance".

18 NOW, THEREFORE, pursuant to Wisconsin Statute Section 59.69, the Polk County Board of
19 Supervisors ordains as follows:

- 20 1. The Amended Polk County Small Wind Energy System Ordinance, attached hereto and
21 incorporated herein, is enacted.
- 22 2. The provisions of the Amended Polk County Small Wind Energy System Ordinance shall
23 supersede the related provisions of Ordinance 08-08 Polk County Small Wind Energy
24 System Ordinance.
- 25 3. Pursuant to Wisconsin Statute Sections 59.14(1) and 985.01(5), the County Clerk is
26 directed to cause to be published the ordinance enacted herein.
- 27 4. The Amended Polk County Small Wind Energy System Ordinance will be effective upon
28 passage and publication.

Funding Source/ Funding Amount:	Not Applicable
Date Reviewed as to Appropriations:	Not Applicable
Committee Recommendation as To Appropriation:	Not Applicable
Effective Date:	Upon passage and publication
Dated Submitted To County Board	April 17, 2018
Submitted and Recommended by the Polk County Environmental Services Committee:  Kim O'Connell, Committee Chair	
Review By Corporation Counsel	
<input checked="" type="checkbox"/> Approved as to Form <input type="checkbox"/> Recommended  Jeffrey B. Edge, Corporation Counsel Interim County Administrator	

County Board Action

At its regular business meeting on April 17, 2018 the Polk County Board of Supervisors enacted the above-entitled ordinance: Ordinance No. 18-18: Ordinance To Enact Amended Polk County Small Wind Energy System Ordinance, by majority vote of the entire membership of a vote of ___ in favor and ___ against. *unanimous voice vote.*


Dean Johansen, County Board Chairperson

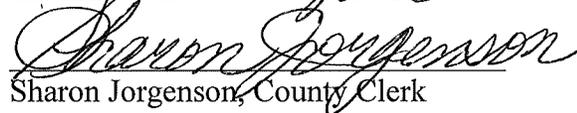
Dated: 5/23/18

Attest: 
Sharon Jorgenson, Polk County Clerk

Dated: 5-22-18

Certification of Publication

The above-enacted ordinance, Ordinance No. 18-18: Ordinance To Enact Amended Polk County Small Wind Energy System Ordinance was published in the Inter-County Leader on the 6th day of June, 2018.


Sharon Jorgenson, County Clerk

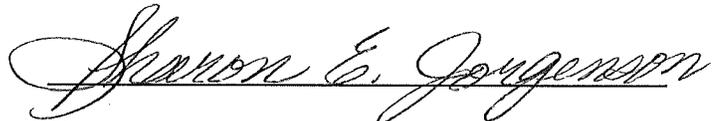
Dated: 5-22-18

CERTIFIED COPY OF POLK COUNTY ORDINANCE

STATE OF WISCONSIN

COUNTY OF POLK

I, Sharon E. Jorgenson, Polk County Clerk due hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of the Polk County Ordinance No. 18-18: Ordinance to Enact Amended Polk County Small Wind Energy System Ordinance as adopted by the Polk County Board of Supervisors on the 15th day of May, 2018.



Sharon E. Jorgenson, Polk County Clerk

Date

5/22/18

Polk County Small Wind Energy System Ordinance

Ordinance No. 18-18

Polk County Small Wind Energy System Ordinance

Enacted: May 15, 2018; Published: May 30, 2018

Effective Date: May 30, 2018

Polk County Land Information Department
Polk County Government Center
100 Polk County Plaza, Suite 130
Balsam Lake, WI 54810
715-485-9111
715-485-9246 Fax
www.co.polk.wi.us/landinfo/zonin

SMALL WIND ENERGY SYSTEMS ORDINANCE
(Effective: May 30, 2018)

The Polk County Board of Supervisors, Polk County, Wisconsin, ordains as follows:

SECTION ONE – TITLE

This ordinance may be referred to as the Small Wind Energy System Ordinance.

SECTION TWO – AUTHORITY

This ordinance is adopted pursuant to authority granted by:

Wis. Stat. § 60.61 or 60.62 and 62.23(7), or 60.22(3) and 66.0401

SECTION THREE – PURPOSE

The purpose of this ordinance is to:

- (1) Oversee the permitting of tower-mounted small wind energy systems. This ordinance does not apply to roof-mounted systems.
- (2) Preserve and protect public health and safety without significantly increasing the cost or decreasing the efficiency of a small wind energy system (per Wis. Stat. §. 66.0401).

SECTION FOUR – DEFINITIONS

In this ordinance:

- (1) “Administrator” means the Polk County Zoning Administration.
- (2) “Board” means the Polk County Environmental Services Committee.
- (3) “Major subdivision” means a subdivision creating five (5) or more lots and/or outlots within a 5-year period from a parcel of land existing on June 30, 1996.
- (4) “Meteorological tower” (met tower) is defined to include the tower, base plate, anchors, guy cables and hardware, anemometers (wind speed indicators), wind direction vanes, booms to hold equipment anemometers and vanes, data logger, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.
- (5) “Owner” shall mean the individual or entity that intends to own and operate the small wind energy system in accordance with this ordinance.

- (6) “Roof mounted” means a system mounted on & totally supported by a legal structure and not extending more than 20 feet above the highest point of said structure.
- (7) “Rotor diameter” means the cross sectional dimension of the circle swept by the rotating blades.
- (8) “Small wind energy system” means a wind energy system that
 - (a) is used to generate electricity;
 - (b) has a nameplate capacity of 100 kilowatts or less; and
 - (c) has a total height of 170 feet or less.
- (9) “St. Croix River Buffer Zone” means the area located outside of the St. Croix Riverway District and within two miles of the St. Croix River, measured from the ordinary high water mark.
- (10) “Total height” means the vertical distance from ground level to the tip of a wind generator blade when the tip is at its highest point.
- (11) “Tower” means the monopole, freestanding, or guyed structure that supports a wind generator.
- (12) “Wind energy system” means equipment that converts and then stores or transfers energy from the wind into usable forms of energy (as defined by Wis. Stat. §. 66.0403(1)(m). This equipment includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component used in the system.
- (13) “Wind generator” means blades and associated mechanical and electrical conversion components mounted on top of the tower.

SECTION FIVE - STANDARDS

A. A Land Use Permit shall be required for a small wind energy system in Residential Agricultural 5 (RA-5), Agricultural 10 (A-1), Agricultural 20 (A-2) Farmland Preservation (A-3), General Business and Commercial (B-1), Small Business and Commercial (B-3), and Industrial (I-1) zoning districts, and in any area not zoned by any County Zoning Ordinance subject to the following requirements:

- (1) Setbacks. A wind tower for a small wind system shall be set back a distance equal to 110% of its total height from:
 - (a) any public road right of way, unless written permission is granted by the governmental entity with jurisdiction over the road;
 - (b) any overhead utility lines, unless written permission is granted by the affected utility;
 - (c) all property lines, unless written permission is granted from the affected land owner or neighbor.
- (2) Access.

- (a) All ground mounted electrical and control equipment shall be labeled or secured to prevent unauthorized access.
 - (b) The tower shall be designed and installed so as to not provide step bolts or a ladder readily accessible to the public for a minimum height of 8 feet above the ground.
 - (3) Lighting. A wind tower and generator shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration.
 - (4) Appearance, Color, and Finish. The wind generator and tower shall remain painted or finished the color or finish that was originally applied by the manufacturer, unless approved in the building permit.
 - (5) Signs. All signs, other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification on a wind generator, tower, building, or other structure associated with a small wind energy system visible from any public road shall be prohibited.
 - (6) Code Compliance. A small wind energy system including tower shall comply with all applicable state construction and electrical codes, and the National Electrical Code.
 - (7) Utility notification and interconnection. Small wind energy systems that connect to the electric utility shall comply with the Public Service Commission of Wisconsin's Rule 119, "Rules for Interconnecting Distributed Generation Facilities."
 - (8) Met towers shall be permitted under the same standards, permit requirements, restoration requirements, and permit procedures as a small wind energy system.
- B. A conditional use permit shall be required for a small wind energy system in any major subdivision, and in Shoreland, Floodplain, Natural Resources (N-1), Recreational Business and Commercial (B-2), Hamlet (H-1), and Residential (R-1) Zoning Districts, provided that all standard requirements of this Ordinance are met. Fees shall be waived if permit applications can be combined with one or more other conditional use permit requests.
- C. A conditional use permit shall be required for a small wind energy system in the St. Croix River Buffer Zone, and the St. Croix Riverway District, provided that all standard requirements of this Ordinance are met, along with the following requirements:
- (a) The small wind energy system is not within 3,000 feet of the ordinary high water mark.
 - (b) The small wind energy system has a total height of 75 feet or less.

SECTION SIX – PERMIT REQUIREMENTS

- (1) Land Use Permit. A land use permit shall be required for the installation of a small wind energy system.

- (2) Documents: The land use application shall be accompanied by a plot plan which includes the following:
 - (a) Property lines and physical dimensions of the property
 - (b) Location, dimensions, and types of existing major structures on the property
 - (c) Location of the proposed wind system tower
 - (d) The right-of-way of any public road that is contiguous with the property;
 - (e) Any overhead utility lines;
 - (f) Wind system specifications, including manufacturer and model, rotor diameter, tower height, tower type (freestanding or guyed)
 - (g) Tower foundation blueprints or drawings
 - (h) Tower blueprint or drawing
- (3) Fees. The application for a land use permit for a small wind energy system must be accompanied by the fee required for a permitted accessory use.
- (4) Expiration. A permit issued pursuant to this ordinance shall expire if:
 - (a) The small wind energy system is not installed and functioning within 24-months from the date the permit is issued; or,
 - (b) The small wind energy system is out of service or otherwise unused for a continuous 12-month period.

SECTION SEVEN - ABANDONMENT

- (1) A small wind energy system that is out-of-service for a continuous 12-month period will be deemed to have been abandoned. The Administrator may issue a Notice of Abandonment to the owner of a small wind energy system that is deemed to have been abandoned. The Owner shall have the right to respond to the Notice of Abandonment within 30 days from Notice receipt date. The Administrator shall withdraw the Notice of Abandonment and notify the owner that the Notice has been withdrawn if the owner provides information that demonstrates the small wind energy system has not been abandoned.
- (2) If the small wind energy system is determined to be abandoned, the owner of a small wind energy system shall remove the wind generator from the tower at the Owner's sole expense within 3 months of receipt of Notice of Abandonment. If the owner fails to remove the wind generator from the tower, the Administrator may pursue a legal action to have the wind generator removed at the Owner's expense.

SECTION EIGHT - VIOLATIONS

It is unlawful for any person to construct, install, or operate a small wind energy system that is not in compliance with this ordinance or with any condition contained in a building permit issued pursuant to this ordinance. Small wind energy systems installed prior to the adoption of this ordinance are exempt.

SECTION NINE – ADMINISTRATION AND ENFORCEMENT

- (1) This ordinance shall be administered by the Administrator or other official as designated.
- (2) The Administrator may enter any property for which a building permit has been issued under this ordinance to conduct an inspection to determine whether the conditions stated in the permit have been met.
- (3) The Administrator may issue orders to abate any violation of this ordinance.
- (4) The Administrator may issue a citation for any violation of this ordinance.
- (5) The Administrator may refer any violation of this ordinance to legal counsel for enforcement.

SECTION TEN - PENALTIES

- (1) Any person who fails to comply with any provision of this ordinance or a land use permit issued pursuant to this ordinance shall be subject to enforcement and penalties as stipulated in Ordinance 79-06.
- (2) Nothing in this section shall be construed to prevent the Polk County Environmental Services Committee from using any other lawful means to enforce this ordinance.

SECTION ELEVEN – SEVERABILITY

The provisions of this ordinance are severable, and the invalidity of any section, subdivision, paragraph, or other part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

Ordinance No. 19-18

Ordinance To Enact Amended Polk County Lower St. Croix Riverway Ordinance

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

Ladies and Gentlemen:

WHEREAS, the Polk County Board of Supervisors enacted Ordinance No. 45-07 on May 15, 2007, entitled as Polk County Lower St. Croix Riverway Ordinance, to regulate the unincorporated lands within the St. Croix Riverway district; and

WHEREAS, said ordinance is enacted under Wisconsin Statute Section 59.69 and Wisconsin Administrative Code NR 118; and

WHEREAS, on February 15, 2018, the Polk County Zoning Administrator filed pursuant to Wisconsin Statute Section 59.69(5)(e), a petition to amend the Polk County Lower St. Croix Riverway Ordinance, through the enactment of the proposed Amended Polk County Lower St. Croix Riverway Ordinance; and

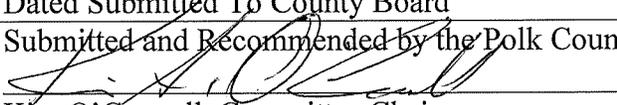
WHEREAS, on March 7, 2018, the Polk County Environmental Services Committee, as the planning and zoning committee, opened and held a public hearing on the petition to amend the Polk County Lower St. Croix Riverway Ordinance; and

WHEREAS, after considering public input received in the public hearing and incorporating such public input and recommendations, as appropriate, the Polk County Environmental Services Committee recommends the Polk County Board of Supervisors to enact as and for the county's St. Croix Riverway ordinance under Section 59.69 the attached proposed ordinance, entitled "Amended Polk County Lower St. Croix Riverway Ordinance".

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

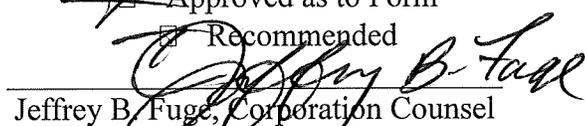
1. The Amended Polk County Lower St. Croix Riverway Ordinance, attached hereto and incorporated herein, is enacted.
2. Pursuant to Wisconsin Statute Section 59.592(5), the provisions of the Amended Polk County Lower St. Croix Riverway Ordinance shall supersede the related provisions of Ordinance 45-07 Polk County Lower St. Croix Riverway Ordinance.
3. The Polk County Zoning Administrator is directed to forward the Amended Polk County Lower St. Croix Riverway Ordinance to the Wisconsin Department of Natural Resources.
4. Pursuant to Wisconsin Statute Sections 59.14(1) and 985.01(5), the County Clerk is directed to cause to be published the ordinance enacted herein.

30 5. The Amended Polk County Lower St. Croix Riverway Ordinance shall be effective upon
 31 passage and publication.

Funding Source/ Funding Amount:	Not Applicable
Date Reviewed as to Appropriations:	Not Applicable
Committee Recommendation as To Appropriation:	Not Applicable
Effective Date:	Upon passage and publication
Dated Submitted To County Board	April 17, 2018
Submitted and Recommended by the Polk County Environmental Services Committee:  Kim O'Connell, Committee Chair	

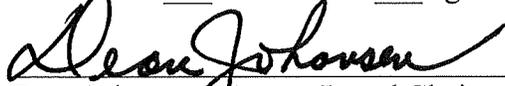
Review By Corporation Counsel

Approved as to Form
 Recommended


 Jeffrey B. Fuge, Corporation Counsel
 Interim County Administrator

County Board Action

At its regular business meeting on April 17, 2018 the Polk County Board of Supervisors enacted the above-entitled ordinance: Ordinance No. 19-18: Ordinance To Enact Amended Polk County Lower St. Croix Riverway Ordinance, by majority vote of the entire membership of a vote of ___ in favor and ___ against. *unanimous voice vote*


Dean Johansen, County Board Chairperson

Dated: 5/23/18

Attest: 
Sharon Jorgenson, Polk County Clerk

Dated: 5-23-18

Certification of Publication

The above-enacted ordinance, Ordinance No. 19-18: Ordinance To Enact Amended Polk County Lower St. Croix Riverway Ordinance was published in the Inter-County Leader on the 6 day of June, 2018.


Sharon Jorgenson, County Clerk

Dated: 5-22-18

CERTIFIED COPY OF POLK COUNTY ORDINANCE

STATE OF WISCONSIN

COUNTY OF POLK

I, Sharon E. Jorgenson, Polk County Clerk do hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of the Polk County Ordinance No. 19-18: Ordinance to Enact Amended Polk County Lower St. Croix Riverway Ordinance as adopted by the Polk County Board of Supervisors on the 15th day of May, 2018.

A handwritten signature in cursive script that reads "Sharon E. Jorgenson" followed by the date "5/22/18".

Sharon E. Jorgenson, Polk County Clerk

Date

POLK COUNTY

LOWER ST. CROIX RIVERWAY ORDINANCE

Ordinance No. 19-18

Polk County Lower ST. Croix Riverway Ordinance

Enacted: May 15, 2018; Published: May 30, 2018

Effective Date: May 30, 2018

POLK COUNTY LAND INFORMATION DEPARTMENT
POLK COUNTY GOVERNMENT CENTER
100 POLK COUNTY PLAZA
SUITE 130
BALSAM LAKE, WI 54810
715-485-8279
715-485-9246 FAX
www.co.polk.wi.us/landinfo/zoning

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POLK COUNTY LOWER ST. CROIX RIVERWAY ORDINANCE

Article A. Title, Authority and Effective Date

1. Title

- a. This Ordinance shall be cited as the "Polk County Lower St. Croix Riverway Ordinance" and hereinafter referred to as the "Ordinance."

2. Authority

- a. This Ordinance is enacted pursuant to the authority granted by Wisconsin Statute § 30.27 and Wisconsin Administrative Code NR118.
- b. The County Zoning Administrator shall administer this Ordinance pursuant to Wisconsin Statute § 59.69.
- c. Any mandatory amendments, repeals or recreations to the statutes pertaining to the subject matter of this Ordinance are incorporated into this Ordinance as of the effective date of amendment, repeal or recreation.

3. Effective Date

- a. This Ordinance shall be effective on May 30, 2018.

Article B. Purpose

1. Purpose

- a. The purpose of this Ordinance is to promote the public health, safety, and general welfare of the public by:
 - 1) Reducing the adverse effects of overcrowding and poorly planned shoreline and bluff area development.
 - 2) Preventing soil erosion and pollution and contamination of surface water and groundwater.
 - 3) Providing sufficient space on lots for sanitary facilities.
 - 4) Minimizing flood damage.
 - 5) Maintaining property values.
 - 6) Preserving and maintaining the exceptional scenic, cultural, and natural characteristics of the water and related land of the Lower St. Croix Riverway in a manner consistent with the National Wild and Scenic Rivers Act (P.L. 90-542), the Federal Lower St. Croix River Act of 1972 (P.L. 92-560) and the Wisconsin Lower St. Croix River Act (Wisconsin Statute § 30.27).

Article C. Applicability

1. Boundaries

- a. The Lower St. Croix Riverway Ordinance is an overlay zoning district. This Ordinance applies in addition to other zoning regulations that may fall within the Riverway District boundary.
 - 1) Polk County Shoreland Protection Zoning Ordinance
 - 2) Polk County Comprehensive Land Use Ordinance
 - 3) Polk County Floodplain Ordinance

- b. This Ordinance applies to all unincorporated land in the Federal Zones of the Riverway District of Polk County. The boundaries of the Riverway District are shown in Appendix A, and are found in the Code of Federal Regulations. The same boundaries are shown on the map identified as the Lower St. Croix National Scenic Riverway Map, which are on file in the office of the Zoning Department. The legal description and maps referred to above are made a part of this Ordinance.
- c. Within the unincorporated lands of Polk County, the Riverway District falls under the Conservation Management Zone as defined in Wisconsin Administrative Code NR 118.04:
 - 1) The conservation management zone is primarily natural and mostly wooded, with some single-family residential uses. Shoreline areas are natural and do not contain residential lawns. The conservation management zone is established in both of the following locations:
 - a) In an area bounded on the north by the south boundary of Wisconsin Interstate state park and on the south by the north corporate boundary of the Village of Osceola as they existed January 1st, 1976.
 - b) In an area bounded on the north by the south corporate boundary of the Village of Osceola as they existed on January 1st, 1976, and on the south by the south boundary of Polk County.

2. Interpretation

- a. Compliance
 - 1) No development of land or water shall hereafter be implemented and no use, structure or part thereof shall be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without full compliance with provisions of this Ordinance and all other applicable local, State and federal regulations.
- b. Provisions
 - 1) If any provision of this Ordinance conflicts with any provision of any other Polk County Ordinances, the more restrictive provision shall apply.
 - 2) This Ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. However, where this Ordinance imposes greater restrictions, the provisions of this Ordinance shall take precedence.
 - 3) The provisions of this Ordinance shall be liberally construed in favor of Polk County and shall not be construed to be a limitation or repeal of any other power now possessed or granted to Polk County.
- c. Severability
 - 1) Should any portion of this Ordinance be declared invalid or unconstitutional for any reason, by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.

3. Limitation of Action

- a. Claims
 - 1) Pursuant to Wisconsin Statutes § 59.69(14), a land owner, occupant or other person affected by this Ordinance or amendment hereto who claims that this Ordinance or amendment is invalid because procedures prescribed by the statutes or the Ordinance were not followed in enacting this Ordinance or amendment hereto shall commence a court action within six months after enactment of this Ordinance or amendment or be forever barred.

Article D. Definitions

1. Interpretation

- a. For the purpose of administering and enforcing this ordinance, the terms or words used herein shall be interpreted as follows:

- 1) Words used in the present tense include the future: in the singular include the plural and in the plural include the singular.
- 2) The word “shall” is mandatory, not permissive.
- 3) All distances, unless otherwise specified, shall be measured horizontally.
- 4) All definitions that refer to Wisconsin Statutes shall incorporate any revisions or amendments to statutory language.

2. Definitions

Accessory Structure: A subordinate structure, the use of which is incidental to, customarily found in connection with, and located on the same lot as the principal structure or use of the property.

Accessory structures include, but are not limited to, detached garages, sheds, barns, gazebos, swimming pools, hot tubs, fences, retaining walls, detached stairways and lifts, driveways, parking lots, sidewalks, patios and decks (both detached and attached).

Accessory Use: A use subordinate to and serving the principal use on the same lot and customarily incidental thereto. It must also be subordinate in area, extent or purpose to the principal building or use served. Accessory uses include, but are not limited to, family daycare, home occupations, and seasonal roadside stands.

Agriculture: The use of land for agricultural purposes, including: beekeeping, livestock grazing; orchards; raising of grain, grass or seed crops; raising of fruits, nuts or berries; placing land in federal programs in return for payments in kind; owning land, at least 35 acres of which is enrolled in the conservation reserve program under 16 USC 3831 to 3836; and vegetable raising.

Antenna: Any device or equipment used for the transmission or reception of electromagnetic waves, which may include an omni-directional antenna (rod), a directional antenna (panel) or a parabolic antenna (disc).

Bed and Breakfast Operation: A place of lodging for transient guests that is the owner’s personal residence, that is occupied by the owner at the time of rental, and in which the only meal served to guests is breakfast.

Bluffline: A line along the top of the slope preservation zone. There can be more than one bluffline.

Building Line: A line measured across the width of a lot at that point where the principal structure is placed in accordance with setback provisions.

Camouflage Design: A wireless communication service facility that is disguised, hidden or screened, but remains recognizable as a tower or antenna.

Compliant Building Location: An area on a lot where a building could be located in compliance with all applicable ordinance requirements.

Conditional Use: A use allowed under a conditional use permit, special exception, or other special zoning permission issued by the county, but does not include a variance. Conditional uses, listed by ordinance, are subject to certain conditions specified in the ordinance and/or designated by the Board of Adjustment.

Diameter at Breast Height (DBH): The width of a tree as measured at 4.5 feet above the ground surface.

Disabled: Having a physical or mental impairment that substantially limits one or more major life activities.

Earth-tone: Colors that harmonize with the natural surroundings on the site during leaf on conditions.

Expansion: An addition to an existing structure regardless of whether the addition is vertical or horizontal or both.

Filtered View of the St. Croix River: A view in which one can see the river through the vegetation, while any structure remains visually inconspicuous.

Footprint: The land area covered by a structure at ground level, measured on a horizontal plane. The “footprint” of a residence includes attached garages and porches, but excludes decks, patios, carports

and roof overhangs.

Foundation: The underlying base of a building or other structure, including but not limited to pillars, footings, and concrete and masonry walls.

Human Habitation: The use of a building or other structure for human occupancy, including but not limited to cooking, eating, bathing and sleeping.

Land Division: Any division of a parcel of land by the owner or the owner's agent, for the purpose of transfer of ownership or building development, which creates one or more parcels or building sites of 20 acres or less.

Landscape Architect: A person who has graduated with a major in landscape architecture from a college accredited by the American Society of Landscape Architects.

Lift: A mechanical device, either temporary or permanent, containing a mobile open top car including hand or guard rails, a track upon which the open top car moves, and a mechanical device to provide power to the open top car.

Lot: A contiguous parcel of land with described boundaries.

Lower St. Croix Riverway or Lower St. Croix National Scenic Riverway: The area described in § NR 118.02 (1).

Management Zones: The Lower St. Croix Riverway management zones established in § NR 118.04.

Mitigation: Action taken to minimize the adverse impacts of development. Mitigation includes, but is not limited to, the installation of vegetative buffers, the removal of nonconforming structures from the shoreland setback area, and the implementation of best management practices for erosion control and storm water management.

Net Project Area: Developable land area minus slope preservation zones, floodplains, road rights-of-way, and wetlands.

Nonconforming Structure: A building or other structure whose location, dimensions or other physical characteristics do not conform to the standards of this ordinance but which was legally constructed or placed in its current location prior to the enactment of this ordinance or its amendment that made it nonconforming.

Nonconforming Use: Any use that does not conform to the land use restrictions in this ordinance, but which was legally established prior to the enactment of this ordinance or its amendment that made it nonconforming.

Ordinary High Water Mark (OHWM): The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic. Where the bank or shore at any particular place is of such character that is difficult or impossible to ascertain where the point of OHWM is, recourse may be had to the opposite bank of a stream or to other places on the shore of a lake or flowage to determine where a given stage of water is above or below the OHWM.

Ordinary Maintenance and Repair: Any work done on a nonconforming structure that does not constitute expansion, structural alteration or reconstruction and does not involve the replacement, alteration or improvement of any portion of the structure's foundation.

Porch: A building walkway with a roof over it, providing access to a building entrance.

Principal Structure: The main building or other structure on a lot that is utilized for the property's principal use. Principal structure includes attached garages and porches.

Reasonable Accommodation: Allowing a disabled person to deviate from the strict requirements of the county's zoning ordinances if an accommodation is necessary and reasonable, in order not to unlawfully discriminate against the disabled person and to allow them equal housing opportunity.

Reconstruction: The replacement of all, or substantially all, of the components of a structure other than the foundation.

Selection Cut: The removal of selected trees throughout the range of merchantable sizes at regular intervals, either singly or in small groups, leaving a uniformly distributed stocking of desirable tree and shrub size classes.

Setback: The minimum horizontal distance between a structure and the OHWM, bluffline, side and rear lot lines, and roads.

Shelterwood Cut: A partial removal of mature trees leaving trees of desirable species and form to provide shade, seed source and a desirable seedbed for natural regeneration with the final removal of the overstory after adequate regeneration is established.

Single-family Residence: A detached structure used for human habitation for one family.

Slope Preservation Zone: The area riverward from the bluffline where the slope towards the river is 12% or more, as measured horizontally for a distance of not more than 50 feet or less than 25 feet.

Small Regeneration Cut: A harvest of not more than one-third of the contiguous forested ownership within a 10-year period with each opening not exceeding 6 acres in size and not closer than 75 feet at their closest points.

Stealth Design: A wireless communication service facility that models or mimics in size or shape and color something in the surrounding landscape, such as silos in farm settings and trees in forested lands, and is unrecognizable year round as an antenna or antenna mount.

Structural Alteration: The replacement or alteration of one or more of the structural components of any of a nonconforming structure's exterior walls.

Structural Component: Any part of the framework of a building or other structure. The structural components of a building's exterior walls include the vertical studs, top and bottom plates, and window and doorsills and headers. A structural component may be non-load-bearing, such as the framework of a wall at the gable end of a one-story house. Wall coverings, such as siding on the exterior and dry wall on the interior, are not included in the definition of structural component.

Structural Erosion Control Measure: A retaining wall or other man-made structure whose primary function is to control erosion.

Structure: Any man-made object with form, shape and utility that is constructed or otherwise erected, attached to or permanently or temporarily placed, either upon the ground, a river bed, stream bed or lake bed or upon another structure. Structure includes swimming pools, hot tubs, patios, decks and retaining walls, but does not include landscaping or earthwork such as graded areas, filled areas, ditches, berms or earthen terraces. Structure does not include small objects that are easily moved by hand, such as lawn chairs, portable grills, portable picnic tables, bird feeders, birdhouses and birdbaths.

Substandard Lot: A lot with dimensions that do not conform to all of the requirements of this chapter.

Transmission Services: Electric power lines, telephone and telegraph lines, communication towers, cables, sewage lift stations, sewer and water pipes, and other pipes, conduits and accessory structures that are used to transport power, convey information or transport material between 2 points, other than wireless communication service facilities.

Visually Inconspicuous: Difficult to see, or not readily noticeable, in summer months as viewed from at or near the mid-line of the Lower St. Croix River.

Wetland: An area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions.

Wireless Communication Service Facilities: Hardware that provides wireless communication services including antennas, towers, all associated equipment, and buildings and other structures.

Article E. Land Uses and structures

1. Allowed Uses and Structures

- a. The following uses are allowed in the Riverway District without a permit:
 - 1) Nonstructural conservancy and open space uses associated with maintaining the value of certain lands for natural areas, scenic preservation, recreation, wildlife management, water and soil conservation and other such purposes.
 - 2) Nonstructural agricultural and forestry uses, including silviculture in compliance with Wisconsin Administrative Code Chapter NR 118.06(6).
 - 3) Routine pruning of trees and shrubs to improve their health and vigor, provide a filtered view of the Lower St. Croix River, herein after referred to as “the river,” and prevent property damage.

2. Permitted Uses and Structures

- a. The following uses and structures are allowed in the Riverway District subject to the standards in the current Polk County Shoreland Protection Zoning Ordinance, hereafter referred to as “Shoreland Ordinance” and with a land use permit from the Polk County Zoning Administrator:
 - 1) Single-family residence and accessory uses and structures.
 - 2) Public parks, areas devoted to natural resource management and interpretation, waysides, rest areas, information areas, and scenic overlooks.
 - 3) Governmental structures used as information centers or for resource management to improve the fish and wildlife habitat, provided that they meet all other provisions of this Ordinance.
 - 4) Filling and grading less than 10,000 square feet outside of the slope preservation zone and greater than 40 feet from the slope preservation zone.
 - 5) Signs per Section H2 of this Ordinance.
 - 6) Structural erosion control measures constructed outside of slope preservation zones.
 - 7) Rock riprap and other shoreline protection measures above the OHWM.
 - 8) Vegetation removal as per Article 12 of the Shoreland Ordinance.
 - a) Removing trees that pose an imminent safety hazard to persons or structures within 35’ of the OHWM.
 - 9) Accessory structures.

3. Conditional Uses and Structures

- a. The following uses and structures are allowed in the Riverway District with a conditional use permit subject to the standards in Article 18.D of the Shoreland Ordinance and approval by the Polk County Board of Adjustment:
 - 1) Land divisions.
 - 2) Wireless communication service and other transmission facilities consistent with the provisions of the Polk County Telecommunication Towers and Related Facilities Ordinance.
 - 3) Filling and grading less than 10,000 square feet in slope preservation zones that do not directly face the river and do not drain directly to the river.
 - 4) Filling and grading within 40 feet of a slope preservation zone.
 - 5) Filling and grading 10,000 square feet or more outside of the slope preservation zone.
 - 6) Structural erosion control measures in slope preservation zones.
 - 7) Stairways and lifts.
 - 8) Public and private roads serving two or more properties or single-family residences.
 - 9) Bed and breakfast operations.
 - 10) Home occupations per Article 8.C.7. of the Shoreland Ordinance.

11) Private, non-profit, nature-oriented educational facilities.

4. Prohibited Uses

- a. Within the Riverway District, all uses or structures not listed as allowed, permitted, or conditional uses are prohibited.

Article F. General Provisions

1. Minimum Lot Size

- a. The minimum lot size shall be governed by the base-zoning district.
- b. Minimum net project area for each lot shall be at least one acre.
- c. If the lot is not served by a public sewer or community system, the lot shall have adequate room for one single-family residence and two private on-site waste treatment systems.

2. Minimum Lot Width

- a. The minimum lot width shall be 250 feet measured at the building line and at the side of the lot nearest the river.

3. Density Standards

- a. There may be no more than one principal structure on each parcel.

4. Structure Height

- a. The maximum structure height shall be measured between the average ground elevation and the uppermost point of the structure, excluding chimneys.
 - 1) The maximum height for principal structures in the conservation management zone shall be 25 feet.
 - 2) The maximum height for accessory structure shall be 25'.
 - 3) Wireless communication service and other transmission facilities must meet the requirements consistent with the Polk County Telecommunication Towers and Related Facilities Ordinance.

5. Structure Setbacks

- a. All setbacks shall be measured on a horizontal plane from the roof overhang and any cantilevered portions of the structure at the point of the structure that is nearest the OHWM, bluffline, or property line.
- b. All structures except docks, piers, wharves, structural erosion control measures, stairways, and lifts shall meet the following:
 - 1) OHWM Setback: At least 200 feet.
 - 2) Bluffline Setback: At least 200 feet.
 - a) Structures that do not meet the setback may be permitted within the bluffline setback area if they are set back at least 40 feet from the bluffline and meet all of the following standards:
 - i. The structure does not protrude above the bluffline as viewed from at or near the mid-line of the river or from 250 feet riverward from the OHWM whichever is less.
 - ii. The structure is not located in a slope preservation zone.
 - iii. The structure utilizes building materials that are earth tone in color and of a non-reflective nature, except that windows may be made of ordinary window glass or non-reflective glass, but may not be made of glass designed to reflect more light than ordinary window glass.
 - iv. The structure is visually inconspicuous.
 - 3) Sideyard Setback: At least 25 feet from all exterior lot lines.

- 4) Road Setbacks
 - a) The setback from any state or federal highway shall be 110 feet from the centerline of the highway or 50 feet from the right of way (ROW), whichever is greater.
 - b) The setback from any county highway shall be 75 feet from the centerline of the highway or 42 feet from the ROW, whichever is greater.
 - c) The setback from any town road, public street, highway, or private road shall be 63 feet from the centerline of the road or 30 feet from the ROW, whichever is greater or as required by the Polk County Subdivision Ordinance.

Dimensional Standards Summarized		
	Riparian	Non Riparian
Lot Size, Minimum	60,000 square feet	1 acre
Net Project Area, Minimum	1 acre + room for 1 single-family residence and 2 POWTS	1 acre + room for 1 single-family residence and 2 POWTS
Lot Density, Maximum	1 single-family residence/lot	1 single-family residence/lot
Lot Width at Building Line, Riverward	250 feet	250 feet
Height, Principal Structure	25 feet	25 feet
Height, Accessory Structure	25 feet	25 feet
OHWB Setback	200 feet	200 feet
Bluffline Setback	200 feet, 40 feet with performance standards	200 feet, 40 feet with performance standards
Sidyard Setback	25 feet	25 feet
Road Setback: Town County	63 feet from centerline or 30 feet from ROW 75 feet from centerline or 42 feet from ROW	63 feet from centerline or 30 feet from ROW 75 feet from centerline or 42 feet from ROW

Article G. Performance Standards

1. Structure Color

- a. All new, expanded, or reconstructed structures shall be earth tone in color.
- b. Structures designated as historic buildings on local, State, or national historic registers shall either be earth tone in color or colored appropriate to the period in history for which they are designated.

2. Signs

- a. Signs are allowed with a land use permit and if one or more of the following standards are met:
 - 1) The sign is approved by State or local government and is necessary for public health or safety.
 - 2) The sign indicates areas that are available or not available for public use.
 - 3) The sign is not visible from the river and is otherwise lawful.

3. Structural Erosion Control

- a. Except for rock riprap and structural erosion control measures above the OHWM and within the OHWM setback area and bluffline setback area are allowed with a land use permit if all of the following standards are met:
 - 1) The structural erosion control measure is constructed outside of the slope preservation zone.

- 2) The Zoning Authority determines that structural erosion control measures are necessary to address significant on-going erosion that nonstructural erosion control measures cannot control.
 - 3) The structural erosion control measure is constructed of natural materials and is made as visually inconspicuous as possible.
 - 4) Storm water management, erosion and sediment control and vegetative management plans are submitted.
- b. Constructing, updating, maintenance or reconstruction of structural erosion control measures in slope preservation zones is allowed by a conditional use permit if all of the following standards are met:
- 1) The Zoning Authority determines that structural erosion control measures are necessary to address significant on-going erosion that nonstructural erosion control measures cannot control.
 - 2) The structural erosion control measure is constructed of natural materials and is made as visually inconspicuous as possible.
 - 3) The person seeking to construct the structural erosion control measure submits and has approved by the Zoning Authority all of the following items:
 - a) A detailed construction plan with timelines and contact information.
 - b) An erosion and sediment control plan.
 - c) A vegetation management plan.

4. Slope Preservation Zone

- a. No structures, except docks, piers, wharves, structural erosion control measures, stairways, and lifts may be placed in slope preservation zones.
- b. Slopes greater than 12 percent may not be altered to become less than 12 percent.
- c. No filling or grading is allowed in slope preservation zones that directly face and/or drain directly to the river, except the minimum required for installation of items in a. above.

5. Filling and Grading

- a. Filling and grading outside of a slope preservation zone are allowed with a land use permit if all of the following standards are met:
 - 1) Activities are set back at least 40 feet from a slope preservation zone.
 - 2) Activities do not disturb more than 10,000 square feet of land.
 - 3) No filling, grading or draining of wetlands is allowed.
 - 4) Any vegetation that is removed is replaced with native vegetation.
 - 5) Activities are designed and implemented in a manner to minimize erosion, sedimentation, tree damage, and impairment of fish and wildlife habitat.
 - 6) Polk County Storm Water Construction Technical Standards are implemented.
- b. Filling and grading are allowed by conditional use permit if the following standards are met:
 - 1) Less than 10,000 square feet in slope preservation zones.
 - 2) More than 10,000 square feet outside the slope preservation zone.
 - 3) Within 40 feet of a slope preservation zone.
 - 4) All standards under a. 3-6 above are met.

6. Rock Riprap

- a. Rock riprap within a slope preservation zone and in the OHWM setback area is allowed with a land use permit if the Zoning Authority determines that riprap is necessary to prevent erosion in flood-prone areas, and if the following standard is met:

- 1) Either a State permit is granted for the riprap or statutory criteria or administrative rule standards are met and a State permit is not required for the riprap.

7. Vegetation Management

- a. Vegetation in the Riverway District shall be managed with the goals of:
 - 1) Screening structures to make them visually inconspicuous.
 - 2) Preventing disturbance of environmentally sensitive areas such as but not limited to steep slopes, shorelines, and blufftop areas.
 - 3) Maintaining and restoring historically and ecologically significant plant communities and enhancing diversity.
- b. Successional climax forest and pre-settlement oak savanna will be the preferred ecotypes.
- c. Vegetative screening of structures will take priority over restoration and maintenance of preferred ecotypes.
- d. Vegetation removal other than that allowed under E.1.a.2) and E.1.a.3) is allowed with a land use permit if all of the standards under e. below are met.
- e. All of the following vegetation management standards shall apply whenever vegetation is disturbed in the Riverway District:
 - 1) Vegetation on lands within the OHWM setback, bluff line setback, and the slope preservation zone shall be left undisturbed, except as provided for elsewhere in this subsection or as provided in G.3. and G.11.
 - 2) Vegetation may not be disturbed or removed if it would disrupt the visually inconspicuous character of structures, reduce the quality or diversity of the plant community, or increase the potential for erosion, except as provided elsewhere in this subsection or as provided in G.3. and G.11.
 - 3) Lawns within the OHWM setback areas, slope preservation zones, and bluffline setback areas may not be expanded.
 - 4) The growth and harvest of non-wood fiber crops, the removal of vegetation in order to allow permitted uses or structures or conditional uses, the removal of State-designated noxious weeds, and the pruning or removal of vegetation to prevent insect infestation or disease that threaten large areas of vegetative cover per Wisconsin Statute § 66.96(2) are allowed.
 - 5) Herbicide use shall be limited to direct topical application to cut stems to kill noxious weeds, exotic species, poison ivy, poison oak or poison sumac, or as a prescribed treatment within a forest stewardship management plan.
 - 6) The practice of forestry shall be allowed on lands for which a forest stewardship plan has been developed under Wisconsin Statutes Chapter 77, or Wisconsin Administrative Code Chapter NR 46 or 47, and on lands managed under forest stewardship.
 - a) Forest stewardship plans shall employ best management practices for water quality protection, erosion control, and generally accepted forest management guidelines and must be approved by a WDNR forester.
 - i. Generally accepted forest management guidelines are contained in *Wisconsin Forest Management Guidelines*, PUB-FR-226 2003, available from the WDNR.
 - b) Forest stewardship plans shall be submitted to the Zoning Administrator to be kept in a property file.
 - c) Cutting, harvesting or removing timber under this provision on land that is visible from the river during the time when the leaves are on the deciduous trees may only include the following practices:
 - i. Small regeneration cuts with boundaries designed to harmonize with naturally occurring shapes;

- ii. Shelter wood cuts not to exceed the size, shape, spacing or timing of regeneration cuts; or,
 - iii. Selection cuts leaving a residual timber stand of at least 60 square feet basal area.
- 7) Noxious weeds, non-native invasive species, poison ivy, poison oak, or any other vegetation that is removed shall be replaced with native vegetation.
- f. In addition to any other penalties, the penalty for removing vegetation in violation of this Ordinance shall include replacement of vegetation with native vegetation at the property owner's expense according to the following options:
- 1) Option 1- Replace vegetation removed within 35 feet of the ordinary high water mark according to the tree replacement schedule below. All trees must be replanted within 75 feet of the ordinary high water mark.

Tree Replacement Schedule	
DBH of Existing Tree Removed	Number of Replacement Trees
< 6 inches	1
Between 6 - 12 inches	2
Between 12 - 18 inches	3
Between 18 - 24 inches	4
Between 24 - 30 inches	5
Between 30 - 36 inches	6
> 36 inches	The equivalent of 1 tree per 6" DBH of the removed trees.

DBH = Diameter Breast height

- 2) Option 2- Calculate the number of trees under option 1 to be replaced. Plant 75% of the required trees and establish 40 square feet of native plantings for each additional tree required within shoreland protection area. The native planting shall be contiguous, and at least ten feet wide-parallel or perpendicular to the shore.
- 3) Option 3- Calculate the number of trees under option 1 to be replaced. Plant 50% of the trees within 75 feet of the ordinary high water mark, and 70 square feet of native plantings for each additional tree required within shoreland protection area. The native planting shall be contiguous and follow practices found in the Wisconsin Field Office Technical Guide.
- 4) Option 4- Calculate the number of trees under option 1 to be replaced. Plant 25% of the required trees, and establish a full buffer of native vegetation according to the practices found in Wisconsin Field Office Technical Guide in the shoreland protection area.

8. POWTS

- a. Private on-site wastewater treatment systems shall be constructed in accordance with the requirements of Wisconsin Administrative Code Chapter SPS 383 and the Polk County Private Onsite Wastewater Treatment System (POWTS) Ordinance.

9. Land Divisions

- a. Land divisions are allowed by conditional use permit if all of the following standards are met:

- 1) All lots proposed to be built upon shall meet the minimum lot size requirements per Section F., and shall be suitable for residential development in their existing condition without the need for a variance.
- 2) All lots are suitable for their proposed use and will not be subject to the potential for flooding, inadequate drainage, severe erosion, inadequate water supply or inadequate sewage disposal capabilities.
- 3) Use of lots will not be allowed if there exists unfavorable soil and rock formations, unfavorable topography, or any other feature that is likely to result in harm to the health, safety or welfare of future residents of the lots or of the local community.
- 4) The Land Information Department shall consult with the State Historical Society concerning potential impacts to archeological sites and provide related documentation to the Zoning Administrator.
 - a) If the property is found to contain an archeological site, the applicant shall work with the Land Information Department to develop and implement a plan to avoid or mitigate impacts to the archeological site with assistance from the State Historical Society.

10. Transmission Facilities and Other wireless Communication

- a. Construction, updating, maintenance or reconstruction of transmission services is allowed by conditional use permit if all of the following standards are met:
 - 1) All new, updated or reconstructed transmission services shall be placed underground when determined to be technically feasible by the Zoning Administrator. If an applicant seeks to establish that underground placement is technically infeasible, the application shall explain in detail what factors make it infeasible.
 - 2) If underground placement is determined to be technically infeasible, overhead or above ground transmission services are permitted, but shall be designed to minimize the adverse visual impact on the scenic character of the Riverway District.
 - 3) New, updated or reconstructed transmission services shall be constructed and maintained using minimally invasive techniques for construction and maintenance, including erosion control. Existing transmission facilities shall be maintained using minimally invasive techniques for maintenance, including erosion control.
 - 4) Cutting or clearing of vegetation for transmission service maintenance may be conducted subject to the following standards:
 - a) An understory layer of vegetation shall be maintained to prevent erosion and allow succession.
 - b) Vegetation management shall protect the quality and diversity of the plant community and prevent erosion.
 - c) Herbicide use shall be limited to direct topical application to cut stems to prevent re-growth.
 - d) The pruning of normal tree growth for safety reasons or to prevent interference with the transmission service and removal of noxious weeds is allowed.
- b. Installation, reconstruction, modification and replacement of wireless communication service facilities are allowed by conditional use permit under the provisions of the Polk County Telecommunication Towers and Related Facilities Ordinance and if all of the following standards are met :
 - 1) Construction and maintenance shall be conducted using techniques which minimize the cutting or pruning of vegetation in order to preserve mature vegetation and provide screening of the facilities. Erosion control measures shall be used.

- 2) Wireless communication service facilities shall use building materials, colors, textures, screening and landscaping that blend the facilities in with surrounding natural features or nearby structures and shall be visually inconspicuous.
- 3) Wireless communication service facilities shall be of camouflage or stealth design, unless placed on existing structures.
- 4) Wireless communication service facilities may not exceed a height of 50 feet or not more than 20 feet above the tallest structure or tree canopy within a 300 foot radius of the proposed wireless communication service facilities as measured horizontally, whichever is higher.
- 5) New or reconstructed wireless communication service facilities may not be placed in slope preservation zones, floodplains or wetlands.

11. Stairways

- a. Stairways are allowed by conditional use permit if all of the following standards are met:
 - 1) The stairway is required to provide pedestrian access to the river because of steep, rocky, unstable or wet site conditions.
 - 2) The tread width of the stairway may not exceed 48 inches.
 - 3) Landings are located at a vertical interval of not less than 20 feet and shall not exceed 32 square feet in area.
 - 4) Handrails may be permitted in conjunction with stairways and shall be painted or stained the same color as the stairways.
 - 5) Canopies or roofs are not allowed on stairways.
 - 6) Stairways, handrails and landings shall be anchored and supported above grade with pilings or footings.
 - 7) Stairways shall be constructed of unfinished wood or stone, or shall be painted or stained with earth-tone colors.
 - 8) Stairways shall be visually inconspicuous and shall be located in the most visually inconspicuous portion of the lot.
 - 9) Native vegetation plantings shall be used to form a vegetative canopy to screen the stairway from the river.
 - 10) Existing vegetation may be removed within one foot of either side of the stairway route and up to eight feet above the stairway floor. Vegetation shall effectively screen stairways from the river within five years.
 - 11) Only one stairway may be permitted on a lot that abuts the river.

12. Lifts

- a. Lifts are allowed by a conditional use permit if all of the following standards are met:
 - 1) The lift is required to provide pedestrian access to the river because of steep, rocky, unstable or wet site conditions.
 - 2) The car of the lift may not exceed 4 feet by 6 feet. Cars may have handrails, but no canopies or roofs shall be allowed.
 - 3) All visible parts of the lift shall be painted or finished in earth-tone, non-reflective colors and shall be visually inconspicuous.
 - 4) Lifts shall be located in the most visually inconspicuous portion of the lot. Location of the transporting device or power source shall be visually inconspicuous.
 - 5) Native vegetation plantings shall be used to form a vegetative canopy to screen the lift from the river.
 - 6) Existing vegetation may be removed within one foot on either side of the lift route and up to 8 feet above the lift floor.
 - 7) Only one lift may be permitted on a lot that abuts the river.

13. Public and Private Roads

- a. Construction, reconstruction or right-of-way maintenance for public roads and private roads serving two or more properties or single-family residences is allowed by a conditional use permit if all of the following standards are met:
 - 1) No new road may be constructed in slope preservation zones, in an area 40 feet landward of blufflines, within 200 feet of the river, within 100 feet of tributary watercourses, or in wetlands.
 - 2) Route design and construction or reconstruction shall minimize visual impacts by using terrain features to blend the road into the landscape, avoiding cuts and fills as much as feasible.
 - 3) New roads shall be visually inconspicuous.
 - 4) Reconstruction of existing roads shall be performed in a manner that does not increase visibility of the road from the river.
 - 5) Cutting or clearing vegetation for road right-of-way maintenance shall be conducted in accordance with the following standards:
 - a) Vegetation shall be managed to allow an understory layer to remain in place to prevent erosion and allow succession. Vegetation may not be disturbed in such a way that there would be reduced quality or diversity of the plant community or increased potential for erosion.
 - b) Herbicide use shall be limited to direct topical application to cut stems to prevent re-growth. The pruning of normal tree growth for safety reasons or to prevent interference with infrastructure and the removal of noxious weeds is allowed.
 - c) Mowing of a safety zone from the edge of the pavement back 15 feet or to the ditch bottom, whichever is less, and clearing intersection vision triangles is allowed. Other parts of the right-of-way may be mowed to control noxious weeds and undesirable brush only after July 15 of each year to avoid impacts to ground-nesting birds.
 - d) Cutting of trees more than 4 inches in diameter breast height is prohibited, except that trees that pose a hazard to public health or safety may be removed.
- b. Public entities may apply for a one-time conditional use permit for long-term maintenance of public road right-of-way, subject to all standards listed in a. above and to periodic monitoring.

14. Bed and Breakfast Operations

- a. A bed and breakfast operation is allowed by conditional use permit if all of the following standards are met:
 - 1) The bed and breakfast operation provides four or fewer rooms for rent to transient visitors.
 - 2) The bed and breakfast operation has sufficient parking spaces on site or on public roads for guests.

15. Nature-Oriented, Educational Non-Profit Facilities

- a. A nature-oriented, educational non-profit facility is allowed by conditional use permit if all of the following standards are met:
 - 1) The facility will not cause environmental pollution or erosion.
 - 2) The facility has sufficient parking on site or on public roads for patrons.

16. Home Occupation

- a. A home occupation is allowed by conditional use permit if all of the following standards are met:
 - 1) The owner or person who rents the residence on a full-time basis conducts the home occupation.
 - 2) The home occupation is conducted inside of the residence and is subordinate to the use of the home as a principal residence.

- 3) The home occupation will not cause environmental pollution.
- 4) If the home occupation causes additional persons to visit the residence, sufficient parking is provided on the lot or on public streets.

Article H. Nonconforming uses and structures and Substandard Lots

1. Nonconforming Uses

- a. A nonconforming use may not be expanded or enlarged.
- b. An increase in the volume, intensity or frequency of use is allowed if the land area or structure used for the nonconforming use are not expanded or enlarged.
- c. A change from one nonconforming use to another nonconforming use is not allowed.
- d. If a nonconforming use is discontinued for a period of 12 consecutive months, any future use of buildings and premises shall conform to all of the requirements of all applicable Polk County Zoning Ordinances.

2. Nonconforming Principal Structures

- a. Ordinary maintenance and repair of a nonconforming principal structure is allowed.
- b. Structural alteration, reconstruction and expansion of a nonconforming principal structure and replacement, improvement or structural alteration of the foundation is allowed by a land use permit if all of the applicable requirements in pars. d. and e. below are met.
- c. Reconstruction of Nonconforming Principal Structures.
 - 1) Nonconforming principal structures located greater than 100' from the OHWM but within the OHWM setback area, bluffline setback area or slope preservation zone may be structurally altered or reconstructed and foundations may be replaced, improved or structurally altered if all of the following requirements are met:
 - a) The lot has an area of at least 10,000 square feet.
 - b) The altered or reconstructed structure will be visually inconspicuous or will be rendered so through mitigation per H.5.
 - c) The structure is altered or reconstructed in the same footprint as the pre-existing structure.
 - d) The reconstructed structure may not be any taller than the pre-existing nonconforming structure, except that a flat roof may be replaced with a pitched roof, and may not be taller than allowed per F.4.
 - e) The color of the structure complies with G.1.
 - f) The property owner submits a mitigation plan per H.5.
 - i. If a permit is issued for the reconstruction, the mitigation plan shall be approved, or modified and approved, by the Zoning Authority.
 - ii. The mitigation plan shall be incorporated into the permit and the property owner shall be required to implement the mitigation plan as a permit condition.
 - g) Private on-site wastewater treatment systems are brought into compliance with the requirements of the Polk County Sanitary Ordinance.
 - h) The foundation of the structure may not be replaced, improved or structurally altered, unless all of the following standards are met:
 - i. It is being done in conjunction with the reconstruction of the structure,
 - ii. It is entirely located more than 50 feet from the OHWM, and
 - iii. It is not located in a slope preservation zone.
 - i) An erosion control plan and revegetation plan shall be submitted to the local Zoning Authority for approval or modification and approval.

- j) No filling and grading activities are allowed during the alteration or reconstruction, except for the minimum necessary to accomplish the alteration or reconstruction in compliance with other provisions of this Ordinance, and as needed to upgrade a private on-site wastewater treatment system, to replace sewer or water laterals, or to install storm water or erosion control measures.
 - k) If the structure is located in a slope preservation zone, it may be reconstructed on the existing foundation only if Polk County Storm Water Construction Technical Standards applicable to steeper sloped areas are implemented to control erosion.
- d. Expansion of Nonconforming Principal Structures.
- 1) Nonconforming principal structures located in the OHWM setback area or bluffline setback area may be expanded and the pre-existing foundation may be replaced, repaired or structurally altered in conjunction with the expansion if all of the applicable following requirements are met:
 - a) Structures located wholly or partially within 50 feet of the OHWM may not be expanded.
 - b) Structures located wholly or partially within a slope preservation zone may not be expanded.
 - c) Structures entirely set back more than 50 feet from the OHWM but located wholly or partially less than 75 feet from the OHWM may be expanded **only** if there is no compliant building location available on the lot.
 - d) Structures entirely set back more than 75 feet from the OHWM may be expanded regardless of whether a compliant building location exists elsewhere on the lot.
 - e) The lot has an area of at least 10,000 square feet.
 - f) The expanded structure will be visually inconspicuous or will be rendered so through mitigation.
 - g) Any reconstructed portion of the nonconforming structure may only be reconstructed in the same footprint as the pre-existing structure. Notwithstanding the definition of “reconstruction” in NR 118.03(36), the pre-existing foundation of a structure that is more than 50 feet from the OHWM and is not within a slope preservation zone may be replaced, repaired or structurally altered in conjunction with the expansion of the structure.
 - h) For structures located wholly or partially within the OHWM setback area, the total footprint of the structure may not exceed 1500 square feet.
 - i) For structures located wholly or partially within the bluffline setback, but not within the OHWM setback area, the total footprint of the structure may not exceed 2000 square feet and the structure shall comply with all of the following requirements:
 - i. The structure is set back at least 40 feet from the bluffline.
 - ii. The structure does not protrude above the bluffline as viewed from at or near the mid-line of the river or from 250 feet riverward from the OHWM whichever is less.
 - iii. The structure is not located within the slope preservation zone.
 - iv. The structure uses earth-tone building materials that are of a non-reflective nature, except that windows may be made of ordinary glass or non-reflective glass, but may not be made of glass designed to reflect more light than ordinary window glass.
 - v. The structure is visually inconspicuous.
 - j) Expansion is on the side of the structure farthest from the river or, if landward expansion is not possible, and the structure is greater than 100 feet from the OHWM, expansion is allowed parallel to the OHWM or bluffline.
 - k) The height of the altered or reconstructed structure complies with F.4.
 - l) The color of the structure complies with G.1.

- m) The property owner submits a mitigation plan per H.5.
 - i. If a permit is issued for the expansion, the mitigation plan and erosion control plan shall be approved, or modified and approved, by the Zoning Authority.
 - ii. The mitigation and erosion control plan shall be incorporated into the permit and the property owner shall be required to implement the mitigation plan as a permit condition.
- n) Private on-site wastewater treatment systems are brought into compliance with the requirements of the Polk County Sanitary Ordinance.
- o) Filling or grading is not allowed as part of the reconstruction or expansion except as necessary to reconstruct or build the expansion in compliance with other provisions of this Ordinance, upgrade a private on-site wastewater treatment system, replace sewer or water laterals, or install storm water or erosion control measures.

3. Nonconforming Accessory Structures

- a. Ordinary maintenance and repair of nonconforming accessory structures is allowed.
- b. Nonconforming accessory structures may not be structurally altered, reconstructed or expanded.

4. Substandard Lots

- a. Lots of record in the Register Of Deeds office on January 1, 1976 or on the date of the enactment of an amendment to this Ordinance that makes the lot substandard, which do not meet the requirements of this Ordinance, may be allowed as building sites provided that the following criteria are met:
 - 1) The lot is in separate ownership from abutting lands, or
 - 2) The lot by itself or in combination with an adjacent lot or lots under common ownership in an existing subdivision has at least one acre of net project area. Adjacent substandard lots in common ownership may only be sold or developed as separate lots if each of the lots has at least one acre of net project area.
 - 3) All structures that are proposed to be constructed or placed on the lot and the proposed use of the lot comply with the requirements of this Ordinance and any zoning or sanitary code requirements.

5. Mitigation Requirements

- a. Expansion or reconstruction of nonconforming principal structures, and the expansion, reconstruction or structural alteration of nonconforming accessory structures shall trigger mitigation requirements to offset the impacts of the proposed project.
- b. Mitigation measures shall be roughly proportional to the magnitude of the impacts of the proposed project on scenic resources, water quality, erosion potential and the protection of the shoreland area.
- c. Mitigation shall include, but is not limited to, the following:
 - 1) Planting trees and shrubs capable of screening the entire structure if existing vegetation is not sufficient to render the structure visually inconspicuous per G.7. Additionally:
 - a) All trees and shrubs shall be native to the area.
 - b) All trees shall be at least 2 inches Diameter at Breast Height (DBH) and planted no more than 12 feet apart and parallel to the river and the structures they screen. To allow for future growth, these trees may be planted at different locations and staggered between the structures and the river.
 - 2) The vegetation in the area within 50 feet of the OHWM shall be preserved or restored through planting of native vegetation per G.7.

- a) Vegetation shall be established or maintained at densities that are adequate to protect water quality, habitat and the natural scenic beauty of the shoreland area.
 - b) If a nonconforming structure is located in this area, the vegetation shall be planted surrounding the structure, although the owner may create a screened view of the river from the structure and may leave a 15-foot wide mowed area around the structure to protect it from wildfire.
- 3) Prior to issuance of a permit, a storm water management plan, erosion and sediment control plan and vegetation plan shall be submitted and approved by the Zoning Authority.
 - 4) An affidavit describing the approved mitigation plan shall be executed and recorded with the County Register of Deeds by the property owner within 14 days after approval of the mitigation plan.
 - a) The affidavit shall alert subsequent purchasers of the land of the requirements of the mitigation plan.

Article I. Administration

1. Land Use Permit Procedures

- a. An application for a land use permit shall be made to the Zoning Authority. The following information shall be provided:
 - 1) Completed Land Use Application form
 - 2) Other relevant information that the Zoning Administrator requests, including but not limited to photos, topographic mapping, elevation drawings, cross-section drawings, specialized engineering plans, permission by the National Park Service, storm water management plans, erosion and sediment control plans, or vegetation management plans.
 - 3) If additional information is requested, it shall be submitted by the applicant to the Zoning Authority **prior to** the issuance of the land use permit.
- b. The Zoning Authority shall approve, approve conditionally, or deny the land use permit within 60 days of submitting a properly completed application, unless additional information is required.

2. Conditional Use and Variance Procedures

- a. An application for a conditional use permit or variance shall be submitted to the Zoning Authority upon forms furnished by the County.
 - 1) General information, including but not limited to:
 - a) Completed appropriate application form.
 - b) Recent aerial photograph showing location.
 - c) Mitigation, erosion and sediment control, and vegetative management plans, if required.
 - d) Other relevant information that the Zoning Administrator requests, including but not limited to photos, topographic mapping, elevation drawings, cross-section drawings, specialized engineering plans or storm water management plans.
 - e) If additional information is requested, it shall be submitted by the applicant to the Zoning Authority **prior to** the issuance of the land use permit.
 - 2) For conditional uses, a detailed written explanation of how the proposed use or development meets the requirements for conditional uses as outlined in Article G. as applicable, and the following standards:
 - a) The scenic and recreational qualities of the Riverway District, especially in regard to the view from and use of the river.
 - b) The maintenance of safe and healthful standards.

- c) The prevention and control of water pollution, including storm water runoff and sedimentation.
 - d) The location of the site with respect to floodplains and floodways, slope preservation zones, and blufflines.
 - e) The erosion potential of the site based upon degree and direction of slope, soil type, and vegetative cover.
 - f) Potential impact on terrestrial and aquatic habitat.
 - g) Location of site with respect to existing or future access roads.
 - h) Adequacy of proposed wastewater treatment.
 - i) The compatibility of the project with uses on adjacent land.
- 3) Applications for a permit for land divisions, bed and breakfast operations, nature oriented educational, non-profit facilities, and variances shall also include:
 - a) The location of any proposed private on-site wastewater treatment system.
 - b) Water supply information, including the location of any proposed wells.
 - 4) Applications for a permit for filling and grading, structural erosion control measures, and road construction shall also include a plan showing the proposed construction, reconstruction, location and design of the filling or grading, structural erosion control measures, or road construction.
 - 5) Applications for a permit for transmission services and wireless communication service facilities shall also include:
 - a) For transmission services a plan showing the location of proposed facilities, and if not placed underground, documentation of why this is technically infeasible, and a plan outlining design and construction methods to minimize adverse visual impacts to the Riverway District.
 - b) For wireless communication service facilities, a plan showing the location of proposed facilities and an illustration of the methods to be used to meet design requirements for the appropriate stealth, camouflage, and height requirements.
 - 6) Applications for a permit for stairways and lifts shall also include a plan showing the stairway or lift location, design, dimensions, color, construction materials, erosion control measures and vegetation removal and replacement. The plan shall contain a certification by a registered professional engineer or architect that the stairway or lift components are securely anchored to prevent them from shifting and from causing erosion.
 - 7) For variances, a detailed written explanation of how the requested variance meets the following requirements:
 - a) The request is not contrary to public interest.
 - b) The variance request is within the spirit of the ordinance.
 - c) That special conditions exist and that the literal enforcement of the ordinance will result in unnecessary hardship.
 - d) Substantial justice shall be done by granting the variance.
 - e) No variance shall have the effect of granting or increasing any use of the property which is prohibited in the Riverway District.

3. Amendment Procedures

- a. An amendment to this Ordinance shall not be subject to approval or disapproval or action by any town board.
- b. Upon enactment of an amendment to this Ordinance, the Zoning Administrator shall submit two copies to the WDNR.
- c. Applications for text amendments or rezonings (map amendments) shall include:

- 1) A survey certified by a professional engineer or registered land surveyor showing:
 - a) Property location, boundaries, and dimensions.
 - b) Location of all existing and proposed structures and impervious surfaces with distances measured from the lot lines and centerline of all abutting streets or highways.
 - c) Contours on an established datum at vertical intervals of not more than two feet.
 - d) Blufflines, slope preservation zones, OHWM, floodway and flood fringe boundaries, and all applicable setbacks.
 - e) Utility and roadway corridors.
 - f) Adjoining land and water-oriented uses.
 - g) The location of existing and proposed alterations of vegetation and topography, including grading limits and vegetation removal and replacement that are proposed.
- 2) Photos of the site taken from the river slightly upstream and downstream of the property, and directly offshore.
- 3) Other relevant information that the Zoning Authority requests. If the Zoning Authority requests additional information, it shall be submitted by the applicant to the Zoning Authority **prior to** any hearing on the application.
- 4) The procedures and application requirements in this paragraph do not apply to proposals to change the management zone boundaries established in NR 118.04. The management zone boundaries in NR 118.04 may only be changed by revision of NR 118.04.

4. Public Hearing Procedures

- a. A public hearing shall be held before any conditional use permit, any variance, or any amendment is approved or denied.
- b. In addition to any other notice requirements, notice of all public hearings and a copy of all application materials shall be provided to the following for review and comment at least 30 days prior to the public hearing:
 - 1) Wisconsin Department of Natural Resources (WDNR)
 - 2) West Central Wisconsin Regional Planning Commission
 - 3) The town board of a town within which the affected parcel of land is located.
 - 4) National Park Service
- c. Any plan submitted with an application shall be approved, or modified and approved, and included as part of the permit, variance or amendment application. The Zoning Administrator shall submit a summary of all proceedings, including a copy of any written decision, to the WDNR within five working days after the date of the decision.
- d. Where additional information is introduced at any stage of the proceeding by the applicant or where the applicant may wish to review the WDNR's opposition or town's opposition if applicable, the proceeding may be postponed for a reasonable period of time to review the information.
- e. A conditional use permit may not be granted if the town board objects to the issuance as a part of the hearing.
 - 1) Such objection shall explain where the proposed project is inconsistent with this Ordinance, Wisconsin Statute § 30.27, Wisconsin Administrative Code Chapter NR 118, or town ordinances.

5. Decisions

- a. All land use permit decisions shall be in writing and shall include facts and reasons for the decisions.

- b. The final disposition of an application for a conditional use permit or variance to the Board of Adjustment shall be in the form of a written decision, made within a reasonable time after the public hearing, signed by the Board of Adjustment chairperson.
 - 1) Such decision shall state the specific facts and reasons that are the basis of the Board of Adjustment's determination.
 - 2) A copy of such decision shall be mailed to the applicants and the appropriate district office of the WDNR within 10 days after the decision is issued.

6. Reasonable Accommodation for Disabled Persons

- a. Ramps, walkways or decks to provide a disabled person with reasonable access to their property as required by the Federal Americans with Disabilities Act, the Federal Fair Housing Act and the Wisconsin Fair Housing Act are allowed by land use permit, subject to the following standards:
 - 1) Only the minimum relaxation of dimensional, density or other standards needed to provide reasonable access may be approved.
 - 2) No use, structure or other relaxation of standards may be approved that would violate or undermine the stated purposes of this Ordinance.
 - 3) The land use permit will expire and the structure removed once the property is no longer primarily owned by a disabled person. Subsequent landowners no longer needing disabled access shall not replace or expand the facilities. Routine maintenance is allowed.
 - 4) The applicant may be required to provide a written statement of disability.
- b. An affidavit describing the approved land use permit shall be executed and recorded with the County Register of Deeds by the property owner within 14 days after approval of the permit.
 - 1) The affidavit shall state that the ramp, walkway, or deck must be removed as required above, and shall alert subsequent purchasers of the land of the requirements of the land use permit.

7. Expiration

- a. Activities authorized by a permit issued under this Ordinance shall commence within one year from the date of approval and be completed or implemented within two years, after which time the permit expires.

8. Compliance, Revocation, and penalties

- a. Where the terms or conditions on any permit are violated, the permit may be revoked. The Zoning Administrator may revoke a land use permit and a conditional use permit.
- b. Any development, any building or structure constructed, moved or structurally altered, or any use established after the effective date of this Ordinance contrary to the provisions of this Ordinance, by any person, firm, association, corporation (including building contractors or their agents) shall be deemed a violation. As authorized by Wis. Stat. CHAPTER 66, the Zoning Administrator or the County Zoning Agency shall issue citations for any violations of this Ordinance. Any person, firm, association, or corporation who violates or refuses to comply with any of the provisions of this ordinance shall be subject to a forfeiture of not less than fifty (\$50.00) dollars nor more than one-thousand (\$1000.00) dollars per offense, together with the taxable costs of action. Each day of continued violation shall constitute a separate offense. Every violation of this Ordinance is a public nuisance and the creation thereof may be enjoined and the maintenance there may be abated by action at suit of the county, the state, or any citizen thereof pursuant to Section 87.30(2), Wisconsin Statutes. The County also retains the summons and complaint avenue for forfeitures and remedial action as provided by Wis. Stat. Section 59.69(11).

- c. There shall be a penalty fee of two (2) times the regular permit fee in those cases where building is commenced without first obtaining a land use permit, providing the structure is in conformance with the provisions of this Ordinance. In cases where the project cannot be permitted without a variance, the penalty fee shall be applied towards the variance application fee.

Appendix A Legal description of boundary

All of the Boundary in Polk County is Part of the Federal Boundary.

1. Township 32 North, Range 19 West

- Sec. 5: That portion of Government Lot 1 lying North and West of the following described line: beginning at the northeast corner of said Lot 1; thence, Southwesterly, to a point, said point being 330 feet North and 660 feet East of the southwest corner of said Lot 1; thence, South, 330 feet to the south line of said Lot 1; all of Government Lots 2 and 3, the N¹/₂ NW¹/₄ SW¹/₄ NE¹/₄, the N¹/₂ N¹/₂ SE¹/₄ NW¹/₄, all that part of the NW¹/₄ NW¹/₄ SW¹/₄ lying westerly of the easterly right-of-way line of the Canadian National Railway, the W¹/₂ SW¹/₄ NW¹/₄ SW¹/₄, and the W¹/₂ W¹/₂ SW¹/₄ SW¹/₄.
- Sec. 6: Government Lots 5, 6, and 7 and the SE¹/₄ SE¹/₄.
- Sec. 7: Government Lots 1, 2, and 3.
- Sec. 8: Government Lot 1, the W¹/₂ W¹/₂ NW¹/₄ NW¹/₄, the W¹/₂ NW¹/₄ SW¹/₄ NW¹/₄, the S¹/₂ SW¹/₄ NW¹/₄, the W¹/₂ SW¹/₄ NE¹/₄ SW¹/₄, the NW¹/₄ SW¹/₄, and the W¹/₂ NW¹/₄ SE¹/₄ SW¹/₄.
- Sec. 17: Government Lots 1, 2, and 3, the W¹/₂ SW¹/₄ SW¹/₄, and the W¹/₂ E¹/₂ SW¹/₄ SW¹/₄.
- Sec. 18: Government Lot 1.
- Sec. 19: Government Lot 1, 2, 3, and 4.
- Sec. 20: the W¹/₂ NW¹/₄ NW¹/₄, W¹/₂ E¹/₂ NW¹/₄ NW¹/₄, W¹/₂ NE¹/₄ SW¹/₄ NW¹/₄, NW¹/₄ SW¹/₄ NW¹/₄, S¹/₂ SW¹/₄ NW¹/₄, SW¹/₄ SE¹/₄ NW¹/₄, W¹/₂ SW¹/₄, and the W¹/₂ E¹/₂ SW¹/₄.
- Sec. 29: Government Lot 1, SW¹/₄ NW¹/₄ NE¹/₄, W¹/₂ SW¹/₄ NE¹/₄, NW¹/₄, N¹/₂ SW¹/₄, SE¹/₄ SW¹/₄, and the W¹/₂ W¹/₂ SE¹/₄.
- Sec. 30: Government Lots 1, 2, and 3.
- Sec. 31: SE¹/₄ SE¹/₄ (Government Lot 5).
- Sec. 32: Government Lots 1, 2, and 3, that portion of Government Lot 4 lying North and West of the centerline of a County Road, W¹/₂ W¹/₂ NE¹/₄, E¹/₂ NW¹/₄, that portion of the E¹/₂ SW¹/₄ lying North and West of the following described line: commencing at the northeast corner E¹/₂ SW¹/₄; thence, South, along the east line E¹/₂ SW¹/₄, 875 feet, more or less, to the point of intersection of said east line with the centerline of a County Road, said point being the point of beginning; thence, southwesterly, to a point on the west line E¹/₂ SW¹/₄, said point being the intersection of said west line with the centerline of a County Road, that portion of the W¹/₂ NW¹/₄ SE¹/₄, lying north and west of the centerline of a County Road.

2. Township 33 North, Range 19 West

- Sec. 10 Government Lots 5, 6, and 7.
- Sec. 11 Government Lots 2 and 3, W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$.
- Sec. 14 N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$.
- Sec. 15 Government Lots 1, 2, 3, 4 and 5 and the SE $\frac{1}{4}$ NE $\frac{1}{4}$.
- Sec. 22 That portion of Government Lots 1 and 2 lying west of the centerline of State Highway 35, all of Government Lots 3 and 4.
- Sec. 28 That portion of Government Lots 5 and 6 and the SE $\frac{1}{4}$, SE $\frac{1}{4}$, lying North and West of the centerline of a County Road.
- Sec. 32 That portion of Government Lot 4 lying North and West of a line described as follows: beginning at a point on the south line of said Lot 4, said point being 1320 feet West of the southeast corner of said Lot 4: thence, Northeasterly, 2150 feet more or less, to a point on the east line of said Lot 4, said point being 1700 feet North of the southeast corner of said Lot 4.
- Sec. 33 That portion of Government Lot 2 lying North and West of a line described as follows: beginning at the northwest corner NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 33; thence, West, 99 feet; thence, South 34° 20' West, 388.1 feet; thence, South 87° 00' West, 170 feet; thence, Southwesterly to a point on the west line of said Lot 2, said point being 1700 feet North of the southwest corner of said Section 33, that portion of Government Lots 3 and 4 lying North and West of the centerline of a County Road.

Ordinance No. 21-18

1 Ordinance To Enact Amended Polk County Telecommunication Towers, Antennas, and Related
2 Facilities Ordinance

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

Ladies and Gentlemen:

3 WHEREAS, on March 15, 2016, the Polk County Board of Supervisors enacted Ordinance No.
4 10-16, entitled as Polk County Telecommunication Towers, Antennas, and Related Facilities
5 Ordinance; and

6 WHEREAS, the amendment affects any lands within the unincorporated areas of Polk County;
7 and

8 WHEREAS, telecommunication facilities are regulated under Wisconsin Statute Section
9 66.0404; and

10 WHEREAS, on February 15, 2018, the Polk County Zoning Administrator filed pursuant to
11 Wisconsin Statute Section 59.69(5)(e) a petition sought to amend the Polk County
12 Telecommunication Towers, Antennas, and Related Facilities Ordinance, through the enactment
13 of the proposed Amended Polk County Polk County Telecommunication Towers, Antennas, and
14 Related Facilities Ordinance; and

15 WHEREAS, the amendment changes the after-the-fact penalty fee from \$500 to two times the
16 regular permit fee; and

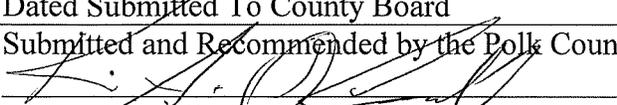
17 WHEREAS, on March 7, 2018, the Polk County Environmental Services Committee, as the
18 planning and zoning committee, opened and held a public hearing on the petition to amend the
19 Polk County Telecommunication Towers, Antennas, and Related Facilities Ordinance; and

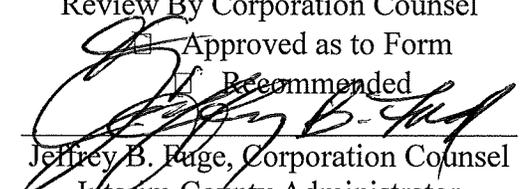
20 WHEREAS, after considering public input received in the public hearing and incorporating such
21 public input and recommendations, as appropriate, the Polk County Environmental Services
22 Committee recommends the Polk County Board of Supervisors enact as and for the county's
23 telecommunication facilities ordinance under Wisconsin Statute Section 66.0404, the attached
24 proposed ordinance entitled "Amended Polk County Telecommunication Towers, Antennas, and
25 Related Facilities Ordinance."

26 NOW, THEREFORE, pursuant to Wisconsin Statute Section 59.69(5)(e), the Polk County Board
27 of Supervisors ordains as follows:

- 28 1. The Amended Polk County Telecommunication Towers, Antennas, and Related Facilities
29 Ordinance, attached hereto and incorporated herein is enacted.
- 30 2. Pursuant to Wisconsin Statute Sections 59.14(1) and 985.01(5), the County Clerk is
31 directed to cause to be published the ordinance enacted herein.

- 32 3. The Amended Polk County Telecommunication Towers, Antennas, and Related Facilities
 33 Ordinance shall be effective upon passage and publication as provided by law.

Funding Source/ Funding Amount:	Not Applicable
Date Reviewed as to Appropriations:	Not Applicable
Committee Recommendation as To Appropriation:	Not Applicable
Effective Date:	Upon Passage and Publication
Dated Submitted To County Board	April 17, 2018
Submitted and Recommended by the Polk County Environmental Services Committee:  Kim O'Connell, Committee Chair	

Review By Corporation Counsel
 Approved as to Form
 Recommended

 Jeffrey B. Page, Corporation Counsel
 Interim County Administrator

County Board Action

At its regular business meeting on April 17, 2018 the Polk County Board of Supervisors enacted the above-entitled ordinance: Ordinance No. 21-18: Ordinance To Enact Amended Polk County Telecommunication Towers, Antennas, and Related Facilities Ordinance, by majority vote of the entire membership of a vote of in favor and against. *unanimous voice vote*

Dean Johansen
Dean Johansen, County Board Chairperson

Dated: 5/23/18

Attest: *Sharon Jorgenson*
Sharon Jorgenson, Polk County

Dated: 5-22-18

Certification of Publication

The above-enacted ordinance, Ordinance No. 21-18: Ordinance To Enact Amended Polk County Telecommunication Towers, Antennas, and Related Facilities Ordinance was published in the Inter-County Leader on the 6 day of June, 2018.

Sharon Jorgenson
Sharon Jorgenson, County Clerk

Dated: 5-22-18

CERTIFIED COPY OF POLK COUNTY ORDINANCE

STATE OF WISCONSIN

COUNTY OF POLK

I, Sharon E. Jorgenson, Polk County Clerk do hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of the Polk County Ordinance No. 21-18: Ordinance to Enact Amended Polk County Telecommunication Towers, Antennas, and Related Facilities Ordinance as adopted by the Polk County Board of Supervisors on the 15th day of May, 2018.

A handwritten signature in cursive script that reads "Sharon E. Jorgenson" followed by the date "5/22/18".

Sharon E. Jorgenson, Polk County Clerk

Date

Polk County TELECOMMUNICATION TOWERS, ANTENNAS, AND RELATED FACILITIES ORDINANCE

Ordinance No. 21-18

**Polk County Telecommunication Towers, Antennas, and Related Facilities
Ordinance**

Enacted: May 15, 2018; Published: May 30, 2018

Effective Date: May 30, 2018

Polk County Land Information Department
Polk County Government Center
100 Polk County Plaza, Suite 130
Balsam Lake, WI 54810
715-485-9111
715-485-9246 Fax
www.co.polk.wi.us/landinfo/zoning

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Article I Purpose and Intent

The purpose of the regulations and requirements of this ordinance is to:

- A. Accommodate communication, radio, and television needs while protecting the public health, safety and general welfare;
- B. Minimize adverse visual impacts of wireless communication service and other transmission facilities through careful site and design standards;
- C. Avoid potential damage to adjacent properties from the construction, location and operation of wireless communication service and other transmission facilities through structural standards and setback requirements;
- D. Maximize the use of existing and approved towers, buildings or structures to accommodate new wireless communication service and other transmission antennas to minimize the number of towers needed to serve the county and adverse visual impacts; and
- E. Minimize hazards to birds.

Article II Definitions

The following definitions apply to the provisions of this ordinance:

“Abandoned Facility” Any transmission facility that is unused for the purpose for which the permit was granted for 18 consecutive months shall be considered abandoned.

“Antenna” means communications equipment that transmits and receives electromagnetic radio signals and is used in the provision of mobile services.

“Collocation” means class 1 or class 2 collocation or both.

“Class 1 Collocation” means the placement of a new mobile service facility on an existing support structure such that the owner of the facility does not need to construct a free standing support structure for the facility but does need to engage in substantial modification.

“Class 2 Collocation” means the placement of a new mobile service facility on an existing support structure such that the owner of the facility does not need to construct a free standing support structure for the facility or engage in substantial modification.

“Department” The Polk County Zoning Department is the permitting authority under this ordinance where required.

"Distributed antenna system" means a network of spatially separated antenna nodes that is connected to a common source via a transport medium and that provides mobile service within a geographic area or structure.

"Equipment compound" means an area surrounding or adjacent to the base of an existing support structure within which is mobile service facilities.

"Existing structure" means a support structure that exists at the time a request for permission to place mobile service facilities on a support structure is filed with a political subdivision.

“FAA” Federal Aviation Administration.

"Fall zone" means the area over which a mobile support structure is designed to collapse.

“FCC” Federal Communications Commission.

- “Guyed Tower”** A telecommunication tower that is supported in whole or in part by guy wires and ground anchors or other means of support besides the superstructure of the tower itself.
- “Height”** The distance measured from ground level to the highest point on a tower or structure, including any antenna.
- “Lattice Tower”** A telecommunication tower that consists of vertical and horizontal supports and crossed metal braces.
- "Mobile service"** means a radio communication service carried on between mobile stations or receivers and land stations, and by mobile stations communicating among themselves, and includes (A) both one-way and two-way radio communication services, (B) a mobile service which provides a regularly interacting group of base, mobile, portable, and associated control and relay stations (whether licensed on an individual, cooperative, or multiple basis) for private one-way or two-way land mobile radio communications by eligible users over designated areas of operation, and (C) any service for which a license is required in a personal communications service.
- "Mobile service facility"** means the set of equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and associated equipment, that is necessary to provide mobile service to a discrete geographic area, but does not include the underlying support structure.
- "Mobile service provider"** means a person who provides mobile service.
- "Mobile service support structure"** means a freestanding structure that is designed to support a mobile service facility.
- “Monopole”** A telecommunication tower of a single pole design.
- “Non-Conforming”** means a pre-existing telecommunication facility that does not meet the requirements of this ordinance.
- "Permit"** means a permit, other than a building permit, or approval issued by the department which authorizes any of the following activities by an applicant:
1. A class 1 collocation.
 2. A class 2 collocation.
 3. The construction of a mobile service support structure.
- “Pre-existing Transmission Facility”** Any transmission facility constructed prior to January 26, 1999.
- "Search ring"** means a shape drawn on a map to indicate the general area within which a mobile service support structure should be located to meet radio frequency engineering requirements, taking into account other factors including topography and the demographics of the service area.
- “St. Croix River Buffer Zone”** The St. Croix River Buffer Zone is the area located outside the St. Croix Riverway District and within two miles of the St. Croix River, measured from the ordinary high water mark.
- “Stealth Facility”** A mobile service facility or other transmission facility which appropriately models or mimics in size, shape, scale and color something which exists in the immediate landscape, which could legally be placed there or already exists there at the time an application is submitted, (e.g., a silo in farm settings or a tree in forested lands), and which is unrecognizable to a casual observer as a transmission facility.
- "Substantial modification"** means the modification of a mobile service support structure, including the mounting of an antenna on such a structure that does any of the following:

1. For structures with an overall height of 200 feet or less, increases the overall height of the structure by more than 20 feet.
2. For structures with an overall height of more than 200 feet, increases the overall height of the structure by 10 percent or more.
3. Measured at the level of the appurtenance added to the structure as a result of the modification, increases the width of the support structure by 20 feet or more, unless a larger area is necessary for collocation.
4. Increases the square footage of an existing equipment compound to a total area of more than 2,500 square feet.

"Support structure" means an existing or new structure that supports or can support a mobile service facility, including a mobile service support structure, utility pole, water tower, building, or other structure.

"Tower" Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas including guy towers, monopole towers and lattice Towers.

"Transmission Facility" Any mobile service facility, radio or television tower, or any equipment or accessory structure other than an electric transmission line.

"Utility pole" means a structure owned or operated by an alternative telecommunications utility, as defined in s. 196.01 (1d); public utility, as defined in s. 196.01 (5); telecommunications utility, as defined in s. 196.01 (10); political subdivision; or cooperative association organized under ch. 185; and that is designed specifically for and used to carry lines, cables, or wires for telecommunications service, as defined in s. 182.017 (1g) (cq); for video service, as defined in s. 66.0420 (2) (y); for electricity; or to provide light.

"Wireless Communication" Any wireless telecommunication service as defined in the Telecommunications Act of 1996, including FCC licensed commercial wireless telecommunications services such as cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging and similar services that currently exist or may be developed.

Article III Special Provisions: Pre-existing or Non-Conforming Transmission Facilities and Exceptions to this Ordinance

- A. Any pre-existing or non-conforming transmission facility shall not be required to meet the requirements of this Ordinance, except for the provisions of Article X - Biennial Report.
- B. Any pre-existing or non-conforming transmission facility shall comply with all FCC and FAA rules and regulations.
- C. Any addition or change to a pre-existing or non-conforming transmission facility shall comply with all applicable requirements of this ordinance.
- D. The following are permitted without department approval (no permit required):
 1. Television antennas, satellite dishes, receive-only antennas and free standing antennas 45 feet or less in height; provided however, that the primary use of such equipment is not part of a transmission facility and that such equipment is only ancillary to the primary use of the site where located.
 2. Antennas and associated towers, poles and masts that are owned or operated by federally licensed amateur radio operators, or citizen band radio operators.
 3. Antennas mounted on utility poles where the antenna s 30 feet or less in height above

- the highest part of the utility pole.
- E. Any owner of a pre-existing transmission facility shall accept all additional Collocation antennas on reasonable terms.
 - F. Transmission facilities approved by the department with a county land use permit may be modified if the modification is in compliance with the provisions of this ordinance. The department may approve the modification only after the applicant submits a modified land use permit application and the appropriate fee under the current fee schedule as adopted by the Polk County Board.

Article IV General Requirements

- A. All transmission facilities shall comply with all FCC and FAA rules and regulations.
- B. Design and installation of any transmission facility shall comply with the manufacturer's specifications. Plans shall be approved and certified by a registered professional engineer.
- C. Installation of any transmission facility shall comply with all applicable state and local building and electrical codes.
- D. For leased sites, written authorization for siting a transmission facility must be obtained from the property owner and indicate the duration of the lease term.
- E. Any transmission facility must be adequately insured against personal injury, wrongful death, and property damage claims.
- F. Any abandoned facility must be removed and site restored within a reasonable time, but not more than three months after removal is requested by the county. Upon removal, the site shall be restored to its original or an improved condition. Any below grade anchoring elements used to secure the structure, shall be removed to a depth of at least 8 feet below ground level. If removal or restoration is not completed, the county is authorized to complete the removal and site restoration and charge the cost to the performance bond.
- G. Proposals to erect a new transmission facility shall be accompanied by any required federal, state or local agency license or application for such license.
- H. Only one Tower is permitted on a parcel of land.
- I. Transmission Facility Height.
 - 1. All transmission facilities shall be built to the minimum height required to meet the applicant's needs.
- J. Applications for Structures on Publicly-owned Lands.
 - 1. The applicant must provide documentation to the permitting authority proof of acceptance (either by approved permit or other documentation) by the applicable governing authority that has jurisdiction over the publicly-owned land.
 - 2. For applications within the St Croix Riverway District, the permitting authority may allow location of a stealth facility on National Park Service-owned lands within the riverway provided that the applicant is able to show by clear and convincing evidence that there is no viable location outside the riverway boundary for locating a stealth facility that can accommodate the applicant's requirements.
- K. Adequate parking for maintenance of transmission facilities must be available.

Article V Prohibitions

- A. No advertising message or sign shall be affixed to any transmission facility.
- B. No transmission facility shall be artificially illuminated unless required by FCC or FAA

regulations.

- C. No part of any transmission facility shall extend across or over any right-of-way, public street, highway, sidewalk, or property line.
- D. A temporary mobile transmission facility site is not permitted except in the case of equipment failure, equipment testing, equipment replacement, or emergency, and provided that prior authorization is obtained from the department. Use of a temporary site for testing purposes shall be limited to 24 hours, and the use of a temporary site for equipment failure, equipment replacement, or emergency shall be limited to 30 days, unless extended for good cause in writing by the department.

Article VI District Requirements

- A. A county land use permit may be issued by the department. The department shall not issue such a county land use permit prior to ten working days after mailing notice of the application to the town in which the transmission facility is proposed to be located. All transmission facilities shall be regulated in accordance with the regulations applicable to the zoning district (as defined in the Chapter 10 Polk County Comprehensive Land Use Ordinance) in which the facility is located. All requirements of the zoning district other than the standards provided in this ordinance must be met. The following are the use standards for the various districts:

- 1. Residential, Residential-Agricultural 5, Agricultural 10 &20, Farmland Preservation, Commercial, Small Business Commercial, Industrial, Mining Districts, Shoreland, Floodplain, Natural Resources, and any area not zoned by a County Zoning Ordinance.
 - a. The following are permitted with a county land use permit from the Department issued under this Ordinance:
 - (1) New construction of a mobile service or telecommunications facility.
 - (2) Substantial modification to an existing mobile service facility or structural support.
 - (3) Class 1 Collocation on an existing mobile support structure.
 - (4) Class 2 Collocation on an existing mobile support structure.
- 2. St. Croix River Buffer Zone and St. Croix Riverway Districts. No transmission facility except a stealth facility is allowed in these districts. Except:
 - a. With a land use permit issued by the department under the provisions of this ordinance, an antenna attached to an existing tower or structure and not extending more than 20 feet above the highest point of the tower or structure.
 - b. A stealth facility, with a county land use permit issued by the department, provided all the provisions of this ordinance and Wisconsin Administrative Code Chapter NR 118 are met.

Article VII Performance Standards

- A. Except as provided in this ordinance, any transmission facility must meet the dimensional standards applicable to the parcel within the zoning district in which it is located. Where the transmission facility is the principal use on a parcel, the parcel shall meet the minimum lot size requirements of the zoning district in which the parcel is located. On a parcel of land

that already has a principal use, the transmission facility shall be considered an accessory use and a smaller area of land may be leased for it, provided that all requirements of this ordinance are met.

B. Setbacks

1. Generally, any tower shall be set back from the nearest property line a distance equal to the height of the tower. This setback may be reduced if the applicant submits an engineering report from a registered professional engineer that certifies that the tower is designed and engineered to collapse upon failure within the distance from the tower to the property line.

C. Screening and Landscaping. The Transmission Facility shall be located on the site so as to have the least visual impact. The site shall be landscaped and maintained with a buffer of plant materials that effectively screens the view of all Tower accessory structures, equipment and improvements at ground level from adjacent properties year around. Existing mature vegetation and natural landforms on the site shall be preserved to the maximum extent possible.

D. Security Fencing and Lighting.

1. Any Transmission Facility shall be reasonably protected against unauthorized access. The bottom of the Tower from ground level to 12 feet above ground shall be designed to prevent unauthorized climbing and shall be enclosed with a minimum of a 6 feet high chain link fence with a locked gate. Guyed anchors of guyed towers shall be similarly protected.

2. Security lighting for on-ground structures and equipment is permitted, as long as it is down-shielded to keep light within the boundaries of the site.

E. Color and Materials. Any Transmission Facility shall use building materials, colors, textures, screening, and landscaping that blend the Transmission Facility with the surrounding natural features and built environment to the greatest extent possible.

Article VIII Permit Requirements for New Construction or Substantial Modification of Mobile Service Facilities and Support Structures

The construction or installation of any mobile service facility requires a county land use permit under this ordinance. The permit will specify the use or uses allowed. If the department deems the application incomplete, the department shall notify the applicant in writing within ten (10) days of receiving the application. The written notification shall specify in detail the required information that was incomplete. Within ninety (90) days from the date of submittal of the application, the department shall consider and decide upon the issuance of the land use permit. Action by the department may be postponed past the 90-day limit by written agreement between the department and the applicant, or upon determination by the department that additional information is required. The applicant shall conduct an informational presentation to the town board in the town in which the new mobile service facility is to be located.

A. Application Submittal Information

1. A completed county land use permit application and appropriate fee under the current fee schedule as adopted by the Polk County Board.

2. Applications. In addition to the application requirements of Chapter 10 of the Polk County Zoning Ordinance, all applications for county land use permits for new mobile service facilities shall include the following information:

a. A report from a registered professional engineer and other professionals which:

- (1) describes the transmission facility's height and design, including a cross section and elevation;
 - (2) certifies the transmission facility's compliance with structural and electrical standards;
 - (3) describes the transmission facility's capacity, including the potential number and type of antennas that it can accommodate;
 - (4) describes the lighting to be placed on the transmission facility if required by the FCC or FAA;
 - (5) certifies that the transmission facility will not cause destructive interference with previously established public safety communications systems; and
 - (6) describes how the requirements of Articles IV, VI, VII, and VIII of this ordinance will be met by the proposed transmission facility.
- b. Each application shall include a facility plan containing the following information:
 - (1) Written description of the type of consumer services each applicant will provide to its customers (radio, television, cellular, PCS, SMR, ESMR, paging or other anticipated Wireless Communication services).
 - (2) A list of all of the applicant's existing sites, existing sites to be upgraded or replaced, and proposed sites within the county.
 - (3) Map of the county that shows the applicant's existing and proposed geographic service areas.
 - c. Landowner acknowledgement. Written acknowledgement by the landowner and lessee of a leased site that they will abide by all applicable terms and conditions of the county land use permit, including the restoration and reclamation requirements of Article IV F. of this ordinance, and a copy of the lease.
 - d. A performance bond in a form acceptable to the department in an amount of \$20,000 to provide for removal of the transmission facility and restoration of the site for the life of the facility.
 - e. Additional information and analysis: The department may, at their discretion, require a visual analysis of the proposed transmission facility, including photo simulations of the view of the vicinity of the transmission facility before and after the proposed transmission facility is built. The simulation may include a photo montage, field mock-up, view-shed analysis, or other techniques to provide the department with evidence that the proposed facility meets the requirements of this ordinance.
3. Collocation/Sharing of Facilities. No new Tower shall be permitted unless the applicant demonstrates to the department that no existing Tower or structure can accommodate the applicant's proposed Antenna. An explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider. Examples of supporting evidence are:
 - a. No Tower or structure is located within the geographic area/search ring that meets the applicant's engineering requirements.
 - b. No existing Tower or structure is of sufficient Height to meet the applicant's engineering requirements.

- c. No existing Tower or structure can be modified at reasonable cost to support applicant's proposed Antenna.
- d. Electromagnetic interference would interfere with an existing or proposed system.
- e. The fees, cost, or contractual provisions required by the applicant to share an existing Tower or structure or to adapt an existing Tower or structure for sharing are substantially more expensive than new construction considering factors such as, without limitation, depreciation, technical obsolescence, maintenance and land acquisition.
- f. The applicant establishes other facts that render co-location unsuitable.

Article IX Permit Requirements for Collocation on Existing Support Structures

Collocation on any existing transmission facility requires a county land use permit under this ordinance. If the department deems the application incomplete, the department shall notify the applicant in writing within five (5) days of receiving the application. The written notification shall specify in detail the required information that was incomplete. Within forty-five (45) days from the date of submittal of the application, the department shall consider and decide upon the question of issuance of the land use permit. Action by the department may be postponed past the 45-day limit by written agreement between the department and the applicant, or upon determination by the department that additional information is required.

A. Application Submittal Information

1. A completed county land use permit application and appropriate fee under the current fee schedule as adopted by the Polk County Board.
2. A copy of the construction plans approved and certified by a registered professional engineer.
3. A structural analysis approved and certified by a registered professional engineer.

Article X Biennial Report

Owners, providers or permittees shall submit each even numbered year on or before January 31, a transmission facility information report, on a county form provided by the county. The report shall detail the use, maintenance and condition of the transmission facility since the previous report, availability of the transmission facility for added co-location and other information reasonably deemed necessary by the department. Failure to submit the report by July 1 of each even-numbered year shall result in the county taking enforcement action under Article XIII.

Article XI Safety Inspection

If the County has reason to believe that a transmission facility is a safety risk, it may require the permit holder to perform an inspection by a registered engineer and provide a copy of the inspection results to the department within sixty days. The county shall provide the owner with information forming the basis for belief that the transmission facility is a safety risk before requiring inspection.

Article XII Appeal Procedures

- A. Appeals to the Board of Adjustment - Appeals to the Board of Adjustment may be taken by any person aggrieved or by an officer, department, board or bureau of the county affected by any decision of the Zoning Administrator or other administrative officer. Such appeal shall be taken within a feasible time, as provided by the rules of the Board of Adjustment, by filing with the officer from whom the appeal is taken, and with the Board of Adjustment, a notice of appeal specifying the ground thereof. The Zoning Administrator or other officer from when the appeal is taken shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appeal was made.
- B. Powers and Duties- The Board of Adjustment shall have the following powers and duties:
 - 1. The Board of Adjustment shall adopt additional rules as it deems necessary and may exercise all the powers conferred on such boards by section 59.694 Wisconsin Statutes.
 - 2. It may authorize upon application, in specific cases, a variance from the terms of this ordinance as shall not be contrary to public interest, where owing to special conditions, and a literal enforcement of the ordinance will result in unnecessary hardship.
 - 3. In the issuance of a variance, the spirit of the ordinance shall be observed and substantial justice done. No variance shall have the effect of granting or increasing any use of the property, which is prohibited by this ordinance.
- C. Hearing Appeals- The following procedures shall be taken in hearing any appeals:
 - 1. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal. The Board shall give public notice thereof by publishing a Class 2 notice under Chapter 985, Wisconsin Statutes, specifying the date, time, place of the hearing, the matters to come before the board, and the appropriate district office of the Department of Natural Resources at least 10 days prior to the public hearing.
 - 2. The final disposition of an appeal or application to the Board of Adjustment shall be in the form of a written resolution or order signed by the chairman and secretary of the Board. Such resolution shall state the specific facts which are the basis of the Board's determination and shall either affirm, reverse, vary or modify the order, requirement, decision, or determination appealed in whole or in part, dismiss the appeal for lack of jurisdiction or persecution or grant the application.
 - 3. At the public hearing, any party may appear in person, by agent, or by attorney.
 - 4. All decisions may be reviewed by a court of competent jurisdiction.
- D. Appeals to the circuit court- Appeals to the circuit court of the county may be taken by any person aggrieved by the final decision of the department or Board of Adjustment.

Article XIII Enforcement and Penalties

- A. Any development, any building or structure constructed, moved or structurally altered, or any use established after the effective date of this Ordinance contrary to the provisions of this Ordinance, by any person, firm, association, corporation (including building contractors or their agents) shall be deemed a violation. As authorized by Wisconsin Statute, the Zoning Administrator or the County Zoning Agency shall issue citations for any violations of this Ordinance. Any person, firm, association, or corporation who violates or refuses to comply with any of the provisions of this ordinance shall be subject to a forfeiture of not less than two-hundred (\$200.00) dollars nor more than one-thousand (\$1000.00) dollars per offense, together with the taxable costs of action. Each day of continued violation shall constitute a separate offense. Every violation of this Ordinance is a

public nuisance and the creation thereof may be enjoined and the maintenance there may be abated by action at suit of the county, the state, or any citizen thereof pursuant to Section 87.30(2), Wisconsin Statutes. The County also retains the summons and complaint avenue for forfeitures and remedial action as provided by Wis. Stat. Section 59.69(11).

- B. There shall be a penalty fee of two (2) times the regular permit fee in those cases where building is commenced without first obtaining a land use permit, providing the structure is in conformance with the provisions of this Ordinance. In cases where the project cannot be permitted without a variance, the penalty fee shall be applied towards the variance application fee.
- C. The Zoning Department may issue an on-site stop work order, as appropriate, whenever it determines that a violation of this Ordinance or the building permit is taking place.

Article XIV Severability

- A. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the remaining portions of this Ordinance. The Polk County Board of Supervisors declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more such provisions be declared unconstitutional or invalid.
- B. To the extent that any of the provisions of this ordinance is interpreted to be invalid or inconsistent with statute 66.0404, said ordinance provision shall lack application and the applicable state standard is hereby incorporated by reference as expressly provided herein so as to allow for lawful issuance of any permit as provided by this ordinance and to allow for the enforcement by ordinance of the state standard.

Article XV Fee Schedules

Upon recommendation of the Committee, the Polk County Board of Supervisors shall, from time to time, establish and review fees that are applicable to this Ordinance. No application shall be considered filed with the County unless and until said application is accompanied by the appropriate application fee.

Article XVI County Zoning Ordinances

- A. Any reference in this Ordinance to a Polk County Zoning Ordinance includes the Chapter 10 Polk County Zoning Ordinance, Floodplain Zoning Ordinance, Lower St Croix Scenic Riverway Ordinance, Shoreland Protection Zoning Ordinance, and Subdivision Ordinance, as each existed at the time this Ordinance went into effect and any amendments made subsequently to any of these Polk County Ordinances. Each said Ordinance is applicable and incorporated to the extent referenced herein.
- B. In the instance that a petition for an ordinance amendment is filed by a member of the county board or by the agency designated by the board to consider county zoning matters, the petitioner shall be exempt from the fee required to propose such amendment.

Ordinance No. -18:

Amending Self-Organized Ordinance to Repeal Meeting Limitation on Per Diem Compensation

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

Ladies and Gentlemen:

WHEREAS, in enacting the Self-Organized Ordinance, Ordinance No. 48-13, the Polk County Board of Supervisors declared Polk County a self-organized county, affording broad discretion and flexibility in the method of determining compensations of supervisors; and

WHEREAS, in enacting Ordinance No. 58-17, the County Board created Paragraph 3.d. of the Self-Organized Ordinance to establish a maximum number of 62 meetings for which a supervisor may receive per diem compensation,

WHEREAS, Paragraph 3.d., of said ordinance disregards the number of meetings that a supervisor must attend to fulfil the responsibilities on the county board committees, boards and commissions and the special committees to which a supervisor has been appointed or assigned; and

WHEREAS, the Attorney General has issued an opinion that concludes that it is lawful and within the discretion of county board to change the number of meetings for which a supervisor may receive per diem compensation by two-thirds majority vote and that such change would have immediate legal effect, unlike a change in the amount of per diem compensation, which would only have first effect in the subsequent term.

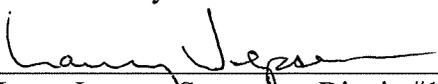
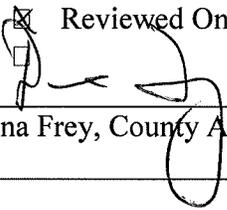
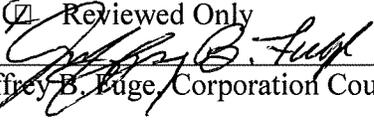
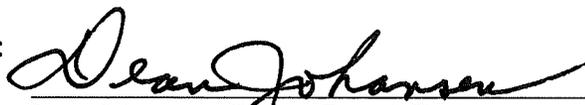
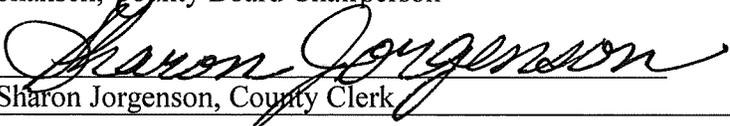
NOW, THEREFORE, BE IT ORDAINED that, pursuant to Wisconsin Statute Section 59.10(1), the Polk County Board of Supervisors rescinds Ordinance No. 58-17 and repeals Paragraph 3.d. of the Self-Organized Ordinance

BE IT FURTHER ORDAINED that this above amendment shall be effective upon passage and publication.

(History: Self Organized Ordinance - Ord. No. 48-13, December 17, 2013; Amended, Ordinance No. 58-17; Ordinance No. -18)

Ordinance No. 11-18:

Amending Self-Organized Ordinance to Repeal Meeting Limitation on Per Diem Compensation

Funding Source/ Funding Amount:	Not Applicable
Date Reviewed as to Appropriations:	Not Applicable
Committee Recommendation as To Appropriation:	Not Applicable
Effective Date:	Passage and Publication
Dated Submitted To County Board	First Reading: February 19, 2018 Second Reading: March 20, 2018
Submitted By:  Larry Jepsen, Supervisor District#10	
Review By County Administrator: <input type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input checked="" type="checkbox"/> Reviewed Only  Dana Frey, County Administrator	Review By Corporation Counsel: <input checked="" type="checkbox"/> Approved as to Form <input type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input checked="" type="checkbox"/> Reviewed Only  Jeffrey B. Euge, Corporation Counsel
Acknowledgement of County Board Action	
<p>Mark As Appropriate:</p> <p>At its regular business meeting on the <u>15</u> of <u>May</u> 201<u>8</u>, the Polk County Board of Supervisors considered and voted on Ordinance No. <u>11</u>-18: Amending Self-Organized Ordinance to Repeal Meeting Limitation on Per Diem Compensation, as follows:</p> <p><input type="checkbox"/> Enacted by two-thirds of supervisors present, by a vote of _____ in favor and _____ against.</p> <p><input type="checkbox"/> Enacted by unanimous vote.</p> <p><input checked="" type="checkbox"/> Defeated by a vote of <u>8</u> in favor and <u>7</u> against. <i>Need 2/3 vote to pass.</i></p> <p><input type="checkbox"/> Defeated by voice vote.</p> <p><input type="checkbox"/> Action Deferred by Procedural Action, as follows: _____</p>	
<p>SIGNED BY:  Dean Johansen, County Board Chairperson</p> <p>Attest:  Sharon Jorgenson, County Clerk</p>	

Certification of Publication

Ordinance No. 11-18: Amending Self-Organized Ordinance to Repeal Meeting Limitation on Per Diem Compensation was published, pursuant to Wisconsin Statutes § 59.14(1), in the Inter-County Leader on the 6 day of June, 2018

 Dated: 5-22-18
Sharon Jorgenson, County Clerk

CERTIFIED COPY OF POLK COUNTY ORDINANCE

STATE OF WISCONSIN

COUNTY OF POLK

I, Sharon E. Jorgenson, Polk County Clerk do hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of the Polk County Ordinance No. 11-18: Amending Self-Organized Ordinance to Repeal Meeting Limitation on Per Diem Compensation as DEFEATED by the Polk County Board of Supervisors on the 15th day of May, 2018.

A handwritten signature in cursive script that reads "Sharon E. Jorgenson" followed by the date "5/20/18". The signature is written over a horizontal line.

Sharon E. Jorgenson, Polk County Clerk

Date

Resolution No. 44-18

Resolution Concerning Compensation of Supervisors and Persons for Service on Boards, Committees and Commissions of Outside Organizations

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

Ladies and Gentlemen:

WHEREAS, the County Board may, from time to time, appoint or assign persons, including supervisors, to serve on committees, boards and commissions (hereinafter "committees"), of outside agencies and organizations; and

WHEREAS, such agencies and organizations include, and are not limited to, those entities named on the List of Outside Organizations, attached hereto.

WHEREAS, supervisors and citizens so appointed or assigned to such committees are in the service of such outside organizations and the community at-large, rather than in an official capacity for and in the service of the governmental body of Polk County; and

WHEREAS, such outside organizations have autonomy and ability to set the compensation of those persons serving on their respective organizations; and

WHEREAS, it is in the interest of the County and its taxpayers for the County Board to set County compensation of persons appointed or assigned to serve on committees of outside agencies and organizations in a manner that avoids dual compensation.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors determines that the supervisors and persons serving on the committees, boards and commissions of outside agencies shall receive no County compensation or reimbursement for expenses incurred in such service.

BE IT FURTHER RESOLVED that the term "outside agencies and organizations" shall mean those agencies and organizations identified on the List of Outside Organizations, attached hereto, and any government, non-profit corporation, association or other similar organization other than Polk County.

Offered this 15th day of May, 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

Brian Masters 5/14/18
Brian Masters, Supervisor, District #6

Michael Prichard, Supervisor, District #7

Michael Larsen, Supervisor, District #12

Russell Arcand, Supervisor, District #13

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

Joe DeMulling, Supervisor, District #15

Fiscal Impact Note: The above resolution will have no fiscal impact concerning the appropriations of the current budget.

Legal Impact Note: The resolution presents no other legal impact.

Reviewed, Approved as to Form and Execution:

Jeffrey B. Fuge
Jeffrey B. Fuge

Interim County Administrator/ Corporation Counsel

At its regular business meeting on the 15th day of May, 2018, the Polk County Board of Supervisors acted upon Resolution No. 44-18: Resolution Concerning Compensation of Supervisors and Persons for Service on Boards, Committees and Commissions of Outside Organizations, 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: Defeated 15 NO

Insert amendment to resolution according to minutes:

SIGNED BY:

Dean Johansen
Dean Johansen, County Board Chairperson

ATTEST:

Sharon Jorgenson
Sharon Jorgenson, County Clerk

Resolution No. 44-18
Resolution Concerning Compensation of Supervisors and Persons for Service on Boards,
Committees and Commissions of Outside Organizations
List of Outside Organizations

Polk County Economic Development Corporation
Each of the Public Inland Lakes Rehabilitation District Board of Commissioners
Polk County Tourism Council
Polk County Fair Society
Gandy Dancer Trail Commission
Polk County Housing Authority
WITC Board Nominating Committee
Northern Region Trail Advisory Council (NoRTAC)
Arnell Memorial Humane Society
Greater Wisconsin Agency on Aging Resources (GWAAR)
West Central Wisconsin Regional Planning Commission
WestCAP Representative
Indianhead Federated Library System
County Board Consortium
Momentum West

CERTIFIED COPY OF POLK COUNTY RESOLUTION

STATE OF WISCONSIN

COUNTY OF POLK

I Sharon E. Jorgenson, Polk County Clerk do hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of Resolution No. 44-18: Resolution to Concerning Compensation of Supervisors and Persons for Service on Boards, Committees and Commissions of Outside Organizations DEFEATED by the Polk County Board of supervisors at its regular business meeting held on May 15, 2018

A handwritten signature in cursive script that reads "Sharon E. Jorgenson" followed by the date "5/22/18". The signature is written over a horizontal line.

Sharon E. Jorgenson, Polk County Clerk

Date

STATE OF WISCONSIN)
) SS
COUNTY OF POLK)

I, Sharon E. Jorgenson, County Clerk for Polk County, do hereby certify that the foregoing minutes are a true and correct copy of the County Board Proceedings of the Polk County Board of Supervisor's Session held on May 15, 2018.


Sharon E. Jorgenson
Polk County Clerk