



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, August 15th, 2017, at 6:00 p.m.

Regular Business Meeting

Open Session

Order of Business:

1. Call to Order
 2. Receipt of Evidence and Opinion on Proper Notice
 3. Roll Call
 4. Pledge of Allegiance
 5. Time of Reflection
 6. Approval of Agenda
 7. Matters Offered For Adoption on Consent Agenda:
 - a. Consideration/corrections to the published minutes from July 18, 2017, County Board Meeting
 - b. Consideration/corrections to the published minutes from July 20, 2017, Special County Board Meeting
 8. Public Comments –3 minutes per person –not to exceed 30 minutes total
 9. Presentation from Lynn Nelson/Tobi LeMahieu – West Central Wisconsin Regional Planning Commission
 10. Presentation from Jeff Kemp/Judge Jeffery Anderson regarding proposed ordinances –
Re: Ordinance 53-17
 11. County Board Chair Report
 12. Receipt of Reports from County Board Standing Committees
 13. Administrator's Report
- **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.**
14. Committee of the Whole:
 - a. Administrator's annual report on the Condition of the County
 - b. Status Report and Discussion of Renovation to the Former Bishop Building
 - c. Receipt of information and Discussion Concerning Highway Facility Project Financing and Bonding Resolution

Polk County Board of Supervisors

d. Adjournment of Committee of the Whole

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

15. Reconvene as County Board

16. Motion to Act on Matters Considered and Recommended by the Committee of the Whole, as noticed in number 12, above.

17. Proposed Resolutions and Ordinances Received for First Reading and Referral to Committee (to be considered at the September 19, 2017, County Board meeting unless the County Board authorizes a second reading and vote on final passage at this meeting. This action has been requested for Resolutions/Ordinances marked with an asterisk (*)).

- a. *Resolution No. 51-17: Resolution to Adopt Draft Master Fee Schedule for 2018 Budget Proposal
- b. *Resolution No. 52-17: Initial Resolution Authorizing the Issuance of Not to Exceed \$11,330,000 General Obligation Bonds or Promissory Notes for Highway Facility Project
- c. *Resolution 55-17: Initial Resolution Authorizing the Issuance of Not to Exceed \$7,055,000 General Obligation Refunding Bonds
- d. *Resolution 56-17: Resolution Providing for the Sale of General Obligation Bonds or Promissory Notes for Highway Facility Project and Refunding
- e. *Ordinance No. 53-17: Polk County Public Protection and Safety Ordinance
- f. *Ordinance No. 54-17: Amending Tree Stand Regulations of County Forestry Ordinance and County Forestry Comprehensive Plan

18. Proposed Resolution and Ordinances Offered for Adoption or Enactment at July 18th, 2017, meeting:

On Recommendation by General Government Committee:

- a. Resolution No. 16-17: Resolution to Amend 2017 County Budget To Provide For Consulting Services Concerning the Repair or Restoration of the Polk County Fairground Grandstand
- b. Resolution No. 48-17; Resolution to Amend County Finance Policy to Require Additional Budget Documentation from External Agencies

On Recommendation by Environmental Services Committee:

- c. Ordinance No. 49-17: Illegal Transport of Aquatic Plants and Invasive Animals Ordinance

19. Supervisors Announcements

20. 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
100 Polk County Plaza, Balsam Lake, Wisconsin
Polk County Government Center - County Board Room

Minutes of the Regular Meeting
Tuesday, July 18th, 2017

Chairman Dean Johansen called the regular July 18th, 2017 meeting of the Polk County Board of Supervisors to order at 6:01 p.m.

Chairman Johansen recognized the County Clerk for purposes of receiving evidence of proper notice. The County Clerk stated that the notice of meeting was properly posted in the Government Center Building, posted on the County website, and published in a legal newspaper in accordance with Wisconsin Statute Section 985.02 the week of July 10, 2017. In addition, the Office of the County Clerk distributed on July 7, 2017 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 Assistant Corporation Counsel Malia Malone that the initial advance written notice, posted and published as described by the Clerk satisfied the applicable provision of Wisconsin Open Meetings Law and the applicable procedural provisions of the Polk County Board Rules of Order.

Chairman Johansen recognized the County Clerk for purposes of taking roll call. All fifteen County Board Supervisors were present.

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

Chairman Johansen called for a Time of Reflection. Time of Reflection was received by board from Supervisor Brian Masters who expressed thankfulness that his cancer is in remission.

Chairman Johansen called to the floor consideration and approval of the agenda as noticed. **Motion** (Jepsen/Bonneprise) to approve the agenda as noticed. Chairman Johansen called for a voice vote on the motion to approve the agenda. **Motion** carried unanimously by voice vote.

Chairman Johansen called for approval of the Consent Agenda. **Motion** (Masters/O'Connell) to approve the Consent agenda as published. Chairman Johansen called for a voice vote on the motion to adopt Consent Agenda. **Motion** carried unanimously by voice vote. Resolution 47-17:

Resolution to Grant a Zoning District Change & to Amend Zoning District Map for Town of Eureka adopted in consent agenda. Minutes from June 20th, 2017 approved as published.

Time was given for public comment. Board received public comment.

Chairman Johansen presented the County Board Chair report regarding two tours taken recently, one of Serenity Home and a tour of the Polk County Museum. During the Serenity Home tour, Johansen observed they are taking very good care of the building. On the Museum tour Chair Johansen witnessed an impressive amount of work by volunteers cleaning, restoring, and setting up exhibits. One recent undertaking includes restoring the courtroom area.

Chairman Johansen called upon Administrator Frey to present monthly administrator's report. County Board received written report from County Board Standing Committees from Administrator Frey.

County Board received updates from Administrator Frey ensuring that job applicants receive a letter if not selected for interviews. Management training program begins 7/19/17. An employee training survey was distributed to employees with 110 responses to date. Annual reports from departments were distributed to committees. Audit report was presented to General Government committee with few findings and Polk County is financially sound. Committee agendas will be prepared as follows: Environmental Services Committee -Sara McCurdy, Public Safety & Highway Committee – Emil Norby/Malia Malone, Health & Human Services Board – Gretchen Sampson, General Government Committee – Dana/Andrea.

Administrator Frey reported that Polk County received the Distinguished Budget Presentation Award again this year for the fifth year in a row.

Chairman Johansen called the Board in recess at 6:42p.m. Chairman Johansen called the Board back in session at 6:52 p.m.

Chairman Johansen called for a motion to convene as Committee of the Whole at 6:53 p.m. **Motion** (Demulling/Jepsen) to convene as Committee of the Whole. Chairman Johansen called for a voice vote on the motion to convene as Committee of the Whole. **Motion** carried by unanimous voice vote.

Committee of the Whole discussed Resolution 43-17 Resolution Authorizing the Development of a Multi-Use, Multi-Season Trail Management Plan for Stower Seven Lakes Trail.

Board received presentation from Norman Barrientos, Architect from Barrientos & Ayres regarding the Highway Facility project design. Board received presentation from James Hanke, Market & Johnson Construction Manager for Highway Facility regarding information on design and material type for building.

Chairman Johansen called for a motion to adjourn Committee of the Whole session. **Motion** (Masters/Jepsen) to adjourn Committee of the Whole session. Chairman Johansen called for a voice vote on the motion to adjourn Committee of the Whole session. **Motion** to adjourn Committee of the Whole session (8:10 p.m.) carried by unanimous voice vote.

Chairman Johansen called the Board in recess at 8:10 p.m. Chairman called the meeting back in session at 8:20 p.m.

Chairman Johansen called to the floor for a motion to reconvene as County Board. **Motion** (Bonneprise/Demulling) to reconvene as County Board (8:20 p.m.). Chairman Johansen called for a voice vote on the motion to reconvene as County Board. **Motion** to reconvene as County Board carried by unanimous voice vote.

Chairman Johansen called to the floor first reading of resolution:

Resolution No. 48-17: Resolution to Amend County Finance Policy to Require Additional Budget Documentation from External Agencies – To be referred to General Government Committee

Chairman Johansen declared Resolution 48-17 passed first reading and will be referred to appropriate committee for consideration and recommendation. Second reading of the above referenced resolution is scheduled for the August 15th, 2017 County Board meeting.

Chairman Johansen called to the floor to move Resolution 43-17 as the next item for consideration on the agenda. Chairman Johansen called to the floor, Resolution No. 43-17: Resolution Authorizing the Development of a Multi-Use, Multi-Season Trail Management Plan for Stower Seven Lakes Trail. Chairman Johansen called for a motion to adopt Resolution 43-17. **Motion** (O’Connell/Masters) to adopt Resolution No. 43-17. **Motion** (O’Connell/Edgell) to amend Resolution 43-17 as noted from the Environmental Services Committee meeting as follows:

Page 1, line 13, strike “, and providing for”.

Page 1, strike line 14.

Page 1, line 26, strike “, as amended, in order for motorized uses of the Trail to receive”.

Page 1, strike line 27.

Page 1, line 34, strike “, including, but not limited to, various”.

Page 1, strike line 35.

Motion (Masters/Olson) to approve Resolution No. 43-17 as amended. Chairman Johansen called for a roll call vote to approve the motion to adopt Resolution No. 43-17 as amended. Motion to approve Resolution 43-17 as amended carried by Roll Call vote with 14 yes, 1 no (Supervisor Prichard voting no). Resolution 43-17 adopted.

Chairman Johansen called to the floor, Resolution No. 16-17: Resolution to Amend 2017 County Budget to Provide for Consulting Services Concerning the Repair or Restoration of the Polk

County Fairground Grandstand. Chairman Johansen called for a motion to approve Resolution 16-17. **Motion** (Jepsen/Bonneprise) to approve Resolution 16-17. Supervisor Jepsen addressed Resolution No. 16-17. Ad Hoc Committee on Fairgrounds Infrastructure will be meeting August 4th at 10:00 a.m. Supervisor Jepsen requested action on Resolution 16-17 be postponed until August 15, 2017 Board of Supervisors meeting. **Motion** (Jepsen/Arcand) to postpone action on Resolution 16-17 until August 15th, 2017 County Board Meeting. Chairman Johansen called for a Roll Call vote on the motion to postpone Resolution No. 16-17. **Motion** to postpone Resolution No. 16-17 to August 15th, 2017 County Board Meeting carried by Roll Call vote of 9 yes, 6 no. Voting no were Supervisors Olson, Route, Nelson, LaBlanc, Masters, and Edgell. Resolution No. 16-17 postponed until August 15, 2017 County Board Meeting.

Chairman Johansen called to the floor, Resolution No. 45-17: Resolution to Update Designation of Persons Authorized to Request Coverage under Legal Loss Prevention Services Endorsement of Wisconsin County Mutual Insurance Corporation Liability Policies. Chairman Johansen called for a motion to adopt Resolution 45-17. **Motion** (Masters/Arcand) to adopt Resolution No. 45-17. Chairman Johansen called for a voice vote on the motion to adopt Resolution No. 45-17. **Motion** to adopt Resolution 45-17 carried by unanimous voice vote. Resolution No. 45-17 adopted.

Chairman Johansen called to the floor, Resolution No. 42-17: Resolution to Revise Private Rates of Nursing Home Care at Golden Age Manor Nursing Home. Chairman Johansen called for a motion to adopt Resolution 42-17. **Motion** (Route/Demulling) to adopt Resolution No. 42-17. Chairman Johansen called for a voice vote on the motion to adopt Resolution No. 42-17. **Motion** to adopt Resolution No. 42-17 carried by majority voice vote with 14 voting yes and one voting no (Supervisor Edgell voting no). Resolution No. 42-17 adopted.

Time was given for Supervisors Reports/Announcements. Board received reports from Supervisors.

Chairman Johansen called for a motion to adjourn. **Motion** (Demulling/Edgell) 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 8:52p.m.

Respectfully submitted,

Sharon E. Jorgenson, Polk County Clerk



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

Minutes of the Special Meeting
Thursday, July 20th, 2017

Chairman Dean Johansen called the July 20th, 2017 special meeting of the Polk County Board of Supervisors to order at 4:29 p.m.

Chairman Johansen recognized the County Clerk for purposes of receiving evidence of proper notice. The County Clerk stated that the notice of meeting was properly posted in the Government Center Building, posted on the County website, and published in a legal newspaper in accordance with Wisconsin Statute Section 985.02 the week of July 17, 2017. In addition, the Office of the County Clerk distributed on July 11, 2017 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 advanced written opinion of Corporation Counsel and verbal opinion at the meeting from Assistant Corporation Counsel that the written notice, posted and published as described by the Clerk was properly noticed consistent with the Wisconsin Open Meetings Law and that the notice provisions of the County Board Rules of Order lack application for the special meeting.

Chairman Johansen recognized the County Clerk for purposes of taking roll call. Thirteen County Board Supervisors were present. Supervisors Russ Arcand and Michael Prichard were absent and excused.

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

Chairman Johansen called for a Time of Reflection. No Reflection was received.

Chairman Johansen called to the floor consideration and approval of the agenda as noticed. **Motion** (Jepsen/O'Connell) to approve the agenda as noticed. Chairman Johansen called for a voice vote on the motion to approve the agenda. **Motion** carried unanimously by voice vote.

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

Chairman Johansen presented the County Board Chair report giving information on highway facility tours taken today at Washburn County, Wisconsin, Burnett County, Wisconsin, and Washington County, Minnesota.

Chairman Johansen called upon Administrator Frey to present administrator's report. County Board received information on findings from Burnett County highway facility tour from Administrator Frey.

Chairman Johansen called for a motion to convene as Committee of the Whole at 4:32 p.m.

Motion (Masters/Demulling) to convene as Committee of the Whole. Chairman Johansen called for a voice vote on the motion to convene as Committee of the Whole. **Motion** carried by unanimous voice vote.

Committee of the Whole discussed cost, size, design and external construction materials for the Highway Facility.

Committee of the Whole discussed Resolution 50-17: Resolution to Approve Design Documents and Materials for the Highway Facility. **Motion** (Masters/Jepsen) to recommend Resolution 50-17 to full County Board. Chairman Johansen called for a voice vote on the motion to recommend Resolution 50-17 to full County Board. **Motion** carried by unanimous voice vote.

Chairman Johansen called for a motion to adjourn Committee of the Whole session. **Motion** (Masters/Bonneprise) to adjourn Committee of the Whole session. Chairman Johansen called for a voice vote on the motion to adjourn Committee of the Whole session. **Motion** to adjourn Committee of the Whole session (5:08 p.m.) carried by unanimous voice vote.

Chairman Johansen called to the floor for a motion to reconvene as County Board. **Motion** (Jepsen/Bonneprise) to reconvene as County Board (5:08 p.m.). Chairman Johansen called for a voice vote on the motion to reconvene as County Board. **Motion** to reconvene as County Board carried by unanimous voice vote.

Chairman Johansen called to the floor Resolution No. 50-17: Resolution to Approve Design Documents and Materials for the Highway Facility. Chairman Johansen called for a motion to adopt Resolution 50-17. **Motion** (Jepsen/Luke) to adopt Resolution No. 50-17. Chairman Johansen called for a voice vote on the motion to adopt Resolution No. 50-17. **Motion** to adopt Resolution 50-17 carried by unanimous voice vote. Resolution No. 50-17 adopted.

Time was given for Supervisors Reports/Announcements. None were offered.

Chairman Johansen called for a motion to adjourn. **Motion** (Demulling/Masters) 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 5:15 p.m.

Respectfully submitted,

Sharon E. Jorgenson, Polk County Clerk

Resolution No. 51-17

Resolution to Adopt Draft Master Fee Schedule for 2018 Budget Proposal

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

Ladies and Gentlemen:

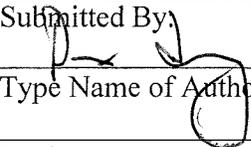
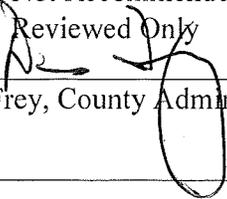
WHEREAS, pursuant to the Polk County Financial Policies, Section 5.1 Budget Preparation and Execution, the Polk County Board of Supervisors adopts a fee schedule that incorporates any fees or charges, including fees for services over which the County Board has discretion; and

WHEREAS, consistent with said policy, the departments have submitted their respective fee data consisting of past year fee rate, current year fee rate, proposed rate, past year actual revenues, current year projected revenues, forward year estimated revenues and an estimate of the actual costs of providing the service to which the fee relates; and

WHEREAS, upon review of the data received, the County Administrator recommends the Polk County Board of Supervisors adopt the Master Fee Schedule as attached hereto and incorporated herein for purposes of the 2018 operating and capital budget recommendation.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors approves the draft Fee Schedule attached hereto and incorporated herein for purposes of inclusion and incorporation in the 2018 budget recommendation by the County Administrator.

BE IT FURTHER RESOLVED that the projected revenues from those fees reflected in said schedule shall be incorporated into the 2018 proposed budget and both fees and revenues therefrom may be amended in the same manner as said proposed budget.

Funding Source/ Funding Amount:	Not Applicable
Date Reviewed as to Appropriations:	Not Applicable
Committee Recommendation as To Appropriation:	Not Applicable
Effective Date:	Upon Passage
Dated Submitted To County Board	August 15, 2017
Submitted By:  Type Name of Authoring Official	
Review By County Administrator: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input 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 type="checkbox"/> Reviewed Only  Jeffrey B. Page, Corporation Counsel

Acknowledgement of County Board Action

Mark As Appropriate:

At its regular business meeting on 15th of August, 2017, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No.51-17: Resolution to Adopt Draft Master Fee Schedule for 2018 Budget Proposal, as follows:

- Adopted by a vote of _____ in favor and _____ against.
- Adopted by majority voice vote.
- Defeated by a vote of _____ in favor and _____ against.
- Defeated by majority voice vote
- Action Deferred by Procedural Action, as follows: _____

SIGNED BY:

Dean Johansen, County Board Chairperson

Attest: _____
Sharon Jorgenson, County Clerk

RESOLUTION NO. 52-17

INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED
\$11,330,000 GENERAL OBLIGATION BONDS OR PROMISSORY NOTES
FOR HIGHWAY FACILITY PROJECT

WHEREAS, Polk County, Wisconsin (the "County") is in need of an amount not to exceed \$11,330,000 for the public purpose of financing the construction and equipping of a highway facility and reimbursement of related land and building acquisition costs; and

WHEREAS, it is desirable to authorize the issuance of general obligation bonds or promissory notes for such purpose pursuant to Chapter 67 of the Wisconsin Statutes;

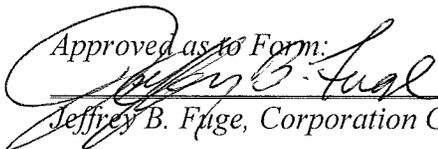
NOW, THEREFORE, BE IT RESOLVED by the Polk County Board of Supervisors that the County borrow an amount not to exceed \$11,330,000 by issuing its general obligation bonds or promissory notes for the public purpose of financing the construction and equipping of a highway facility and reimbursement of related land and building acquisition costs. There be and there hereby is levied on all the taxable property in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when due the principal and interest on such bonds or notes.

Adopted this 15th day of August, 2017.

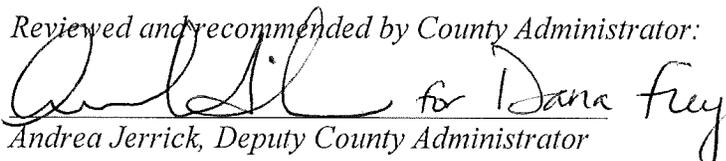
(SEAL)

By: _____
Sharon E. Jorgenson - County Clerk

By: _____
Dean Johansen
Chairperson of the County Board

Approved as to Form:


Jeffrey B. Fuge, Corporation Counsel

Reviewed and recommended by County Administrator:


Andrea Jerrick, Deputy County Administrator

RESOLUTION NO. 55-17

INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED
\$7,055,000 GENERAL OBLIGATION REFUNDING BONDS

WHEREAS, Polk County, Wisconsin (the "County") is in need of an amount not to exceed \$7,055,000 for the public purpose of refunding obligations of the County, specifically, the General Obligation Refunding Bonds, dated March 15, 2005, maturing in the years 2018 through 2021; and

WHEREAS, it is desirable to authorize the issuance of general obligation refunding bonds for such purpose pursuant to Chapter 67 of the Wisconsin Statutes;

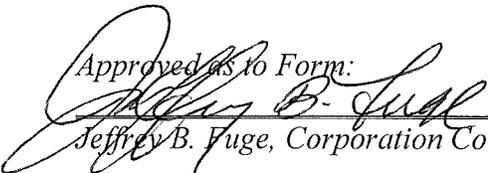
NOW, THEREFORE, BE IT RESOLVED by the Polk County Board of Supervisors that the County borrow an amount not to exceed \$7,055,000 by issuing its general obligation bonds for the public purpose of refunding obligations of the County. There be and there hereby is levied on all the taxable property in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when due the principal and interest on such bonds.

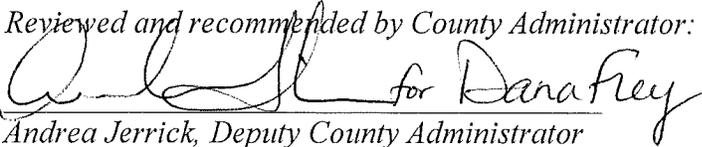
Adopted this 15th day of August, 2017.

(SEAL)

By: _____
Sharon E. Jorgenson - County Clerk

By: _____
Dean Johansen
Chairperson of the County Board

Approved as to Form:

Jeffrey B. Fuge, Corporation Counsel

Reviewed and recommended by County Administrator:

Andrea Jerrick, Deputy County Administrator

RESOLUTION NO. 56-17

RESOLUTION PROVIDING FOR THE SALE OF
GENERAL OBLIGATION BONDS OR PROMISSORY NOTES
FOR HIGHWAY FACILITY PROJECT AND REFUNDING

WHEREAS, the County Board of Supervisors of Polk County, Wisconsin (the "County") has adopted an initial resolution, by a vote of at least 3/4 of the members-elect of the County Board, authorizing the issuance of general obligation bonds or promissory notes in an amount not to exceed \$11,330,000 for the public purpose of financing the construction and equipping of a highway facility and reimbursement of related land and building acquisition costs; and

WHEREAS, the County Board of Supervisors has also adopted an initial resolution authorizing the issuance of general obligation bonds in an amount not to exceed \$7,055,000 for the public purpose of refunding obligations of the County, specifically, the General Obligation Refunding Bonds, dated March 15, 2005, maturing in the years 2018 through 2021.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Issuance of the Obligations. The County shall issue the general obligation bonds and/or promissory notes (the "Obligations") authorized by the initial resolutions referred to above, in one or more series, in amounts not to exceed those authorized by the initial resolutions.

Section 2. Sale of the Obligations. The County Board of Supervisors hereby authorizes and directs that the Obligations be offered for sale and, in order to facilitate the issuance of the Obligations, authorizes the County to contract with a financial advisor or underwriter to be selected by the County Administrator.

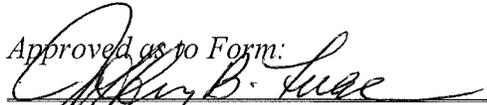
Adopted this 15th day of August, 2017.

(SEAL)

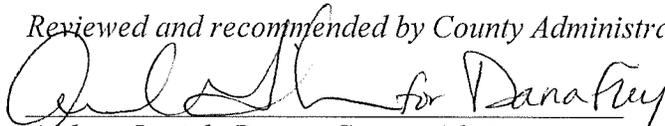
By: _____
Sharon E. Jorgenson - County Clerk

By: _____
Dean Johansen Chairperson
Chairperson of the County Board

Approved as to Form:


Jeffrey B. Fyge, Corporation Counsel

Reviewed and recommended by County Administrator:


Andrea Jerrick, Deputy County Administrator

1 Ordinance No. 53-17
2 Polk County Public Protection and Safety Ordinance.

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

5 Ladies and Gentlemen:

6 WHEREAS, pursuant to Wisconsin Statute Section 59.54(22), counties may enact ordinances and
7 provide forfeitures for violations of such ordinances, that prohibit conduct that is the same or similar
8 to that conduct prohibited by the Wisconsin Criminal Code, Chapters 941 to 948; and

9 NOW, THEREFORE BE IT ORDAINED that, pursuant to Wisconsin Statute Section 59.54(22) the
10 Polk County Board of Supervisors enacts and creates the Polk County Public Protection and Safety
11 Ordinance, as follows:

12 1. The specific provisions of the Wisconsin Criminal Code are adopted and incorporated
13 as ordinance provisions, as follows:

- 14 a. Battery (Wis. Stats. § 940.19(1))
- 15 b. Disorderly Conduct (Wis. Stats. § 947.01)
- 16 c. Worthless Check (Wis. Stats. § 943.24(1))
- 17 d. Trespass (Wis. Stats. § 943.13(1m))
- 18 e. Damage to Property (Wis. Stats. § 943.01(1))
- 19 f. Theft (Wis. Stats. § 943.20(1)(a))
- 20 g. Retail Theft (Wis. Stats. § 943.50(1m))
- 21 h. Obstructing (Wis. Stats. § 946.41(1))
- 22 i. Possession of THC (Wis. Stats. § 961.41(3g)(e))
- 23 j. Possession of Paraphernalia (Wis. Stats. § 961.573(1))

24 2. Pursuant to Wisconsin Statute Section 66.0109, a person found guilty of conduct
25 prohibited under 1, above, shall be subject to a forfeiture of not less than \$0 or more
26 than and not more than \$2500, plus noncriminal court costs.

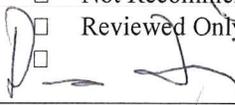
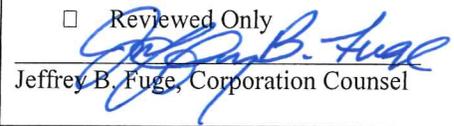
27 3. Notwithstanding 5., below, upon amendment of the state statute adopted and
28 incorporated under 1., the corresponding ordinance provision will incorporate such
29 amendment effective on the same date as the statutory change.

30 4. Ordinance Nos. 57-75; 56-75; 43-77; and 98-95 are repealed.

31 5. This ordinance shall be effective upon passage and publication.

(History: Ordinance No.53-17)

Ordinance No. 53-17: Polk County Public Protection and Safety Ordinance

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	August 15, 2017
Submitted on Recommendation of the Public Safety and Highway Committee:	
Review By County Administrator: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only  Dana Frey, County Administrator	Review By Corporation Counsel: <input checked="" type="checkbox"/> Approved as to Form <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only  Jeffrey B. Fuge, Corporation Counsel

Acknowledgement of County Board Action

Mark As Appropriate:

At its regular business meeting on the 15th of August 2017, the Polk County Board of Supervisors considered and voted on Ordinance No. 53-17: Polk County Public Protection and Safety Ordinance, as follows:

Enacted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
 Enacted by unanimous vote.
 Defeated by a vote of _____ in favor and _____ against.
 Defeated by voice vote.
 Action Deferred by Procedural Action, as follows: _____

SIGNED BY:

Dean Johansen, County Board Chairperson

Attest: _____

Sharon Jorgenson, County Clerk

Certification of Publication

Ordinance No. 53-17: Polk County Public Protection and Safety Ordinance, was published, pursuant to Wisconsin Statutes § 59.14(1), in the Inter-County Leader on the _____ day of September ____, 2017.

_____ Dated: _____

Sharon Jorgenson, County Clerk

1 Ordinance No. 54-17
2 Amendment to Tree Stand Regulations of County Forestry Ordinance and County Forest
3 Comprehensive Plan

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

6 Ladies and Gentlemen:

7 WHEREAS, pursuant to Resolution No. 88-91, the Polk County Board of Supervisors amended the
8 County Forestry Ordinance and the County Forest Comprehensive Plan to provide for a tree stand
9 regulation, based upon comparable provisions of the Natural Resources chapter of the Wisconsin
10 Administrative Code.

11 WHEREAS, on recommendation of the Environmental Service Committee, a revision of the County
12 Forest tree stand regulation to incorporate recently adopted revisions of the state tree stand
13 regulations would increase recreational use of County Forest Lands, consistent with County
14 established priorities.

15 NOW, THEREFORE BE IT ORDAINED that the Polk County Board of Supervisors amends the tree
16 stand provisions of the County Forestry ordinance and County Forest Comprehensive Plan as
17 follows:

18 "The construction, occupation or use of any elevated device is prohibited on any
19 county ~~owned~~ forest land except, as follows:

20 Portable tree stands may be used and remain placed during the time frame from
21 September 1 to January 31 provided that the placement, usage or removal of they
22 are completely removed each day at the close of hunting hours and provided such
23 devices such tree stand causes does no damage to trees. No person may place,
24 use or own an unoccupied tree stand on county forest land unless the owner's
25 Department of Natural Resources customer identification number, or the owner's
26 name and address, is written in the English language, attached to the tree stand in a
27 manner so it is clearly visible to a person standing on the ground, and kept legible at
28 all times. Any tree stand that does not contain such marking shall be removed each
29 day at the close of hunting hours.

30 Any person who places, uses or owns a tree stand on county forest land contrary to
31 the above provisions shall be subject to a forfeiture, of not less than \$10.00 and not
32 more than \$100.00 together with the costs of the action.

33 Pursuant to Wisconsin Statute Section 66.0113, the County Forester is designated and
34 authorized to issue citations for violations of the above provisions in conformity with
35 the Uniform Citation Ordinance, enacted as Resolution No. 79-06

36 Any tree stand located on county forest land contrary to the above provisions shall be
37 deemed abandoned property, subject to removal by the County Forester, and subject
38 to disposition in accordance with state law."

39 BE IT FURTHER ORDAINED that the provisions of the County Forestry Ordinance and
 40 County Forest Comprehensive Plan not amended herein shall remain unchanged, in full force
 41 and effect.

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	August 15, 2017
Submitted on Recommendation of the Environmental Services Committee: <i>Brad Olson</i>	_____
Review By County Administrator: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only <i>Dana Frey</i> 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 <i>Jeffrey B. Fuge</i> Jeffrey B. Fuge, Corporation Counsel

Acknowledgement of County Board Action

Mark As Appropriate:

At its regular business meeting on the 15th of August 2017, the Polk County Board of Supervisors considered and enacted the above ordinance, Ordinance No. 54 -17: Amendment to Tree Stand Regulations of County Forestry Ordinance and County Forest Comprehensive Plan, as follows:

- Adopted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- Adopted by unanimous vote.
- Defeated by a vote of _____ in favor and _____ against.
- Defeated by voice vote.
- Action Deferred by Procedural Action, as follows: _____

SIGNED BY:

 Dean Johansen, County Board Chairperson

Attest: _____
 Sharon Jorgenson, County Clerk

Ordinance No. 54-17, was published, pursuant to Wisconsin Statutes § 59.14(1), in the Inter-County Leader on the _____ day of August, 2017.

Sharon Jorgenson, County Clerk

Dated: _____

1 Polk County Board of Supervisors
2 Resolution No. 16-17

3 Resolution To Amend 2017 County Budget To Provide For Consulting Services Concerning the
4 Repair or Restoration of the Polk County Fairground Grandstand;

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

7 Ladies and Gentlemen:

8 WHEREAS, in adopting Resolution No. 2-17, the Polk County Board of Supervisors established the
9 Polk County Ad Hoc Committee on Fairgrounds Infrastructure to investigate cost estimates relating
10 to the repair or restoration of the Fair grandstand and to provide report and recommendation to the
11 County Board at the March 2017 regular meeting; and

12 WHEREAS, upon review of preliminary information at its February 28, 2017 meeting, the Ad Hoc
13 Committee on Fairgrounds Infrastructure recommended that the County Board authorize and
14 appropriate for expenditure the sum of up to \$21,000 for a structural evaluation of the grandstand to
15 accurately determine the repair or restoration costs. Evaluation to be completed by December 15, 2017.

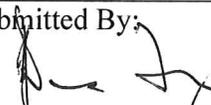
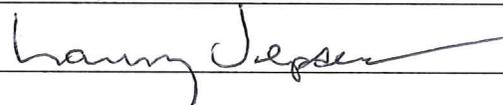
16 NOW, THEREFORE, BE IT RESOLVED that, pursuant to Wisconsin Statute Section 65.90(5)(a),
17 the Polk County Board of Supervisors authorizes an amendment to the 2017 County Budget to
18 transfer the sum of up to \$21,000 from County Fund Balance to the Fair Operating Budget – Other
19 Professional Services 101-20-55460-219), said sum to be expended toward the purchase of a
20 structural evaluation and other consulting services on the design of the repairs or restoration of the
21 grandstand. Said structural evaluation to be completed by December 15, 2017.

22 BE IT FURTHER RESOLVED that, pursuant to Wisconsin Statute Section 65.90(5)(a), the Polk
23 County Board of Supervisors directs the Clerk to publish this resolution by Class 1 notice under
24 Sections 985.02 and 985.07(1) within 15 days of passage and post the adopted resolution on the
25 County's website.

(Continued on Page 2)

Polk County Board of Supervisors
Resolution No. 16-17

Resolution To Amend 2017 Budget To Provide For Consulting Services Concerning the Repair or Restoration of the Polk County Fairground Grandstand

Funding Source/ Funding Amount:	Fund Balance: \$
Date Reviewed as to Appropriations:	March 9, 2017 General Government Committee
Committee Recommendation as To Appropriation:	
Effective Date:	Upon Passage and Publication
Dated Submitted To County Board	March 21, 2017
Submitted By: 	
Review By County Administrator: <input type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only <hr/> 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  <hr/> Jeffrey B. Fuge, Corporation Counsel

Acknowledgement of County Board Action

Mark As Appropriate:

At its regular business meeting on the of , 2017, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. 16-17: Resolution To Amend 2017 County Budget To Provide For Consulting Services Concerning the Repair or Restoration of the Polk County Fairground Grandstand; as follows:

- Enacted by two-thirds majority of the board of supervisors by a vote of _____ in favor and _____ against.
- Enacted by unanimous vote.
- Defeated by a vote of _____ in favor and _____ against.
- Defeated by voice vote.
- Action Deferred by Procedural Action, as follows: _____

SIGNED BY:



Dean Johansen, County Board Chairperson

Attest: 

Sharon Jorgenson, County Clerk

Resolution No. 48- 17

Resolution to Amend County Finance Policy to Require Additional Budget Documentation from External Agencies.

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

Ladies and Gentlemen:

WHEREAS, the Polk County Board of Supervisors provides funding to agencies that are not a direct part of County government; and

WHEREAS, these agencies provide valuable services for the citizens of Polk County; and

WHEREAS, the Polk County Board of Supervisors also has a fiduciary responsibility to the taxpayers of Polk County to ensure their funds are well spent and held to the same standards as County departments; and

WHEREAS, current policies require reporting of some financial information and can be expanded; and

WHEREAS, improved reporting would help assure that both service needs and financial standards are adequately met without placing an undue burden on these outside agencies.

NOW, THEREFORE, BE IT THEREFORE RESOLVED that Polk County Financial Policies section 1.02(dd) is amended to read:

dd. *External agency* means an organization that is not directed by the County Board or an *elected* County official to which the County makes or has made an appropriation, including indirectly through providing space in a County facility for less than market rent, other than expenses for a County Board Supervisor or other delegate to participate in meetings.

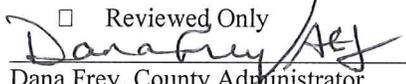
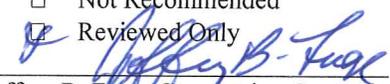
BE IT FURTHER RESOLVED that Polk County Financial Policies section 2.05(i) is amended to read:

i. *External agencies.* The budget as submitted by the administrator must include information as to whether external agencies have submitted a letter of agreement with the County, memorandum of understanding, or contract on file that is valid for the following year and whether that document incorporates an agreement to follow County financial policies for all funds provided by the County and language which indemnifies the County of all liability from operations of said agency. The budget documentation must also indicate whether the agency has submitted a copy of their bylaws, mission statement, information on insurance coverage, indemnification of the County, current audited financial statements as available, current and subsequent year's budget, and regular and current financial reports. Further, the budget documentation must also include information as to whether the following information has been submitted:

- 1) Documentation explaining how County funding is spent or evidence that the County funding results in budgetary savings or additional revenue;
- 2) A listing of key strategies, or actions the agency proposes to take in the following year to implement priorities as set by the County Board; and
- 3) Relevant output and outcome measures to assist with the assessment of the efficiency and effectiveness of programs.

38 In addition, no funding may be proposed that exceeds ___ percent of an organization's
 39 annual budget, and funding for external agencies may not exceed ___ percent of total
 40 General Fund revenues.

41 BE IT FURTHER RESOLVED that the Clerk is directed to engross the County Finance policy to incorporate
 42 the amendments adopted in this resolution and cause said revised policy to be issued and published on the
 43 County website.

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	First Reading: July 18, 2017 Second Reading: August 15, 2017
Submitted By:	_____
Review By County Administrator: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input 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. Fuge, Corporation Counsel

Acknowledgement of County Board Action

At its regular business meeting on the ____ of ____, 2017, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. 48-17: Resolution to Amend County Finance Policy to Require Additional Budget Documentation from External Agencies, as follows:

- Enacted by majority of all members, by a vote of _____ in favor and _____ against.
- Enacted by unanimous vote.
- Defeated by a vote of _____ in favor and _____ against.
- Defeated by voice vote.
- Action Deferred by Procedural Action, as follows: _____

SIGNED BY:

 Dean Johansen, County Board Chairperson

Attest:

 Sharon E. Jorgenson, County Clerk

SUBCHAPTER 13.1: ILLEGAL TRANSPORT OF AQUATIC PLANTS AND INVASIVE ANIMALS ORDINANCE

Ordinance No. 49-17

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

WHEREAS, the Polk County Board of Supervisors adopted Ordinance No. 10-08, the Illegal Transport of Aquatic Plants and Invasive Animals Ordinance, to prevent the spread of aquatic invasive species in Polk County and surrounding water bodies; to protect property values and the property tax base; and to ensure quality recreational opportunities; and

WHEREAS, the ordinance placed the responsibility of preventing the spread of aquatic plants and invasive animals on persons who operate or use a vehicle or transport any boat, boat trailer, personal watercraft and its associated trailer, canoe, kayak, or boating equipment, fishing equipment, hunting and/or trapping equipment to and from a navigable waterway.

WHEREAS, it is in the interest of Polk County that the owners and lessors of vehicles, watercraft and equipment share in the responsibility so that effort of preventing the spread of aquatic invasive species is comprehensive.

WHEREAS, the Polk County Board of Supervisors has held a public hearing for the purpose of receiving commentary on an amendment of Ordinance No. 10-08, the Illegal Transport Of Aquatic Plants and Invasive Animals Ordinance, to provide for liability of owners and lessors of vehicles, watercraft, trailers or equipment that is operated or used contrary to the ordinance.

NOW, THEREFORE, the Polk County Board of Supervisors does ordain to Amended Illegal Transport of Aquatic Plants and Invasive Animals Ordinance as follows:

Section 1. Title, Statutory Authority, Declaration of Policy, Definitions

1.01. Title. This ordinance shall be known as the Illegal Transport of Aquatic Plants and Invasive Animal Ordinance and is hereinafter referred to as the Ordinance.

1.02. Statutory Authorization. This ordinance is adopted pursuant to the authorization in Sections 59.03 of the Wisconsin Statutes.

1.03. Declaration of Policy

- a. *Purpose*. The purpose of this ordinance is to prevent the spread of aquatic invasive species in Polk County and surrounding water bodies in order to protect property values and the property tax base and ensure quality recreational opportunities.

1.04. Definitions. The following definitions apply to the provisions of this ordinance:

- a. *Aquatic plant* means a non-woody submergent, emergent, free-floating, or floating-leaf plant that normally grows in or near water and includes any part thereof. Aquatic plant does not mean wild rice when being harvested with a permit issued under NR 19.09 or any rights proffered by the Treaty of 1838.

- b. *Invasive animal* means all vertebrate and invertebrate species including zebra mussel, quagga mussel, rusty crayfish, spiny water flea, or any other aquatic invasive animal prohibited by the state.
- c. *Equipment* means plant harvesting equipment, boating equipment, fishing equipment, hunting and/or trapping equipment including but not limited to personal flotation devices, nets, anchors, fishing lines, decoys and waders.

Section 2: Prohibited Transport of Aquatic Plants and Invasive Animals

- 2.01. No person may operate a vehicle or transport any boat, boat trailer, personal watercraft and its associated trailer, canoe, kayak, or boating equipment, fishing equipment, hunting and/or trapping equipment including but not limited to personal flotation devices, nets, anchors, fishing lines, decoys, and waders, from navigable waters onto any roadway open to the public if aquatic plants or invasive animals are attached.
- 2.02. All aquatic plants or invasive animals shall be removed before entering a roadway open to the public or before launching a boat or equipment or trailer in navigable water.
- 2.03. If in the course of removing a boat from water, the temporary existence of a boat and trailer creates a safety hazard if not immediately transported along a public roadway, a person may transport without violation of this ordinance to the first suitable and safe location and there clean and remove any remaining aquatic plants or invasive animals consistent with this ordinance

Section 3: Exceptions to Transport of Aquatic Plants and Invasive Animals.

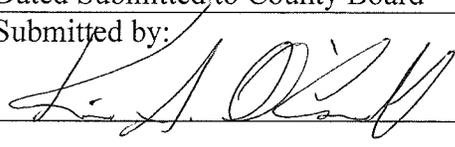
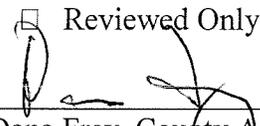
- 3.01. Unless otherwise prohibited by law, a person may transport aquatic plants:
 - a. For disposal as part of a harvest or control activity conducted under an aquatic plant management permit issued under Wisconsin Statute NR 109.
 - b. When transporting commercial aquatic plant harvesting equipment away from any water body to a suitable location for purposes of cleaning any remaining aquatic plants or animals.
 - c. When conducting an aquatic plant study for the purposes of vouchering specimen or conducting an educational workshop and in a closed container.
 - d. When harvested for personal or commercial use, such as to be used as compost or mulch, and in a closed container.
 - e. For purposes of shooting or observation blinds for waterfowl hunting during the waterfowl season, if the aquatic plants used for these blinds are emergent, cut above the waterline, and contain no aquatic invasive species. All other equipment shall have aquatic plants and invasive animals removed before entering a roadway open to the public.

Section 4: Citation and Enforcement.

- 4.01. Any person who violates a provision of this ordinance shall be subject to a forfeiture of not less than \$200 and not more than \$500 for the first offense and each subsequent offense. Said person shall be also subject to court costs for such violation.
- 4.02. Each violation shall be considered a separate offense.
- 4.03. Legal action may be initiated against a violator by the issuance of a citation pursuant to Sec. 66.0113(1)(a)(2005). Said citation may be issued by a law enforcement officer of Polk County.

- 4.04. The citation shall contain the following:
- a. The first, middle, and last name, address, and date of birth of the alleged violator.
 - b. Factual allegations describing the alleged violation.
 - c. The date, time and place of the offense.
 - d. The ordinance and section of the violation.
 - e. A description of the offense in such a manner as can be readily understood by a person making a reasonable effort to do so.
 - f. The date and time at which the alleged violator may appear in court.
 - g. A statement which, in essence, informs the alleged violator:
 1. That a cash deposit based on the schedule established by this section may be made which shall be delivered to the Clerk of Courts prior to the time of the scheduled court appearance.
 2. That if a deposit is made, no appearance in court is necessary unless subsequently summoned.
 3. That if a cash deposit is made and the alleged violator does not appear in court, they will be deemed to have entered a plea of no contest or, if the court does not accept the plea of no contest, a summons will be issued commanding them to appear in court to answer the complaint.
 4. That if no cash deposit is made and the alleged violator does not appear in court at the time specified, an action may be commenced to collect the forfeiture.
 5. A direction that if the alleged violator elects to make a cash deposit, the statement which accompanies the citation shall be signed to indicate that the statement required under Paragraph D.(7), above, has been read. Such statement shall be brought with the cash deposit.
 6. Such other information as the County deems necessary.
- 4.05. Any person who receives a citation shall be subject to the penalty provision under Section 35.50 (3).
- 4.06. Section 66.0113(3), Wis. Stats. relating to violator's options and procedure on default, is hereby adopted and incorporated herein by reference.

**Polk County Board of Supervisors
Ordinance No. 49-17
Illegal Transport of Aquatic Plants and Invasive Animals Ordinance**

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	(Enter date)
Submitted by: 	
Review by County Administrator:	Review by Corporation Counsel
<input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only	<input checked="" type="checkbox"/> Reviewed as to Form <input type="checkbox"/> Recommended
 Dana Frey, County Administrator	 Jeffrey B. Fuge, Corporation Counsel
County Board Action	
As its regular business meeting on _____ the Polk County Board of Supervisors enacted the above-entitled ordinance: Ordinance No. 49-17. Illegal Transport of Aquatic Plants and Invasive Animals Ordinance, by majority vote of the entire membership of a vote of _____ in favor and _____ against (or how vote was made ballot, etc.)	
_____ Dean Johansen, County Board Chairperson	Dated: _____
Attest: _____ Sharon Jorgenson, Polk County	Dated: _____
Certification of Publication	
The above-enacted ordinance, Ordinance No.49-17 Ordinance Illegal Transport of Aquatic Plants and Invasive Animals Ordinance, was published in the Inter-County Leader on the _____ day of _____, 2017.	
_____ Sharon E. Jorgenson, County Clerk	Dated: _____